



## CBD COP-7 HIGHLIGHTS: WEDNESDAY, 18 FEBRUARY 2004

COP-7 delegates met throughout the day in two Working Groups (WGs). WG-I discussed conference room papers (CRPs) on: mountain biodiversity; proposals for future actions for thematic work programmes; inland water ecosystems; marine and coastal biodiversity; monitoring and indicators; the ecosystem approach; biodiversity and climate change; the Global Taxonomy Initiative (GTI); the Global Strategy for Plant Conservation (GSPC); sustainable use; biodiversity and tourism; and invasive alien species (IAS). WG-II addressed CRPs on: communication, education and public awareness (CEPA); technology transfer and cooperation; financial mechanism and resources; operations of the Convention; and access and benefit-sharing (ABS). Contact groups on the budget, protected areas (PAs), and the Strategic Plan convened. A brief Plenary was held in the afternoon to review progress in the WGs and the contact group on the budget. The Ministerial Segment started discussions on ABS, technology transfer and cooperation, and scientific assessments.

### WORKING GROUP I

**MOUNTAIN BIODIVERSITY:** Reserving its position regarding the Akwé: Kon guidelines on impact assessments, NEW ZEALAND requested to bracket relevant references throughout the CRP. WG-I Chair Hans Hoogeveen (the Netherlands) said informal consultations regarding references to trade distorting activities were ongoing.

**THEMATIC WORK PROGRAMMES:** Delegates approved, with minor amendments, the CRP on thematic work programmes, including forest biodiversity, biodiversity of dry and sub-humid lands, and agricultural biodiversity.

**INLAND WATER ECOSYSTEMS:** NEW ZEALAND requested bracketing references to the Akwé: Kon guidelines. On references to foreclose using the work programme as a basis for creating trade-distorting measures, delegates agreed to consult informally. Parties opposed Norway on referencing decision VI/23 (IAS).

**MARINE AND COASTAL BIODIVERSITY:** AUSTRALIA, CANADA, JAPAN and BRAZIL, opposed by THAILAND, suggested replacing "areas beyond national jurisdiction" with "high seas" throughout the CRP. Delegates requested additional time to consider a reference to the 2004 International Convention on Ballast Water.

NORWAY and ICELAND requested, and delegates agreed, to include a reference to the UN Convention on the Law of the Sea (UNCLOS) in a paragraph on establishing marine and coastal PAs in the high seas. ARGENTINA requested, but CANADA opposed, to add a reference to coastal states' jurisdiction regarding resources within their Exclusive Economic Zone. TURKEY

expressed its opposition to any reference to UNCLOS. While the EU favored retaining a paragraph noting the positive effects of mariculture, ARGENTINA requested its deletion.

BRAZIL expressed concern regarding the operational objective addressing marine and coastal genetic resources, including bioprospecting. A Friends of the Chair group was established to address references to, *inter alia*: the "high seas" rather than "areas beyond national jurisdiction"; the positive effects of mariculture; and marine and coastal genetic resources.

**MONITORING AND INDICATORS:** Delegates adopted a CRP with minor amendments.

**ECOSYSTEM APPROACH:** Delegates agreed to consider lessons learnt from sustainable forest management as an outcome-oriented application of the ecosystem approach. Delegates approved the CRP with other minor amendments.

**BIODIVERSITY AND CLIMATE CHANGE:** On measures to manage ecosystems to maintain their resilience to climate change, delegates agreed to delete references to the ecosystem approach and environmental impact assessments.

**GTI:** Parties agreed to delete text in the CRP requesting the GEF to provide technical and financial support to the GTI's Cooperation Mechanism. On linkages between ABS and taxonomy, EL SALVADOR suggested, and delegates agreed, to stress linkages with other work programmes.

**GSPC:** Delegates approved a CRP without amendment.

**BIODIVERSITY AND TOURISM:** An NGO representative expressed concern regarding the procedure followed to elaborate the guidelines annexed to the CRP. The Secretariat stressed that the guidelines had been prepared with indigenous participation and input.

NEW ZEALAND made reservations regarding references to the Akwé: Kon guidelines. The issue was left pending. Delegates decided not to include "voluntary" in the guidelines' title. Regarding indigenous involvement in decision making, the EU and KENYA supported, and CANADA opposed, referring to prior informed consent (PIC). Compromise wording states that, consistent with Article 8(j), decision making should include consultation with indigenous and local communities and that indigenous PIC must be obtained if required by the national regime. Delegates agreed that the guidelines should recognize and respect indigenous and local communities' rights.

**INVASIVE ALIEN SPECIES:** Delegates agreed to delete specific references in the CRP to collaboration with the World Trade Organization, and to include reference to the Convention on International Trade in Endangered Species. The EU opposed AUSTRALIA's suggestion to refer to non-trade distorting positive incentive measures for the eradication of IAS. Informal consultations did not resolve the issue.



**SUSTAINABLE USE:** The SEYCHELLES suggested replacing “wild flora and fauna” with “components of biodiversity” throughout the CRP, and adding language on agricultural biodiversity, in particular domesticated species, breeds and varieties. The issue was deferred to allow consultations.

#### **WORKING GROUP II**

**FINANCIAL RESOURCES AND MECHANISM:** Delegates discussed two CRPs. Upon CANADA’s suggestion, delegates established a Friends of the Chair group to review language on GEF support in all decisions, and to produce a consolidated decision regarding guidance to the GEF.

**CEPA:** ANTIGUA AND BARBUDA suggested creating a CEPA post in the Secretariat. NORWAY stressed the need for regional representation and, with the INTERNATIONAL INDIGENOUS FORUM ON BIODIVERSITY, for indigenous participation in a consultative CEPA Working Group. Delegates established an informal group on the issue.

