



SUMMARY OF THE NINTH MEETING OF THE SUBSIDIARY BODY ON SCIENTIFIC, TECHNICAL AND TECHNOLOGICAL ADVICE OF THE CONVENTION ON BIOLOGICAL DIVERSITY: 10-14 NOVEMBER 2003

The ninth meeting of the Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA-9) of the Convention on Biological Diversity (CBD) met from 10-14 November 2003, in Montreal, Canada. Approximately 600 participants attended the meeting, representing 119 governments, as well as UN agencies, inter-governmental and non-governmental organizations, indigenous and local community groups, academia, and industry. Delegates to SBSTTA-9 adopted 16 recommendations on: protected areas, one of the main themes of the meeting; technology transfer and cooperation, the other main theme for discussion; genetic use restriction technologies; biodiversity and climate change; monitoring and indicators; the Global Taxonomy Initiative; the integration of outcome-oriented targets into the CBD's programmes of work; outcome-oriented targets for the Global Strategy on Plant Conservation; mountain biodiversity; sustainable use; perverse incentives; invasive alien species; guidelines for implementing the ecosystem approach; and progress reports on implementation. The recommendations will be forwarded to the seventh meeting of the Conference of the Parties to the CBD (COP-7) to be held from 9-20 February 2004, in Kuala Lumpur, Malaysia.

SBSTTA-9 was faced with an ambitious agenda both in terms of the number of documents and recommendations to consider and in substance, with no less than three work programmes to adopt. Although the closing Plenary's adoption of proposed elements for programmes of work on protected areas and technology transfer did not trigger a round of applause, delegates from all affiliations expressed satisfaction with agreed goals and targets, recommendations to establish mechanisms for reviewing implementation, and the joint-NGO "Pledge" to provide and mobilize financial and technical support for the work programme on protected areas. A recommendation to integrate outcome-oriented targets into the CBD's work programmes also proved a small, but significant step, towards achieving the World Summit on Sustainable Development's (WSSD) 2010 target to reduce significantly the rate of

biodiversity loss. Finally, as its substantive load increases, it remains to be seen how SBSTTA will continue to review and provide advice to the COP in face of a proliferation of reports from intersessional expert meetings and working groups.

A BRIEF HISTORY OF THE CONVENTION

The Convention on Biological Diversity, negotiated under the auspices of the UN Environment Programme (UNEP), was opened for signature on 5 June 1992, and entered into force on 29 December 1993. To date, there are 188 Parties to the Convention. The CBD aims to promote "the conservation of biological diversity, the sustainable use of its components, and the fair and equitable sharing of benefits arising from the use of genetic resources."

The Conference of the Parties (COP) is the governing body of the Convention. From 1994 to 1998, it held four meetings (Nassau, the Bahamas, November – December 1994; Jakarta, Indonesia, November 1995; Buenos Aires, Argentina, November 1996; and Bratislava, Slovakia, May 1998). Decisions were adopted on: the establishment of a Clearing-House Mechanism (CHM); the designation of the Global Environment Facility (GEF) as the interim financial mechanism; the designation of Montreal, Canada, as the permanent location for the Secretariat; and cooperation with other biodiversity-related conventions. The COP also established open-ended *ad hoc* working groups on biosafety and on CBD Article 8(j) (traditional knowledge), as well as an expert panel on access and

IN THIS ISSUE

A Brief History of the Convention.	1
SBSTTA-9 Report.	2
Plenary	3
Working Group I.	4
Working Group II	9
Closing Plenary.	12
A Brief Analysis of SBSTTA-9.	12
Things to Look For Before COP-7	14

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benefit sharing (ABS). Thematic work programmes were adopted on: inland water ecosystems; marine and coastal biodiversity; agricultural biodiversity; and forest biodiversity.

In accordance with CBD Article 25, SBSTTA provides the COP with advice relating to the Convention's implementation. From its establishment in 1994, up to 1999, SBSTTA held four meetings (Paris, France, September 1995; and Montreal, Canada, September 1996, September 1997, and June 1999).

ExCOP: The first Extraordinary COP (Cartagena, Colombia, February 1999) convened to adopt the Cartagena Protocol on Biosafety, following the sixth and final meeting of the Open-ended *Ad Hoc* Working Group on Biosafety. Delegates could not agree on a compromise package that would finalize the Protocol, and the meeting was suspended. The ExCOP resumed in January 2000, in Montreal, Canada, where delegates adopted the Protocol. The Cartagena Protocol on Biosafety addresses the safe transfer, handling and use of living modified organisms that may have an adverse effect on biodiversity, with a specific focus on transboundary movements. The Protocol entered into force on 11 September 2003. To date, 68 countries have ratified the Protocol.

SBSTTA-5: The fifth meeting of SBSTTA (Montreal, Canada, January – February 2000) adopted recommendations on: inland waters biodiversity; forest biodiversity; agricultural biodiversity; marine and coastal biodiversity, including coral bleaching; a programme of work on dry and sub-humid lands; invasive alien species (IAS); the ecosystem approach; indicators; the CHM's pilot phase; the second national reports; and *ad hoc* technical expert groups.

COP-5: At its fifth meeting (Nairobi, Kenya, May 2000), the COP adopted decisions on: a programme of work on dry and sub-humid lands; the ecosystem approach; access to genetic resources, including the establishment of the open-ended *ad hoc* working group on ABS; IAS; sustainable use; biodiversity and tourism; incentive measures; the Global Strategy for Plant Conservation (GSPC); the Convention's operations; the Global Taxonomy Initiative (GTI); the CHM; financial resources and mechanism; identification, monitoring and assessment, and indicators; Article 8(j) (Traditional knowledge); education and public awareness; and impact assessment, liability and redress. COP-5 also included a high-level segment on the Cartagena Protocol, with a Ministerial Roundtable and a special signing ceremony.

SBSTTA-6: At its sixth meeting (Montreal, Canada, March 2001), SBSTTA focused on IAS, including the development of draft guiding principles, and adopted additional recommendations on: *ad hoc* technical expert groups (AHTEGs); marine and coastal biodiversity; inland water ecosystems; scientific assessments; the GTI; biodiversity and climate change; and migratory species.

SBSTTA-7: The seventh meeting of SBSTTA (Montreal, Canada, November 2001) reconsidered and expanded the work programme on forest biodiversity, and produced recommendations on: agricultural biodiversity, including the International Pollinators Initiative; the GSPC; incentive measures; indicators; sustainable tourism; and environmental impact assessments (EIA).

COP-6: The sixth meeting of the COP (The Hague, the Netherlands, April 2002) adopted: a revised work programme on forest biodiversity; guiding principles for IAS; the Bonn Guidelines on

ABS; and the Strategic Plan for the CBD. Decisions were also adopted on: the GSPC; the GTI; the ecosystem approach; sustainable use; incentive measures; liability and redress; the CHM; financial resources and mechanism; cooperation with other conventions and international initiatives; a contribution to the ten-year review of Agenda 21; Article 8(j); and the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGR). COP-6 hosted a high-level segment to discuss inputs to the World Summit on Sustainable Development (WSSD), with a Ministerial Roundtable and a multi-stakeholder dialogue.

SBSTTA-8: The major theme for discussion at the eighth meeting of SBSTTA (Montreal, Canada, March 2003) was mountain biodiversity. The meeting adopted the structure of a proposed work programme on mountain biodiversity, and recommendations on: inland waters; marine and coastal biodiversity; dry and sub-humid lands; biodiversity and tourism; and SBSTTA operations.

SBSTTA-9 REPORT

On Monday morning, 10 November 2003, SBSTTA Chair Alfred Oteng-Yeboah (Ghana) opened the meeting, noting that protected areas (PAs) are central to achieving the CBD's objectives. He noted the need to develop targets and timeframes to evaluate progress in implementing the CBD, and clearly identify actions to achieve the WSSD 2010 target to reduce significantly biodiversity loss and the goals set out in the CBD's Strategic Plan.

Nehemiah Rotich, on behalf of UNEP Executive Director Klaus Töpfer, emphasized the importance of knowledge management, policy targets and assessment, and inter-agency collaboration, outlining the work of UNEP on these issues.

Highlighting the entry into force of the Cartagena Protocol on Biosafety on 11 September 2003, CBD Executive Secretary Hamdallah Zedan urged all CBD Parties to ratify it. He stressed the need for capacity building for its effective implementation, and called on Parties and non-Parties to contribute information to the Biosafety Clearing-House Mechanism. Zedan noted that Thailand will participate in COP-7 as a Party to the CBD.

Nadia El-Hage Scialabba, UN Food and Agriculture Organization (FAO), noted that the ITPGR is expected to enter into force in the first half of 2004, and proposed the establishment of an international ecological agriculture initiative in PAs and buffer zones.

Rocio Lichte, UN Framework Convention on Climate Change (UNFCCC), addressed the report of the AHTEG on Biodiversity and Climate Change (UNEP/CBD/SBSTTA/9/INF/12), and presented the outcomes of the workshop on synergies between the UNFCCC, the CBD and the UN Convention to Combat Desertification (FCCC/SB/2003/1).

