



CBD COP-7 HIGHLIGHTS: TUESDAY, 17 FEBRUARY 2004

COP-7 delegates met throughout the day in two Working Groups (WGs). WG-I discussed biodiversity and tourism, and invasive alien species (IAS), and also considered conference room papers (CRPs) on mountain biodiversity and the thematic work programmes. WG-II addressed CRPs on Article 8(j) (traditional knowledge), Rule 21 of the Rules of Procedure (elections and terms of office of Bureau members), the multi-year programme of work (MYPOW), and the CBD Work Programme and the Millennium Development Goals (MDGs). A brief Plenary was held in the afternoon. Contact groups on the budget, access and benefit-sharing (ABS) and protected areas (PAs) also convened.

WORKING GROUP I

BIODIVERSITY AND TOURISM: The Secretariat introduced documents UNEP/CBD/COP/7/3 and 14.

Ireland, for the EU, Acceding Countries, Bulgaria and Romania (EU), JAMAICA and INDONESIA suggested developing a user manual on the guidelines on biodiversity and tourism. SYRIA requested assistance in linking ecotourism to heritage-based tourism. The GAMBIA and CANADA said the guidelines should be adaptable to national circumstances. EGYPT said implementing the guidelines requires, *inter alia*, monitoring and, with KENYA and VENEZUELA, community participation.

ECUADOR stressed the importance of benefit-sharing and inter-sectoral cooperation. MALAYSIA, KENYA, EGYPT and TURKEY emphasized the need for awareness raising. SAUDI ARABIA requested references to PAs and, with KUWAIT, to fragile areas. INDIA requested deleting reference to "full" community involvement. The US suggested to address redress and compensation. CANADA said the guidelines should be consistent with the Akwé: Kon Guidelines on impact assessments. PANAMA and TONGA highlighted indigenous communities' contribution to sustainable tourism.

The INTERNATIONAL INDIGENOUS FORUM ON BIODIVERSITY (IIFB) said the guidelines are not in accordance with CBD Article 8(j) as they fail to safeguard cultural diversity and sustainability. He requested that adoption be postponed until COP-8.

IAS: The Secretariat introduced documents UNEP/CBD/COP/7/4 and 13. The GLOBAL INVASIVE SPECIES PROGRAMME outlined its supporting and awareness-raising activities.

Many delegates underscored the importance of cooperating with the International Plant Protection Convention and other relevant conventions. Many supported establishing an *Ad Hoc* Technical Expert Group (AHTEG) to address gaps in the international regulatory framework. Several delegates stressed the need for greater emphasis on regional- and national-level measures, and

called for financial resources and capacity building. NEW ZEALAND highlighted capacity building for emergency response and, with ARGENTINA, for border control.

NEW ZEALAND and the EU supported references to the relationship between trade and IAS. The EU and BANGLADESH supported granting CBD observer status to the World Trade Organization Committee on Sanitary and Phytosanitary Measures. CANADA emphasized the relevance of existing standards and organizations for risk analyses. ZAMBIA suggested increased focus on sustainable use of alien species, rather than control and eradication. SOUTH AFRICA cautioned against intentional introduction through international incentive schemes, including afforestation. NEW ZEALAND called for addressing marine IAS, and PALAU suggested pilot projects located in small islands. AUSTRALIA stressed its commitment to addressing IAS, and reiterated its opposition to decision VI/23 (IAS).

DEFENDERS OF WILDLIFE said preventing the introduction of IAS requires controlling trade pathways.

MOUNTAIN BIODIVERSITY: Parties discussed a CRP on mountain biodiversity. TURKEY, opposed by many, requested deleting references to river basin management and establishing corridors. BRAZIL requested referring to indigenous prior informed consent and consistency with national law when disseminating information on traditional land-use practices.

Delegates discussed whether to refer to mutual supportiveness with other international obligations, including trade-related instruments, to avoid distortions to international commodity trade. The EU, opposed by AUSTRALIA, NEW ZEALAND and BRAZIL, suggested deleting trade-related references. WG-I Chair Hans Hoogeveen (the Netherlands) encouraged informal consultations on the issue.

THEMATIC WORK PROGRAMMES: Parties considered a CRP on thematic work programmes. On forest biodiversity, delegates debated, but did not reach agreement on, text on outcome-oriented targets, and regionally and internationally developed criteria and indicators for sustainable forest management.

On agricultural biodiversity, delegates agreed to refer to, *inter alia*, national legislation and applicable international law regarding mainstreaming agricultural biodiversity into other plans and programmes. Final approval of the thematic work programmes was deferred to allow informal consultation.

WORKING GROUP II

RULE 21: Delegates discussed a CRP on Rule 21 of the Rules of Procedure (election and terms of office of Bureau members). Parties opposed text stating that the outgoing COP-President remain in office as Vice-President upon the election of a new President until the beginning of the next COP. CANADA proposed that the outgoing COP President remain as a Bureau member during



his or her second ordinary meeting but not during the subsequent intersessional period, and MALAYSIA and NEW ZEALAND suggested that the President remain as a non-voting Bureau member. The EU and Colombia, for GRULAC, favored maintaining the *status quo*. JAMAICA recommended reviewing Rule 21 at COP-9 or COP-10.

MYPOW: Delegates discussed a CRP, including a draft decision, the MYPOW until 2010 and terms of reference (ToR) for the island biodiversity AHTEG.

CANADA requested a review of best practices regarding budget prioritization. COLOMBIA proposed developing mechanisms to facilitate priority setting at future COPs. AUSTRALIA suggested addressing relevant MDGs only. BRAZIL, opposed by the EU, CANADA and NEW ZEALAND, maintained its proposal to hold COP meetings every three years, and agreed to propose language to ensure consideration at COP-8. The EU called for input by communities and stakeholders.

