

Biodiversity Convention & NGOs

How to Help Solve Environmental Problems

By Hidenori KUSAKARI



Author
Hidenori Kusakari

What Is Biodiversity?

An international convention is a written legal agreement concluded among nations or between nations and an international organization with respect to international rights and obligations. The Convention on Biological Diversity (CBD) came into being because wildlife species went extinct at an unprecedented speed in the latter half of the 1970s, spreading grave anxiety about the worsening wildlife habitats and collapsing ecosystems that caused the extinction.

In the second half of the 1960s, the extinction of wildlife species progressed, and apprehension deepened over the cause of such phenomena – the deterioration of wildlife habitats and the destruction of ecosystems. Under these circumstances, the UN Conference on the Human Environment in 1972 recommended the convening of a conference, sponsored by governments or governmental organizations, at the earliest possible date to formulate and adopt a draft convention concerning the export, import and transport of certain species of wild fauna and flora. In response, the US government and the International Union for the Conservation of Nature (IUCN) played a central role in forging a convention for regulating international trade in wild fauna and flora. As a result, the Convention on International Trade in Endangered Species of Wild Fauna and Flora, commonly known as the Washington Convention, was adopted in the US capital on March 3, 1973.

Meanwhile, wetlands such as swamps, marshy grounds and tidal wetlands serve as habitats of diverse creatures, and especially play a key role in the growth of waterfowl. However, these wetlands tend to be affected by land reclamation projects, which sharpened a public awareness of the need to stem their destruction. Some wetlands cross national borders. And many waterfowl species are not bound by national borders. Therefore, an international approach was called for to protect waterfowl. As a result, an international conference for the conservation of wetlands and the protection of waterfowl was held in Ramsar, Iran, in February 1971 to facilitate the conservation of wetlands and waterfowl, and promote the wise use of wetlands. This led to adoption of the Convention on Wetlands of International Importance Especially as Waterfowl Habitat, commonly known as the Ramsar Convention.

Nevertheless, the extinction of wildlife species did not come to a halt, and their habitats continued to deteriorate. Thus, the destruction of ecosystems with an unprecedented speed has assumed serious proportions.

This being the case, the United Nations began to discuss the necessity of complementing existing international conventions for regulating trade in rare species and protecting species in particular regions, such as the Washington Convention, Ramsar Convention and Bonn Convention (Convention on the Conservation of Migratory Species of Wild Animals), and setting up an international framework

for the comprehensive preservation of biodiversity and the sustainable use of living resources.

Relevant debate was conducted by an expert team, formed by a decision taken by the Governing Council of the United Nations Environment Program (UNEP) in 1987, while negotiations took place at seven successive intergovernmental meetings, held from November 1990. As a result, the CBD was adopted by consensus at a conference held to endorse the agreed text in Nairobi, Kenya, in May 1992. In the following month, this convention, along with the UN Framework Convention on Climate Change, was opened for signature during the UN Conference on Environment and Development (UNCED), held in Rio de Janeiro from June 3 to 14. The two conventions were touted as UNEP's principal achievements. The CBD took effect on December 29, 1993, after satisfying requirements for effectuation. Up to October 2010, 193 nations had acceded to the convention. As such, it is a truly international convention of a global scale.

As regards the scientific basis of the CBD, the World Resources Institute, a nonprofit private organization in Washington, published a report on biodiversity titled *"Keeping Options Alive"* in 1989, based on scientific data, followed by a series of similar activities, including the publication of *"Strategy for the Preservation of Biological Diversity"* (by Japanese publisher Chuo Hoki Shuppan Co.). These reports provided basic scientific material for the formulation of the CBD.

Mechanism of CBD

A meeting of parties to the CBD is a regular international conference of the countries that have acceded to the convention, and as such, it is the highest decision-making body for the convention. In the case of the Framework Convention on Climate Change, participating nations hold a meeting every year, whereas the CBD conference is convened every two years. Protocols, based on these conventions, have legal binding power. As for the CBD, the Cartagena Protocol on Biosafety has been formulated in regard to gene recombination to cope with problems associated with biotechnology. Nations that have signed this protocol also meet simultaneously with the CBD conference.

The CBD has three basic objectives. The first one, "the conservation of biological diversity," is a prerequisite for all activities related to the convention. The two other objectives are "the sustainable use of biodiversity components" and "the fair and equitable sharing of benefits arising out of the utilization of genetic resources."

