



## FIFTH MEETING OF THE CONFERENCE OF THE PARTIES TO THE CONVENTION ON BIOLOGICAL DIVERSITY 15 – 26 MAY 2000

The Fifth Meeting of the Conference of the Parties (COP-5) to the Convention on Biological Diversity (CBD) begins today at 10:00 am, at UNEP Headquarters in Nairobi, Kenya. Delegates to COP-5 will address, *inter alia*: sustainable use, including tourism; access to genetic resources; dryland biodiversity; work programmes on inland water ecosystems, agricultural, forest and marine and coastal biodiversity; the ecosystem approach; incentive measures; Article 8(j); the Global Taxonomy Initiative; scientific and technical cooperation and the Clearing-House Mechanism (CHM); identification, monitoring, assessment and indicators; alien species; national reporting; impact assessment, liability and redress; and the operations of the Convention. COP-5 will also consider reports from the Subsidiary Body for Scientific, Technical and Technological Advice (SBSTTA), the Intersessional Meeting on the Operations of the Convention (ISOC), the Open-Ended *Ad Hoc* Intersessional Working Group on Article 8(j), the Panel of Experts on Access and Benefit-Sharing, the Cartagena Protocol on Biosafety and the Global Environment Facility (GEF). Additionally, the Cartagena Protocol on Biosafety will be opened for signature, and a high-level segment will be held on 24 May 2000 to discuss the Protocol with specific attention to capacity building and promotion of its ratification.

### A BRIEF HISTORY OF THE CONVENTION ON BIOLOGICAL DIVERSITY

The CBD, negotiated under the auspices of UNEP, was opened for signature on 5 June 1992 and entered into force on 29 December 1993. To date, 177 countries have ratified the Convention. The three goals of the CBD are 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.”

**COP-1:** The first meeting of the COP (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 CHM and SBSTTA; and designation of the GEF as the interim institutional structure for the financial mechanism.

**COP-2:** The second meeting of the COP (COP-2) was held in Jakarta, Indonesia, from 6-17 November 1995. Major outcomes of COP-2 included: designation of the permanent location of the Secretariat in Montreal, Canada; establishment of the Open-ended *Ad Hoc* Working Group on Biosafety; 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; and consideration of its first substantive issue, marine and coastal biodiversity.

**COP-3:** At its third meeting (COP-3), held in Buenos Aires, Argentina, from 4-15 November 1996, the COP adopted decisions on several topics, including: elaboration of work programmes on agricultural and forest biodiversity; a Memorandum of Understanding with the GEF; an agreement to hold an intersessional workshop on Article 8(j); an application by the Executive Secretary for observer status to the World Trade Organization's Committee on Trade and the Environment; and a statement from the CBD to the Special Session of the UN General Assembly to review implementation of Agenda 21.

**COP-4:** At its fourth meeting (COP-4), held in Bratislava, Slovakia, from 4-15 May 1998, the COP adopted decisions on, *inter alia*: inland water ecosystems; marine and coastal biodiversity; agricultural and forest biodiversity; implementation of the CHM's pilot phase; implementation of Article 8(j); national reports; cooperation with other agreements, institutions and processes; activities of the GEF; incentive measures; access to genetic resources and benefit-sharing; public education and awareness; and the long-term work programme. At a Ministerial Round Table, Ministers, Deputy Ministers and special guests discussed integrating biodiversity concerns into sectoral activities, such as tourism, and private sector participation in implementing the Convention's objectives.

**SBSTTA:** Established by Article 25 of the CBD, SBSTTA provides the COP with “timely advice” on scientific, technical and technological issues relating to implementation of the Convention. At SBSTTA-1 in September 1995, delegates considered operational matters and the conservation and sustainable use of coastal and marine biological diversity. At SBSTTA-2 in September 1996, the agenda covered issues such as the monitoring and assessment of biodiversity, practical approaches to taxonomy, economic valuation of biodiversity, access to genetic resources, agricultural biodiversity, terrestrial biodiversity, marine and coastal biodiversity, biosafety and the CHM. At its third meeting in September