Susan Braatz, UN Forum on Forests (UNFF), welcomed the CBD request to UNFF to share knowledge on sustainable forest management (SFM) and its involvement in the Collaborative Partnership on Forests as a focal point for traditional knowledge and forest biodiversity.

Sam Johnston, United Nations University (UNU), outlined the work of the UNU Institute of Advanced Studies regarding PAs and technology transfer, highlighting the importance of non-monetary



benefits arising from the use of genetic resources and the challenge to develop mechanisms for sharing these benefits and transferring “soft” technologies.

Nick Davidson, Ramsar Convention on Wetlands of International Importance, highlighted joint activities between the Ramsar Convention and the CBD, stressing progress in the development of an integrated work plan on wetland biodiversity and indicators to assess progress towards the WSSD 2010 target.

The Philippines, for the Asia and Pacific Region, requested the Secretariat to organize regional preparatory meetings for COP-7. Algeria, on behalf of the African Group, called for strengthening synergies between multilateral environmental agreements. The Tebtebba Foundation, on behalf of indigenous peoples and NGOs, emphasized the importance of securing indigenous peoples’ rights to their land in PAs, and said targets and monitoring systems should include indicators on human rights and social equity.

ORGANIZATIONAL MATTERS: Delegates then elected Bureau members, agreeing that in addition to Chair Oteng-Yeboah (Ghana), the following Bureau members would continue in office: Boumediene Mahi (Algeria), Asghar Mohammadi Fazel (Islamic Republic of Iran), Theresa Mundita Lim (the Philippines), Peter Straka (Slovakia), Yaroslav Movchan (Ukraine), Joseph Ronald Toussaint (Haiti), Mitzi Gurgel Valente da Costa (Brazil), Robert Andrén (Sweden), and Robert Lamb (Switzerland). The election of regional representatives was postponed pending further consultations in the respective groups. The Plenary elected Theresa Mundita Lim as Rapporteur.

Delegates adopted the agenda and organization of work (UNEP/CBD/SBSTTA/9/1 and 9/1/Add.1) without amendment, and elected Robert Andrén as Chair of Working Group I (WG-I) and Asghar Mohammadi Fazel as Chair of Working Group II (WG-II).

The Working Groups met from Monday afternoon to Thursday. WG-I briefly convened on Friday morning. WG-I focused on a draft work programme on PAs, and also considered a draft work programme on mountain biodiversity, practical principles and guidelines for sustainable use, guidelines for implementing the ecosystem approach, and the international legal framework related to IAS. WG-I established a contact group to refine the draft work programme on PAs, and Friends of the Chair groups were established to draft recommendations on sustainable use in the context of forest biodiversity, and IAS.

WG-II discussed a draft work programme on technology transfer and cooperation, and considered the inter-linkages between biodiversity and climate change, the design of national-level monitoring programmes and indicators, and the integration of outcome-oriented targets into the CBD’s work programmes. WG-II established Friends of the Chair groups to draft recommendations on technology transfer and cooperation, and biodiversity and climate change.

The Plenary reconvened on Friday to address preparations for SBSTTA-10 and 11, adopt the report of the meeting, including recommendations to the COP, and hear closing statements.

This report summarizes discussions and recommendations on each agenda item according to their discussion in Plenary and the Working Groups.

PLENARY

REPORTS: On Monday morning, the Secretariat presented Plenary with reports on progress in implementing the thematic work programmes (UNEP/CBD/SBSTTA/9/2 and INF/6, 14-15, and 31) and implementing cross-cutting issues (UNEP/CBD/SBSTTA/9/3 and INF/16-18, 20, and 37), intersessional activities of the Bureau (UNEP/CBD/SBSTTA/9/4), and the meeting “2010 – the Global Biodiversity Challenge” (UNEP/CBD/SBSTTA/9/INF/9).

Morocco recommended prioritizing proposals for incorporating biodiversity-related issues into EIAs. Canada noted scientific inaccuracies in the report of the AHTEG on Genetic Use Restriction Technologies (GURTs) (UNEP/CBD/SBSTTA/9/INF/6), and New Zealand stressed that new biotechnologies are best managed through case-by-case assessments, including field testing. While Argentina suggested considering the AHTEG report on GURTs at SBSTTA-10, Brazil objected to adopting the report without in-depth discussion, but said SBSTTA should review it before COP-7. The Philippines noted that SBSTTA and the Working Group on Article 8(j) should consider the GURTs report, and stressed that Parties should decide whether or not to prohibit the introduction of GURTs. The ETC Group warned that terminator seeds will become a commercial reality before 2010 if the development of GURTs is not prohibited.

On Friday, the closing Plenary adopted recommendations on the progress reports on implementation, GURTs and the GTI, without amendment.

Progress Reports on Implementation – Final Recommendation: In the final document (UNEP/CBD/SBSTTA/9/L.2), SBSTTA welcomes various progress reports and takes note of proposals for further development and refinement of the guidelines for incorporating biodiversity-related issues into EIA legislation or procedures and into strategic environmental assessments (SEAs). It also recommends that the COP urge Parties and other governments to participate actively in relevant review processes, and contribute case-studies on experiences in EIA and SEA procedures that incorporate biodiversity-related issues. SBSTTA stresses the need to establish a process for identifying priority measures required for achieving, and assessing progress towards the establishment of, the WSSD 2010 target.

Genetic Use Restriction Technologies – Final Recommendation: The final text (UNEP/CBD/SBSTTA/9/L.3) includes a recommendation that the COP request SBSTTA to consider the report of the AHTEG on GURTs at its tenth meeting with a view to providing advice to COP-8.

Global Taxonomy Initiative – Final Recommendation: The final text (UNEP/CBD/SBSTTA/9/L.6) includes a recommendation that the COP request Parties to:

- take full account of the importance of taxonomic capacities to achieve the CBD’s objectives and the WSSD 2010 target;
- appoint GTI national focal points;
- support taxonomic work to accomplish the thematic and cross-cutting CBD activities; and
- provide technical and financial support for the operations of the GTI Coordination Mechanism.



It further recommends that COP-7 request the Executive Secretary, in cooperation with the GTI Coordination Mechanism, to: ensure that appropriate taxonomic expertise is included in intersessional and expert meetings, and undertake a gap analysis of existing work programmes with respect to taxonomic components. The text further recommends that Parties give clear and specific guidance to the financial mechanism on adequate funding to developing countries for implementing the GTI.

WORKING GROUP I

PROTECTED AREAS: WG-I considered PAs on Tuesday, Thursday and Friday. A contact group was convened on Thursday evening to continue work on finalizing the recommendation.

On Tuesday, delegates considered documents on: a proposed work programme on PAs (UNEP/CBD/SBSTTA/9/6 and INF/3 and 21-22); the conclusions of the fifth IUCN World Parks Congress (UNEP/CBD/SBSTTA/9/6/Add.2); and the report of the AHTEG on PAs (UNEP/CBD/SBSTTA/9/6/Add.1).

Regarding the work programme, several developing country Parties emphasized the importance of recognizing countries' sovereignty regarding national and transboundary PAs. India, Portugal, and the US called for avoiding duplication of work, and Australia, Canada and New Zealand expressed concern over additional reporting requirements.

Many delegates stressed the need for greater focus on marine and freshwater ecosystems, with some calling for establishing PAs in the high seas in accordance with the UN Convention on the Law of the Sea (UNCLOS). Turkey expressed concern about exclusively referring to UNCLOS.

A number of Parties underscored the importance of regional and international cooperation. Panama said SBSTTA must decide whether to establish an AHTEG or an open-ended working group on PAs, with Denmark expressing support for an AHTEG on PAs and ecological networks.

Calling for prompt funding, many countries said timelines included in the work programme are overly ambitious and cannot be met by developing countries. Several Parties commented on the work programme's length and complexity, and stressed that it does not adequately focus on ecological networks.

Several developing countries stressed the need to promote a participatory approach to PA establishment, management and monitoring. Jordan and Liberia proposed considering the socioeconomic aspects of PAs. A number of Parties suggested emphasizing regional aspects of PAs, and the European Community (EC) said the CBD's objective should be the development of a global system of comprehensive, representative and effectively-managed national and regional ecological networks and PAs by 2010 on land, and by 2012 at sea.

The Natural Resources Defense Council proposed a moratorium on high sea bottom trawling until a legally binding regime is in force. The Tebtebba Foundation, on behalf of indigenous peoples, supported by Friends of the Earth and IUCN, recommended acknowledging indigenous peoples' rights more explicitly. A coalition of NGOs underscored that the work programme's targets and timetables are achievable if backed by financial

support, and drew attention to the Joint NGO Pledge by six international NGOs to support the implementation of the programme of work on PAs, through financial and other support.