The parties to the convention are required to organize their related activities in line with the said objectives – for instance, the drafting of a national strategy for biodiversity, the establishment and monitoring of protected areas, the preservation of species inside and outside their habitats, the implementation of policies for the sustainable use of species, and the promotion of traditional and cultural activities for sus-

CHART 1

CBD's thematic programs & cross-cutting issues



Source: CBD website (<http://www.cbd.int/programmes/>)

tainable use. Besides, nations possessing genetic resources are accorded sovereignty over such resources, while nations providing genetic resources and those using such resources are called upon to ensure the fair and equitable sharing of benefits arising from the use of resources and encourage related research and training as well as promoting education and awareness-raising activities for the general public.

Regarding the above-mentioned main contents of the CBD, various themes are prepared for debate at a conference of parties to the convention (COP). The convention lists seven thematic programs of work while it prescribes a total of 19 key cross-cutting issues of relevance to all these thematic areas. A resolution is adopted for each issue at the COP. (Chart 1)

Various preparations are made to convene the COP. The Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA) holds meetings on major subjects, while the Working Group on the Review of Implementation (WGRI) is charged with problems requiring discussion separately from the SBSTTA (Chart 2). The SBSTTA and WGRI draft plans for COP discussions, putting them into documents.

At the two-week COP, a plenary session is followed by debate at the first and second subcommittees. When no solution is reached or opinions are divided, various gatherings for discussion such as a contact group and an informal group are organized as the case may be.

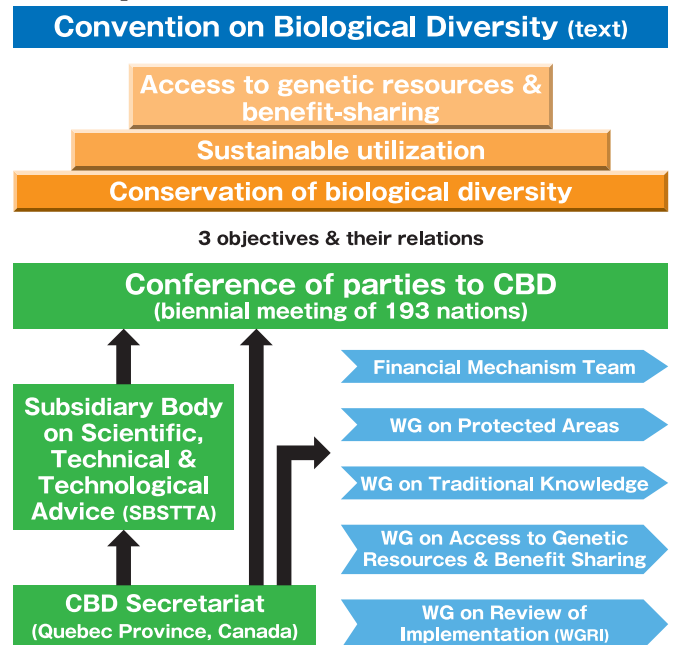
Attendees are allowed to speak in the order of participating governments, governmental (scientific) organizations and NGOs.

COP10

The 10th Conference of the Parties to the CBD (COP10) took place at the Nagoya City International Assembly Hall in Aichi Prefecture for two weeks from October 18 to 29, 2010. It turned out to be the

CHART 2

Conceptual outline of CBD mechanism



Source: Nature Conservation Society of Japan

largest-ever COP with more than 13,000 representatives present from the 179 signatory nations, UNEP and other relevant international organizations, indigenous peoples and civic bodies. In addition, as many as about 350 side events, also a record, were held while the "Interactive Fair for Biodiversity" at an adjacent site attracted more than 118,000 people.

COP10 was intended to resolve three important challenges for the CBD as a major turning point for the future.

First, regarding the "conservation of biological diversity on Earth," COP6 in 2002 set the target of "a significant reduction in the rate of biodiversity loss by 2010." However, since this target could not be achieved, COP10 was charged with not only revising this target and setting a new target after 2010 to ensure the continuity of various measures involved, but also determining new policies to attain the revised target.

Secondly, with respect to the use of biodiversity, there was the unsolved problem of agreeing on a legally binding protocol on "liability and redress," as provided for by the Cartagena Protocol on Biosafety, concerning the adverse effects of the trans-boundary movements of living modified organisms (LMOs).

Thirdly, COP10 was also charged with reaching a conclusion on "access to genetic resources and the fair and equitable sharing of benefits arising from their utilization" (ABS) – the third objective of the CBD – after protracted negotiations in the past.

There were also many other themes left over from COP9. But COP10 reached agreement and adopted decisions on almost all of the above-mentioned three challenges and other leftover themes.

UN-sponsored meetings for negotiation are governed by the principle of "unanimous vote." Therefore, all participating nations can exercise "veto power." The 15th conference of parties to the UN Framework Convention on Climate Change, held in Copenhagen in 2009 to discuss developments linked to climate change since the adoption of the Kyoto Protocol, failed to adopt the proposed

“Copenhagen Agreement” at a plenary session owing to dissent, even though this agreement had been worked out in advance through direct negotiations among the presidents and prime ministers of participating countries. After that, the perception spread that nothing can be decided at UN meetings ruled by the principle of unanimity. Subsequently, there have appeared moves to study a formula of accumulating agreements through bilateral and multilateral frameworks outside the United Nations.

