

IPBES / SOP.2**Biodiversity and Ecosystem Services Platform****– Formal Establishment –**

by Sarah Lucas*

After seven years of international negotiations, starting in Paris in 2005 where discussion of the International Mechanism of Scientific Expertise on Biodiversity (IMoSEB) was initiated and including three Ad-hoc Intergovernmental and Multi-stakeholder meetings,¹ the Intergovernmental Platform on Biodiversity and Ecosystem Services (IPBES) was finally established by a resolution signed by 90 countries during the Second Session of the Plenary Meeting on IPBES (IPBES-SOP.2) in Panama City.

The new intergovernmental body was chaired by Robert Watson (UK) assisted by Vice-Chairs Atsushi Suginaka (Japan), Ali Mohamed (Kenya), Senka Barudanovich (Bosnia and Herzegovina) and Hesiquio Benitez (Mexico), and featured discussions on the modalities and institutional arrangements for an IPBES, including the functions and structures of bodies that might be established under the platform; the rules of procedure; the work programme of the platform; and the physical location of the IPBES Secretariat.

A total of 270 delegates representing 103 States attended the meeting, as well as one observer, three intergovernmental organisations, 21 non-governmental organisations, five conventions and five UN bodies and specialised agencies. Although agreements on the various issues were not easy to reach, delegates made all the necessary efforts and compromises to adopt “minimum requirements” for the operationalisation of the platform. However, a number of crucial issues, such as the IPBES Secretariat’s possible links to UNEP, UNDP, UNESCO and FAO, as well as the decision-making process, were postponed to the first formal meeting of the Platform (to be held in early 2013).

Functions and Structure

Regarding IPBES governance, the IPBES Plenary will be the Platform’s decision-making body and open to membership from State members of the United Nations. Delegates agreed to establish a Bureau and a Multidisciplinary Expert Panel (MEP) as subsidiary bodies. The “Bureau, comprising the Chair and four Vice-Chairs and five additional officers will oversee the administrative functions”, while the “Multidisciplinary Expert Panel will carry out the scientific and technical functions, initially comprised of five members from each of the five United Nations regions, and with the Chairs of the scientific subsidiary bodies of the MEAs related to biodiversity and ecosystem services and the

Intergovernmental Panel on Climate Change to be invited as observers”.² Regarding the MEP, its members will be appointed at the first formal meeting of the IPBES Plenary. A parallel process of consultation will be undertaken to determine the basis on which the MEP will be made permanent (regional representativeness and balance regarding scientific disciplines and expertise).

Rules of Procedure

Discussion of the Rules of Procedure for the IPBES Plenary left many elements for future determination.³ IPBES-SOP.2 was able to agree on some key definitions, however. In particular, the terms “ecosystem services” and “ecosystem functions”, which representatives recognised should be interpreted as broadly as possible.⁴

On the admission of observers, delegates debated whether to have strict rules for observers, or an open system allowing all accredited observers, as with the first and second sessions of the Plenary. In this connection, the International Union for Conservation of Nature (IUCN) reported on a Stakeholders’ one-day meeting on the modalities and institutional arrangements of IPBES, held prior to the Plenary, and underscored the need to adopt a mechanism that ensures full and effective participation of all stakeholders.⁵

Eventually, IPBES-SOP.2 agreed that the first meeting of the IPBES Plenary will follow the Rules of Procedure of the UNEP Governing Council in the remaining areas.

Work Programme

Potential activities to operationalise the four functions of IPBES were discussed only briefly. Delegates did, however, agree to start immediately on certain intersessional work, and to use the time between now and the first meeting of the IPBES Plenary to prepare for the initial work programme. Some key intersessional deliverables will include an overview of existing assessments with a critical analysis of their policy impact; a draft multidisciplinary conceptual framework for IPBES; a draft compilation and analysis of capacity-building needs for IPBES; and draft guidelines for governments and observers to submit requests to the Plenary.

Budget

Although a note by the Secretariat on “Indicative budget requirements”⁶ had been circulated for discussion, IPBES-SOP.2 left budgetary matters undecided, pending consideration on the agenda for the first meeting of the IPBES Plenary. ➔

* Legal Officer, IUCN Environmental Law Centre, Bonn, Germany.

Physical Location

Another key achievement of IPBES-SOP.2 was the decision to formally locate the Platform's Secretariat in Bonn, Germany. Five countries (Republic of Korea, Kenya, Germany, India and France) had entered into bidding to host the Secretariat, which was ultimately resolved only by formal voting. The voting process continued for four rounds until Germany won with 47 votes to second-finisher Republic of Korea's 43. The offer from the German government includes an annual contribution to IPBES of US\$1.3 million, plus US\$700,000 towards supporting individual projects (conferences, studies, etc.), and an annual contribution of US\$6.5 million towards bilateral capacity-building activities.