On Thursday, the Secretariat presented a Conference Room Paper (CRP) on the draft work programme (UNEP/CBD/SBSTTA/WGI/CRP.2). Several developing countries noted the need to discuss the conceptual framework before examining the work programme itself. Delegates agreed to consider the titles of the programme elements and goals, recognizing many developing countries' concern about references to a global system of PAs and ecological networks.

Under the first programme element, delegates agreed its first goal should be to establish and strengthen national and regional systems of PAs integrated into a global network, as a contribution to globally-agreed goals. Delegates decided that the goal on international cooperation for PAs should address transboundary PAs, regional networks and collaboration between neighboring PAs. Under the second programme element, Canada requested a specific reference to indigenous and local communities in the goal on stakeholder participation. Delegates agreed not to add any aims to the goal on communication and public awareness.

A contact group, chaired by Jan Plesnik (Czech Republic) and mandated to consider the targets and activities of the draft work programme and the related recommendation, met on Thursday evening. Delegates worked until 4:00 am on Friday, and only considered specific targets and the recommendation. References to ecological networks and the rights of indigenous and local communities were controversial. While some delegates wanted to define these concepts, others preferred that their definition be determined by national legislation and practice. Delegates agreed that these references would remain bracketed.

On Friday morning, Plesnik presented the revised CRP (UNEP/CBD/SBSTTA/9/WGI/CRP.2/Rev.1). Regarding the establishment of PAs in areas beyond national jurisdiction, he said three Parties had reached agreement following the contact group meeting on options for cooperation to ensure the establishment of marine PAs in areas beyond national jurisdiction, consistent with international law, and based on scientific information. Following disagreement over reference to the UNCLOS, delegates agreed to reject this suggestion and retain original bracketed wording. Delegates adopted the draft partially bracketed work programme with minor amendments.

In Friday afternoon's Plenary session, in response to a request from Jamaica and Spain, delegates agreed to insert a request to the Executive Secretary to incorporate Parties' comments submitted at SBSTTA-9, where appropriate and in brackets, into the work programme elements, and forward these to COP-7. An indigenous representative said references to their role in PAs had been lost in the report. The Plenary adopted the final text on PAs as amended.

Final Recommendation: In the final document (UNEP/CBD/SBSTTA/9/L.16), SBSTTA welcomes the Joint NGO Pledge to support implementation of the programme of work on PAs, and recommends that the COP:

- confirm that efforts to establish and maintain systems of PAs are essential for achieving the 2010 target;
- invite Parties to develop national and regional targets and



incorporate them into relevant initiatives;

- emphasize the need for capacity building for implementation; and
- consider options to develop the concept of ecological networks.

The following recommendations remain bracketed:

- consider options on how to stipulate the commitments of Parties to targets and timetables;
- recognize that Parties should implement the programme of work in the context of their national priorities and needs;
- emphasize that the targets should be viewed as a flexible framework within which national and/or regional targets may be developed;
- underline the importance of biodiversity conservation not only within but outside PAs, and call for efforts to integrate biodiversity conservation and restoration aspects into sectoral policies and programmes.

The section on status and trends of, and threats to, PAs, includes recommendations that the COP: agree that the indicative list of categories in Annex I of the Convention should guide the selection of PAs; recognize that although the global number of PAs has increased, existing systems are not representative of the world's ecosystems; and recognize that the lack of knowledge and awareness of the threats to, and the role and value of, biodiversity, insufficient financial support, poor governance, ineffective management and insufficient participation, pose fundamental barriers to achieving the PA objectives of the CBD.

SBSTTA further recommends that the COP adopt the objective of establishing and maintaining, by 2010, comprehensive, effectively managed, and ecologically representative national and regional systems of PAs integrated into a global network of PAs, and areas where special measures need to be taken to conserve biodiversity.

Regarding the programme of work, SBSTTA recommends that the COP adopt the elements, goals and targets of the annexed work programme on PAs, and to:

- affirm that decisions related to marine and coastal PAs be considered an integral part of the Convention's work on PAs;
- recognize that new and additional financial resources are required to implement the programme of work and meet the 2010 target;
- urge Parties to elaborate outcome-oriented targets on their national PA systems;
- request SBSTTA to develop advice on measures to achieve representative PA systems integrated into a global network;
- suggest that various tasks be explored to establish PAs, including exploring options for cooperation regarding areas beyond national jurisdiction, and developing a "tool kit" with criteria, guidelines and definitions;
- recognize the value of a single international PA classification system; and
- invite relevant actors to further develop the World Database on PAs.

In a paragraph on the recognition of Parties' obligations towards indigenous and local communities in accordance with Article 8(j), brackets remain regarding references to national legislation and "respect for land tenure, prior informed consent and indigenous territorial rights, where applicable."

Brackets also remain with respect to: whether to establish an *ad hoc* technical expert group or an *ad hoc* open-ended working group on PAs to support and review the implementation of the work programme; whether to assess the review at COP-8, COP-10 or at each COP until 2010; determining the need for additional financial and technical support; and whether Parties should report on implementation of the programme of work prior to COP-8, COP-10 or at each COP until 2010.

The recommendation also includes suggested supporting activities of the Executive Secretary, including to: update information on status and trends of, and threats to, PAs; strengthen collaboration with relevant organizations; compile information on implementation of the programme of work and on links between PAs and sustainable development, poverty eradication and the MDGs; and establish a roster of experts on PAs to assist Parties in implementing the programme of work.

The recommendation includes an annex containing proposed elements of the programme of work. The introduction and overall purpose and scope of the programme of work are bracketed in their entirety. Throughout the work programme, references to definitions, suggested activities and main partners are bracketed. The programme of work consists of four programme elements on:

- direct actions for planning, selecting, establishing, strengthening, and managing PA systems and sites, including goals on: establishing and strengthening national and regional systems of PAs, integrated into a global network, as a contribution to globally agreed goals; integrating PAs into broader land- and seascapes and sectors to maintain ecological structure and function; establishing and strengthening regional networks, transboundary PAs and collaboration between neighboring PAs across national boundaries; substantially improving site-based PA planning and management; and preventing and mitigating the negative impacts of key threats to PAs;
- governance, participation, equity and benefit-sharing, including goals on: promoting equity and benefit-sharing; and enhancing and securing stakeholder involvement, including that of indigenous and local communities;
- enabling activities, including goals on: providing an enabling policy, institutional, and socioeconomic environment; building capacity; developing, applying, and transferring appropriate technologies; ensuring financial sustainability of PAs and systems of PAs; and strengthening communication, education and public awareness; and
- standards, assessment and monitoring, including goals on: developing minimum standards and best practices for PA systems; evaluating the effectiveness of PA management; and assessing and monitoring PA status and trends.

MOUNTAIN BIODIVERSITY: Delegates discussed the proposed work programme on mountain biodiversity on Monday and Thursday.



On Monday afternoon, the Secretariat introduced the proposed work programme on mountain biodiversity (UNEP/CBD/SBSTTA/9/12), and Italy reported on the meeting of the AHTEG on mountain biodiversity (UNEP/CBD/SBSTTA/9/INF/11). Delegates noted the need to address more explicitly measures for poverty alleviation in mountain areas, and the role of traditional knowledge and practices of indigenous and local communities. Germany and others called for national priority setting, outcome-oriented targets and their linkages to criteria and indicators, and to specific timeframes. Colombia and the Ukraine said that timetables and means of implementation must be integrated into the work programme.

A number of delegates recommended better integration with other work programmes, and Switzerland suggested that the International Partnership on Sustainable Development in Mountains act as the coordinating platform for implementing the work programme. Delegates recommended addressing watershed management and land-use planning, and called for increased cooperation through the CHM, including with regional conventions on mountains. Many delegates proposed adding an action item on the loss of traditional agricultural practices that have positive impacts on mountain biodiversity. Malawi proposed benefit-sharing, and Lebanon suggested compensation, as incentives for mountain peoples to remain in mountain areas. Peru requested eliminating reference to the Bonn Guidelines on ABS in relation to promoting indigenous peoples' access to genetic resources. Japan insisted on maintaining the reference to "illegal logging" in the work programme, while Brazil proposed referring to "unsustainable harvesting." The EC suggested using wording from the work programme on forests regarding law enforcement and trade.

On Thursday morning, the Secretariat presented a CRP on mountain biodiversity (UNEP/CBD/SBSTTA/9/WG.I/CRP.1). Regarding characteristics and problems that the work programme should focus on, delegates agreed to insert a reference to the fragility of mountain ecosystems to climate change, affecting glaciers and deserts in particular. On ways of reducing the impacts of inappropriate land-use practices, delegates agreed to refer to planning or management mechanisms, such as ecological, economic and ecoregional planning, and bioregional and hazardous area zoning. On deforestation, following debate whether to refer to "illegal logging" or "unauthorized harvesting," delegates agreed to refer to "fragmentation and unsustainable harvesting."

