



SUMMARY OF THE OPEN-ENDED INTER-SESSIONAL MEETING ON THE STRATEGIC PLAN, NATIONAL REPORTS AND IMPLEMENTATION OF THE CONVENTION ON BIOLOGICAL DIVERSITY: 19-21 NOVEMBER 2001

The Open-Ended Inter-Sessional Meeting on the Strategic Plan, National Reports and Implementation (MSP) of the Convention on Biological Diversity (CBD) met from 19-21 November 2001, in Montreal, Canada. Over 180 participants from 100 governments, joined by representatives from intergovernmental, non-governmental, and academic organizations attended the meeting. Delegates met in two working groups. Working Group I considered the strategic plan. Working Group II addressed implementation and operations of the Convention, national reports and the World Summit on Sustainable Development.

Disagreement over the strategic plan's vision and operational goals resulted in bracketed text. However, some delegates considered discussions to be a useful starting point, with consensus to be built at the sixth meeting of the Conference of the Parties (COP-6). Delegates seemed generally satisfied with their accomplishments on the more manageable tasks of providing recommendations towards increasing the efficiency and performance of CBD operations and reporting processes. The recommendations from MSP will be forwarded to COP-6, to be held from 8-19 April 2002, in The Hague, the Netherlands.

A BRIEF HISTORY OF THE CONVENTION ON BIOLOGICAL DIVERSITY

The CBD, negotiated under the auspices of UN Environment Programme (UNEP), was opened for signature on 5 June 1992, and entered into force on 29 December 1993. To date, 182 countries have ratified the Convention. The three objectives 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 out of the utilization of genetic resources."

COP-1: The first meeting of the Conference of the Parties (COP-1) took place from 28 November - 9 December 1994, in Nassau, the Bahamas. Key decisions by COP-1 included: adoption of the medium-term work programme; designation of the permanent Secretariat; establishment of the Clearing-House Mechanism (CHM) and Subsidiary Body for Scientific Technical and Technological Advice (SBSTTA); and designation of the Global Environment Facility (GEF) as the interim institutional structure for the financial mechanism.

SBSTTA-1: SBSTTA-1 met from 4-8 September 1995, in Paris, France. Delegates produced recommendations on: SBSTTA's *modus operandi*; components of biodiversity under threat; access to and transfer of technology; scientific and technical information to be contained in national reports; contributions to the UN Food and Agriculture Organization meetings on plant genetic resources for food and agriculture; and marine and coastal biodiversity. SBSTTA-1 requested flexibility to create: two open-ended working groups to meet simultaneously during future SBSTTA meetings; *ad hoc* technical panels of experts, as needed; and a roster of experts.

COP-2: The second meeting of the COP was held from 6-17 November 1995, in Jakarta, Indonesia. 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

IN THIS ISSUE

A Brief History of the Convention on Biological Diversity . . .1	
MSP Report2	
Plenary3	
Working Group I3	
Working Group II6	
Closing Plenary8	
A Brief Analysis of the MSP9	
Things to Look For Before COP-69	

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Group on Biosafety; adoption of a programme of work; designation of the GEF as the continuing interim financial mechanism; and consideration of marine and coastal biodiversity.

SBSTTA-2: SBSTTA-2 met from 2-6 September 1996, in Montreal, Canada. The meeting produced recommendations on: monitoring and assessment of biodiversity; approaches to taxonomy; economic valuation of biodiversity; access to genetic resources; agricultural biodiversity; terrestrial biodiversity; marine and coastal biodiversity; biosafety; and the CHM.

COP-3: At COP-3, held from 4-15 November 1996, in Buenos Aires, Argentina, delegates adopted decisions on, *inter alia*: elaboration of work programmes on agricultural and forest biodiversity; a Memorandum of Understanding with the GEF; an agreement to hold an inter-sessional workshop on Article 8(j) regarding traditional knowledge; an application by the CBD Executive Secretary for observer status to the World Trade Organization's (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.

SBSTTA-3: At SBSTTA-3, held from 1-5 September 1997, in Montreal, Canada, delegates considered the implementation of the CHM's pilot phase and formulated recommendations on: biodiversity in inland waters; marine and coastal biodiversity; agricultural biodiversity; forest biodiversity; biodiversity indicators; and participation of developing countries in the SBSTTA.

