



# Earth Negotiations Bulletin

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## SECOND SESSION OF THE SUBSIDIARY BODY ON SCIENTIFIC, TECHNICAL AND TECHNOLOGICAL ADVICE (SBSTTA-2) 2 - 6 SEPTEMBER 1996

The second meeting of the Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA-2) to the UN Convention on Biological Diversity (CBD) will open Monday, 2 September and continue until Friday at the Palais des Congrès, Montreal. The meeting will assess the factual information governments will need for making policy decisions at the third annual session of the Conference of the Parties (COP-3) in Buenos Aires from 4-15 November 1996. At the Opening Plenary of SBSTTA-2, delegations will deal with organizational matters including election of the Bureau, adoption of the Agenda and organization of work. The SBSTTA-2 Chair, Peter Johan Schei (Norway), was elected by COP-1. The meeting will convene two Open-Ended Working Groups.

### A BRIEF HISTORY OF TECHNICAL ISSUES UNDER THE BIODIVERSITY CONVENTION

The Convention on Biological Diversity (CBD), which was negotiated under the auspices of the United Nations Environment Programme (UNEP), was adopted in May 1992 and was opened for signature at the Earth Summit (UNCED) in Brazil on 5 June 1992. It entered into force on 29 December 1993. As of 1 July 1996, 152 countries had become Parties to the Convention. Article 25 of the CBD establishes a Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA) to provide the Conference of the Parties with "timely advice" relating to implementation of the Convention.

**COP-1:** The first meeting of the Conference of the Parties to the CBD (COP-1) took place in Nassau, the Bahamas, from 28 November-9 December 1994. Some of the key decisions taken by COP-1 included: adoption of the medium-term work programme; designation of the Permanent Secretariat; establishment of the clearing-house mechanism and SBSTTA; and designation of the Global Environment Facility (GEF) as the interim institutional structure for the financial mechanism. The location of the Permanent Secretariat and the permanent financial mechanism were left unresolved.

**SBSTTA-1:** The first session of SBSTTA convened on 4-8 September 1995 in Paris, France. Delegates considered operational matters, as well as substantive issues, particularly over coastal and marine biodiversity. Recommendations on the *modus operandi* of

SBSTTA affirmed its subsidiary role to the COP, and requested the flexibility to create: two Open-Ended Working Groups to meet simultaneously during future SBSTTA meetings; *Ad Hoc* Technical Panels of Experts as needed; and a roster of experts.

Substantive recommendations of SBSTTA-1 included: alternative ways and means for the COP to consider components of biodiversity under threat; ways and means to promote access to and transfer of technology; scientific and technical information to be contained in national reports; preparation of an annual Global Biodiversity Outlook by the Secretariat; contributions to FAO meetings on plant genetic resources for food and agriculture; and technical aspects of the conservation and sustainable use of coastal and marine biological diversity. On this last issue, SBSTTA-1 identified three priorities: sustainable use of living coastal and marine resources; mariculture; and the control of alien organisms. Time constraints prevented consideration of education, training and public awareness as key delivery mechanisms for coastal and marine biodiversity conservation, and of bio-prospecting of the deep sea bed including access to its genetic resources, both of which will be taken up by SBSTTA-2.

Although the recommendation on coastal and marine biodiversity received a disproportionate share of attention at SBSTTA-1, some states noted that land-based sources of marine pollution had not been sufficiently emphasized. Others called the recommendation imbalanced. One non-Party to the CBD criticized inclusion of the issue of deep sea bed bio-prospecting as outside the scope of the CBD.

