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FOURTH MEETING OF THE CONFERENCE OF THE PARTIES TO THE CONVENTION ON BIOLOGICAL DIVERSITY 4-15 MAY 1998

The Fourth Meeting of the Conference of the Parties (COP-4) to the Convention on Biological Diversity (CBD) will commence at 10:00 am on 4 May 1998, at the Incheba conference center in Bratislava, Slovakia. Delegates to COP-4 will consider, *inter alia*: inland water ecosystems; marine and coastal biodiversity; agricultural and forest biodiversity; implementation of the pilot phase of the clearing-house mechanism (CHM); implementation of Article 8(j) (traditional knowledge); national reports; cooperation with other agreements, institutions and processes; activities of the Global Environment Facility (GEF); incentive measures; benefit sharing; public education and awareness; impact assessment and minimizing adverse effects; guidelines on access to genetic resources; and the long-term work programme.

A BRIEF HISTORY OF THE CONVENTION ON BIOLOGICAL DIVERSITY

The CBD, negotiated under the auspices of the United Nations Environment Programme (UNEP), was opened for signature on 5 June 1992 and entered into force on 29 December 1993. To date, 171 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 the Subsidiary Body for Scientific, Technical and Technological Advice (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, in 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 (BSWG); 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 a realistic work programme on agricultural biodiversity and a more limited one on 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 WTO 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.

SUBSIDIARY BODY ON SCIENTIFIC, TECHNICAL AND TECHNOLOGICAL ADVICE: Established by Article 25 of the CBD, the Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA) provides the COP with "timely advice" 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 complex technical 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 1997, SBSTTA produced recommendations and work programmes to be adopted at COP-4 on: biodiversity in inland waters; marine and coastal biodiversity; agricultural biodiversity; forest biodiversity; and biodiversity indicators. While some aspects of SBSTTA-3 evidenced a marked improvement over previous meetings, a few delegates noted a continuing identity crisis between SBSTTA's scientific mandate and its political practice.

AD HOC WORKING GROUP ON BIOSAFETY: Article 19.4 of the CBD provides for Parties to consider the need for and modalities of a protocol on biosafety. The *Ad Hoc* Working Group on Biosafety (BSWG), established at COP-2, held its first meeting in Aarhus, Denmark, in July 1996. 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

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meetings in 1997 and outlined the information required to guide their future work. At BSWG-2, held in May 1997, delegates discussed a range of controversial issues, including: objectives; advanced informed agreement; notification procedures for transfers of LMOs; risk assessment; unintentional transboundary movements of LMOs; handling, transportation, packaging and transit requirements; and monitoring and compliance. The outcome of BSWG-3, October 1997, was a consolidated draft text to serve as the basis for negotiation of a protocol. At BSWG-4, held in February 1998, delegates considered several articles including, *inter alia*: socioeconomic considerations; general obligations; and liability and compensation. BSWG-4 resulted in further consolidation of options in the draft negotiating text.

INTERSESSIONAL HIGHLIGHTS

TRADITIONAL KNOWLEDGE: The Workshop on Traditional Knowledge and Biological Diversity was convened in Madrid, Spain from 24-28 November 1997, to produce recommendations for the COP on how it might proceed to further the implementation of Article 8(j). Approximately 330 individuals representing 62 governments and 148 indigenous and local community groups and NGOs attended the workshop.

Two working groups produced reports providing advice to the COP on the possibility of developing a workplan on Article 8(j) of the Convention and examining the need to establish an open-ended intersessional working group or a subsidiary body to address the role of traditional knowledge.

PLANT GENETIC RESOURCES FOR FOOD AND AGRICULTURE: In 1983 the FAO established an intergovernmental Commission on Genetic Resources for Food and Agriculture (CGRFA), and adopted a non-binding International Undertaking on Plant Genetic Resources, intended to promote harmonized international efforts to create incentives to conserve and sustainably use PGRFA. Since the inception of the CBD, the FAO has begun to revise the International Undertaking, which originally called PGRFA the "common heritage of mankind." Subsequent revisions have emphasized national sovereignty over PGRFA, in line with Article 15 of the CBD (sovereignty over genetic resources).