Delegates discussed when the island biodiversity AHTEG should meet, with Palau and Jamaica, for the SMALL ISLAND DEVELOPING STATES, suggesting that it meet in 2004, and the EU in 2005. Following consultations, delegates agreed to hold the meeting in 2004.

BRAZIL, COLOMBIA and PERU opposed language on priorities set by the WSSD regarding hotspots and ecological networks and corridors, while SWITZERLAND stressed their importance. Following consultations, the list of WSSD priorities was removed.

BRAZIL opposed referring to global indicators, while the EU supported their retention. Delegates agreed to a reference to the use of relevant indicators, as appropriate, at the national, regional and global levels. The IIFB reiterated the need for linguistic indicators. The document was approved as amended.

CBD WORK PROGRAMME AND THE MDGs: Delegates discussed a CRP on integrating the MDGs into the Convention's work programme. AUSTRALIA questioned a proposal by the EU to designate biodiversity as an overarching issue in the UN Commission on Sustainable Development. CANADA proposed that national reporting focus on integrating MDGs and CBD objectives. The EU suggested bracketing a reference to the GEF and, opposed by BRAZIL, favored adding references to cooperation with the FAO and the International Plant Genetic Resources Institute. WG-II Chair Desh Depaak Verma (India) deferred the decision to allow further consultations.

ARTICLE 8(j): Parties discussed a CRP on Article 8(j), including provisions on Genetic Use Restriction Technologies (GURTs). Regarding the report of the AHTEG on GURTs delegates agreed with the PHILIPPINES to attach greater importance to comments on the report made by Parties and indigenous and local communities, than to those made by stakeholders. AUSTRALIA opposed reference to the adverse impacts of GURTs, and agreed with the PHILIPPINES to refer to Decision V/5 paragraph 23 (precautionary approach and moratorium on field testing) instead.

CANADA requested referring the SBSTTA recommendations on GURTs to the Article 8(j) Working Group. NORWAY noted that the Working Group focuses on socioeconomic impacts. Delegates agreed not to amend existing language on the Article 8(j) Working Group. A number of delegates expressed concern that WG-I negotiations on agricultural biodiversity also consider GURTs.

Regarding preambular references to international law relating to *sui generis* systems, the EU presented compromise text subjecting them to Article 8(j). The IIFB called on MALAYSIA to accept a reference to applicable international obligations it had introduced in the PA negotiations. MALAYSIA rejected this, stating that in Article 8(j), traditional knowledge is only subject to national law. NEW ZEALAND requested language on subjecting *sui generis* systems to national legislation, and suggested deleting a reference to lands and waters traditionally occupied by indigenous

and local communities. The IIFB stressed the integral connection between land and traditional knowledge and, with the EU and SWITZERLAND, strongly opposed reopening text. Delegates agreed, and the document was approved as amended.

CONTACT GROUPS

BUDGET: Delegates discussed, *inter alia*, a new proposal to adjust the scales of assessments for contributions to the Convention's budget, without reaching agreement. They noted that progress will be facilitated once the two WGs provide information on the required budget.

ABS: Delegates discussed a new document agreed upon by a Friends of the Chair group. Regarding the timeframes for convening the ABS Working Group, the Co-Chairs suggested, and delegates agreed, that the issue be finalized by WG-II in consultation with the budget group. Delegates then approved the operative paragraphs and the Working Group's ToR as a package. They also discussed bracketed preambular clauses regarding: the relationship with other organizations; the recognition that Parties and stakeholders may be both users and providers; language on the regime's elements; and the need for further analysis of existing instruments.

PAs: Relating to the work programme, delegates agreed on a definition of "ecological networks." Regarding suggested activities, they agreed, *inter alia*, to identify and implement steps for improving the integration of PAs into broader land- and seascapes by 2008, and develop tools of ecological connectivity linking together PAs as determined by national priorities. Delegates also discussed the decision.

PLENARY

WG-I Chair Hoogeveen and WG-II Chair Verma reported on progress made in their respective WGs. John Ashe, Chair of the Budget Contact Group, reported on the contact group's progress. BRAZIL announced its offer to host COP-8.

IN THE CORRIDORS

More than mid-way through COP-7, the lack of coherence of the discussions so far has been worrying some participants. They fear that fragmented negotiations on a multitude of interlinked but separately addressed matters may lead to the adoption of disjointed decisions. Some cited as an example the absence of linking the framework for evaluating progress toward the 2010 target with the national reporting system. Other, more optimistic minds, stressed the potential of the Global Partnership on Biodiversity, which, if successfully linked to mechanisms for implementing the Strategic Plan, may turn into an important opportunity to build on the current momentum for action.

Some delegates wondered about the Ministerial Segment's ability to follow the political direction given by the WSSD, and to provide an impetus for delegates to finalize negotiations.

THINGS TO LOOK FOR TODAY

WORKING GROUP I: WG-I will convene at 10:00 am in the Dewan Nerdeka Hall to discuss revised CRPs on mountain biodiversity and thematic work programmes, and consider CRPs on inland water ecosystems, and coastal and marine biodiversity.

WORKING GROUP II: WG-II will meet at 10:00 am in Room TR4 to discuss ABS, resolve outstanding issues regarding incentive measures, and address: revised CRPs on Rule 21 of the Rules of Procedure, and on technology transfer; and CRPs on communication, education and public awareness, financial resources and mechanism, and national reporting.

MINISTERIAL SEGMENT: The Ministerial Segment will convene in the Ballroom of the Pan Pacific Hotel at 2:30 pm.

CONTACT GROUPS: Contact groups on the budget and the Strategic Plan are expected to meet throughout the day.