



# Earth Negotiations Bulletin

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## HIGHLIGHTS OF BIOCOP-2 MONDAY, 13 NOVEMBER 1995

Delegates to the second session of the Conference of the Parties (COP-2) to the Convention on Biological Diversity (CBD) met for the seventh day of the two-week conference. The Drafting Group of the Committee of the Whole (COW) met briefly in the morning, as did contact groups in the following issue areas: terrestrial biodiversity; marine and coastal biodiversity; biosafety; and budget and medium-term programme of work. The Plenary met in the afternoon to vote on the permanent location of the Secretariat; Montreal was selected on the third ballot. All of the contact groups, including the group examining financial mechanisms, met in the evening.

### PLENARY

COP President Kusumaatmaya opened the afternoon Plenary and announced that the first revision of the draft Jakarta Ministerial Statement had been circulated. He invited further comments. Delegates then turned their attention to the question of the permanent location of the Secretariat. Geneva, Madrid, Montreal and Nairobi were the cities bidding to house the CBD Secretariat. Voting took place in accordance with the agreed scenario for voting (UNEP/CBD/COP/2/Crp.1) and decision 1/10 of COP-1. Three ballots were held, with the country receiving the least number of votes withdrawing its bid at the end of each round.

After the first ballot, Nairobi withdrew. The order of votes received for the others was: Montreal, Geneva, Madrid. After the second ballot, Madrid withdrew. The order of votes was: Montreal, Geneva. Montreal was the choice for location on the third ballot, and the Plenary endorsed the decision by acclamation.

SWITZERLAND noted its continued support for CBD and wished the best of luck to Montreal and the Secretariat, to whom it gave its fullest support. CANADA thanked the other three countries and their delegates for the friendly, harmonious competition. He assured all Parties that Canada and Montreal would work hard to ensure that the aims of CBD will be met and enhanced. Canada gave Dr. Juma a knit cap and scarf for use during the colder months. SPAIN noted that it was good to have the decision made so that all can get to work to conserve the world's biodiversity. KENYA thanked the others for a spirited competition, and noted that Nairobi is always open with a winterless climate to host meetings.

### COMMITTEE OF THE WHOLE

The Drafting Group of COW met briefly during the morning to review draft Chairman's texts. The Chair noted that texts on the clearing-house mechanism (CHM) and technology transfer, which were revised based on comments from regional groups, will be considered in the second meeting of the Drafting Group of COW as will texts on national reports, the SBSTTA and biodiversity-related conventions. The texts on Articles 6 and 8, and components on biodiversity under threat will be referred to the contact groups on terrestrial, marine and coastal biodiversity. Canada has prepared a text on FAO which will serve as a basis for regional consultations based on which a Chairman's text will be presented to the Drafting Group of COW. The G-77 and the EU have each prepared texts on access to genetic resources and intellectual property rights (IPR) based on which Colombia will conduct regional consultations in preparation for a text to be tabled in the Drafting Group of COW.

### CONTACT GROUPS

**BIOSAFETY:** The Group chaired by Effendy Sumardja (Indonesia) considered a draft Chairman's text on Agenda Item 4.4 in its third day of discussions. Delegates debated alternate wording for the text, and will consider a revised draft Chairman's text on Tuesday. One of the paragraphs under discussion involves a decision by members of the drafting group to "recognize the need for," "decide to develop," or "conclude that there is a need for" a protocol on biosafety. Among other options to be considered by the group are bracketed versions of proposed wording that defines the terms of reference for a working group or committee whose task it will be to develop a draft protocol on biosafety.

**MARINE AND COASTAL and TERRESTRIAL ISSUES:** The Contact Group chaired by A.K. Ahuja (India) met briefly as a whole following the Plenary. The Chair outlined progress in the two groups and suggested that the output should take the form of short, direct political statements to CSD.

Chair Ahuja submitted a draft for the CBD statement to the IPF on biodiversity and forests. It welcomed the designation of the CBD Secretariat as the lead agency for addressing the relationship between indigenous peoples and forests, and calls for a dialogue between CBD and IPF on a broader range of issues. It addresses diversity in tropical, temperate and boreal forests, forests' value as habitat to the majority of terrestrial species,

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ecological services, provision of jobs and role in climate and ecological cycles. The link between forest biodiversity loss and decreased forest area and quality is mentioned. The draft requests IPF to acknowledge the need to integrate conservation and sustainable use of biodiversity in relevant plans, programmes and policies and explore how biodiversity could be assisted by establishment of environmental goals. It calls for goals at an ecosystems level aimed at securing forest quality and a number of components. National plans should include *in situ* activities in accordance with Article 8. The draft suggests the importance of education and awareness raising and strengthened focus on research.

The Chair's draft was based on that of the drafting sub-group on ecological issues chaired by Antonius Van Der Zoon (Netherlands), which met Monday morning. The sub-group reviewed and agreed to a three-page draft statement that includes an introduction, text on the importance of biodiversity, a summary of trends in forest ecosystems and their biodiversity components, a section on the main causes of forest biodiversity loss, and recommendations on methods for conservation and sustainable management of forests.