On strengthening indigenous and local community capacity, a number of European countries opposed a request by Brazil and Liberia to delete a reference to the Bonn Guidelines on ABS. Delegates maintained the reference, with added qualification on their voluntary nature. Peru said indigenous peoples have the right to access genetic resources and need capacity building regarding their use. Argentina opposed recognizing access rights, and proposed, with Parties agreeing, to focus on benefit sharing only. Regarding assessment and monitoring, delegates decided to refer to ecological services provided by all land management systems. On improving information management, delegates agreed to promote open access to information as considered appropriate by Parties.

On Friday, Plenary adopted the document on mountain biodiversity with minor amendments.

Final Recommendation: The final document (UNEP/CBD/SBSTTA/9/L.9) includes a recommendation and the annexed work programme on mountain biodiversity. It recommends that the COP adopt the proposed work programme, underlining the sovereign rights and responsibilities of countries over their mountains. It invites Parties to identify priority actions for mountains and to adopt outcome-oriented targets for mountain biological diversity. It encourages Parties, governments, and relevant organizations to ensure coherence with other thematic or cross-cutting work programmes and to report on implementation. The recommendation further invites the COP to recognize the need for resources, and human, technological and financial capacity to effectively implement the proposed work programme and that all actors take into account the knowledge, innovations and practices of indigenous and local communities and ensure their participation in conservation and sustainable use.

The recommendation further requests the Executive Secretary to: develop a small number of goals and outcome-oriented targets in relation to the 2010 target, and means for implementation and indicators; compile information received from Parties, other governments and relevant organizations; assist Parties in implementing the work programme; regularly gather information on the characteristics and problems specific to mountain biodiversity; strengthen collaboration with other organizations, institutions and conventions; and compile and disseminate information linking mountain biodiversity to sustainable development and poverty alleviation.

The work programme on mountain biodiversity consists of goals and actions under three programme elements. Programme Element 1 on direct actions focuses on:

- preventing and mitigating the negative impacts of key threats to mountain biodiversity;
- protecting, recovering and restoring mountain biodiversity;
- promoting the sustainable use of mountain biological resources;
- promoting access to, and sharing of benefits arising from, the utilization of genetic resources related to mountain biodiversity in accordance with existing national legislation; and
- maintaining genetic diversity in mountain ecosystems through preservation and maintenance of traditional knowledge of practices.

Programme Element 2 on means of implementation focuses on:

- enhancing the legal, policy, institutional, and economic framework;
- respecting, preserving, and maintaining knowledge, practices and innovations of indigenous and local communities in mountain regions; and
- establishing regional and transboundary collaboration and cooperative agreements.

Programme Element 3 on support action focuses on:

- developing work on identification, monitoring and assessment;
- improving knowledge on, and methods for, the assessment and monitoring of the status and trends of mountain biodiversity;
- improving the infrastructure for data and information management for accurate assessment and monitoring of mountain biodiversity, and developing associated databases;



- improving research, technical and scientific cooperation, and other forms of capacity-building; and
- increasing public education, participation and awareness.

SUSTAINABLE USE: WG-I considered sustainable use on Wednesday and Thursday.

Practical Principles and Operational Guidance for Sustainable Use: On Wednesday, delegates considered recommendations on practical principles and operational guidance for sustainable use, including the draft Addis Ababa principles and guidelines (UNEP/CBD/SBSTTA/9/9 and INF/8). Argentina and Brazil called for addressing sustainable production and sustainable consumption. Norway and Germany proposed setting timeframes. New Zealand and Australia requested referring to the “precautionary approach,” rather than the “precautionary principle.” The EC agreed, under the condition that reference be made to Rio Principle 15 (Precautionary approach).

On Thursday, delegates considered a CRP on practical principles, operational guidance and associated instruments for sustainable use (UNEP/CBD/SBSTTA/9/WGI/CRP.4). Delegates agreed to note that in the case of threatened species, where applicable and appropriate, non-consumptive sustainable use strategies should be favored. The CRP was adopted as amended.

On Friday, the closing Plenary adopted the recommendation without amendment.

Final Recommendation: The final document on the draft Addis Ababa Principles and Guidelines for the Sustainable Use of Biodiversity (UNEP/CBD/SBSTTA/9/L.12) recommends that the COP adopt the guidelines and principles. It requests the Executive Secretary to collect information and experiences on successful efforts made to implement CBD Article 10 (Sustainable use), and invites Parties and governments to undertake further research including through, *inter alia*, the compilation and analysis of case-studies on sustainable use. The annexed fourteen principles and guidelines address:

- supportive policies, laws and institutions on all levels of governance and effective linkages among them;
- the need for a governing framework for empowering and supporting local biodiversity users to be responsible and accountable for the use of the resources concerned;
- removal of policies, laws and regulations that distort markets, contribute to habitat degradation or generate perverse incentives;
- adaptive management based on science, traditional and local knowledge, feedback derived from monitoring, adjusting management based on monitoring feedback;
- goals and practices for sustainable use management;
- promotion and support of interdisciplinary research on biodiversity use and conservation;
- adaptation of the spatial and temporal scale of management to ecological and socioeconomic scales of use;
- arrangements for international cooperation and multinational decision making where needed;
- interdisciplinary and participatory approaches to use management and governance;
- policies taking into account the use values of biodiversity and market forces affecting them, as well as intrinsic and non-

economic values;

- optimization of biodiversity use and minimization of waste and environmental impacts;
- reflection of the needs and contributions of local communities using, or affected by, the use of biodiversity in the equitable distribution of benefits;
- internalization of management and conservation costs and their reflection in the distribution of use benefits; and
- education and awareness on sustainable use and development of effective methods of communication among stakeholders.

Forest Biodiversity: On Wednesday, delegates briefly considered proposals for the prevention of losses caused by unsustainable harvesting of timber and non-timber forest resources (UNEP/CBD/SBSTTA/9/9/Add.2), and recommendations on the management of forest biodiversity to derive products and services and benefit sharing (UNEP/CBD/SBSTTA/9/9/Add.1). India called for promoting the long-term interests of indigenous peoples and ensuring fair and equitable benefit-sharing.

On Thursday, delegates adopted the CRP on the management of forest biodiversity, sustainable use to derive products and services and benefit sharing (UNEP/CBD/SBSTTA/9/WGI/CRP.5) with minor editorial amendments.

On Friday, the Plenary adopted the document without further amendment.

Final Recommendation: The final document (UNEP/CBD/SBSTTA/9/L.10) recommends that COP-7 consider the information contained in the report on management of forest biodiversity to derive products and services and benefit sharing, and encourage Parties and governments to use the information to implement the expanded work programme on forest biodiversity.

Perverse Incentives: On Wednesday, delegates considered proposals for ways and means to remove or mitigate perverse incentives (UNEP/CBD/SBSTTA/9/9/Add.3 and INF/10). The UK suggested that the Executive Secretary consider the need to further elaborate, refine and advance methodologies for evaluating biodiversity, while Argentina supported focusing exclusively on the removal of perverse incentives. Mexico stressed the importance of addressing compensatory policies.

On Thursday, delegates adopted a CRP on proposals for ways and means to remove or mitigate perverse incentives (UNEP/CBD/SBSTTA/9/WGI/CRP.3) with minor editorial amendments.

On Friday, in the closing Plenary, Argentina stated that it did not have a chance to comment on the Annex’s proposals for the application of ways and means to remove or mitigate perverse incentives, and proposed sending the whole text in brackets to the COP. In response, Australia suggested and delegates agreed to insert a reference that incentives and mitigation measures should not adversely affect biodiversity and livelihoods of local communities, and should be applied in a manner consistent with international law.

Final Recommendation: The final document (UNEP/CBD/SBSTTA/9/L.11) requests the Executive Secretary to disseminate the proposals for the application of ways and means to remove or mitigate perverse incentives to other relevant international organizations, processes and biodiversity-related conventions, and invite these entities to further cooperate with the CBD. It also recom-



mends that the COP consider, with a view to endorsing, the proposals for the application of ways and means to remove or mitigate perverse incentives annexed to the recommendation. The proposals consist of: principles for, and ways and means to, identify policies and practices that generate perverse incentives; guidelines for the choice of reforms; and ways and means to remove or mitigate perverse incentives.

ECOSYSTEM APPROACH: WG-I considered the ecosystem approach on Wednesday and Thursday.

On Wednesday, the Secretariat introduced guidelines on implementing the ecosystem approach and its relationship with SFM (UNEP/CBD/SBSTTA/9/8). Plesnik, Co-Chair of the Expert Meeting on the ecosystem approach, presented the Expert Meeting's report (UNEP/CBD/SBSTTA/9/INF/4). Germany and Sweden suggested requesting the Executive Secretary to assess the implementation of the ecosystem approach for consideration by SBSTTA prior to COP-9. Germany, Slovenia and Spain suggested adding a paragraph on the need for cross-sectoral integration of SFM. Canada and Finland objected, the latter noting that the concept of SFM is already sufficiently broad. Switzerland said the principles should only be revised if their practical application reveals such a need. The FAO suggested that the CBD develop a case-based knowledge management system.