COP-4: At its fourth meeting, held from 4-15 May 1998, in Bratislava, Slovakia, the COP adopted decisions on: inland water ecosystems; marine and coastal biodiversity; forest biodiversity; agricultural biodiversity; implementation of the CHM's pilot phase; implementation of Article 8(j); national reports; cooperation with other agreements, institutions and processes; activities of the GEF; incentive measures; access to genetic resources and benefit-sharing (ABS); public education and awareness; and the long-term work programme.

SBSTTA-4: During its fourth meeting, held from 21-25 June 1999, in Montreal, Canada, delegates made recommendations on: SBSTTA's work programme; the Global Taxonomy Initiative (GTI); guiding principles to prevent the impact of alien species; control of plant gene expression; sustainable use of terrestrial biodiversity; incorporation of biodiversity into environmental impact assessment, and approaches and practices for sustainable use of biological resources, including tourism.

ISOC: The Inter-sessional Meeting on the Operations of the Convention (ISOC) met from 28-30 June 1999, in Montreal, Canada, to consider preparations for and conduct of COP meetings. ISOC also held discussions on: ABS; *ex situ* collections acquired prior to the Convention's entry into force; and the relationships among intellectual property rights (IPR), relevant provisions of the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS), and the CBD.

EXCOP FOR THE CARTAGENA PROTOCOL ON

BIOSAFETY: The first Extraordinary Meeting of the Conference of the Parties for the Adoption of the Protocol on Biosafety to the CBD (ExCOP) was held from 22-23 February 1999, in Cartagena, Colombia, following the sixth meeting of the CBD's Biosafety Working Group (14-22 February 1999). The meeting was suspended, as Parties were not able to reach agreement. Following three informal consultations, the resumed session of the ExCOP was held from 24-28 January 2000, in Montreal, Canada. Delegates adopted the Cartagena

Protocol on Biosafety, which addresses the safe transfer, handling and use of living modified organisms that may have an adverse effect on biodiversity, with a specific focus on transboundary movements. To date, 106 countries have signed the agreement, with seven ratifications.

SBSTTA-5: The fifth session of the SBSTTA met from 31 January - 4 February 2000, in Montreal, Canada. SBSTTA-5 developed recommendations on, *inter alia*: inland water biodiversity; forest biodiversity; agricultural biodiversity; marine and coastal biodiversity, including coral bleaching; a programme of work on dry and sub-humid lands; alien species; the ecosystem approach; indicators; the pilot phase of the CHM; the second national reports; and *ad hoc* technical expert groups.

COP-5: At its fifth meeting (COP-5), held from 15-26 May 2001, in Nairobi, Kenya, the COP adopted decisions on: dry and sub-humid lands; the ecosystem approach; access to genetic resources; alien species; sustainable use; biodiversity and tourism; incentive measures; the Global Strategy for Plant Conservation; the GTI; scientific and technical cooperation and the CHM; identification, monitoring, assessment and indicators; and impact assessment, liability and redress. A high-level segment on the Cartagena Protocol on Biosafety, including a Ministerial Roundtable and a special signing ceremony, was convened during the second week of the meeting.

SBSTTA-6: The sixth meeting of the SBSTTA took place from 12-16 March 2001, in Montreal, Canada. SBSTTA-6 featured a streamlined agenda with a focus on invasive alien species and emphasis on providing background information through presentations, side events, roundtables and additional documentation. Recommendations were adopted on the use of: *ad hoc* technical expert groups; marine and coastal biodiversity; inland water ecosystems; invasive alien species; scientific assessments; the GTI; biodiversity and climate change; and migratory species.

SBSTTA-7: The seventh meeting of the SBSTTA took place from 12-16 November 2001, in Montreal, Canada. SBSTTA-7's agenda had a focus on forest biodiversity, adopting a recommendation and a draft work programme consisting of goals, objectives and activities grouped under three programme elements: conservation, sustainable use and benefit-sharing; institutional and socioeconomic enabling environment; and knowledge, assessment and monitoring. The meeting also produced recommendations on: agricultural biodiversity, including the International Pollinators Initiative; the plant conservation strategy; incentive measures, indicators; and environmental impact assessment.

MSP REPORT

Reuben Olembo, Chief Advisor to the Minister of Environment of Kenya and President of COP-5, opened the meeting on Monday, 19 November. He reviewed the meeting's main objective to develop a strategic plan covering the period of 2002-2010. He stressed the meeting's role in helping COP-6 provide policy guidance, and noted its importance in relation to the World Summit on Sustainable Development (WSSD).