The Third Extraordinary Session (CGRFA-EX3) in December 1996 constituted a pre-negotiation exercise, with delegates focusing on Farmers' Rights and scope and access to genetic resources. At the Seventh Session, positions were clarified on Farmers' Rights and principles and procedures that might underlie systems of access were discussed. Most delegates agreed to establish a multilateral system to facilitate access to PGRFA. At CGRFA-EX4, from 1-5 December 1997, participants discussed and produced consolidated text on a number of new articles under the IU, including, *inter alia*: conservation, collection, characterization, evaluation and documentation of PGRFA; sustainable use of PGRFA; and global information systems on PGRFA. In addition, discussion continued on issues related to access and benefit sharing. Unlike previous sessions, which were, for all intents and purposes, exploratory exercises, many delegates left this meeting with a clearer vision of the revised IU, particularly with reference to access.

FIRST ASSEMBLY OF THE GLOBAL ENVIRONMENT

FACILITY: Ministers and high-level officials from GEF Member governments convened at the first Assembly of the Global Environment Facility (GEF) in New Delhi, India from 1-3 April 1998. The Assembly gathered to exchange views on the performance, policies and operations of the GEF. The three-day Assembly was immediately preceded by a GEF Council meeting, where the Council determined to replenish the GEF Trust Fund with \$2.75 billion.

REGIONAL MEETINGS: In preparation for COP-4, four regional meetings were held for: the Latin American and Caribbean Group in Lima, Peru, 4-6 March, 1998; the African Group in Nairobi, Kenya, March 9-11, 1998; the Central and Eastern European Group in Almaty, Kazakhstan, 23-26, March, 1998; and the Asian Group in Hainan, China, 26-29 March 1998. The reports of these meetings, which will be available as document UNEP/CBD/4/Inf.4, will be introduced during COP-4 by the Chair of each meeting.

REGIONAL CLEARING HOUSE MECHANISM WORKSHOPS:

Four regional Clearing House Mechanism Workshops were organized by the Secretariat in preparation for COP-4: Cartagena de Indias, Colombia, 13-15 October 1997; Gödollo, Hungary, 27-29 October 1997; Kuala Lumpur, Malaysia, 3-5 December 1997; and Nairobi, Kenya, 5-7 March, 1998. The workshops produced recommendations on, *inter alia*: information content and structure, capacity building, and public awareness.

TENTH SESSION OF THE GLOBAL BIODIVERSITY

FORUM: The IUCN and other organizations, in collaboration with the CBD Secretariat, met from May 1-3 in Bratislava. Some 300 participants attended the forum and participated in eight workshops. Workshop topics included: financial innovations for biodiversity; trade and biodiversity; tenure and sustainability of resource use; and traditional knowledge.

THINGS TO LOOK FOR TODAY

PLENARY: The Plenary will convene at 10:00am. The opening ceremony will commence with a statement by the President of COP-3, Maria Julia Alsogaray (Argentina). Calestous Juma, Executive Secretary of the CBD, and the Prime Minister of Slovakia are also expected to address the opening Plenary.

NOT IN PLENARY: Klaus Töpfer, Executive Director of UNEP, who will be in Nairobi to greet the UN Secretary General.

IN THE CORRIDORS: Look for questions to arise on the schedule of upcoming biosafety protocol negotiations, as well as proposals for groups to meet on thematic issues, the brewing controversy regarding the relationship between sovereign treaty bodies and UNEP and color-coded badges for Parties and non-Parties.

INTERNATIONAL EXHIBITION ON BIOLOGICAL DIVERSITY: The exhibition will be held in Hall A throughout the course of the meeting.

WORLD MINISTERIAL ROUNDTABLE ON BIOLOGICAL DIVERSITY: The World Ministerial Roundtable on Biological Diversity will meet in parallel to the COP from 4 - 5 May in Hall A of the Incheba Conference Center.