On Thursday, delegates adopted a CRP on further elaboration, guidelines for implementation, and relationship of the ecosystem approach with SFM (UNEP/CBD/SBSTTA/9/WG.I/CRP.6) with minor amendments.

On Friday, the Plenary adopted the document without amendment.

Final Recommendation: The final document (UNEP/CBD/SBSTTA/9/L.14) recommends that the COP agree to the priority of facilitating the implementation of the ecosystem approach as a primary framework for addressing the CBD's three objectives in a balanced way. It also requests the Executive Secretary to facilitate the undertaking of a number of activities, including: an analysis of existing tools and approaches that are consistent with the CBD's ecosystem approach; and the development of new tools and technologies to enable the implementation of the ecosystem approach. The final text also recommends that Parties and governments, *inter alia*: continue or start implementing the ecosystem approach and provide feedback on their experiences to the Executive Secretary; and promote better understanding of the ecosystem approach through communication, education and public awareness programmes. It also recommends that the COP endorse the annexed guidance on the implementation of the ecosystem approach principles, as well as the explanatory notes on operational guidance.

INVASIVE ALIEN SPECIES: WG-I dealt with IAS on Wednesday and Thursday. A Friends of the Chair group was established on Wednesday.

On Wednesday, the Secretariat introduced documents on gaps and inconsistencies in the international regulatory framework related to IAS (UNEP/CBD/SBSTTA/9/15 and INF/32). Australia, along with Argentina, Brazil, Canada, New Zealand and the US, reiterated their concerns about the legal status of COP Decision VI/23 (Alien species), and asked that all references be deleted or foot-

noted throughout the document to record their reservations. New Zealand requested removing the chapeau of the recommendation on trade liberalization and, supported by Argentina, deleting references to the World Trade Organization (WTO) and negotiations on bilateral and regional free trade agreements.

Norway and the EC objected. Palau, on behalf of the Asian and Pacific Region, supported by New Zealand, stressed the vulnerability of island States to IAS. South Africa requested references to unintentional or opportunistic introductions, and to intentional introductions through trade in species for non-food purposes and *ex situ* conservation projects as potential pathways. The UK recommended further work on harmonizing the CBD and the International Plant Protection Convention.

The Philippines proposed that tourism be identified as a non-trade-related activity for introducing IAS. Canada stressed that prevention efforts should be import-focused, and that risk assessments must be applied to a range of species. Liberia noted financial constraints to monitoring transboundary trade, and recommended strengthening regulatory mechanisms at national and regional levels. NGO representatives drew attention to the relevance of the Biological and Toxin Weapons Convention and noted gaps, including unidentified inconsistencies between the CBD and other relevant international legal instruments, and failure to address the risks of communicable diseases.

On Thursday, delegates discussed a CRP on IAS (UNEP/CBD/SBSTTA/9/WG.I/CRP.7), agreeing to invite relevant CBD Parties and other governments to support national and regional decision making and rapid responses through science-based risk analysis, alert lists, diagnostic tools and capacity development. Following discussions, delegates agreed on steps to be taken if the AHTEG on IAS identifies the need for standards or other measures, and adopted the CRP with the proposed changes.

On Friday, during the closing Plenary, delegates discussed the EC proposal to delete the reference to "science-based" risk analysis. Argentina objected to the proposal. South Africa and Norway expressed preference for keeping the reference to "environmental" risk analysis, and requested this issue be discussed at COP-7. Delegates decided to remove all qualifiers and the document was adopted.

Final Recommendation: The final document (UNEP/CBD/SBSTTA/9/L.13) recommends that the COP recognize the need to strengthen further institutional coordination among international organizations, and request the Executive Secretary to strengthen collaboration with other relevant partners to promote fuller consideration of IAS-related issues in other international forums. It further recommends that COP invite:

- the WTO and its relevant bodies to consider IAS;
- Parties and governments to take into consideration the risks from IAS in bilateral and regional trade agreements, and to improve cooperation between national environment, plant protection and trade authorities;
- relevant Parties to, *inter alia*: improve coordination on transboundary issues; support national and regional decision making through risk analysis; and proactively engage stakeholder groups in the eradication and mitigation of impacts of IAS.



The final document also recommends that the COP:

- request the Executive Secretary to collaborate with the WTO Secretariat and renew its application for observer status in the WTO Committee on Sanitary and Phytosanitary Measures;
- note the persistence of specific gaps in the international regulatory framework with regard to intentional and unintentional pathways;
- request SBSTTA to establish an AHTEG to address gaps and inconsistencies in the international mandatory regime, with the mandate to: identify how these inconsistencies hinder countries' efforts to manage threats from IAS; and develop options on addressing these gaps and inconsistencies in the context of existing international frameworks;
- consider the need for sustainable financing; and
- request the Executive Secretary together with the Global Invasive Species Programme and other relevant organizations to address the priorities for practical actions identified in Decision VI/23.

WORKING GROUP II

TECHNOLOGY TRANSFER AND COOPERATION:

WG-II considered technology transfer and cooperation on Tuesday, Wednesday and Thursday. A Friends of the Chair group met on Wednesday.

On Tuesday morning, the Secretariat presented proposals for a work programme on technology transfer and cooperation (UNEP/CBD/SBSTTA/9/7 and 7/Add.1), and a review of the implementation of relevant COP decisions (UNEP/CBD/SBSTTA/9/7/Add.2). Norway presented the recommendations of the Trondheim Conference on Technology Transfer and Capacity Building (UNEP/CBD/SBSTTA/9/INF/1).

Many delegates highlighted the role of the CHM in facilitating technology transfer. The Netherlands and Spain said the proposed work programme is too ambitious, with South Africa noting capacity constraints for developing countries to achieve the proposed targets.

Turkey noted the need to balance intellectual property rights (IPR) for technological development and benefit-sharing and with Iran and Peru called for a prior informed consent (PIC) mechanism to acknowledge and compensate the contribution of indigenous and local communities to technology development. Kenya and Malaysia called for guidance on the transfer and adaptation of patented technology and on ways to overcome restrictive IPR policies. Canada, supported by Colombia and others, said achieving the 2010 target requires action prior to the completion of national needs assessments.

The Sunshine Project called for addressing measures that restrict developing country access to hard technologies, and the Third World Network stressed that foreign direct investment may have adverse effects on technology transfer.

On Thursday afternoon, WG-II Chair Fazel invited comments on a CRP on technology transfer and cooperation (UNEP/CBD/SBSTTA/9/WG.II/CRP.5). Colombia and Mexico, supported by Australia and Canada, requested, and delegates agreed, to refer to CBD Articles 16 (Technology transfer), 17 (Information exchange), 18 (Cooperation) and 19 (Biotechnology) in the chapeau of the work programme.

On cooperation, delegates decided to refer to regional and international, rather than north-south and south-south, cooperation, and technology transfer as "transfers of technology from developed to developing countries as well as countries with economies in transition, as well as among developing countries." Regarding support for implementation, Brazil requested, and delegates agreed, to include the GEF as main actor for support.

Colombia, on behalf of the Latin America and the Caribbean Group (GRULAC), with Canada, expressed concern over references to transfers of traditional knowledge, noting the lack of IPR regimes for indigenous knowledge, and proposed text on PIC and benefit sharing. After informal consultations, delegates agreed to delete all relevant references to traditional knowledge, and to include a footnote stating that the issue should be dealt with under CBD Article 8(j) (Traditional knowledge). Canada suggested, and delegates accepted, introducing a related paragraph on "the development of sustainable livelihood technologies for local application."

Regarding synergies on information systems to give access to existing technologies, delegates agreed to: refer to the use of common formats, standards and protocols; enhance the CHM as a central mechanism for information exchange; and cooperate with the Secretariat and among Parties.

On risk assessment, delegates agreed on text referring to the preparation of transparent impact assessment and risk analyses of the potential benefits, risks and associated costs of imported technologies. The CRP was adopted with these amendments.

On Friday, the closing Plenary adopted the recommendation with added references to cooperation, and a request to clarify the role of the GEF.

Final Recommendation: The final document (UNEP/CBD/SBSTTA/9/L.15) contains a recommendation and an annex containing draft elements of a work programme. The final document recommends that COP:

- adopt the elements of the work programme;
- decide that implementation of the work programme should be undertaken in close coordination with relevant activities of the Convention;
- invite Parties to convene national, subregional and regional workshops to exchange information, and to enhance capacity for technology transfer;
- decide that the informal advisory committee of the CHM shall, *inter alia*, provide advice on the CHM's possible role in information exchange and facilitation of technology transfer, and develop guidance for implementation by national CHM nodes;
- decide to establish an AHTEG on technology transfer and technological cooperation;
- call upon Parties, governments and relevant international and regional organizations to provide support for the implementation of the work programme;
- provide guidance to the financial mechanism of the Convention to support capacity building; and
- consider ways of involving multilateral financial institutions to support capacity development and technology transfer.