Although the final decision regarding the Platform's UN-host-institution is another that has been left for later, IPBES-SOP.2 decided that UNEP will continue performing interim secretariat functions until the formal IPBES Secretariat is fully in place.

Next Steps

Much progress was made during the second session and even though the process was almost brought to an end while drafting the resolution, in the end, as highlighted by Chair Watson, "Biodiversity won". IPBES now exists as the interface between science and policy but it functions

on the basis of minimum requirements. Additional work needs to be achieved in the intersessional period to make the Platform fully operational. As next steps, the conceptual framework will be prepared by the Secretariat and submitted to all governments and stakeholders through an online consultation process. Governments and stakeholders will be invited to send proposals on capacity building to the Secretariat, to be compiled and presented to the first meeting of the IPBES Plenary for review.

Notes

- 1 Putrajaya, Malaysia, 2008; Nairobi, Kenya, 2009; Busan, Republic of Korea, 2010.
- 2 UNEP/IPBES.MI/2/9, Appendix 1, Functions, operating principles and institutional arrangements of the Platform.
- 3 According to the note by the Secretariat in document UNEP/IPBES.MI/2/4: "As at the date of finalization of the present note, comments had been received from seven Governments: Argentina, Canada, China, Egypt, Japan, Norway and the United States of America, in addition to the European Union and its 27 member States. Comments had also been submitted by three international organizations: the International Council of Environmental Law (ICEL), the International Union for Conservation of Nature (IUCN) and the Society for Conservation Biology". ICEL's submission on the rules of procedure can be requested at icel@intlwapol.org.
- 4 UNEP/IPBES.MI/2/9, Report of the second session of the plenary meeting to determine modalities and institutional arrangements for an intergovernmental science-policy platform on biodiversity and ecosystem services.
- 5 Stakeholders' Statement at the Second session of a Plenary Meeting to Determine Modalities and Institutional Arrangements for IPBES, available at http://cmsdata.iucn.org/downloads/statement_ipbes_stakeholders_15_apr2012.pdf.
- 6 UNEP/IPBES.MI/2/7.

UNICPOLOS

Marine Renewable Energy

The 13th Meeting of the United Nations Open-Ended Informal Consultative Process on Oceans and the Law of the Sea (UNICPOLOS) met at UN Headquarters with a primary focus on the issue of marine renewable energy (MRE).¹ Predictably a smaller-than-usual gathering, in light of the flurry of preparations for Rio+20, UNICPOLOS-13's discussions were still able to provide a useful basis for consideration of the MRE concept. They emphasised the potential and untapped energy resources of oceans – an issue not formally addressed in previous meetings, and perhaps insufficiently covered by the current text of the UN Convention on the Law of the Sea.

With customary innovativeness, the UNICPOLOS participants identified new perspectives for viewing the MRE concept, including proposals for recognising MRE as a "bio-derived resource" and combining it with the seabed minerals among the resources to be overseen by the International Seabed Authority. They also considered the possibility of inter-agency cooperation between the UN's Division on Oceans and Law of the Sea and the nascent International Renewable Energy Agency (IRENA).

The participants noted that marine-derived energy, including thermal energy conversion, offers great hope for coastal tropical countries and island nations, but that its potential has not been significantly investigated, and that insufficient technology transfer relating to these processes has

occurred, to date. They noted the critical need for investment in MRE development, as well as further information on the environmental impacts of MRE development, and the manner in which those impacts can be minimised.

The discussion ultimately reflected a range of potential energy sources, including, in addition to thermal energy, offshore wind energy facilities, sub-marine geothermal energy, and bio-energy derived from marine algae and other biomass. Much of the discussion focused on the extent to which MRE could enable small islands and other coastal developing countries to minimise their dependence on petroleum as a primary energy source.

This meeting also demonstrated the value of international discussions focused on shared technological goals, specifically the development and sharing of MRE technologies, in the face of the overwhelming number of international bodies whose meetings have increasingly been bogged down by wrangling over minor wording issues in non-mandatory recommendation documents and an accelerating level of bureaucratic argument. (TRY)

Note

- 1 The IISD's careful and detailed summaries of this meeting are available online at <http://www.iisd.ca/oceans/icp13>. See, especially, Auld, G., Diz, D., Miller, A. and Renckens, S., "Summary of the Thirteenth Meeting of the United Nations Open-Ended Informal Consultative Process on Oceans and the Law of the Sea: 29 May–1 June 2012". *Earth Negotiations Bulletin* Vol. 25, No. 88.