



CBD COP-6 HIGHLIGHTS: TUESDAY, 16 APRIL 2002

Delegates met in two Working Groups and contact groups. Working Group I (WG-I) discussed Conference Room Papers (CRPs) on: the ecosystem approach; sustainable use; incentive measures; liability and redress; biodiversity and tourism; and invasive alien species. Working Group II (WG-II) discussed CRPs on: cooperation with other conventions, international organizations and initiatives; access and benefit-sharing (ABS); implementation and operations of the Convention; and contribution to the ten-year review of Agenda 21. Contact groups on forest biodiversity, the strategic plan, and financial resources and mechanism also met.

WORKING GROUP I

Delegates adopted CRPs on the ecosystem approach (UNEP/CBD/COP/6/WG.I/CRP.13), sustainable use (CRP.11), incentive measures (CRP.9), and liability and redress (CRP.10), with minor amendments.

On biodiversity and tourism, delegates adopted UNEP/CBD/COP/6/WG.I/CRP.12, with an amendment suggested by GERMANY requesting the Executive Secretary to gather and compile case studies on guidelines for implementation for SBSTTA review before COP-9.

On invasive alien species, WG-I considered UNEP/CBD/COP/6/WG.I/CRP.14. The INTERNATIONAL INDIGENOUS FORUM ON BIODIVERSITY (IIFB) called for additional references to indigenous knowledge and participation of indigenous peoples. CANADA commented on the difficulty of evaluating the IIFB's proposed text in the context of the overall document, and WG-II Chair Peter Schei (Norway) suggested including the IIFB's statement in the report of the meeting. Delegates then adopted the CRP.

WORKING GROUP II

COOPERATION WITH OTHER CONVENTIONS, INTERNATIONAL ORGANIZATIONS AND INITIATIVES: WG-II Chair Elaine Fisher (Jamaica) resumed discussions on UNEP/CBD/COP/6/WG.II/CRP.4. The EUROPEAN COMMUNITY (EC) presented language resulting from informal consultations on the mutual supportiveness between the Biosafety Protocol and the relevant WTO agreements. Delegates discussed additions on: extending WIPO's role on matters related to IPR and genetic resources; urging the joint liaison group of the CBD, CCD and UNFCCC to become fully operational; establishing cooperation with the UN Permanent Forum on Indigenous Issues; and referencing regional initiatives in the context of harmonizing national programmes among various multilateral environmental agreements. A revised CRP will be prepared.

ACCESS AND BENEFIT-SHARING: The Secretariat introduced UNEP/CBD/COP/6/WG.II/CRP.6. Contact group Co-Chairs Alwin Kopse (Switzerland) and Brendan Tobin (Peru) highlighted work on issues related to derivatives, the appendices, user and provider responsibilities, intellectual property rights (IPR), use of terms and other issues. They noted no agreement on a process to address use of terms and tabled a proposal for consideration, containing provisions:

- within the decision, reconvening the Working Group on ABS to address the use of terms, continue work on other approaches and explore measures to support compliance with prior informed consent (PIC) and mutually agreed terms (MATs) for COP-7's consideration;
- under the guidelines' key features, noting that nothing should: affect the sovereign rights of States over their natural resources; be interpreted to assign any rights over genetic resources, particularly regarding terms such as provider, user and stakeholder; or be interpreted as affecting rights and obligations relating to genetic resources arising from the MATs under which the resources were obtained from the country of origin; and
- under principles for PIC, amending language for restrictions on access to be transparent, based on legal grounds and not running counter to the CBD's objectives.

After Chair Fisher's request for adoption of the package proposal, the EC suggested that COP-7 consider reconvening a Working Group on ABS, with other amendments. Chair Fisher referred further discussion to a "Friends of the Chair" group.

In the afternoon, Co-Chair Kopse presented a corrigendum to CRP.6. He highlighted amendments, including: the mandate of the Working Group on ABS to additionally address capacity-building needs and consider reports; an invitation to governments and organizations to submit information on the use of terms, other approaches, measures to support compliance with PIC and MATs and capacity-building needs; and other textual changes.

Delegates applauded adoption of the document, including the Bonn Guidelines on ABS. Cameroon, on behalf of the AFRICAN GROUP, called for negotiations on a legally binding instrument on ABS.

IMPLEMENTATION AND OPERATIONS OF THE CONVENTION: Chair Fisher presented UNEP/CBD/COP/6/WG.II/CRP.2/Rev.1. Delegates debated bracketed language on establishing a monitoring system for CBD implementation, deciding to wait for the outcome of deliberations on the strategic plan. Other minor changes were suggested, which will be included in a revised CRP.

CONTRIBUTION TO THE TEN-YEAR REVIEW OF AGENDA 21: Chair Fisher opened discussions on UNEP/CBD/COP/6/WG.II/CRP.5, an annex to the Ministerial Declaration to be sent to the WSSD, highlighting additional language on an inter-

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sessional meeting to review the WSSD's outcome. The EU questioned the value and cost of such a meeting, and AUSTRALIA, with KENYA, proposed holding it in conjunction with another one. DENMARK and the NETHERLANDS suggested reporting on CBD related outcomes from the WSSD at COP-7.

Calling for a single message to the WSSD, SWITZERLAND, supported by AUSTRALIA, requested bracketing the section on ideas and proposals for the implementation of Agenda 21 until adoption of the Ministerial declaration. The EU opposed, stating that the Ministerial meeting and the COP were separate processes and could not dictate each other language.

