



CBD COP-5 HIGHLIGHTS THURSDAY, 25 MAY 2000

On the ninth day of COP-5, delegates met in Working Groups to address outstanding matters and to adopt the reports of their work. Working Group I (WG-I) completed discussion of draft decisions on agricultural biodiversity, the ecosystem approach, forest biodiversity and the Global Taxonomy Initiative (GTI). Working Group II (WG-II) finalized draft decisions on: scientific and technical cooperation and the Clearing-House Mechanism (CHM); national reporting; access to genetic resources and benefit-sharing (ABS); operations of the Convention; education and public awareness; identification, monitoring and assessment, and indicators; impact assessment, liability and redress; the financial mechanism; and Article 8(j) and related provisions.

WORKING GROUP I

AGRICULTURAL BIODIVERSITY: Contact group Chair Elzbieta Martyniuk (Poland) reported on progress achieved. The draft decision, including the programme of work, sustainable use of pollinators and Genetic Use Restriction Technologies (GURTS), was adopted with one minor change.

ECOSYSTEM APPROACH: Chair Peter Schei (Norway) presented a Conference Room Paper (CRP) on the ecosystem approach, which was adopted without substantive discussion.

FOREST BIODIVERSITY: Oteng Yeboa (Ghana), Chair of the contact group, reported on the group's work, including consideration of: an *ad hoc* technical expert group in view of SBSTTA Recommendation V/7 and financial constraints; requests to include experts on policy issues and traditional knowledge in the expert group's composition; and the urgency of addressing particular forest issues. COLOMBIA requested flexibility in SBSTTA's consideration of advice to the UNFCCC, suggesting that it simply be mandated to report to CBD COP-6. SWITZERLAND stressed the urgency of addressing the issue at SBSTTA-6, as SBSTTA-7 might be too late. COLOMBIA noted provisional plans to hold SBSTTA-6 and 7 prior to the UNFCCC's COP in 2001, and that the SBSTTA Bureau would be meeting presently to review its agenda, where such concerns could also be raised. Chair Schei noted discussions about transmission of a letter by the CBD COP-5 President to the President of the next UNFCCC COP regarding facilitating cooperation. COLOMBIA's proposal was accepted. COLOMBIA also noted that budgetary discussions did not provide for funds for the expert panel within the assessed budget, which he

said is unacceptable. NIGERIA noted dissatisfaction with referring all issues relating to the budget and financial mechanism to other discussions, where they may not receive the same weight. Chair Schei noted that he would address the budgetary issue regarding the expert group when reporting WG-I's decision to the Plenary, and the CRP was adopted.

GLOBAL TAXONOMY INITIATIVE: Discussion centered on the draft decision's annex. The BAHAMAS, supported by the SEYCHELLES, NIGERIA and TANZANIA, expressed concern over the nature of the GTI coordination mechanism, calling it another technical subsidiary body, and asked for deletion of the annex, or its limitation to the issues of mandate and short-term activities. PORTUGAL, on behalf of the EU, and supported by GREECE and AUSTRALIA, opposed deletion and noted the need for urgent action. AUSTRALIA compared the coordination mechanism with the Informal Advisory Committee (IAC) of the CHM. An informal group developed compromise text on the coordination mechanism, which addresses the issues of its mandate, short-term activities and membership, with due regard to geographical balance, allowing two representatives from each region. The organization of meetings and funding were left to be considered at a later stage. The draft decision was adopted with two minor changes.

WG-I REPORT: The draft report of WG-I (UNEP/CBD/COP/5/WG.1/L.1) was adopted with minor editorial changes. Chair Schei closed WG-I, thanking the CBD Secretariat, interpreters, technicians, delegates, observers and NGOs for their cooperative and pleasant work.

WORKING GROUP II

SCIENTIFIC AND TECHNICAL COOPERATION AND THE CHM: The BAHAMAS requested a reference to reviewing the IAC at COP-7, while AUSTRALIA requested a reference to making the procedures and the membership of the IAC available through the CHM. The group adopted the draft decision with these amendments.

NATIONAL REPORTING: The draft decision was adopted without amendments.

ACCESS TO GENETIC RESOURCES: COSTA RICA, in the absence of contact group Chair A.H. Zakri (Malaysia) outlined the main changes leading to the draft decision approved by the contact group. MOROCCO asked that the need to take into account the revision of the International Undertaking be reflected. CHINA, supported by CAMEROON, said that text stating the



complexity of the ABS issue and the multiplicity of prior informed consent considerations, was inconsistent with text outlining the establishment and terms of reference of the *Ad Hoc* Open-ended Working Group, and cautioned against prejudging the outcome of this group. COSTA RICA, the EC, NORWAY and PERU opposed the deletion, recalling discussions within the contact group. AUSTRALIA suggested qualifying a paragraph on measures to be taken by provider and recipient countries with references to national circumstances and the relevance of traditional knowledge to the conservation and sustainable use of biodiversity. The draft decision was adopted, including the proposed amendments by Australia and Morocco.

