



## CBD COP-5 HIGHLIGHTS WEDNESDAY, 24 MAY 2000

The eighth day of COP-5 marked the High-Level Segment on the Cartagena Protocol on Biosafety. Delegates attended three Plenary sessions to hear some 70 statements from Parties, including 25 ministers, heads of delegations, observers and NGOs. In a special signing ceremony, 65 Parties signed the Protocol. Contact groups on Article 8(j) and related provisions, guidance to the financial mechanism and agricultural biodiversity also convened.

### HIGH-LEVEL SEGMENT

COP-5 Chair Francis Nyenze (Kenya) opened the meeting, urging Parties to sign the Cartagena Protocol. Hamdallah Zedan, CBD Executive Secretary, highlighted capacity-building for risk assessment in developing countries. Klaus Töpfer, UNEP Executive Director, underscored biotechnology's potential and said the global community should handle associated risks through coordinated action. Juan Mayr, Minister of Environment of Colombia and former President of the CBD ExCOP, reviewed the negotiation process, stressing the active participation of NGOs, industry and the press to ensure transparency. He said the challenge remains to reconcile trade and environment and to balance the positive and negative aspects of biotechnology. Geke Faber, State Secretary for Agriculture, Nature Management and Fisheries of the Netherlands, expressed an offer to host COP-6 in 2002, which was accepted and adopted.

BANGLADESH called for financial and technical assistance to the CHM for implementation of the CBD and the Protocol. BENIN stressed that biodiversity conservation must incorporate human needs. BURKINA FASO appealed to countries for financial and technical support for his country to host the 12th Meeting of the Parties for the Montreal Protocol in Ouagadougou from 11-15 December 2000. CHAD called for resolving pending issues under the CBD and the Protocol to move the implementation process forward. The CZECH REPUBLIC stressed international cooperation, information exchange and benefit-sharing. GERMANY presented its biosafety capacity-building initiative, stressed that risk assessment incorporate socioeconomic aspects and noted that the German Advisory Council on Global Change has deemed "gene-tech" a "risk tech." HUNGARY cautioned that living modified organisms (LMOs) could pose social consequences and urged implementation of the precautionary principle.

INDIA said it will sign the Protocol in the near future and underscored capacity-building. MALAYSIA called upon delegates to ensure that: LMOs do not upset the ecological balance among species; the Protocol balances trade and socioeconomic concerns; and State sovereignty over biological resources is preserved. MALAWI requested capacity-building for scientific and technical expertise to identify LMOs, public awareness on handling and use

of LMOs, and information sharing. MEXICO, expressed dissatisfaction over the lack of progress in CBD implementation and called for focus on *in situ* conservation. MONACO highlighted marine and coastal biodiversity, noting activities under the Barcelona Convention and an agreement to protect shellfish in the Mediterranean and Black Seas. MOROCCO stated that the Protocol reestablishes the equilibrium between benefits drawn from the environment and the responsibility to protect it. The NETHERLANDS lauded the Protocol as a breakthrough in trade and environment negotiations. NIGER noted national activities on water, energy, quality of urban life, climate change and action plans on desertification and biodiversity.

NIGERIA, on behalf of the G-77/CHINA, stressed capacity-building for accessing the CHM and risk assessment and management, and the urgent need to work on liability and redress. PORTUGAL, on behalf of the EU, stressed that countries with expertise in scientific assessment and regulatory structures should contribute to targeted capacity-building efforts. RWANDA highlighted developing countries' primary role as a supplier of genetic resources for biotechnology and called for developing such technologies in developing countries. SLOVAKIA noted the complexity of harmonizing national regulatory mechanisms and capacity, and suggested regional lists of frequently transported LMOs. SLOVENIA noted the need to develop its domestic regulatory system, especially for risk assessment, to translate the Protocol into national legislation. SRI LANKA noted its reorientation towards sustainable agriculture and the ecosystem approach and called for unity in diversity to implement the Protocol. TURKEY highlighted the need for a risk management mechanism and an international fund for compensation of accidental transboundary movement of LMOs. UGANDA noted that capacity-building is essential for the Protocol's interim period. URUGUAY stressed that regional interests be addressed by the CBD and the Protocol.