On involving national focal points and NGOs in the WSSD process, INDONESIA proposed additional language on government initiatives for involving different stakeholders, while deleting reference to NGOs. DENMARK and the NETHERLANDS suggested reference to stakeholders, including NGOs. On the areas of mutually reinforcing implementation, BANGLADESH added public participation, in particular of women and NGOs. INDONESIA, with many, suggested that the statement be submitted to WSSD's fourth preparatory committee. CHINA and others proposed adding language on GEF's financial contribution to CBD implementation.

AUSTRALIA, supported by CANADA, clarified reference to the Cartagena Protocol and opposed the idea of harmonization between multilateral environmental agreements (MEAs) and other international agreements. Delegates debated a proposal by KENYA on the negative impacts of patenting on development and, instead, agreed on a proposal by ARGENTINA to urge the transfer of environmentally sound and safe technologies to developing countries. A revised CRP will be prepared.

CONTACT GROUPS

FOREST BIODIVERSITY: Chair Alfred Oteng-Yeboah (Ghana) convened contact group meetings in the afternoon and evening. Some delegates advocated developing a specific format for reporting on forest biodiversity, while others emphasized reporting through existing national reports. Delegates agreed that Parties should report on forest biodiversity within their national reports, and that the Executive Secretary should develop a format for the reports' section on forest biodiversity with the Collaborative Partnership on Forests. On a proposal requesting the Executive Secretary to identify partners in implementation and to develop a mechanism to assess implementation, some preferred that SBSTTA initiate this work, and the matter remained unresolved.

Delegates agreed to urge governments to address the effectiveness of forest and forest-related laws and their enforcement, as well as related trade, and delegates also agreed on language recognizing the role of indigenous and local communities, in particular women.

Some developing countries opposed a proposal for a year 2020-target to halt and reverse forest biodiversity loss, noting lack of financial resources and capacity for implementation, as well as the need for balance between the CBD's objectives. The need for particular attention to certain types of forests was debated at length, with delegates agreeing on urgent action for forests that are "ecologically significant and/or most important for biological diversity on national and regional scales and according to national priorities" as well as areas subject to "loss or threats of loss" of forest biodiversity.

Delegates discussed the need for "provision" or "availability" of financial resources, but did not agree. They also could not agree on whether to call for "sufficient," "increased" or "new and additional" funding. Regarding guidance to the GEF, delegates agreed on reference to "native" forests.

While delegates acknowledged the need for regional and international actions and collaboration for some of the work programme activities, they could not agree on having a list of initial tasks.

Some stressed that national priority-setting should form the basis for international activities, while others underscored the CBD's role in providing guidance for regional and international implementation of the work programme. Delegates agreed to a proposal to provide a CHM portal for Parties to seek and provide support for implementation of countries' priorities.

Discussions continued into the night.

STRATEGIC PLAN: A "Friends of the Chair" group met in the morning to review the outstanding strategic goals and objectives. The contact group considered their draft in the afternoon. Under the goal on national biodiversity strategies and action plans (NBSAPs) as a framework for CBD implementation, delegates discussed and revised text on: reference to the Convention's objectives and clear national priorities; the need for an objective on regulatory frameworks to implement the Biosafety Protocol; and a new proposal on NBSAP priorities for national implementation and contribution to the global biodiversity agenda. Delegates did not agree to a proposal on protected areas. Regarding the goal on raising awareness and understanding of the CBD, delegates debated references to communication, education and awareness, and made amendments to the specific objectives.

In the section on review, the group debated sources of information for use in reviewing the strategic plan's implementation, as well as language on monitoring and evaluating progress. With regard to a future evaluation process, the group developed language for a decision calling for the Executive Secretary to develop a proposal for consideration at an inter-sessional meeting.

FINANCIAL RESOURCES AND MECHANISM: Co-Chair Linda Brown (UK) introduced a Chair's text on draft decisions on additional financial resources and financial mechanism. Concerning additional financial resources, delegates considered preambular paragraphs, with unresolved debates on reference to the Monterrey Consensus and on whether text on support for the GEF's third replenishment should be incorporated in the draft decision on financial mechanism. Delegates deleted text on nominating focal points for financial resources, noting that it duplicated Decision V/11.5. They agreed on text to review national budgets and monetary policies in relation to biodiversity conservation and sustainable use.

IN THE CORRIDORS

With the advent of the Ministerial segment, some delegates hoped it would bring direct pressure to bear on outstanding issues, such as forests and the strategic plan, with some highlighting it as the key test in moving the CBD from policy prescriptions to implementation and action.

Most hailed WG-II's adoption of the Bonn guidelines on ABS, although concerns were raised about the budgetary implications and realities regarding inter-sessional work to address outstanding issues on ABS and the strategic plan.

THINGS TO LOOK FOR TODAY

WORKING GROUP I: WG-I will convene at 3:00 pm in the Prins Willem Alexander Hall to review progress on forest biodiversity.

WORKING GROUP II: WG-II will convene at 10:00 am in the Van Gogh Hall to resume discussion of remaining CRPs on Article 8(j), the strategic plan, implementation and operations of the convention, education and public awareness, cooperation with other conventions, and contribution to the ten-year review of Agenda 21.

MINISTERIAL SEGMENT: The Ministerial segment will commence at 10:00 am.