In a bid to overcome the failure at the Copenhagen conference, the United Nations came up with a new formula of agreement when the Nagoya Protocol and other documents were put to the vote at the latest COP10. That is, “opponents of the draft protocol were allowed to express disagreement on condition that they refrained from obstructing its adoption.” As a result, the “contents of the protocol” failed to obtain unanimous approval, but its “adoption” was given a unanimous consent. *(Photo)*

G-8, CBD, Rio+20, MDGs

The role of NGOs in solving environmental problems is also undergoing a major change. On the occasion of the G-8 Toyako Summit in 2008, various NGOs dealing mainly with the problems of the environment, poverty and human rights from a global perspective cooperated in forming the G-8 NGO Forum and evolved a campaign through the forum. As regards the environment, climate change and biodiversity were taken up. The Biodiversity Group formulated an NGO road map leading to COP10. Later, this group served as the core for the establishment of the Japan Civil Network for Convention on Biological Diversity (JCN-CBD) in January 2009 as part of the run-up to COP10. The JCN-CBD played a major role on the occasion of COP10.

Designated by the United Nations as the Year of Biological Diversity, 2010 was the target year for a halt to biodiversity loss, which was set at COP6 in The Hague and the World Summit on Sustainable Development in Johannesburg, both held in 2002. Nonetheless, the target could not be achieved mainly because it was not specific enough and also because it was not possible to secure the participation of many players in this field. Therefore, COP10 put up two new goals – a short-term target (a decade to 2020) and a medium-term target (2050).

The JCN-CBD called upon the United Nations to adopt a resolution designating the next 10 years up to 2020 as the UN Decade of Biodiversity so as to enable this important decade to attain its target even more effectively and efficiently by seeking the cooperation of all UN member nations, regardless of whether or not they have acceded to the CBD, as well as all UN and international organizations and research institutes.

A JCN-CBD working group, which advanced the above proposal, obtained the cooperation of the CBD Secretariat and approached the Japanese government, which thereupon submitted the proposal at a meeting of the SBSTTA/WGRI, held in Nairobi in May 2010. The SBSTTA then recommended that COP10 decide on the proposed resolution calling for the designation of the biodiversity decade.

At the UN General Assembly on September 22, the first top-level meeting was held to discuss the conservation of biodiversity. On that occasion, the JCN-CBD announced a statement requesting the United Nations to designate the biodiversity decade.



Parties to the UN Convention on Biological Diversity adopt an international protocol calling for the equitable sharing of benefits from the use of genetic resources and approve post-2010 global targets aimed at conserving biodiversity before closing their 10th conference in Nagoya on Oct. 30.

In order to enable the new strategic plans, adopted at COP10, to take firm root, it is essential for not only the CBD signatory governments but also NGOs, businesses and nations which have yet to sign the convention, including the United States, to recognize the importance of biodiversity and promote the conservation and sustainable use of biodiversity. COP10, meanwhile, adopted the proposal for the UN Decade of Biodiversity.

Although COP10 has ended, Japan’s responsibility as its chair will last for the ensuing two years until the next host nation takes over in October 2012.

In 2012, Rio+20 (a UN conference on sustainable development marking the 20th anniversary of the Earth Summit in Rio de Janeiro) will be held in the Brazilian city under the main theme of “an international framework on sustainable development.” The environmental problems will thus be taken up on a global scale. Rio+20 will be followed by a review of the UN Millennium Development Goals (MDGs).

At the UN Millennium Summit, held in New York in September 2000, 189 participating nations adopted the UN Millennium Declaration setting forth goals for the international community in the 21st century. The declaration referred to such issues as peace and security, development and poverty, the environment, human rights, good governance and particular needs in Africa, and presented a clear-cut direction for the role of the United Nations in the 21st century. The UN Millennium Declaration and international development goals laid down by major international conferences and summit meetings, held during the 1990s, were integrated into a single common framework in the form of the MDGs, comprising eight goals to be achieved by 2015.

A road map is in place for a review of the whole process of global efforts for environmental protection ranging from the G-8 and the CBD to Rio+20 and MDGs, and all of them are embraced in the UN Decade of Biodiversity.

The responsibility of host-nation Japan rests with not only the government, but also all quarters responsible for biodiversity, including research institutes, NGOs and private enterprises. **JS**

Hidenori Kusakari is secretary to chief executive officer, WWF Japan.