CBD Executive Secretary Hamdallah Zedan highlighted the accomplishments of the SBSTTA-7, and the overall achievements of the Convention regarding biosafety, ABS, and forest biodiversity. He then reviewed the agenda for the meeting.



Paul Chabeda, on behalf of UNEP Executive Director Klaus Töpfer, stressed the need for effective tools to implement the Convention at the grassroots level and the center-stage position of global biodiversity at the forthcoming WSSD.

SBSTTA Chair Jan Plesník (Czech Republic) noted the need for a result-oriented strategic plan and said that the plan should include emerging issues.

The Plenary then adopted the agenda (UNEP/CBD/MSP/1/1) and considered the proposed organization of work, including use of two working groups. Haiti, on behalf of the Group of Latin American and Caribbean Countries (GRULAC), observed that most countries had only one delegate present, and suggested meeting in Plenary instead of two working groups. Delegates finally agreed to use two working groups, while ensuring adequate information flow between them. They elected Peter Schei (Norway) and Elaine Fisher (Jamaica) as Chairs of Working Groups I and II, respectively. Esko Jaakkola (Finland) was elected as the meeting's Rapporteur.

The Plenary reconvened in a brief session on Tuesday afternoon to hear progress reports from the working groups' Chairs and again on Friday to adopt recommendations from the working groups. The working groups met from 19–21 November. Working Group I discussed the strategic plan, including an introductory section, mission statement, vision, operational goals, constraints/challenges, and communication. Working Group II addressed implementation and operations of the Convention, national reports and WSSD.

PLENARY

On Monday, 19 November, the Seychelles presented the conclusions of a workshop on the strategic plan held from 28–30 May 2001, in the Seychelles, and summarized in document UNEP/CBD/WS-Strategy/5 highlighting the plan's proposed structure, which formed the basis for discussions on the strategic plan.

Delegates then made general remarks on the strategic plan (UNEP/CBD/MSP/2). Most supported the plan's structure. Jamaica said the plan should be restricted to issues needing collective action by Parties, such as target-setting, implementation and review of decisions. Mexico stressed the need for a balanced plan that reflects priorities and, with Namibia, the need for a focus on implementation. Colombia called for a more balanced reflection of the Convention's objectives. The UK stressed the need for goals and targets and noted that detailed action plans could duplicate CBD work programmes. Japan called for further study of the relation between the strategic plan and national plans. The Philippines stressed that outcomes should be measurable, realistic, obtainable, and time-bound. Panama said the plan's mission and vision should be phrased in a positive way. Cuba noted the goals are too broad to be feasible. Kenya and Nigeria underlined monitoring and evaluation. Switzerland stressed the need for a mechanism to review the plan's implementation, and, with Algeria and Slovenia, stressed the need for further cooperation with other international instruments.

The Netherlands and others stated the strategic plan must send a strong signal to the WSSD regarding the importance of biodiversity as a means to achieve sustainable development. Many delegates addressed the need to build national capacity. Brazil, China and Senegal noted the need to address technology transfer. Many said the plan should help integrate biodiversity and economic and social policies. Norway underscored the need for cooperation with economic sectors and called for support for developing countries.

A number of delegates highlighted the need to address regional or subregional priorities. Colombia highlighted the CHM's importance for implementation. Togo emphasized public participation and information sharing. UNEP noted its pilot projects on harmonizing national reporting on a regional basis, described in UNEP/CBD/MSP/1/INF/3. UNESCO stated its readiness to continue contributing to the CBD's work on education and public awareness. The EU said the plan should be reflected in a multi-year work programme. Greenpeace International said that the ecosystem approach should figure prominently in the plan, while Birdlife International said the WSSD would be an opportunity to raise awareness of biodiversity issues. The Lawyers Environmental Action Team expressed concern about NGO involvement and called for means to support their participation.

WORKING GROUP I – STRATEGIC PLAN FOR THE CONVENTION

Working Group I considered the strategic plan from Monday afternoon to Wednesday, 19–21 November. On Monday, Chair Schei introduced document UNEP/CBD/MSP/2, containing: draft elements for the strategic plan, conclusions and draft elements of a recommendation; and an annex on the status of biodiversity, the international and social context, the effectiveness of the Convention, achievements, and constraints/challenges. On the plan's structure, delegates suggested including an introductory section and sections on: linkages to the scientific community; obstacles/challenges; implementation; capacity building; and a chapeau to the proposed operational goals to address cross-cutting issues.

