

Minutes of COP Bureau Meeting
Held at the Ministry of External Relations of Brazil
Itamaraty Palace, Brasilia, 5 December 2006

Present:

1. **H.E. Marina Silva, Brazil, President,**
Mr. Luis Alberto Figueiredo Machado, Brazil,
2. **Mr. Karma C. Nyedrup, Bhutan**
3. **Mr. Abdul Haqim Aulayah, Yemen**
4. **Mr. Volodymyr Domashlinets, Ukraine**
5. **Ms. Andrea Stefan, Croatia**
6. **Ms. Mary Fosi Mbantenkhu, Cameroon**
7. **Mr. Ositadinma Anaedu, Nigeria**
8. **Mr. José Luís Herranz, Spain**
9. **Mr. Demétrio Infante, Chile (on behalf of Mr. Fernando Perez Egert)**
10. **Mr Ahmed Djoghlaf, Executive Secretary**

Ex officio:

1. **Mr. Jochen Flasbarth, Germany (COP-9 host country)**

Other participants invited:

2. **Fernando Casas, Colombia (Co-chair of the WGABS)**
3. **Timothy Hodges, Canada (Co-chair of the WGABS)**

Item 1. Opening of the meeting

1. The meeting was opened at 10:00 a m by the President of COP-8, Her Excellency Mrs. Marina Silva, Minister of the Environment of Brazil. In her opening remarks the President congratulated the Executive Secretary on his dynamism and initiatives, as well as the work performed by the Secretariat since the eighth meeting of the Conference of the Parties, and expressed the full support of the Presidency and the Bureau for his efforts to enhance the implementation of the Convention. She stated that we need courage and leadership to translate the Convention into reality. She looked forward to the next two years, which would be period of progress in the pace of implementation of the Convention, as well as in the negotiations of an international regime on access and benefit-sharing. The need for implementation should guide all our actions. She added that we are at a critical moment in the life of the Convention. At COP-9, we will have only two years to achieve the 2010 target: time is running out. She also emphasized that the Bureau should play a leadership role in the work of the Convention. The meeting on the review of implementation, in July 2007, should lead to improvements in the mechanisms

for facilitating implementation of the Convention, including North-South and South-South cooperation, capacity-building, as well as support from UN agencies. It was important that progress be made in the negotiations of an international regime on access and benefit-sharing before the ninth meeting of the Conference of the Parties. Brazil was committed to this objective. There was also a need to have a clear and consistent focus to achieve the 2010 biodiversity target. It was the responsibility of the Bureau to provide guidance and support to the Secretariat and the Parties.

2. The Executive Secretary noted that this meeting marked the first time in the history of the Convention that a Bureau meeting was being held during the inter-sessional period in the capital city of the Presidency. This testified of Brazil's leadership. The Executive Secretary congratulated the President for her commitment and leadership.

Item 2. Agenda

3. In submitting the provisional agenda for adoption, the representative of the President congratulated the Secretariat for the excellent documentation prepared for the meeting. The Bureau adopted the following agenda, as submitted:

1. Opening of the meeting
2. Adoption of the agenda
3. Access and Benefit-sharing
 - (a) Report of the activities of the Co-chairs of the Ad Hoc Open-ended Working Group on Access and Benefit-sharing;
 - (b) Meeting of the Group of Technical Experts on an Internationally recognized certificate of origin/source/legal provenance: selection of participants.
4. Consideration of the draft agenda of the second meeting of the Ad Hoc Open-ended Working Group on Review of Implementation of the Convention and report on preparations for the 12th and 13th meetings of the Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA)
5. Finalization of the draft procedures for the participation of Parties in the Convention process.
6. Report on preparations for the ninth meeting of the Conference of the Parties.
7. Report on activities of the Secretariat on the implementation of the work programme of the Convention.
8. Other matters.
9. Closure of the meeting.

Composition of the Bureau: outstanding member from the GRULAC

4. Following adoption of the agenda, the representative of the President, Mr. Luis Alberto Figueiredo Machado, recalled that the Latin American and Caribbean Regional

Group (GRULAC) had been unable to reach consensus at COP-8 on one of the two candidates from the region for election to the Bureau. Thus, only one member from the GRULAC – Mr. Donald Cooper of The Bahamas- had been elected by the Conference of the Parties. The GRULAC had informed the Conference of the Parties that the matter would be taken up by the Group in New York, on the margins of the General Assembly. Mr. Figueiredo was pleased to inform the Bureau that the matter had been discussed in New York as planned and that an agreement had been reached within the Group to nominate Mr. Fernando Perez Egert of Chile, currently Consul General of Chile in Montreal, for the outstanding GRULAC seat on the Bureau. The Chair of the GRULAC will officially notify the Secretariat of this development in the near future. The Bureau welcomed the nomination of Mr. Fernando Perez Egert.