**NATIONAL REPORTING:** Delegates agreed to delete references to indicators for national reporting, and approved the CRP.

**TECHNOLOGY TRANSFER AND COOPERATION:** Delegates considered a revised CRP. The EU suggested collaborating with funding agencies other than the GEF. The PHILIPPINES and PERU, opposed by AUSTRALIA, requested that enabling environments be created in developed, as well as in developing countries. Delegates agreed to delete references to “developed” and “developing” countries. BRAZIL, PERU, CHINA and COLOMBIA requested convening an *Ad Hoc* Technical Expert Group. CANADA proposed to include experts on technology transfer in the informal advisory Committee of the Clearing-house Mechanism. The decision was deferred to allow consultations.

**OPERATIONS OF THE CONVENTION: Rule 21:** Several delegates opposed language extending the tenure of the outgoing president until the closure of the meeting at which he or she is replaced. EGYPT and MEXICO requested that COP-8 review the effectiveness of the changes to Rule 21.

**Agreement between UNEP and the CBD Secretariat:** The Secretariat suggested that the COP invite the UNEP Executive Director and the CBD Executive Secretary to review administrative arrangements by COP-8.

**Retirement of decisions:** Delegates approved a CRP retiring several COP-3 and COP-4 decisions.

**INCENTIVE MEASURES:** Following lack of agreement in informal consultations, AUSTRALIA presented a compromise proposal that encourages Parties to use the proposals for the application of ways and means to remove or mitigate perverse incentives on an interim basis, and that recognizes the need for priority consideration at SBSTTA-10. The EU also tabled a proposal, which suggests that the COP accept the proposals on a preliminary basis and request their review at SBSTTA-12.

**ABS:** The Secretariat introduced a CRP approved by the ABS contact group, highlighting remaining brackets regarding the time-frame for convening the ABS Working Group, and cooperation with WIPO. The EU requested the document’s translation and time to revise it. Stressing the need for prioritization, COLOMBIA requested deleting bracketed footnotes, which subject convening the ABS Working Group to budgetary considerations.

#### **CONTACT GROUPS**

**PAs:** Delegates agreed on preambular references to: targets and their prioritization; streamlining procedures and expedited funding; and implementation of the work programme through ecological networks, corridors and buffer zones. Regarding the overall objective, delegates held regional consultations on possible options.

**STRATEGIC PLAN:** In an afternoon session, delegates debated incorporating globally determined targets and indicators into national biodiversity strategies. They decided to establish an

informal group to further address this issue, as well as budgetary constraints. In the evening, delegates discussed a revised Chair’s text. They agreed, *inter alia*, to: include reference to mobilizing financial and technical resources for developing countries in text regarding focal areas towards the Strategic Plan’s implementation; and note that global application of indicators should not be used to evaluate the Convention’s implementation in individual Parties or regions.

#### **MINISTERIAL SEGMENT**

COP-7 President Dato’ Seri Law, Malaysia’s Minister of Science, Technology and the Environment, called on Ministers to provide guidance and political impetus to COP-7. Dato’ Seri Mohd Najib bin Tun Haji Abdul Razak, Malaysia’s Deputy Prime Minister, said benefit-sharing is central to biodiversity conservation. Klaus Töpfer, UNEP Executive Director, noted the merit of a more focused COP agenda. CBD Executive Secretary Hamdallah Zedan stressed developing a holistic framework for biodiversity conservation to enhance implementation. A.H. Zakri (United Nations University Institute of Advanced Studies), Alfred Oteng-Yeboah (SBSTTA-9 Chair) and Walter Reid (Millennium Ecosystem Assessment) presented on the Ministerial Segment’s thematic issues, namely ABS, technology transfer and cooperation, and scientific assessments.

Some Ministers said an ABS regime should build on a gap analysis of existing regimes, and draw on experiences from implementing the Bonn Guidelines. Others stressed it should be practical and legally binding. Several highlighted capacity building and technology transfer as prerequisites for benefit-sharing.

Many Ministers said technology transfer is central to building capacity, and to implementing the CBD and the Biosafety Protocol. Several emphasized the need for country-driven technology transfer.

Ministers noted that scientific assessments are central to informing decision makers, developing targets and indicators, and meeting the 2010 target. Some noted the importance of establishing national and regional PA systems. Several called on Parties to adopt an outcome-oriented work programme on PAs.

#### **IN THE CORRIDORS**

With several Friends of the Chair groups already at work, and the tabling of a number of new CRPs, some delegates expressed hope that the Chairs would have many more friends to help them resolve remaining thorny issues. It came as no surprise that, besides deep seabed bioprospecting, references to trade-distorting measures in the inland water and mountains decisions would require informal consultations. Several delegates voiced concern that, instead of taking a proactive position to prioritize environmental obligations, the CBD is increasingly being paralyzed by international trade-related concerns.

### **THINGS TO LOOK FOR TODAY**

**WORKING GROUP I:** WG-I will convene at 10:00 am in the Dewan Merdeka Hall to continue discussing CRPs on IAS and sustainable use, and address outstanding issues regarding mountain biodiversity, inland water ecosystems, and marine and coastal biodiversity.

**WORKING GROUP II:** WG-II will meet at 10:00 am in Room TR4 to discuss ABS. Look for a CRP on incentive measures and a revised CRP on the operations of the Convention.

**CONTACT GROUPS:** Contact groups on the budget and PAs are expected to meet. Check the monitors for time and location.

**MINISTERIAL SEGMENT:** The Ministerial Segment will convene at 10:00 am in the Grand Ballroom of the Pan Pacific Hotel to continue discussing ABS, technology transfer and cooperation, and scientific assessments.