On Tuesday, 20 November, delegates continued their consideration of UNEP/CBD/MSP/2, addressing the section on operational goals. Chair Schei introduced document UNEP/CBD/MSP/WG.I/CRP.1, based on the previous day's discussion and which included an introductory section, mission statement, vision, and constraints and challenges. This document was not discussed due to lack of time. On Wednesday, 21 November, Chair Schei introduced document UNEP/CBD/MSP/WG.I/CRP.1/Rev.1, on draft recommendations and a draft strategic plan. On the strategic plan, he reviewed outstanding issues, including, *inter alia*, the plan's vision and a reference to IPR. He noted his attempt to maintain the strategic nature of the document.

The closing Plenary on Wednesday, 21 November, adopted document UNEP/CBD/MSP/L.2, containing both the draft recommendation and a draft strategic plan that contains bracketed text. The draft strategic plan contained in the annex includes sections on: the issue; mission statement; vision; constraints; operational goals; monitoring, reporting, periodic assessment and review; and communication.

The following summarizes delegates' discussions with respect to the suggested recommendation and the draft strategic plan as it appears in the final document.

RECOMMENDATION: Brazil questioned reference to the *Ad Hoc* Working Group on ABS in the preambular paragraph and called for its deletion. Others disagreed and, following debate and consultations in a small group, delegates agreed to delete preambular references to the Working Groups on ABS and Article 8(j). The EU suggested that the meeting request the Executive Secretary to prepare a multi-year programme of work up to 2010 for COP consideration, which was accepted. Following a suggestion by Brazil, delegates agreed to delete reference to the Annex to UNEP/CBD/MSP/2, which contains reviews on the status of biodiversity, the institutional context and the effectiveness of the CBD. The closing Plenary adopted the recommendation with these amendments.



Final Text: The final recommendation (UNEP/CBD/MSP/L.2) states that COP-6 should:

- take note of the Seychelles Workshop on the strategic plan;
- adopt the draft strategic plan contained in its annex;
- urge Parties to review their activities in light of the plan;
- adopt the schedule for assessing and reviewing progress in the strategic plan's implementation;
- hold an inter-sessional meeting in 2001 to review progress in the strategic plan's implementation; and
- decide on activities to be undertaken in order to facilitate the appropriate review of CBD's implementation, including identification of gaps, best practices and main difficulties in implementation, and consideration of the level of participation of relevant stakeholders, linkages and synergies, and strategies established in the framework of sustainable development plans.

It requests the Executive Secretary to prepare parameters for the plan's operational goals and prepare a multi-year programme of work up to 2010 prior to COP-6, and invites Parties to provide input to such parameters. With regard to implementation review, it requests the Executive Secretary to disseminate the results of the review through the CHM and other appropriate means.

INTRODUCTORY SECTION - THE ISSUE: On Monday, 19 November, Working Group I Chair Schei called for suggestions on the strategic plan's introductory section. Rwanda called for a reflection on the status of biodiversity. Switzerland stressed the underlying causes and accelerating rate of biodiversity loss. Haiti and Namibia called for a reference to poverty alleviation. Argentina and Colombia called for regional implementation and resources for capacity building. Poland underscored the need to reflect concepts related to the production-consumption pattern.

On Wednesday, 21 November, delegates provided comments on UNEP/CBD/MSP/WG.I/CRP.1/Rev.1. Brazil noted that biodiversity provides material for industry, apart from food and medicines. The European Community (EC) suggested using language from CBD Article 19.3 to describe the Biosafety Protocol. The EU noted the challenge to mainstream conservation and sustainable use of biological resources across all sectors of the economy and society. All suggestions were accepted and the section was adopted by the closing Plenary.

Final Text: Outlining the issue, the draft strategic plan notes that:

- biodiversity is the living foundation for sustainable development;
- the rate of biodiversity loss is still accelerating;
- major threats to biodiversity must be addressed; and
- the CBD is an essential instrument for achieving sustainable development.

It also notes the achievements of the Convention and challenges to its implementation.

MISSION STATEMENT: During discussions on Monday, Hungary preferred the mission statement to be as short as possible and, with Bulgaria and Cuba, stressed that benefit-sharing should refer to all biodiversity components instead of genetic resources only. The Philippines and others suggested a reference to improving people's lives and welfare. Egypt and Guyana called for socioeconomic development, while Belgium and Germany emphasized sustainable development. Australia and Kenya supported language from CBD Article 1 (Objectives).

