

# The United States and the Convention on Biological Diversity

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This fact sheet was prepared by Defenders of Wildlife and the Center for Biological Diversity with assistance from other organizations.

*One of the pressing challenges of our time is confronting the multiple threats to Earth's natural flora and fauna that have led to the current extremely high rate of species extinctions and habitat loss. The Convention on Biological Diversity (CBD) is the only comprehensive agreement dedicated to the conservation and sustainable use of biodiversity. It is a 16 year-old treaty with 191 parties. **Only four nations in the world are non-parties: Andorra, Iraq, Somalia, and the USA.** It clearly is in the interest of the USA to become a party. President-elect Obama should endorse the CBD and the Senate should promptly offer its advice and consent to ratification.*

## THE USA AND THE CBD - A BRIEF HISTORY

- **1992:** After extensive involvement by the USA in the six-year drafting and negotiation phases, the CBD opened for signature at the Rio de Janeiro "Earth Summit". Its objectives: "the conservation of biological diversity, the sustainable use of its components and the fair and equitable sharing of the benefits arising out of the utilization of genetic resources". Modeled after conservation laws in the United States, it set out a series of steps the parties will take in their own ways to conserve living resources and to ensure benefits they provide will be sustained. More than 150 nations and the European Union signed the Convention in Rio. However, USA President George H. W. Bush declined to sign.
- **June 1993:** President Clinton signed the CBD on behalf of the USA.
- **November 1993:** President Clinton transmitted the CBD to the Senate for advice and consent along with "seven understandings" to accompany the ratification instrument. He noted that existing Federal, State and local laws and programs were "sufficient to enable any activities necessary to effectively implement our responsibilities under the Convention" and the "Administration does not intend to disrupt the existing balance of Federal and State authorities through the Convention".
- **1994:** The Senate Foreign Relations Committee supported CBD ratification by a 16-3 bipartisan vote, subject to the seven understandings. (Five of the 16 senators who voted for ratification are still in the Senate: Senators Dodd, Feingold, Gregg, Kerry, and Lugar. None of the three senators who voted against ratification remain in office.) However, the CBD never received a ratification vote on the Senate floor.
- **1995 - 2008:** The Senate has not revisited CBD ratification for 14 years. But, during this time, the USA still has sent large delegations of governmental officials and representatives from environmental and industry groups to all CBD meetings. Nevertheless, as a CBD "observer," our nation's delegations have no official voice – we cannot directly engage in key negotiations or final decision-making.

**Summary:** Beginning more than 20 years ago, leadership by the USA led to the most comprehensive agreement ever written to reduce the global loss of biodiversity. Then, our nation stepped away while nearly every other nation in the world joined the CBD. The USA stands starkly isolated as a non-party, harming our world image and our ability to affect global conservation and sustainable use efforts.

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# COMPELLING REASONS FOR THE USA TO RATIFY

- The CBD's effectiveness and the urgent cause of stemming the ongoing high rate of global biodiversity loss both suffer from the lack of official involvement and support from the USA. Membership will allow our nation to help shape and advance the world's approach to conservation and sustainable use.
- Joining the CBD will signal the USA's re-commitment to global environmental leadership and could markedly enhance our international relations.
- The CBD's consensus-based decision processes will ensure the interests of the USA are fully recognized, which they are not as a non-party.
- No party's national sovereignty has ever been undercut by joining or participating in the CBD.
- The CBD's 24 work programs – ranging from agricultural biodiversity to forests, climate change to island issues, and plant conservation to ecotourism – set the agenda for key conservation and sustainable use activities around the world.
- USA environmental and industry groups have long seen the value of the CBD for their work and they actively contribute to its processes and implementation. For example, several major organizations participate in the CBD's protected areas work program, which sets goals for networks of protected areas, strengthens capacity and skills, and provides recognized guidance on management of protected areas.
- Industry groups and other stakeholders are very active in the CBD's genetic resource and access and benefit-sharing (ABS) negotiations. USA membership could significantly aid the molding of fair, workable ABS policies.
- Conservation and sustainable use of biodiversity and habitats such as the tropical forests – Earth's "lungs" - are integral to tackling the impacts of global warming. The CBD helps ensure that Earth's native plants and wildlife are considered in negotiations over global warming mitigation and adaptation.
- A few other notable CBD benefits: it fosters needed international coordination in addressing harmful invasive species; it is implementing a broadly-applauded Global Strategy for Plant Conservation; and it provides strong support for the vital, but neglected, scientific discipline of taxonomy.
- No new legislation is necessary to implement the CBD. A 2/3rds vote of the Senate is the only requirement for ratification under the Constitution (Art. II, Sec. 1). No further formal action from the President is required, but an announcement of **Mr. Obama's strong endorsement is critical** to making ratification a national priority.

***Ratification will give the USA a real voice in CBD activities including a broad array of ongoing conservation initiatives vital to saving Earth's imperiled species and habitats. Let's join now.***

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