Item 3. Access and Benefit-sharing

(a) Report of the activities of the Co-chairs of the Ad Hoc Open-ended Working Group on Access and Benefit-sharing;

5. The Co-chairs of the Ad Hoc Open-ended Working Group on Access and Benefit-sharing, Mr. Fernando Casas (Colombia) and Mr. Timothy Hodges (Canada) had been invited to the meeting in order to brief the Bureau on their activities in the interim period prior to the fifth meeting of the WGABS, to be held tentatively in Montreal, in October 2007, which is mandated to negotiate an international regime on access and benefit-sharing.

6. The Co-chairs expressed appreciation for the opportunity to brief the Bureau, which they felt should be an on-going process. Having permanent chairs for the WGABS provided an opportunity to develop a strategy in approaching the negotiating process. The Co-chairs approached their work on the basis of the principles of transparency, predictability and universal accessibility. There would be no “surprises”. They had begun discussions with the various regional groups in the expectation that such discussions would facilitate and accelerate progress in the negotiations, which were regarded by many as a key element of the 2010 target and achieving the three objectives of the Convention. They planned to continue such discussions in the coming months. They pointed out that the different meetings should not be viewed in isolation but as part of a process and expressed the hope that, by COP-9, the general framework and scope of the international regime would be agreed. Failing that, it was doubtful that the regime could be adopted by COP-10. The CO-chairs felt that a new approach to the work might be desirable, which would involve apportioning items to different meetings rather than tackling every single issue at each meeting. Finally they appealed to the Bureau and to the Parties to provide financial support to allow travel and, thus, enable them to continue their preparatory work and to attend related meetings, as appropriate. The success of their work depended on such support.

7. In connection with the need for financial support, the Executive Secretary recalled that the Secretariat had issued a notification inviting Parties to provide such support.

8. The representative of the President recalled that at the Johannesburg Summit, in 2002, Heads of States and Governments had agreed on setting two biodiversity related goals: (i) to achieve a significant reduction of the current rate of biodiversity loss by 2010; and (ii) to set up an international regime that would guarantee the sharing of benefits arising from the use of genetic resources and associated traditional knowledge. By decision of the Conference of the Parties at its eighth meeting, the ABS regime was to be completed by 2010. It was the view of the Presidency that "achieving the 2010 biodiversity target" encompasses both aspects.

9. The Bureau unanimously welcomed, and expressed strong support for, the work of the Co-chairs in support of the negotiating process. The Bureau supported the idea of continued contact between the Bureau and the Co-chairs for information purposes and to provide support as may be needed. The Bureau also supported the need for financial resources in support of the work of the Co-chairs and invited donors to provide such resources.

(b) Meeting of the Group of Technical Experts on an Internationally recognized certificate of origin/source/legal provenance: selection of participants

10. The representative of the President recalled that the Bureau was invited to approve the list of experts and observers on the basis of the list recommended by the Executive Secretary, in accordance with decision VIII/4/C, paragraph 2. The Bureau approved the list as proposed by the Executive Secretary and agreed that Brazil, as President of COP-8, and Germany, as host country of COP-9, should attend the meeting as *ex officio* observers.

11. The Bureau emphasized the need to ensure geographic balance among observers. It was felt that, in the future, funding should be provided for observers to ensure that institutions from the South are in a position to nominate observers as this would, in turn, ensure a better regional balance.

Item 4. Consideration of the draft agenda of the second meeting of the Ad Hoc Open-ended Working Group on Review of Implementation of the Convention (WGRI) and report on preparations for the 12th and 13th meetings of the Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA)

12. Following introductory remarks by the Executive Secretary based on the fact that the various agenda items are based on decisions by COP-8, the Bureau endorsed the provisional agenda of the second meeting of the Ad Hoc Open-ended Working Group on Review of Implementation of the Convention (WGRI) with one addition: at the request of Chair, the Bureau decided that the draft agenda should be amended to include an item on mechanisms for the implementation of the Convention.

13. The Bureau also expressed support for the streamlined agenda suggested for the 12th and 13th meetings of the SBSTTA in line with decision VIII/10, paragraph 14.

Item 5. Finalization of the draft procedure for the participation of Parties in the Convention process.

14. The Bureau congratulated the Secretariat for the preparation of the draft procedure prepared in accordance with decision VIII/31, paragraph 21. After considering the draft, the Bureau took note of document and agreed on the following:

- (i) The procedure for the participation of delegates in CBD meetings should draw upon and be guided by UN practice;
- (ii) Deadlines should be set for the nomination of representatives; however, there should be flexibility;
- (iii) Assistance should be provided to “developing countries, in particular the least developed countries and small island developing States amongst them, and other Parties with economies in transition”; and
- (iv) Should aim at the fullest possible participation as the representation of developing countries and countries with economies in transition will enhance the implementation of the Convention at local, national, regional and international levels

15. The Bureau emphasized the importance of having sufficient funds from donors to ensure a wide and regionally balanced participation in the meetings of the Convention, as this was a prerequisite to its successful implementation. Hence, it was crucial to ensure an adequate level of funding. The principle of transparency and accountability now guiding the Secretariat should encourage donors to increase their financial contributions. In this connection, it was felt that the procedure launched by the Secretariat – in response to and audit observation - for the selection of a travel agent would maximize cost effectiveness, transparency and accountability, and enhance donor confidence that the funds are used as efficiently as possible.