This issue of the Earth Negotiations Bulletin © <enb@iisd.org> is written and edited by Chango Bai <changbobai@hotmail.com>, Stas Burgiel <stas@iisd.org>, Laura Ivers <laurai@iisd.org>, Jessica Suplie <jsuplie@iisd.org> and Elsa Tsioumani <elsa@iisd.org>. The Digital Editors are Andrei Henry <andrei@iisd.org> and Nabiha Megateli <nmegateli@iisd.org>. The Editor is Pamela S. Chasek, Ph.D. <pam@iisd.org> and the Managing Director is Langston James “Kimo” Goree VI <kimo@iisd.org>. The Sustaining Donors of the Bulletin are The Netherlands Ministry of Foreign Affairs, the Government of Canada (through CIDA and DFAIT), the United States (through USAID), the Swiss Agency for Environment, Forests and Landscape (SAEFL), the United Kingdom Department for International Development (DFID) and the European Commission (DG-ENV). General Support for the Bulletin during 2000 is provided by the German Federal Ministry of Environment (BMU) and the German Federal Ministry of Development Cooperation (BMZ), the Danish Ministry of Foreign Affairs, the Ministry of Environment of Austria, the Ministries of Foreign Affairs and Environment of Norway, the Ministry of Foreign Affairs and Ministry of Environment of Finland, the Government of Sweden, the Government of Australia, the United Nations Development Programme (UNDP), the Global Environment Facility (GEF) and BP Amoco. Logistical support has been provided at this meeting by UNEP. The Bulletin can be contacted by e-mail at <enb@iisd.org> and at tel: +1-212-644-0204; fax: +1-212-644-0206. IISD can be contacted by e-mail at <info@iisd.ca> and at 161 Portage Avenue East, 6th Floor, Winnipeg, Manitoba R3B 0Y4, Canada. The opinions expressed in the Earth Negotiations Bulletin are those of the authors and do not necessarily reflect the views of IISD and other funders. Excerpts from the Earth Negotiations Bulletin may be used in non-commercial publications only and only with appropriate academic citation. For permission to use this material in commercial publications, contact the Managing Editor. Electronic versions of the Bulletin are sent to e-mail distribution lists and can be found on the Linkages WWW server at <http://www.iisd.ca/linkages/>. The satellite image was taken above Nairobi ©2000 The Living Earth, Inc. <http://livingearth.com>. For information on the Earth Negotiations Bulletin, send e-mail to the Managing Director at <kimo@iisd.org>.



1997, SBSTTA produced recommendations and work programmes for consideration by COP-4 on: biodiversity in inland waters; marine and coastal biodiversity; agricultural biodiversity; forest biodiversity; and biodiversity indicators.

### INTERSESSIONAL HIGHLIGHTS

**SBSTTA-4:** During its fourth meeting in Montreal, Canada, from 21-25 June 1999, SBSTTA-4 delegates made recommendations on: the SBSTTA programme of work; the Global Taxonomy Initiative; principles to prevent the impact of alien species; control of plant gene expression; options for sustainable use of terrestrial biological diversity; incorporation of biodiversity into environmental impact assessments; and approaches and practices for the sustainable use of resources, including tourism. SBSTTA-4 reviewed the terms of reference of *ad hoc* technical expert groups, but deferred concluding a recommendation to SBSTTA-5.

**ISOC:** The Intersessional Meeting on the Operations of the Convention (ISOC) met in Montreal, Canada, from 28-30 June 1999 and was convened on the basis of COP-4 Decision IV/16, which calls for an open-ended meeting to consider possible arrangements to improve preparations for and conduct of COP meetings. ISOC also held preparatory discussion on: access to genetic resources and benefit-sharing, focusing on the Panel of Experts on Access and Benefit Sharing, which met in October 1999; *ex situ* collections that were acquired prior to the Convention's entry into force; and the relationship between intellectual property rights and the relevant provisions of the Agreement on Trade-Related Aspects of Intellectual Property Rights and the CBD.

**PANEL OF EXPERTS ON ACCESS AND BENEFIT-SHARING:** The Panel of Experts met in San José, Costa Rica, from 4-8 October 1999. COP Decision IV/8 called for the establishment of a regionally balanced panel of experts on access and benefit-sharing, which received guidance from the ISOC. The meeting was co-hosted by the governments of Costa Rica and Switzerland, and focused on four items: access and benefit-sharing arrangements for scientific and commercial purposes; review of legislative, administrative and policy measures at national and regional levels; review of regulatory procedures and incentive measures; and capacity-building. The Panel developed a set of recommendations, which include general conclusions and specific points on prior informed consent, mutually agreed terms, information needs and capacity-building.