**COP-2:** The second session of the Conference of the Parties (COP-2) to the Convention on Biological Diversity (CBD) met in Jakarta, Indonesia, from 6-17 November 1995. The theme of the session was "Biodiversity for the Equitable Welfare of all People." COP-2 initiated the process of implementation of the CBD. Some of the key decisions taken by COP-2 included: designation of the permanent location of the Secretariat in Montreal, Canada; agreement to develop a protocol on biosafety; operation of the clearing-house mechanism; adoption of a programme of work funded by a larger budget; designation of the GEF as the continuing interim institutional structure for the financial mechanism; consideration of its first substantive issue, marine and coastal biodiversity; and agreement to address forests and biodiversity, including the development of a statement from the CBD to the Intergovernmental Panel on Forests (IPF) of the Commission on Sustainable Development.

COP-2 approved SBSTTA's medium term programme of work for 1996-97, and also addressed the issue of genetic resources for food and agriculture, adopting a statement for input to the FAO's Fourth International Technical Conference on Plant Genetic Resources for Food and Agriculture (ITCPGR-4). The statement notes the importance of other conventions to the CBD's three

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objectives, urges other international fora to help achieve these objectives through the CBD's overarching framework and invites FAO to present the outcome of ITCPCR-4 to COP-3 of the CBD.

**PLANT GENETIC RESOURCES FOR FOOD AND AGRICULTURE:** The FAO established an intergovernmental Commission on Genetic Resources for Food and Agriculture in 1983, and adopted a non-binding International Undertaking on Plant Genetic Resources, which is intended to promote harmonized international efforts to create incentives to conserve and sustainably use plant genetic resources for food and agriculture (PGRFA). Since the entry into force of the CBD in 1993, the FAO has engaged in a process of revising the International Undertaking. While the original International Undertaking called PGRFA the "common heritage of mankind", subsequent revisions have emphasized national sovereignty over PGRFA, in line with Article 15 (sovereignty over genetic resources) of the CBD.

The Fourth International Technical Conference on Plant Genetic Resources (ITCPCR-4) met in Leipzig, Germany, from 17-23 June 1996, part of a series of international technical conferences on this issue. Representatives of 148 states adopted the Leipzig Declaration, the Conference's key political statement, and a "delicately balanced" Global Plan of Action (GPA), an international programme for the conservation and utilisation of PGRFA. Contentious issues included financing and implementing the GPA, technology transfer, Farmers' Rights and access and benefit-sharing. Delegates were also presented with the first comprehensive Report on the State of the World's Plant Genetic Resources.

The next round of negotiations on revision of the International Undertaking are scheduled for December 1996.

**BIOSAFETY:** Since the early 1970s, modern biotechnology has enabled scientists to genetically modify plants, animals and micro-organisms to create living modified organisms (LMOs). Many countries with biotechnology industries already have domestic legislation in place intended to ensure the safe transfer, handling, use and disposal of LMOs and their products (these precautionary practices are collectively known as "biosafety"). However, there are no binding international agreements addressing situations where LMOs cross national borders.

Article 19.4 of the CBD provides for Parties to consider the need for and modalities of a protocol on biosafety. At COP-2, delegates established an Open-Ended Ad Hoc Working Group on Biosafety (BSWG), which held its first meeting in Aarhus, Denmark, from 22-26 July 1996. It was attended by more than 90 delegations, which included scientific and technical experts, representing both Parties and non-Parties to the CBD, intergovernmental organizations, NGOs and industry.

BSWG-1 marked the first formal meeting to develop a protocol under the CBD and to operationalize one of its key and most contentious components. Governments listed elements for a future protocol, agreed to hold two meetings in 1997 and outlined the information required to guide their future work.

**SBSTTA-2:** The second session of SBSTTA will conduct two simultaneous Open-Ended Working Groups. Working Group 1 will consider: assessment of biodiversity; standards for national reports; monitoring of components of biodiversity; indicators of biodiversity; agricultural biodiversity; terrestrial biodiversity; and coastal and marine biodiversity. Working Group 2 will consider: capacity building for taxonomy; technology transfer, including biotechnology; knowledge, innovations and practices of indigenous and local communities; capacity building for biosafety; the role of the clearinghouse mechanism in technical and scientific cooperation; and economic valuation of biodiversity.