MOZAMBIQUE underscored the dramatic impact of extreme weather on biodiversity resources and requested international assistance for this. ANGOLA highlighted the need to reduce the gap between the poor and the rich. ARGENTINA urged ICCP-1 to facilitate the initiation of activities to implement the Protocol. ARMENIA noted the need to establish an access and benefit-sharing (ABS) regime and to identify advantages and local interests in using biodiversity. AUSTRALIA said nothing in the Protocol should prevent countries from implementing their obligations under the WTO. AUSTRIA underscored the importance of international cooperation to address global environmental issues and the value of the Cairo Guidelines on Biosafety. BHUTAN called for special attention to countries without domestic regulatory systems and called for caution when allowing LMOs into developing countries. BELGIUM underscored capacity-building for risk assessment and highlighted partnerships on the CHM with African countries, including training webmasters. BOLIVIA iden-

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tified risks created by globalization of markets. BRAZIL noted domestic research on labeling genetically modified food and said the Protocol should be an engine for promoting sustainable development. CAMEROON highlighted national efforts and assistance in creating regional biosafety databases, training for risk assessment and management, and developing an action plan for implementing national biosafety legislation.

CANADA underscored the Protocol's place in a global, sustainable development architecture and its national consultations on the Protocol with all relevant sectors and provinces. CHILE stated that the Protocol was a product of the international community's tolerance and creativity. CHINA noted GEF/UNEP assistance to develop a national biosafety framework, which proposes detailed guidelines for risk assessment and management and an implementation plan. CUBA noted its need for institutional capacity and its willingness to provide regional assistance regarding biosafety in the area of medicines. DENMARK noted its moral and financial support for the Protocol and stated that capacity-building, especially for developing legislation, is the gateway to successful implementation. ECUADOR noted its national legislation to regulate biotechnology and protect endangered species. EL SALVADOR highlighted the need for strong capacity-building, calling for cooperation between countries.

ETHIOPIA said the winds of change from Seattle empowered developing countries to reach an agreeable outcome in Montreal. The EUROPEAN COMMUNITY stressed that countries must work together to establish the Biosafety CHM and clarify decision-making processes. FINLAND announced its contribution to the GEF to promote the Protocol's ratification. FRANCE highlighted environmental responsibility, accountability and multilateral assistance to implement the CBD and the Protocol. GREECE stated that the Protocol should become an institutional framework for promoting all humans' well-being. HAITI called for reducing the gap between developing and developed countries in implementing the CBD and the Protocol. INDONESIA supported the ICCP's work programme as well as the Biosafety CHM. PAKISTAN highlighted national legislation on biosafety.

PERU, on behalf of the ANDEAN COMMUNITY, noted the region's rich biodiversity and stressed capacity-building, technology transfer and information exchange. PERU underscored the need to implement the Protocol at national, regional and global levels, noted future generations' right to the environment and made specific reference to mountain ecosystems. The PHILIPPINES stressed the importance of food security, poverty alleviation and human well-being. KENYA highlighted the Protocol's importance and stressed the need for assistance to developing countries for implementation. LATVIA underscored the importance of the GEF for the Protocol's implementation. LESOTHO stressed capacity-building and identified benefit-sharing with regard to *ex situ* collections and implementation of Article 8(j) as areas of paramount importance. MADAGASCAR said biosafety is a top priority in its biodiversity strategy. NORWAY highly welcomed the Protocol and said an additional biosafety-related process within the WTO is unnecessary.