On Wednesday, the Seychelles proposed deleting reference to improvement of human well-being and health. Belgium supported its retention and, with a minor amendment, the reference was initially accepted, with Australia, Brazil and the Seychelles noting their concern. Tanzania proposed that sustainable use of biodiversity should refer to use of its components, which was agreed.

In the closing Plenary, delegates provided comments on UNEP/CBD/MSP/L.2. South Africa suggested reference to sustainable livelihoods rather than sustainable development, while Jamaica and Argentina opposed it. Delegates could not reach agreement and as a result the term "sustainable development" in the original mission statement was bracketed, and the section was then adopted.

Final Text: The mission statement states that the plan should ensure the conservation and sustainable use of biodiversity components and fair and equitable sharing of benefits arising from the use of genetic resources. It includes references to the improvement of human well-being and health and to sustainable development, with the latter in brackets.

VISION: On Monday, many delegates supported a reference to the ecosystem approach in the plan's vision. Regarding language on reversing trends in biodiversity loss, Belgium, on behalf of the EU and supported by others, proposed calling for a halt in biodiversity loss, while others argued that the proposal was overly ambitious. Regarding language on reducing unsustainable use, delegates generally preferred more positive wording. On benefit-sharing, many preferred reference to biological, rather than genetic resources. Delegates then debated a reference to the time-frame of 2010. Some delegates supported moving the reference to a section on operational goals, stating that a vision cannot be measured, while most called for its retention, with Canada and Cuba noting that the operational goals could have shorter time-frames. A drafting group was convened to reach compromise, without success. UNEP/CBD/MSP/WG.I/CRP.1/Rev.1 included two options: the first one contained reference to 2010 and detailed elements; and the second one, suggested by the EU, included more general elements and no time reference.

On Wednesday, the EU suggested keeping the two options in brackets for COP consideration, which was accepted. Brazil suggested including a new element in the first option, regarding the availability of financial resources and increased access to new technologies and capacity-building mechanisms. With this addition, the Plenary adopted the section.

Final Text: Two alternative options for a vision to the plan are proposed, both including three elements with language on biodiversity loss, sustainable use, and benefit-sharing. The first option for a vision notes that the longer-term vision is to halt the loss of biodiversity, and stresses, *inter alia*, that by 2010: the rate of biodiversity loss should be effectively reduced; sustainable use of biodiversity should be integrated into all sectors; and benefits should be shared equitably through appropriate mechanisms. This option includes a fourth element on availability of additional financial resources, technologies and capacity building.

The second option for a vision notes that its three elements reflect the main pillars of the Convention, and are aimed at its coherent implementation, stressing, *inter alia*: that the loss of biodiversity should effectively be halted; that sustainable use of biodiversity should be integrated into all sectors; and that benefits arising from the use of genetic resources should be shared fairly and equitably.



CONSTRAINTS/CHALLENGES: On Monday, Chair Schei called for delegates' views on constraints/challenges. Delegates highlighted institutional, financial, legal, political, socioeconomic and technical constraints. They also stressed the need for, *inter alia*: political recognition of the CBD; information dissemination; knowledge accessibility; societal involvement; education and public awareness; capacity building; addressing underlying causes of biodiversity loss; and environmental impact assessments.

On Wednesday, commenting on document UNEP/CBD/MSP/WG.I./CRP.1/Rev.1, the EU suggested stating in the text that many obstacles have impeded the CBD's implementation, and proposed listing them in an appendix. Other delegates opposed the list and, as a compromise solution, Switzerland suggested introducing a short paragraph on constraints, stating their categories, and then listing them in an appendix. Following a long debate, Switzerland's proposal was accepted.

Final Text: The section on constraints mentions that CBD's implementation has been hampered by many obstacles:

- political/societal;
- institutional, technical and capacity-related;
- lack of accessible knowledge/information;
- economic policy and financial resources;
- collaboration/cooperation;
- legal/juridical impediments;
- socioeconomic factors; and
- natural phenomena and environmental change.

A list of the constraints/challenges is included in an appendix.

OPERATIONAL GOALS: On Tuesday, Chair Schei called for comments on the plan's cross-cutting operational goals, as included in UNEP/CBD/MSP/2. The EU reiterated a proposal to include separate sections on the role of science and capacity building. Regarding language on national biodiversity strategies and action plans (NBSAPs), Cuba proposed integrating NBSAPs with other sectoral strategies. The EU and Poland suggested harmonizing them with national plans on sustainable development.