The draft work programme contains four programme elements, which include objectives, operational targets, specifies activities, main actors and timelines.

Programme Element 1 on technology assessments has operational targets on: national technology needs assessments; impacts and risk assessments; and dissemination of information and methodologies for assessments through the CHM.

Programme Element 2 on information systems sets targets on: the development of the CHM as a central mechanism for the exchange of information on facilitation of technology transfer and cooperation; national information systems and their linkages to international information systems; and further cooperation in the development of information systems.

Programme Element 3 on creating enabling environments contains targets on: facilitation of access to and the transfer of relevant technologies; and national frameworks to facilitate cooperation and access to, and adaptation and absorption of, relevant technologies.

Programme Element 4 on capacity building and enhancement, includes operational targets addressing capacity building for national technology assessments, information systems, national policy reviews and enabling environments.

INTER-LINKAGES BETWEEN BIODIVERSITY AND CLIMATE CHANGE: WG-II considered the inter-linkages between biodiversity and climate change throughout the week. A Friends of the Chair group was established on Tuesday.

On Monday, the Secretariat introduced the report of the AHTEG on Biodiversity and Climate Change (UNEP/CBD/SBSTTA/9/11 and UNEP/CBD/SBSTTA/9/INF/12). Robert Watson, Co-Chair of the AHTEG, reviewed the main findings of the report, outlining how climate change impacts biodiversity. Finland, Germany, Ireland, Norway and Switzerland, opposed by Australia, Canada, Japan, New Zealand and the US, recommended that SBSTTA adopt the Executive Summary of the report. Mexico proposed submitting the Executive Summary and the full report to government peer review before forwarding it to COP-7 for adoption. Brazil said SBSTTA should defer the suggested recommendations on inter-linkages to the COP, and cautioned against interpreting the report to imply that biodiversity-rich countries have additional obligations. The Netherlands suggested that SBSTTA comment on the accuracy of the report if it decides not to consider it for adoption.

Malaysia called on Parties to focus on synergies, and Ireland and the Netherlands supported developing draft voluntary guidelines to promote synergy between activities on climate change mitigation and adaptation and biodiversity conservation and sustainable use. Australia, Canada and New Zealand said developing such guidelines exceeds SBSTTA's mandate. Argentina and the US cautioned against making recommendations to other conventions. Guinea Bissau requested advice on how to implement synergies in practice.

The UNFCCC said the 19th meeting of the Subsidiary Body for Scientific and Technological Advice of the UNFCCC will consider the AHTEG report. The GEF noted that the AHTEG report will be incorporated into its focal area on sustainable land use, and the

World Bank drew attention to its Biocarbon Fund. NGO representatives noted the need to protect natural ecosystems and biodiversity when developing carbon sequestration projects.

On Wednesday afternoon, the Secretariat presented a CRP on biodiversity and climate change (UNEP/CBD/SBSTTA/9/WG.II/CRP.2). Chair Fazel suggested informal discussions on a proposal from Peru to refer to specific projects mitigating the impact of human activity. Pending the outcome of the informal discussions, the document was provisionally adopted with several minor amendments, including a reference to the reports of UNFCCC workshops on synergies and cooperation with other conventions, and to the UNESCO Man and Biosphere Programme.

On Thursday, delegates continued their discussions, with Peru suggesting referring to mitigation projects as an option to deliver environmental and social benefits in text on facilitating national-level coordination. The CRP was adopted with this amendment.

In Friday's closing Plenary, Canada proposed deleting references to forest and wetlands. The Seychelles, supported by Jamaica, preferred to maintain the reference to the marine environment. After some discussion, delegates agreed to keep all the references and the recommendation was adopted.

Final Recommendation: The final text (UNEP/CBD/SBSTTA/9/L.4/Rev.1) includes recommendations to:

- invite relevant actors to use the AHTEG report on biodiversity and climate change;
- invite CBD national focal points to bring the report to the attention of UNFCCC focal points;
- facilitate capacity building related to accessing information and tools to ensure that climate change projects deliver environmental and social benefits;
- call for case studies on inter-linkages between biodiversity and climate change;
- invite Parties to address the gaps identified in the AHTEG report in order to optimize biodiversity conservation and sustainable use within climate change projects;
- ensure that the AHTEG report is incorporated into CBD work;
- request the SBSTTA to develop guidance to promote synergy between climate change and biodiversity activities;
- invite the COPs of the UNFCCC and the UN Convention to Combat Desertification to collaborate with the CBD to develop guidance to Parties in implementing mutually supportive activities;
- invite the Intergovernmental Panel on Climate Change to continue its work on the relationship between climate change and biodiversity; and
- request the Executive Secretary to transmit the AHTEG report to various intergovernmental bodies.

MONITORING AND INDICATORS: WG-II considered the design of national-level monitoring programmes and indicators on Tuesday, Wednesday and Thursday.

On Tuesday afternoon, WG-II Chair Fazel opened the discussion on monitoring and indicators and the Secretariat introduced the background document (UNEP/CBD/SBSTTA/9/10), and a report on relevant GEF projects (UNEP/CBD/SBSTTA/INF/9/19). Diann Black Layne, Co-Chair of the Expert Meeting on Indicators, introduced the meeting's report (UNEP/CBD/SBSTTA/9/INF/7).



Australia and Germany cautioned against duplication of efforts, and the UK highlighted the benefits of common indicators. Finland stressed the need to include biodiversity parameters in national resource inventories. Kenya expressed concern regarding monitoring costs and Australia noted differing capacities to develop indicators.

On Wednesday afternoon, Chair Fazel introduced UNEP/CBD/SBSTTA/9/WG.II/CRP.1. Canada and New Zealand emphasized development of national-level mechanisms to support the coordination of indicators within the CBD. On inter-agency collaboration for national-level indicator development, the EC proposed adding monitoring systems, which was opposed by Australia, Brazil and New Zealand. The UK cautioned against interfering with Parties' sovereign rights.

On Thursday afternoon, following informal consultations, Australia reported that delegates had agreed on a paragraph referring to national-level indicators and monitoring systems, which countries can draw upon if they so wish. The CRP was adopted as amended.

On Friday, closing Plenary adopted the recommendation without amendment.

Final Recommendation: The final text (UNEP/CBD/SBSTTA/9/L.5/Rev.1) includes a recommendation to the COP to:

- urge all Parties that have not done so to develop a set of biodiversity indicators as part of their national strategies and action plans;
- invite relevant Parties to make use of biodiversity indicators in their assessment of biodiversity;
- recognize that the development and use of indicators requires a financial and technical commitment from Parties and encourage bilateral and multilateral funding agencies to assist developing countries to develop and implement effective biodiversity indicators;
- encourage Parties to share experiences in the development and use of indicators and monitoring and to promote harmonized procedures;
- request the CHM to develop an effective system of information sharing on lessons learned on the development of national-level biodiversity indicators and monitoring;
- request the Executive Secretary to: further develop the identification, development and testing of indicators based on accrued experience, with particular efforts on indicators on fair and equitable benefit sharing and the status and trends of biodiversity at the genetic level; report on progress to COP-8; identify areas for better coordination and integration between sets of indicators to avoid duplication of efforts; and update the indicative list of indicator initiatives through the CHM.

OUTCOME-ORIENTED TARGETS: WG-II considered the integration of outcome-oriented targets into the work programmes of the CBD on Tuesday, Wednesday, and Thursday.

On Tuesday, Chair Fazel opened the discussion on the background document (UNEP/CBD/SBSTTA/9/14). Walter Reid, Millennium Ecosystem Assessment (MA), reported on progress made by the MA. David Brackett, IUCN, described the IUCN system of categories and indicators. Germany highlighted differences between the 2010 target and the UN Millennium Develop-

ment Goals (MDGs), and suggested referencing inter-agency collaboration and threats to biodiversity. Australia recommended focusing on IAS, unsustainable use, and loss of native vegetation.

Haiti proposed adding poverty to the list of threats. The Russian Federation, with Argentina and Brazil, said resources, capacities and financial means for implementation should be considered. The UK recommended adopting the definition of biodiversity loss proposed at the "2010 – The Global Biodiversity Challenge" meeting. Canada and the UK proposed integrating the 2010 target into the MDGs. Finland suggested disseminating work on indicators and targets through the CHM. UNEP-the World Conservation Monitoring Centre (UNEP-WCMC), on behalf of the Convention on Migratory Species (CMS), said the CMS will contribute to work on indicators.

On Wednesday afternoon, Chair Fazel presented a Chair's text on outcome-oriented targets, inviting written comments in order to prepare a CRP.

On Thursday, delegates adopted a CRP on the integration of outcome-oriented targets into the work programmes of the CBD (UNEP/CBD/SBSTTA/9/WG.II/CRP.4) with minor amendments.

On Friday, the closing Plenary adopted the final text without amendment.

