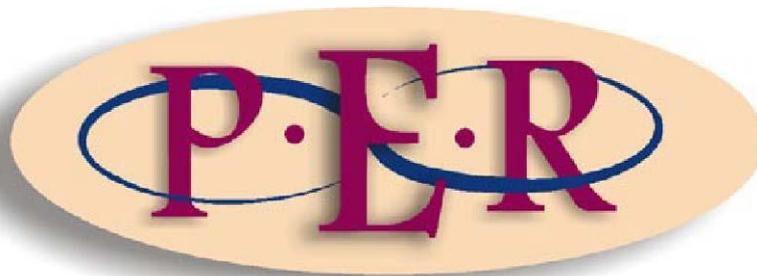


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BOOK REVIEW

**BIODIVERSITY AND CLIMATE CHANGE: LINKAGES AT
INTERNATIONAL, NATIONAL AND LOCAL LEVELS**

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Biodiversity and Climate Change: Linkages at International, National and Local Levels*

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At the tenth *Convention on Biological Diversity* (CBD) Conference of the Parties (COP) held in Nagoya 2010, the parties agreed that they would by 2020 enhance 'ecosystem resilience and the contribution of biodiversity to carbon stocks ..., through conservation and restoration, including restoration of at least 15 per cent of degraded ecosystems, thereby contributing to climate change mitigation and adaptation and to combating desertification' (Aichi Target 15, Decision X/2 (Strategic Plan for Biodiversity 2011-2020)).

This integral link between biodiversity and climate change was furthermore recognised at the eleventh CBD COP held in Hyderabad in late 2012, at which the parties acknowledged the need to specifically strengthen and enhance synergies between the *United Nations Framework Convention on Climate Change* (UNFCCC) and the CBD, so as to implement them in a coherent and mutually supportive way (Decision XI/6, XI/16 and XI/19). In the context of REDD and REDD+, the parties proposed the introduction of relevant safeguards to aid developing countries reduce the potential negative impacts associated with these initiatives. These impacts include deforestation and forest degradation to areas of lower carbon value and higher biodiversity value, and their potential negative associated consequences for indigenous and local communities (Decision XI/19). Calls were additionally made to note the significant gaps in the understanding of the impacts of climate-related geo-engineering on biodiversity and the lack of science-based, global, transparent and effective legal mechanisms to control and regulate it (Decision XI/20). Finally, the

* Maes Frank, Cliquet An, Du Plessis Willemien & Mcleod-Kilmurray Heather (eds) *Biodiversity and Climate Change: Linkages at International, National and Local Levels* (Edward Elgar 2011). ISBN: 9781782546894.

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parties called for biodiversity considerations to be integrated into climate change-related activities on the international, regional and domestic scale (Decision XI/21). As highlighted by the Editors in their Introduction to the book, while the reciprocal link between biodiversity and climate change now appears to be an accepted truth, 'the solutions for dealing with these linkages in an integrated manner are scarce'. This scarcity is very graphically reflected if one surveys the available preparatory documents for the upcoming nineteenth UNFCCC COP to take place in Warsaw in November 2013, where biodiversity issues do not appear to be recognised or well integrated within the agenda.

This new book, which seeks to investigate the linkages between biodiversity and climate change at international, national and local levels, is accordingly a very timely contribution to the current discourse. Constituting the sixth publication under Edward Elgar's *IUCN Academy of Environmental Law Series*, the book comprises of a selection of papers presented at the Eighth IUCN Academy of Environmental Law's Colloquium held in Ghent (Belgium) in 2010. The title of the book naturally mimics the Colloquium theme, which was 'Linkages between Biodiversity and Climate Change'.

Structurally, the book is divided into four main parts. Part 1 is entitled 'National and Local Experiences' and contains a range of contributions dealing with different substantive issues and jurisdictions. Ako and Oluduro describe Nigeria's problematic legal framework governing gas flaring in the oil exploitation industry. Ramos highlights the recent crucial role of the Philippine judiciary and active citizenry in promoting the implementation of the country's climate change and biodiversity legislation. Hervé-Fournereau and Langlais explore whether or not the concept of ecosystem services promotes synergies between European strategies for biodiversity and climate change. Bekele Tekle provides an overview of the laws and policies of relevance to biodiversity, climate change, famine and poverty in Ethiopia. Finally, Ndongo and Maes explore the extent to which climate change effects have contributed to the conflicts in the Darfur Region in western Sudan, proposing the

need for a human rights, bottom-up approach focussing on land tenure issues to resolve the current crisis.