On providing resources and in particular for capacity building, Brazil and others suggested separating the two issues. Cameroon and Haiti suggested that the GEF and other mechanisms provide financial resources. Norway suggested referencing implementation support mechanisms. Colombia called for facilitating cooperation through the CHM. Poland requested reference to research development. On integrating biodiversity considerations into national and international sectoral and cross-sectoral plans, delegates supported including regional plans and preferred reference to biodiversity "concerns" over "considerations."

Regarding language on key actors affecting implementation, Ireland and others suggested broadening the reference to include those affecting and affected by implementation. Delegates then debated language on the CBD's leadership role in the international arena and support for its implementation by other international processes. Switzerland suggested wording specifying the CBD's leadership role with regard to biodiversity-related conventions and ensuring that other processes support its implementation. Argentina and Brazil disagreed and a group was formed to draft compromise language. The agreed language states that the CBD has a leadership role on international biodiversity issues in cooperation with other conventions, and that other international processes shall actively support the CBD's implementation consistent with the respective frameworks.

On mechanisms for understanding biodiversity, management techniques and best available science, Brazil and others suggested deleting reference to the GTI, noting that no particular emphasis was needed. The Netherlands called for reference to information exchange systems, and Haiti called for research findings. Canada suggested reference to traditional knowledge.

Turning to operational goals regarding reduction of the rate of biodiversity loss (first element of the vision), delegates debated reference to management of representative species, populations and ecosystems. Delegates then proposed additional operational goals, including establishment of a global ecological network and mitigation of biodiversity loss due to poverty.

In the afternoon session, Chair Schei called for comments on goals related to reducing incidence and impacts of unsustainable use (second element of the vision). Regarding language on NBSAPs and biosafety frameworks identifying the uses of biodiversity at the national level in a regional context, Tanzania with others suggested deleting reference to the regional context. Delegates also agreed to include reference to biodiversity components, as suggested by Colombia. Delegates then debated a suggestion by the EU to include an element on the Biosafety Protocol's implementation. No agreement was reached and the language remained bracketed.

On developing tools, technologies and management systems that facilitate sustainable production and use of biological components, Brazil suggested explicit reference to the national level. Delegates debated a reference to production, finally agreeing to its deletion.

The EU proposed a new goal that would establish guidelines for mainstreaming biodiversity concerns into relevant sectoral or cross-sectoral plans, including accounting systems, labeling and certification schemes, with others objecting. Following consultations in a drafting group, the text calls for establishing and implementing a framework for mainstreaming biodiversity concerns into relevant sectoral or cross-sectoral plans.

On benefit-sharing (third element of the vision), delegates debated goals on mechanisms and measures to facilitate ABS. The EU proposed calling for implementation of the Bonn guidelines on ABS, while Brazil, supported by many, opposed such reference. Panama's suggestion to delete a reference to international and regional mechanisms was accepted. On IPR, delegates discussed language describing IPR's role in promoting the CBD objectives. Brazil proposed that IPR should respect indigenous and local communities as well as the country of origin to ensure benefit-sharing. Following Germany's opposition, the formulation remained bracketed.

Delegates debated different formulations regarding language on assessing, inventorying and recognizing traditional knowledge. Following consultations in a drafting group, they initially agreed that the traditional knowledge, innovations and practices of local and indigenous communities should be respected, preserved, maintained, and promoted for wider application with their full and effective involvement and approval. A new element suggested by Colombia on promoting biotechnological and biochemical research and development activities that utilize genetic resources in their countries of origin remained bracketed.

On Wednesday, the EU suggested language on the availability of financial, human and technical resources to developing-country Parties. Following Brazil's opposition, the text remained bracketed for COP-6 consideration. Delegates then considered language on



preventing the irreversible loss of species, ecosystems and genetic diversity and Brazil suggested reference to their extinction. Both options remained bracketed.

Delegates discussed the reference to the Biosafety Protocol but did not resolve it. The EU then proposed a merged goal on awareness of patterns in consumption and production, and economic policies, which was generally agreed; however, a reference to economic policy/instruments remained unresolved. On benefit-sharing, delegates debated text calling for mechanisms and measures on ABS, leaving references to ABS strategies and the Bonn guidelines unresolved. Due to lack of time, delegates refrained from debating and instead bracketed text on: IPR and other *sui generis* rights; traditional knowledge; information exchange on benefit-sharing; and research and development activities in the countries of origin of genetic resources. The closing Plenary adopted the section with these amendments.