Final Recommendation: The final text (UNEP/CBD/SBSTTA/9/L.8) includes a recommendation to:

- work with relevant UN organizations to communicate the importance of biodiversity in achieving the MDGs and to establish the 2010 target as an interim milestone in achieving MDG 7 (to ensure environmental sustainability by 2015);
- establish a small number of global goals in order to assess progress toward the 2010 global biodiversity target;
- agree that a limited number of trial indicators adapted from the report of the London meeting (UNEP/CBD/SBSTTA/9/INF/9) be developed, tested and reviewed by SBSTTA prior to COP-8;
- emphasize that the goals and targets serve as a flexible framework in the context of national priorities and capacities;
- invite Parties to develop national and regional goals and targets to incorporate these into national biodiversity strategies and action plans;
- emphasize the need for capacity building for developing countries;
- examine the need for adequate and timely support from the financial mechanism for the implementation of activities to achieve and monitor progress towards the goals and target;
- invite related conventions to contribute reports that assist the monitoring of progress towards the 2010 target;
- invite the UNEP-WCMC to compile information necessary for reporting on achieving the 2010 target;
- request the Executive Secretary to prepare a background paper for the COP on goals and trial indicators; and
- refine the proposals on integrating targets into the work programme of the CBD for COP-7.

Global Strategy for Plant Conservation: On Wednesday, the Secretariat introduced a document on ways to promote the implementation of the GSPC (UNEP/CBD/SBSTTA/9/14/Add.2). Brazil and Haiti asked for guidance on developing and implementing



national targets and, with Malaysia, recommended establishing national focal points. Canada expressed concern over the practicality of national focal points, and supported cooperation with the FAO on targets for agricultural biodiversity. Canada, Malaysia, and Mexico noted that some timelines for implementation are unrealistic, given many Parties' limited capacities.

On Wednesday afternoon, Chair Fazel presented a Chair's text on the GSPC, inviting written comments to prepare a CRP.

On Thursday, delegates considered a CRP on targets for the GSPC (UNEP/CBD/SBSTTA/9/WG.II/CRP.3) and approved a broader definition of biodiversity. On the list of indicators, the EC proposed including the distribution of selected species.

On Friday, the closing Plenary adopted the recommendation without amendment.

Final Recommendation: The final document (UNEP/CBD/SBSTTA/9/L.7) recommends that the COP:

- invite the UNEP-WCMC to support monitoring implementation of the GSPC and encourage Parties to nominate focal points for the GSPC;
- request the Executive Secretary to elaborate proposals for a toolkit to assist Parties in integrating the targets into their strategies, plans and programmes for review prior to COP-8;
- decide to integrate the targets of the GSPC into all thematic and relevant cross-cutting work programmes;
- emphasize that the GSPC is to be implemented in a flexible way with regard to the need for capacity building in developing countries;
- decide to integrate the GSPC targets into the reporting framework for the third national reports; and
- invite the FAO Commission on Genetic Resources to consider how the Global Plan of Action for the Conservation and Sustainable Use of Plant Genetic Resources for Food and Agriculture contributes to the implementation of the GSPC.

Inland Waters Biodiversity: On Wednesday, the Secretariat introduced a document on outcome-oriented targets and deadlines for the implementation of the revised work programme on inland waters biodiversity (UNEP/CBD/SBSTTA/9/14/Add.1). Noting developing countries' lack of monitoring capacity, Mexico proposed that countries identify goals they are able to monitor. The Philippines, on behalf of the Asia and Pacific Region, called for assistance for *in situ* conservation of inland water biodiversity. The Netherlands, Norway, Sweden and the UK called for a review within two years, and the Ramsar Convention stressed the need for harmonizing indicators.

No recommendation was adopted on this item.

Marine and Coastal Biodiversity: On Wednesday, the Secretariat presented a document on outcome-oriented targets for the implementation of the work programme on marine and coastal biodiversity (UNEP/CBD/SBSTTA/9/14/Add.3). Germany and the Philippines proposed taking into account regional initiatives. Germany suggested adding a definition of marine PAs. The Philippines, with Argentina, Cuba, Indonesia and Norway, said the targets are too ambitious and premature, and highlighted financial and capacity constraints in achieving them by 2010. Brazil said many of the proposed goals and targets fall outside the CBD's scope, and Switzerland pointed to the excessive number of goals,

targets and indicators. Brazil, Finland, and Norway proposed establishing a process to further work on targets. The FAO said process-oriented indicators are more realistic.

No recommendation was adopted on this item.

CLOSING PLENARY

On Friday, Chair Oteng-Yeboah opened the closing Plenary, inviting regional nominations for the Bureau. Delegates elected Asghar Fazel (Islamic Republic of Iran) for the Asia and Pacific Region; Bozena Haczek (Poland) for Central and Eastern Europe; Brian James (St. Lucia) for GRULAC; and Christian Prip (Denmark) for the Western European and Others Group.

The Plenary then adopted the provisional agenda and dates for SBSTTA-10 and 11 (UNEP/CBD/SBSTTA/9/13), to be revised in light of COP-7 and tentatively scheduled for 2004 and 2005.

Noting that there is a need for sound technical and scientific advice on concrete actions in the CBD with a view to achieving the 2010 target, Germany noted that SBSTTA should only include advice on financial matters if the COP so requests, and that guidance to the financial mechanism will be provided by COP-7.

WG-I Chair Andr n presented the report of WG-I (UNEP/CBD/SBSTTA/9/L.1/Add.1), which was adopted without amendment. Delegates also adopted the report of WG-II (UNEP/CBD/SBSTTA/9/L.1/Add.2), presented by WG-II Chair Fazel, with minor corrections.

Rapporteur Mundita Lim then introduced the meeting's report (UNEP/CBD/SBSTTA/9/L.1), which was adopted without amendment.

CBD Executive Secretary Zedan commended delegations' commitment despite the challenging and heavy agenda, and said SBSTTA-9 had laid a secure foundation for COP-7.

Slovakia, on behalf of Central and Eastern Europe; Italy, for the European Union; and Brazil, on behalf of GRULAC, made statements of appreciation. Liberia, on behalf of the African Group, called for a CBD-specific funding mechanism. Malaysia, on behalf of the Asia and Pacific Region, invited Parties to COP-7.

Defenders of Wildlife lamented the trend in interventions that assert national trade interests over conservation, and expressed hope that this would not prevail at COP-7.

Chair Oteng-Yeboah thanked participants and organizers of the meeting, and closed the meeting at 6:12 pm.

A BRIEF ANALYSIS OF SBSTTA-9

With 16 substantive agenda items, over 70 background documents and three substantive programmes of work under debate, delegates were quick to note that this was one of the busiest SBSTTA meetings to date. Issues ranged from invasive alien species and climate change to the proposed elements for work programmes on protected areas, technology transfer and mountain biodiversity. Delegates to SBSTTA-9 paved the way for COP-7, particularly by identifying basic elements for action required to achieve the 2010 target to significantly reduce the rate of biodiversity loss. These elements include the integration of goals and timelines for action into the Convention's programmes of work, as well as the recognition of the necessity of outcome-oriented targets and indicators to assess progress.



However, SBSTTA-9 again encountered hurdles related to national sovereignty, indigenous rights and an overloaded agenda that have complicated its mandate to work on scientific, technical and technological work. This analysis will focus on the SBSTTA-9's main topics, namely protected areas, technology transfer, and the integration of outcome-oriented targets, as well as emerging procedural issues regarding SBSTTA's precise role in mediating how scientific advice feeds into the CBD process.

PROTECTED AREAS: TERRITORIAL POLITICS

While protected areas are a crucial tool for *in situ* conservation and the work of the Convention, Parties waited more than a decade before tackling the issue, which was highly controversial during the CBD's actual negotiation. With a general recognition that the 2010 target to reduce significantly the current rate of biodiversity loss can only be met if there is a real commitment to establishing a network of protected areas, expectations to adopt a fully operational programme of work on protected areas ran very high.

Discussions at SBSTTA-9 started smoothly and in a spirit similar to that of the fifth IUCN World Parks Congress, which set the stage for statements on the need to move beyond conservation, include ecological networks, and recognize the rights of indigenous and local communities. The Joint Pledge of a number of major conservation NGOs to support the implementation of a strong programme of work was also warmly welcomed by Parties, to the surprise of some NGOs themselves.

Despite this constructive start, a number of controversial issues, including ecological networks and transboundary protected areas, were actually lingering below the surface and only arose later in the week. The lack of definition of concepts such as ecological networks and corridors, and the legal implications of establishing marine protected areas on the high seas triggered some reservations from Parties. The sacrosanct principle of national sovereignty proved to be, once more, a bottleneck, with several Parties preferring an emphasis on national protected areas and debating appropriate reference to the territorial rights of indigenous and local communities. The long-winded political discussions on these issues hampered complete consideration of the work programme, leaving little time to address specific actions and thereby forwarding a heavily bracketed text for COP-7's consideration. However, the agreed elements of the programme, which include goals and, most importantly, targets, provide a good basis to work from. It remains to be seen whether COP-7 will succeed in removing the many brackets of the work programme on protected areas.