#### INTERSESSIONAL ACTIVITIES

**FOURTH SESSION OF THE GLOBAL BIODIVERSITY FORUM:** The fourth session of the Global Biodiversity Forum (GBF) convened at the Palais des Congres on 31 August and 1 September. The GBF provides an independent, open process to foster analysis and dialogue among parties interested in the development and implementation of the Convention on Biological Diversity.

At the opening Plenary, SBSTTA-2 Chair, Peter Johan Schei (Norway), welcomed the "horizontal" dialogue promoted by the GBF and challenged the organizers to invite the "non-converted". He also noted the importance of the development of the CBD's role in agricultural biodiversity and its cooperation with the FAO on this issue.

Four parallel workshops discussed recommendations to SBSTTA-2:

**Forests and Biodiversity:** Participants discussed elements for a framework for implementing the CBD in relation to forests, specifically a proposal that SBSTTA-2 provide advice for the COP on a work programme on forests and a statement to the Intergovernmental Panel on Forests.

**Marine and Coastal Biodiversity:** Participants endorsed the CBD ecosystem management approach. They also agreed on the need for marine ecosystem classification and a user-friendly assessment of marine and coastal biodiversity.

**Economic Incentives for Biodiversity:** Participants discussed incentives for conservation, including perverse or negative incentives; elimination of damaging subsidies; decentralization; and local tenure rights.

**Protected Areas:** Participants discussed, *inter alia*, a recommendation that SBSTTA-2 and the COP prepare guidelines on form and substance of national systems plans, recognizing that they cannot be completed on government lands alone; bioregional approaches; standing conflict resolution mechanisms to deal with interests opposed to biodiversity needs; and IUCN categories of land and people.

**NORWAY/UN CONFERENCE ON ALIEN SPECIES:** The Norway/UN Conference on Alien Species, held in Trondheim, Norway from 1-5 July 1996, sought to contribute to the development of a scientific knowledge base on issues related to alien species and also to provide a forum for cross-sectoral and multidisciplinary dialogue between scientists and policy makers. The conclusions and recommendations note, *inter alia*, that problems resulting from invasive species need to be addressed at the genetic, species and ecosystem levels and that all sectors must have a role in implementing preventative and corrective action. For information contact: Odd Terje Sandlund, NINA, Tungasletta 2, N-7005 Trondheim, Norway, tel: +47 73 58 05 00; fax: +47 73 58 06 70; e-mail: sandlund@nina.nina.no.

#### IN THE CORRIDORS

Informal consultations with a few developing country Parties on the draft Memorandum of Understanding (MOU) between the COP and the GEF were convened this weekend in Montreal. Following a previous informal meeting in Frankfurt, Germany on 2-4 June 1996, these consultations were chaired by Razali Ismail (Malaysia). Participating countries included: China, Zaire, Madagascar, Republic of Guinea, Malaysia, Brazil, North Korea, India, Hungary, Kenya and the Slovak Republic. According to observers, the aim was to collect views on a possible revised draft MOU, before the GEF meeting in October, for consideration by COP-3. Main areas of discussion included the question of the authority of the COP over the GEF, the interim nature of the GEF and the determination of funding.

### THINGS TO LOOK FOR TODAY

**PLENARY:** The Opening Plenary will convene at 10:00 a.m. at the Palais des Congres in room 407 A.

**WORKING GROUPS:** Working Groups 1 (room 407 A) and 2 (Rooms 406 A,B & C) are expected to convene from 11:00 a.m. until the afternoon.

**GLOBAL BIODIVERSITY FORUM:** A summary of recommendations from GBF-4 will be circulated.

**INTERNET CAFE:** The Internet Cafe will be located in room 402 A. Look for the *Earth Negotiations Bulletin* World Wide Web page for SBSTTA-2, with pictures and audio, at <http://www.iisd.ca/linkages/biodiv/sbstta/>.