Item 6. Report on preparations for the ninth meeting of the Conference of the Parties.

16. The representative of Germany, Mr. Jochen Flasbarth, briefed the Bureau on preparations undertaken by Germany for MOP-4 and COP-9, which will be held respectively on 12-17 May and 19-30 May 2008 at Hotel Maritim in Bonn.

17. The High Level Segment will be held on 28-30 May 2008. In this respect, the representative of Germany informed the Bureau that the High Level Segment will be opened by the Chancellor and closed by the President. He also indicated that the President of Brazil will be invited to address the High Level Segment. He emphasized the need to put the CBD on the political and public agenda. Germany wanted an input by Ministers in the meeting. They were still reflecting on how best to achieve this. Germany also attached great importance to the side-events, which have a key role to play in the

meeting, and wishes to achieve a greater involvement of the business sector in support of the Convention e.g. that companies commit themselves.

18. He pointed out that, currently, the public does not perceive biodiversity as a problem as urgent as climate change. He hoped that COP-9 would change this.

19. With regard to the High level Segment, Mr. Flasbarth further indicated that while Germany was happy to consult with the Bureau in accordance with decision VIII/10, the High Level Segment was ultimately the responsibility of the host country. The Bureau agreed with this view. It was pointed out that, consistent with decision VIII/10, in order to ensure that the outcome is widely accepted it was important to ensure ownership of the High Level Segment by Parties through the Bureau.

Item 7. Report on activities of the Secretariat on the implementation of the work programme of the Convention.

20. This item was introduced by the Executive Secretary who referred to the detailed report, which had been made available to all Parties as the annual report of activities in 2006. He thanked Brazil for taking the lead in submitting and coordinating the draft decision submitted to the UN General Assembly declaring 2010 the International Year on Biodiversity. In submitting the report, the Executive Secretary highlighted the implication of the lengthy process of staff recruitment on the budget line of short-term assistance and overtime.

21. The President and Bureau members thanked the Executive Secretary for the report and congratulated him for the very productive work since COP-8, particularly in the area of communication, outreach and engaging major groups. One of the Bureau members reflected a concern voiced by some member countries in his Group to the effect that the high level of activities might divert scarce resources from other activities and Secretariat responsibilities approved by COP-8. The Bureau agreed that there was a need to strike a balance between the ability of the Secretariat to provide assistance to Parties and the need to implement what was decided by the Conference of the Parties. The Bureau was the appropriate place to discuss these matters with a view to providing guidance to the Secretariat. The practical issue was how to make this effective through an adequate procedure of consultation that would allow the Bureau to decide in full knowledge of implications. This matter was addressed under item 8 of the agenda.

22. Responding to the concern raised, the Executive Secretary made clear that the Secretariat had responded to request by Parties and any activity additional to the work programme decided by COP-8 had been funded from voluntary contributions and, thus, had not detracted from other activities. The Bureau took note of the ongoing initiative on South-South cooperation and the initiative on Cities and Biodiversity with the understanding that these activities will be funded with extra-budgetary resources.

Item 8. Other matters.

23. The Bureau discussed the issue of the procedure for consultation between the Bureau and the Secretariat. It was the intention of the Presidency to strengthen communications between the Bureau and the Secretariat and between Bureau members. It was essential that there be exchange of views among Bureau members on issues raised and that the Bureau speak with one voice. It was decided that the following procedure would be followed:

- (a) The Secretariat will inform the President whenever guidance is needed;
- (b) The President will circulate information/document received from the Secretariat to the Bureau members with a deadline for views/comments;
- (c) Bureau members will engage in a discussion among themselves via e-mails;
- (d) The President will compile comments received from the Bureau Members and prepare collective views/decisions;
- (e) The President will disclose the final collective views to the Bureau Members prior to communicating/forwarding it to the Secretariat.

24. The Secretariat undertook to send to Bureau members a list of meetings they are expected to attend from now until COP-9. The Secretariat was also requested to facilitate the issuance of visas to facilitate the participation of Bureau members in meetings of the Convention.

25. Some Bureau members raised the issue of capacity-building for focal points and the need for training. It was agreed that the Executive Secretary would explore this matter with the CEO of GEF, Ms. Monique Barbut. The Executive Secretary briefed the Bureau on the visit of the CEO of the GEF to the CBD Secretariat, on 30 November. The Bureau agreed to invite the CEO of GEF at its next meeting and to invite her to address the opening of the meeting of the Ad Hoc Open-ended Working Group on the Review of Implementation, to be held in Paris, in July 2007.

26. The idea of convening from time to time, when appropriate, meetings of the Bureau by telephone conference was also discussed.

Item 9. Closure of the meeting

27. The President thanked all Bureau members for their participation in the meeting, which was closed at 6:00 p.m.