TECHNOLOGY TRANSFER: A TOOL FOR BIODIVERSITY CONSERVATION OR DEVELOPMENT AID?

On technology transfer, which proved to be an equally sensitive issue, SBSTTA-9 had to contend with conceptual differences on the topic, as well as difficulties in addressing discussions related to technology transfer in other programme areas.

While discussions on south-south transfers, technologies linked to traditional knowledge and sustainable livelihoods, intellectual property issues and donor aid are indispensable components of technology transfer, they revealed substantial differences in conceptual views over the nature of technology transfer and its

importance to the CBD's objectives. Some developed countries were concerned about turning technology transfer into an inept backdoor mechanism for development assistance because of three issues: insufficient linkage between technology transfer and conservation projects in particular, implied links between technology provision and financial support, and unresolved intellectual property rights issues.

In contrast, developing countries were clear about which direction they want the transfer to go, and successfully removed any reference to south-south transfers by referring the issues of exchange of traditional technologies to the discussions on Article 8(j). They also secured references to north-south transfers and the provision of financial assistance through the GEF and other actors.

The main achievement of SBSTTA-9 lies in setting the conceptual vantage point for further concrete action on technology transfer. While some may feel that they have completed the first ascent of an unattainable summit, Parties may just be standing on top of the foothill of the mountain to be climbed. The challenge before COP-7 is to ensure that the programme of work is aligned with the uncoordinated approaches to technology transfer under the CBD's different programmatic and cross-cutting areas.

OUTCOME-ORIENTED TARGETS: COUNTDOWN TO ASSESSMENT DAY

The WSSD target to "reduce significantly the rate of biodiversity loss" by 2010 was omnipresent at SBSTTA-9, as a key reference point for assessing progress in the CBD's implementation. Arising from The Hague Ministerial Declaration, the original, more ambitious target calls on Parties to "halt and reverse" biodiversity loss by the year 2010. In comparison, the reworded WSSD target, although leaving more leeway, fails to set a clear reference point in that it does not define what a significant reduction is, let alone refer to any indicators to measure it.

Despite these difficulties, the 2010 target is driving the integration of outcome-oriented targets into the CBD's work programmes, along with the development of appropriate monitoring and indicators. The political impact of the WSSD was clearly visible in this regard, especially as issues of targets and indicators were politically taboo only a few years ago. However, it is difficult to assess if real progress has been made, given that action in this area will be subject to national priorities, capacities, and commitments as well as to what Parties consider "appropriate." But the pressure is on and "assessment day" is only six years (or four COPs, six SBSTTAs and several dozen expert meetings) away.

SBSTTA: STILL SUFFERING FROM DEFICIENT SOURCES OF SCIENTIFIC INFORMATION?

Finding the appropriate balance between science and politics has long been a challenge underlying SBSTTA's work, and SBSTTA-9 was no exception. That an issue like gaps in the international legal framework addressing invasive alien species was on the agenda of a body mandated to give scientific, technical and technological advice is a clear signal that the CBD process still has difficulty in charting a course between scientific and technical advice and politics. Without any surprise, invasive alien species triggered the fires that have been marking biodiversity-related fora since COP-6 regarding challenges to the legal status of Decision VI/23 and its guiding principles on invasive alien species. However, in a



spirit of cooperation, delegates entered into substantive discussions indicating that the issue was too urgent and important to be sidelined by procedural shortfalls, while recognizing that COP-7 will have to bring finality to the issue.

The procedural debate on whether SBSTTA could itself adopt the report of the AHTEG on biodiversity and climate change highlighted questions about SBSTTA's mandate, and more particularly its institutional authority. While the UNFCCC relies on the Intergovernmental Panel on Climate Change for peer-reviewed scientific information, the CBD lacks such a mechanism. This has raised questions about how to interpret the validity of scientific views coming from SBSTTA and supporting the AHTEGs, which have proliferated over the past two years. While the establishment of AHTEGs is a welcome step for the work of the Convention, the strong reaction of some Parties to the report of the AHTEG on GURTs clearly reveals some of the AHTEGs' inadequacies such as limited participation and ability to handle politically charged scientific issues. It remains to be seen how SBSTTA will continue to provide and approve quality advice to the COP in the face of its substantial workload and the proliferation of reports from various intersessional expert meetings and working groups.

COP-7 AND BEYOND

COP-7 will be the first COP since the WSSD and, as such, a test case for the CBD. Indeed, beyond the test of whether Parties are willing and ready to achieve the 2010 target, COP-7 will allow an assessment of how the CBD process functions and whether its mechanisms for advice, including SBSTTA, and its panoply of work programmes, are efficient in laying the groundwork for required actions at the national level.

During COP-7, delegates will also have to strike a fine balance between two of the Convention's objectives, notably conservation of biodiversity, the core of the programme of work on protected areas, and access and benefit-sharing, embodied by the Bonn Guidelines and the proposed regime on access and benefit-sharing. Potential supporters for a protocol are rumored to be behind both issues, and COP-7 will be a test of wills in the long-standing conservation vs. benefit sharing debate. With a decade of practical experience behind it and the 2010 target before it, the CBD process will hopefully avoid the perils of political stalemate and navigate to a solution that meets both objectives and, more importantly, the increasingly dire needs of biodiversity.

THINGS TO LOOK FOR BEFORE COP-7

AD HOC TECHNICAL EXPERT GROUP ON THE IMPLEMENTATION OF THE PROGRAMME OF WORK ON FOREST BIODIVERSITY: This meeting will take place from 24-27 November 2003, in Montpellier, France. For more information, contact: CBD Secretariat; tel: +1-514-288-2220; fax: +1-514-288-6588; e-mail: secretariat@biodiv.org; Internet: <http://www.biodiv.org/doc/meeting.asp?mtg=TEGFOR-01>

SECOND MEETING OF THE CBD AD HOC OPEN-ENDED WORKING GROUP ON ACCESS AND BENEFIT SHARING: This meeting will take place from 1-5 December 2003, in Montreal, Canada. For more information, contact: CBD

Secretariat; tel: +1-514-288-2220; fax: +1-514-288-6588; e-mail: secretariat@biodiv.org; Internet: <http://www.biodiv.org/doc/meeting.asp?wg=ABSWG-02>

NINTH SESSION OF THE CONFERENCE OF THE PARTIES TO THE UN FRAMEWORK CONVENTION ON CLIMATE CHANGE: UNFCCC COP-9 will meet from 1-12 December 2003, in Milan, Italy. For more information, contact: the UNFCCC Secretariat; tel: +49-228-815-1425; fax: +49-228-815-1999; e-mail: secretariat@unfccc.int; Internet: <http://www.unfccc.int/>

THIRD MEETING OF THE AD HOC OPEN-ENDED INTER-SESSIONAL WORKING GROUP ON CBD ARTICLE 8(J): This meeting will be held from 8-12 December 2003, in Montreal, Canada. For more information, contact: CBD Secretariat; tel: +1-514-288-2220; fax: +1-514-288-6588; e-mail: secretariat@biodiv.org; Internet: <http://www.biodiv.org/doc/meeting.asp?wg=WG8J-03>

ADVANCED SEMINAR ON PROTECTED AREAS MANAGEMENT AND LOCAL DEVELOPMENT IN THE MEDITERRANEAN CONTEXT: This seminar is organized by the Spanish Agency for International Cooperation with the collaboration of the IUCN Centre for Mediterranean Cooperation. It will be held from 1-14 December 2003, in Malaga, Spain. For more information, contact: Marie Curie; tel: +34-95-20-28-430; fax: +34-95-20-28-415; e-mail: uicnmed@iucn.org; Internet: http://www.iucn.org/places/medoffice/eventos/seminario_azahar_EN.htm

REGIONAL PREPARATORY MEETINGS FOR THE SEVENTH MEETING OF THE CONFERENCE OF THE PARTIES TO THE CBD: Regional preparatory meetings for COP-7 will be held for the African Asia and the Pacific, and Latin American and the Caribbean Regions in January 2004, venues and dates to be determined. For more information, contact: CBD Secretariat; tel: +1-514-288-2220; fax: +1-514-288-6588; e-mail: secretariat@biodiv.org; Internet: <http://www.biodiv.org>

SEVENTH MEETING OF THE CONFERENCE OF THE PARTIES TO THE CBD AND FIRST MEETING OF THE PARTIES TO THE BIOSAFETY PROTOCOL: CBD COP-7 will be held from 9-20 February 2004, in Kuala Lumpur, Malaysia. It will be followed by the first Meeting of the Parties to the Cartagena Protocol on Biosafety, which will be held from 23-27 February 2004. For more information, contact: CBD Secretariat; tel: +1-514-288-2220; fax: +1-514-288-6588; e-mail: secretariat@biodiv.org; Internet: <http://www.biodiv.org>