The REPUBLIC OF KOREA underlined capacity-building for developing countries and prioritization of risk management and assessment in this regard. SAMOA expressed the concern of small island States over transboundary movements of LMOs and requested assistance for building infrastructures. SPAIN ensured its commitment to ratifying and implementing the Protocol. SWEDEN highlighted its assistance initiative in capacity-building directed to Southern and Eastern Africa. SWITZERLAND said the inclusion of the precautionary principle in the Protocol marks its first inclusion in international environmental law. TANZANIA called for capacity-building, particularly provision of scientific and technical tools for risk assessment and management. TOGO said the Protocol is proof that humankind can be moved by ethics rather than commercial interests and stressed the need for national biotechnology risk prevention frameworks.

VENEZUELA, on behalf of the AMAZON COOPERATION TREATY, noted the region's commitment to sustainable use and the important role of indigenous and local communities in conserving these ecosystems. VENEZUELA highlighted the integration of the CBD's objectives into its revised constitution. ZAMBIA stated that the Protocol signifies the CBD's level of maturity and stressed the need for sub-regional and regional approaches. ZIMBABWE supported use of adaptive management, incorporating traditional knowledge and systems. ALGERIA reaffirmed the need for international cooperation to ensure fair and equitable sharing of biodiversity. The US highlighted its interest in contributing financially and technically to the meeting of technical experts on the Biosafety CHM.

DIVERSE WOMEN FOR DIVERSITY, speaking for NGOs, called for a ban on Genetic Use Restriction Technologies (GURTS) and GMOs in food aid, stressed that CBD objectives should not be undermined by TRIPs and said the FAO International Undertaking should be a Protocol to the CBD. The GLOBAL INDUSTRY COALITION underscored that decisions should be based on sound scientific knowledge, and that rights and obligations under other agreements should be respected.

**PROTOCOL SIGNATORIES:** The following countries signed the Protocol: Antigua and Barbuda, Argentina, Austria, the Bahamas, Bangladesh, Belgium, Benin, Bolivia, Bulgaria, Burkina Faso, Central African Republic, Chad, Chile, Colombia, Costa Rica, Cuba, Czech Republic, Denmark, Ecuador, El Salvador, Ethiopia, Finland, France, the Gambia, Germany, Greece, Grenada, Guinea, Haiti, Honduras, Hungary, Indonesia, Ireland, Italy, Kenya, Lithuania, Malaysia, Malawi, Mexico, Monaco, Mozambique, Namibia, the Netherlands, New Zealand, Niger, Nigeria, Norway, Peru, the Philippines, Poland, Portugal, Rwanda, Samoa, Slovak Republic, Slovenia, Spain, Sri Lanka, Sweden, Switzerland, Togo, Turkey, Uganda, the United Kingdom and Venezuela.

#### CONTACT GROUPS

**ARTICLE 8(j):** The contact group considered the Chair's revised draft decision in morning and afternoon sessions. The Chair invited a statement by a representative from an indigenous and local community representative who, *inter alia*, stressed keeping the legal elements in the work programme's first phase and, supported by many, ensuring indigenous and local communities' representation in the liaison group. After considering high and medium priorities for the first phase and the legal elements, concepts and implications in their respective contexts, delegates adopted a draft decision for submission to WG-II.

**AGRICULTURAL BIODIVERSITY:** The contact group met in the afternoon to discuss GURTS. The group agreed to include the text of SBSTTA Recommendation IV/5 on GURTS in the draft decision on agricultural biodiversity, specifying that the issue be integrated into each element of the work programme and that SBSTTA report to COP-6.

#### IN THE BREEZEWAYS

With budgetary discussions ongoing, rumors circulated among the breezeways about financing, and more specifically, the location of the CBD Secretariat and its agreement with the host country. Some noted probes by a Party heavily invested in other environmental secretariats, and some expect the issue to be raised at the next COP.

#### THINGS TO LOOK FOR TODAY

**WORKING GROUPS:** WG-I will consider draft text on the Global Taxonomy Initiative, the ecosystem approach, marine and coastal, forest and agricultural biodiversity. WG-II will consider draft text on ABS, operations of the Convention, Article 8(j) and related provisions, and review of the financial mechanism.