**CARTAGENA PROTOCOL ON BIOSAFETY:** The resumed session of the Extraordinary Meeting of the Conference of the Parties for the Adoption of the Protocol on Biosafety to the CBD was held in Montreal, Canada, from 24-28 January 2000. Following four days of informal consultations and five days of formal negotiations, delegates adopted the Cartagena Protocol on Biosafety. The Protocol addresses the safe transfer, handling and use of living modified organisms (LMOs) that may have an adverse effect on biodiversity with a specific focus on transboundary movements. It establishes an advance informed agreement procedure for imports of LMOs, incorporates the precautionary principle and details information and documentation requirements.

**SBSTTA-5:** The fifth session of SBSTTA met in Montreal, Canada, from 31 January – 4 February 2000. SBSTTA-5 developed recommendations on, *inter alia*: inland water biodiversity; forest biodiversity; agricultural biodiversity; marine and coastal biodiver-

sity, including coral bleaching; a programme of work on dry and sub-humid lands; alien species; the ecosystem approach; biodiversity indicators; the pilot phase of the CHM; the second national reports; and *ad hoc* technical expert groups.

**WORKING GROUP ON ARTICLE 8(J):** The first meeting of the CBD's Open-Ended *Ad Hoc* Intersessional Working Group on Article 8(j) and Related Provisions met in Sevilla, Spain, from 27-31 March 2000. Delegates discussed the application and development of legal and other appropriate forms of protection for traditional knowledge, and also considered work programme elements on: participatory mechanisms for indigenous and local communities; equitable sharing of benefits and legal elements; status and trends in relation to Article 8(j) and related provisions; traditional cultural practices for conservation and sustainable use; exchange and dissemination of information; and monitoring elements.

**REGIONAL MEETINGS:** In preparation for COP-5, two regional meetings were held for Europe and the Pacific Islands. The meeting "Biodiversity in Europe," initiated by the Governments of Latvia, the Netherlands and the UK and organized in collaboration with UNEP and the CBD Secretariat, was held in Riga, Latvia, from 20-23 March 2000, to discuss an approach to integrating European and national biodiversity policies. The meeting called for clear indicators and incentives to help ensure the conservation and sustainable use of biodiversity and stressed open and transparent reporting systems and full participation of civil society in biodiversity related decision-making. The Pacific Islands preparatory workshop met in Nadi, Fiji, from 13-17 March 2000. Reports of the regional meetings will be made available to the COP-5 Plenary.

**FIFTEENTH SESSION OF THE GLOBAL BIODIVERSITY FORUM (GBF-15):** Convened by IUCN and other organizations, GBF-15 met from 12-14 May 2000 in Nairobi. Under the theme "Sharing the Benefits of Biodiversity," approximately 200 participants attended three workshops on the linkages between biodiversity and poverty alleviation, instruments for access and benefit-sharing from genetic resources, and agricultural biodiversity and sustainable livelihoods – the case of dryland ecosystems.

### THINGS TO LOOK FOR TODAY

**SPECIAL CEREMONY:** A special ceremony on "Strength and Diversity" will be held at 9:00 am at the Gigiri Nature Trail, which will include opening remarks and the planting of a tree.

**PLENARY:** President of Kenya, Daniel arap Moi, will open COP-5 at 10:00 am in Conference Room 2. The President of COP-4, László Miklos (Slovakia), Klaus Töpfer, Executive Director of UNEP, and Hamdallah Zedan, Executive Secretary of the CBD, are also expected to address the opening Plenary. It is expected that Hon. Francis Nyenze, Minister of Environment and Natural Resources of Kenya, will be elected as the President of COP-5. Delegates will also hear reports from the regional preparatory meetings and GBF-15, and will consider reports from SBSTTA and ISOC.

**CMS SIDE EVENT:** In the UNEP lobby at 2:00 pm the official poster of the Convention on Migratory Species will be inaugurated with keynote speakers, including Klaus Töpfer, Hamdallah Zedan and Arnulf Müller-Helmbrecht, Executive Secretary of the CMS.