Part 2 of the book moves to consider the 'International and Transboundary Approaches'. The content of the contributions in this Part of the book is similarly varied. Relating directly to the contemporary calls emanating from the recent CBD COP, Goetyn and Maes explore options for better linking biodiversity and climate change conventions, drawing from recent 'clustering initiatives' between chemical-related conventions. Ituarte-Lima and Subramanian tackle the challenging topic of promoting equity in the negotiation of future REDD+ agreements, drawing lessons *inter alia* from Peru's access and benefit sharing legislation. Kravchenko examines the crucial role of substantive and procedural rights in the climate change and biodiversity nexus. Savaresi returns to the REDD debates and specifically the opportunities this mechanism provides for promoting greater alignment between the UNFCCC and the CBD. In the concluding chapter of this Part, Lim highlights the importance of mountain biodiversity and transboundary conservation approaches, through an evaluation of two case studies, namely the Pamir-Lai Land Management Project (on the Tajikistan-Kirgyzia border), and the Heart of Borneo Project (spanning the borders of Malaysia, Indonesia and Brunei).

The book then turns to address two specific substantive issues in its final two parts. Part 3 considers 'Land Use and Agriculture'. Debeuckelaere and Goldenmann canvas the EU Floods Directive, and particularly the experience of Belgium in using land-use planning instruments to mitigate flood risk, protect biodiversity and support adaptation to climate change in the Scheldt River Basin. Ferreira, Ferreira and de Araújo Ayala explore the extent to which Brazil's legal framework is adequate to protect the Amazon rain forest in the context of the country's expanding biofuels industry. Building on the intersection between biodiversity, climate change and agriculture, Rehlinger's closing chapter in this Part examines the contribution of the EU Common Agricultural Policy to protecting biodiversity and the 'global' climate in Europe.

The final part of the book contains two chapters under the heading 'Solutions from Science and Technology'. In the first, Thomas explores how to promote connectivity through the law in the context of marine protected areas in the Northern Pacific. In the concluding chapter of the book, Outhwaite considers the role of biosecurity in preventing and mitigating the impacts of climate change and biodiversity loss.

As should be evident from the above very brief survey of the content of the book, it is vast in its substantive breadth and rich in its diversity of approach and perspective. This is naturally one of its strengths but as with many books comprising compilations of published conference papers, it may simultaneously constitute one of its weaknesses in that it lacks a certain structural logic, substantive cohesion and common tone. Editors of such publications are often tasked with the unenviable role of selecting, compiling and harmonising contributions they receive as best they can, and the editors of the current book have done well to ensure that many of the substantive areas canvassed in the book closely match the issues currently being debated and negotiated in relevant international forums. These issues include: mechanisms to promote alignment between the CBD and UNFCCC; debates about the merits and safeguards necessary for implementing REDD and REDD+ initiatives; human rights considerations which come to the fore in the biodiversity/climate change interface - particularly around indigenous peoples and local communities; connectivity conservation; and the crucial role of land-use planning in the context of both biodiversity conservation and climate change mitigation and adaptation.

As noted by the Editors in their Introduction, this book does not seek to 'provide the final answer' to the question of how best to promote legal linkages between biodiversity and climate change regulation at the international, national and local levels. It rather constitutes a 'contribution to the debate', illustrating that the 'law adapts slowly to change' and that 'innovative approaches need to be adopted ... to ensure that biodiversity is not depleted, that climate change is not expedited and that the less fortunate do not suffer'. In this vein the book provides a valuable contribution to the emerging discourse. To conclude in the rather poetic and powerful words of one of the contributing authors, Gloria Ramos, the 'powerful vase of remedies' afforded by the law 'will remain empty unless citizens fill it to the brim

with their determination, courage, hope and compelling audacity to lead the change for ecological_stewardship'.