Final Text: The operational goals include cross-cutting goals and goals related to the elements contained in the three visions. The cross-cutting operational goals include:

- development of NBSAPs and their integration into sectoral strategies;
- increased capacity-building support and scientific cooperation for the plan's implementation;
- increased awareness of key actors and stakeholders;
- CBD's leadership role in international biodiversity issues and support of its implementation by other international processes;
- monitoring methods;
- poverty alleviation and mitigation of the negative effect of poverty on biodiversity;
- communication, education and public awareness;
- development of tools for the economic valuation of ecological goods and services provided by biodiversity; and
- a bracketed reference to availability of increased financial, human and technical resources.

Goals related to the first element of the vision include:

- monitoring populations and ecosystems under threat;
- identifying and preventing significant and emerging threats to biodiversity; and
- two bracketed references to actions preventing the imminent loss/extinction of species, ecosystems and genetic diversity, and to the establishment of a global ecological network to address conservation and management efforts on areas with high biodiversity.

Goals related to the second element of the vision include:

- identifying sustainable uses of biodiversity components at the national level;
- developing tools that facilitate sustainable use of biodiversity;
- establishing a framework for mainstreaming biodiversity concerns into relevant sectoral or cross-sectoral plans; and
- two bracketed references to the application of the Biosafety Protocol and to the development of economic policy/instruments that support sustainable use.

All the goals related to the third element of the vision are bracketed. They include:

- developing national legislation and ABS mechanisms, taking into account the Bonn guidelines;
- IPR ensuring fair and equitable sharing of benefits and respecting the countries of origin or the rights of populations involved;
- respecting traditional knowledge;
- information exchange on benefit-sharing; and

- research and development activities in countries of origin.

MONITORING, REPORTING, PERIODIC ASSESSMENT AND REVIEW: These topics were addressed by Working Group II and are included in the summary of that group's discussions below. The final outcome is included in UNEP/CBD/MSP/L.2 on the draft strategic plan.

Final Text: The section on monitoring, reporting, periodic assessment and review includes a reporting schedule and review of the strategic plan from 2001-2010 with references to submission of national reports, thematic reports and the strategic plan reviews, and time-frames.

COMMUNICATION: On Tuesday, Chair Schei called for comments on this section. Norway and others suggested deleting the section, proposing instead to address communication as a cross-cutting operational goal. Others opposed this and the section remained under consideration. On Wednesday, delegates accepted the text, with a suggestion made by Brazil to delete reference to the CBD/UNESCO Consultative Experts' Group on Biodiversity Education and Public Awareness. The closing Plenary adopted the section with this amendment.

Final Text: The section on communication mentions that a detailed proposal on effective communication to all relevant sectors of society, agencies and conventions should be considered in accordance with the communication and outreach strategy of the Convention.

WORKING GROUP II

IMPLEMENTATION OF THE CONVENTION: On Monday, 19 November, delegates considered document UNEP/CBD/MSP/4 on implementation of the Convention. On development and adoption of national biodiversity strategies and action plans (NBSAPs), Burkina Faso said that benefit-sharing should be included in NBSAPs. Burundi and the UK noted the need to consult with various stakeholders. Iran suggested making NBSAPs available through the CHM. With regard to implementation of NBSAPs, delegates supported regional, subregional, ecoregional, and bioregional approaches.

Regarding national mechanisms for monitoring and evaluation, Canada suggested addressing special needs of indigenous communities. The Netherlands supported integrating biodiversity's conservation and sustainable use into sectoral or cross-sectoral plans. China said the plan should emphasize conservation.

On financial support for implementation of NBSAPs, Denmark stressed bilateral assistance, while Norway highlighted support for training and education. UNDP noted the need to identify institutions to help with capacity building.

On Tuesday, 20 November, delegates considered a Chair's text (UNEP/CBD/MSP/WG.II/CRP.1). Many supported consultation with indigenous and local communities in developing NBSAPs. Mexico noted the need for innovative ways to facilitate tracking the status of implementation within countries.

On support for implementation of NBSAPs, Colombia requested support to regional, subregional and bioregional reports apart from national ones. Colombia, Grenada, and Mexico suggested a reference to financial resources. On GEF capacity-building activities, the Netherlands proposed integrating CBD Article 7 (Identification and Monitoring) with respect to strengthening development and use of indicators, monitoring and assessment. New Zealand opposed such



prioritization. Denmark and Hungary proposed reviewing biodiversity services and establishing regional capacity-building mechanisms to support implementation of priority actions.