The drafting sub-group on access to genetic resources, equitable sharing of benefits and indigenous peoples' issues chaired by Ulf Svensson (Sweden) met in morning, afternoon and evening sessions. Following submission of the Contact Group Chair's draft, the sub-group agreed to submit a three-paragraph addition. One paragraph covers knowledge, innovations and practices. A second will address access to forest-based genetic resources subject to prior consent on mutually agreed terms. The third paragraph instructs the CBD Secretariat to prepare preliminary input to the IPF session scheduled for September 1996 and calls for further input from COP-3 to IPF. Language on the three paragraphs is expected to be finalized at a Tuesday morning drafting session.

The Group considering marine and coastal biodiversity, chaired by Peter Bridgewater (Australia), began Monday considering a draft text prepared by a drafting group on Sunday evening, which was based on a Secretariat draft and incorporated others' suggestions. The text consisted of a thirteen-paragraph draft decision that called for establishing an *ad hoc* panel of experts on marine and coastal biodiversity, among other things, and an annex regarding the terms of reference and work programme for the panel. Changes were incorporated into the text during the day, adding three paragraphs to the draft decision and text to two sub-paragraphs in the proposed work programme, as well as other changes.

References to "adoption" of SBSTTA recommendation I/8 on scientific, technical and technological aspects of the conservation and sustainable use of coastal and marine biological diversity remain bracketed pending discussion of the recommendations. A proposal was made to add reference to assessment of genetic resources of the high seas, in particular the deep sea bed.

During discussion of the draft terms of reference and work programme, some delegates cautioned against micro-managing the panel. References to needs for conservation and sustainable use of biodiversity in the context of "food security," and evaluation of the "effects on marine biodiversity of over-fishing capacity and associated subsidies" were proposed, but not resolved. Delegates are expected to continue consideration of these texts and to take up on Tuesday consideration of the recommendations made by SBSTTA.

**FINANCIAL MECHANISM AND RESOURCES:** The contact group on financial resources and mechanism, chaired by

John Ashe (Antigua and Barbuda), met Monday evening. Delegates discussed the three remaining unresolved issues: designation of the institutional structure for the financial mechanism; the MOU; and eligibility criteria, strategy and programme priorities. The text on these issues remains bracketed.

**BUDGET AND PROGRAMME OF WORK:** The contact group, chaired by Peter Unwin (UK), considered a revised budget proposal from the Secretariat during a morning session. The proposed restructuring to achieve greater efficiency and savings was welcomed, but a number of concerns were expressed, including the need for further information from the Secretariat regarding the budgetary implications of decisions being taken in other contact groups. An evening session of the group discussed the draft decision on COP's medium-term programme of work for 1996-1997. Key concerns and points of discussion included: the heavy workload for COP-3; the possibility of certain items, listed for consideration in 1996, being moved to the following year; and the implications for the work programme of decisions being taken in other contact groups regarding possible expert panels on a number of issues.

### IN THE CORRIDORS

Delegates and observers are considering the possibility that the contact group on the budget and programme of work may influence other contact groups by setting the boundaries of intersessional work. Some delegations want the budget group to expand or adjust the medium-term programme of work to include or emphasize forests in 1996, possibly including an intersessional experts panel on biodiversity and forests. This, they say, would allow the COP to influence the work of IPF and to mark the territory of forest biodiversity, access to forest genetic resources, and indigenous peoples and forests for CBD. Others, opposed to a CBD panel on forests, concerned over the additional expense of an expanded programme of work and/or fearing that work on marine and coastal issues will be curtailed, are resisting efforts to add forests to the work programme for 1996. A way to cover both marine and coastal and forest issues, noted by some observers, would be voluntary contributions of funds by interested donor Parties.

### THINGS TO LOOK FOR TODAY

**MINISTERIAL SEGMENT:** The Ministerial Segment of COP-2 will commence in the Plenary Hall at 9:00 am. Forty speakers are expected to make presentations. In commemoration of the twentieth anniversary of the International Year of Youth, two children will make presentations: Daniel Mills (UK) and Anita Diana Sumutki (Indonesia).

**COMMITTEE OF THE WHOLE (COW):** The Drafting Group of COW is expected to reconvene at 11:00 am to commence consideration of Chairman's texts on the clearing-house mechanism, technology transfer, national reporting, SBSTTA and biodiversity-related conventions.

**CONTACT GROUPS:** The Group on biosafety is expected to meet at 10:00 am in Room 6. The Group on terrestrial biodiversity is expected to meet at 11:00 am and its sub-group on access to genetic resources, equitable sharing of benefits and indigenous issues at 10:30 am. The Group on marine and coastal biodiversity is expected to meet at 10:00 am. The Group on financial mechanism and resources is expected to meet at 10:00 am in Room 5. The Group on budget and medium-term programme of work is expected to meet at 3:00 pm.