OPERATIONS OF THE CONVENTION: Regarding text providing for a COP Bureau with one President and ten Vice-Presidents through amending Rule 21 of the Rules of Procedure, COLOMBIA noted that the COP Bureau should consist of one President and nine Vice-President with geographically-balanced representation. KENYA and the NETHERLANDS supported the text as it is. With regard to the review of the Convention's implementation, the text contained three options: review implementation within the existing institutions and procedures; hold a second intersessional meeting; or establish a Subsidiary Body on Implementation (SBI). NEW ZEALAND did not support an SBI and, supported by BRAZIL and TURKEY, offered to produce compromise text. After informal consultations, delegates agreed to hold an open-ended intersessional meeting and to review the role of the intersessional processes at COP-6. Delegates adopted the draft decision, and COLOMBIA requested that the report of the meeting reflect its concern over the COP Bureau's composition.

EDUCATION AND PUBLIC AWARENESS: In requesting the Executive Secretary to advance priority activities, NORWAY asked for a new paragraph referring to priorities in the COP's work programme and the Strategic Plan for the Convention. Regarding International Biodiversity Day, the EU requested preparing and placing background information on the theme in the CHM. VENEZUELA asked the Executive Secretary to advise Parties on consultations with the UN Secretariat with regard to changing the date of International Biodiversity Day by February 2001. Delegates adopted the draft decision with these amendments.

IDENTIFICATION, MONITORING AND ASSESSMENT, AND INDICATORS: The Group adopted the draft decision after inserting a reference to including information on the ongoing work on indicators in the Executive Secretary's interim progress report.

IMPACT ASSESSMENT, LIABILITY AND REDRESS: SWITZERLAND requested, and delegates agreed to, a reference to strategic environmental assessment. ETHIOPIA expressed dissatisfaction over the text regarding the process for reviewing CBD Article 14.2 (Impact Assessment and Minimizing Adverse Impacts), and proposed new text calling for establishment of an *ad hoc* technical expert group on liability and redress. He proposed that the group commence its work after COP-6 and that the Executive Secretary submit to COP-6 a review report on Article 14.2, including draft terms of reference for the group, taking into account consideration of the issues within the Cartagena Protocol's framework. The EU noted the complexity of the issue and suggested considering it at COP-6. AUSTRALIA opposed the proposal for budgetary reasons. CANADA stated that it would be premature to establish the group on liability and redress at this COP. FRANCE

offered to organize a workshop during the intersessional period to consider this issue, and the EU and COLOMBIA supported including this offer in the draft decision. ETHIOPIA stressed that its proposal is appropriate in terms of budget and procedure, and noted that the workshop would not serve the purpose of the group. After informal consultations, delegates adopted the draft decision with new text welcoming the French government's offer to organize the workshop and deciding to consider the process for reviewing Article 14.2 at COP-6, including establishment of an *ad hoc* technical expert group, taking into account the issues under the Cartagena Protocol and the outcome of the workshop.

FINANCIAL RESOURCES AND MECHANISM: Additional Financial Resources: Delegates considered a revised draft decision. LIBERIA suggested changing the title of the workshop on biodiversity financing into financing for biodiversity. CANADA asked to invite rather than request the GEF to convene this workshop. The UNITED STATES asked to insert reference to better coordination with other funding institutions. GERMANY suggested requesting the Executive Secretary to contribute to the High-Level Consultation on Financing for Development of the UN General Assembly in 2001 directly rather than requesting him to seek this contribution. With these changes, the draft decision was adopted.

Second Review of the Financial Mechanism: The Secretariat introduced a revised draft decision and announced editorial changes. The UNITED STATES, supported by SWITZERLAND, asked to include text suggesting collaboration of the independent evaluator with the Executive Secretary of the Convention and the GEF Secretariat. COLOMBIA, GERMANY and KENYA opposed this suggestion, highlighting the importance of independence. The respective paragraphs remained unchanged and the draft decision was adopted.

Further Guidance to the Financial Mechanism: Delegates considered a CRP. After a brief discussion between ETHIOPIA, BRAZIL and the UNITED KINGDOM about the adequacy of the GEF as the permanent financial mechanism, the draft decision was adopted without changes.

ARTICLE 8(j) AND RELATED PROVISIONS: Contact group Chair Johan Bodegård (Sweden) outlined the CRP produced by the group, which includes a draft decision with an annexed programme of work. ECUADOR provided new phrasing for the paragraph on case studies on traditional knowledge, innovations and practices. The draft decision was adopted with this and other minor amendments.

WG-II REPORT: The draft report of WG-II (UNEP/CBD/COP/5/WG.II/L.1) was adopted with minor amendments.

IN THE BREEZEWAYS

As WG-I adjourned early, delegates wandered into the sunny afternoon, remarking on the relative smoothness of COP-5 compared to the procedural and organizational hurdles of COP-4. Some noted that ISOC, two SBSTTA meetings, multiple liaison and expert group meetings, and pre-concocted decision drafts were instrumental in facilitating the flow.

THINGS TO LOOK FOR TODAY

PLENARY: Delegates will meet in Plenary at 10:00 am in Room 2 to address other matters, adopt the draft decisions and the Report of the Meeting and draw COP-5 to a close.