On Wednesday, 21 November, Chair Fisher introduced a revised text (UNEP/CBD/MSP/WG.II/CRP.1/Rev.1). On prioritizing capacity-building activities for the GEF, Belgium suggested reference to national institutional development, and cooperation among stakeholders. Regarding identifying priority actions in NBSAPs, the Solomon Islands suggested adding other national strategies. Working Group II approved the text with these amendments. The closing Plenary adopted the draft recommendation without amendment.

Recommendation: The recommendation (UNEP/CBD/MSP/L.4) proposes elements of a draft decision for COP-6 consideration, which would urge Parties to:

- develop and adopt NBSAPs;
- integrate conservation and sustainable use of biodiversity, as well as benefit-sharing, into relevant sectoral or cross-sectoral plans, programmes and policies;
- identify priority actions in NBSAPs;
- consider local and indigenous communities' needs in implementing, monitoring, evaluating, and revising NBSAPs; and
- identify constraints and impediments to implementation of NBSAPs.

It also encourages Parties to develop regional, subregional or bioregional mechanisms and requests donors to support implementation of the CBD. It further emphasizes the importance of access to and transfer of technology.

OPERATIONS OF THE CONVENTION: On Monday, Working Group II considered document UNEP/CBD/MSP/5 on reviewing the CBD's operations. On review of the implementation status of COP decisions, reference to a legal drafting group was deleted. Colombia and Mexico called for more focused themes for future COPs. Argentina opposed recommendations on a pilot review of COP decisions, but the UK supported them, and the text remained. Many supported translating the CBD Handbook into other UN languages.

On mechanisms to review implementation, Argentina, Colombia and Japan opposed using an *ad hoc* working group and this approach was deleted. France said best practices should be made available through the CHM. Regarding review of SBSTTA's recommendations, the EU and others said that review should be done by an independent group of experts. Many delegates supported strengthening existing regional and subregional implementation mechanisms and institutions, including use of regional centers for capacity building. Japan said establishment of new regional centers would be premature. On administrative and financial matters, Japan opposed transfer of funds within accounts, and the text was deleted. Greenpeace International called for establishing an independent monitoring body to assess each country's progress on implementation of biodiversity-related measures.

On Tuesday, delegates considered a Chair's draft (UNEP/CBD/MSP/WG.II/CRP.2). Colombia and others did not favor using an independent evaluator to review SBSTTA's recommendations, preferring assessment by Parties. Other comments addressed SBSTTA's involvement in any review. To facilitate participation of stakeholders in reviewing the CBD's implementation, New Zealand and others supported adding text to address developing country participation at meetings and on the bureaus of SBSTTA and the COP. On regional and subregional implementation mechanisms and institutions, Denmark

proposed text that would, *inter alia*, encourage Parties to strengthen regional cooperation and invite support for developing regional processes. New Zealand suggested deleting language on pilot regional and subregional institutions, mechanism and networks, and this language was removed.

On Wednesday, delegates considered UNEP/CBD/MSP/WG.II/CRP.2/Rev.1. On establishing a group of experts to review the quality of SBSTTA's recommendations, Argentina, supported by Iran, called for nomination of experts by the Parties. Burkina Faso and Germany noted issues related to regional representation. Canada noted the need to consult the COP bureaus. After informal consultations, delegates agreed to text requesting the Executive Secretary to undertake a review of SBSTTA's recommendations, in consultation with the bureaus of the COP and SBSTTA.

On activities related to reviewing the Convention's implementation, delegates agreed to Canada's proposed additional activity of identifying major gaps in implementation. Delegates also agreed to Hungary's proposal to include "countries with economies in transition" along with developing countries, with regard to particular emphasis on identifying implementation obstacles. Regarding regional mechanisms for implementation, Eritrea requested including specific reference to subregional processes, which was accepted.

New Zealand and South Africa said COP-7 should review financial support. The UK said that the issue of financial support should be raised in COP budget discussions and should be deleted. Delegates agreed to the amendments and a preambular language was included in the chapeau. The EU proposed deleting text on COP review of its subsidiary bodies, mandate and of rules of procedure. Based on text suggested by South Africa and after informal consultations, delegates agreed on compromise text.

The closing Plenary adopted the recommendations on the operations of the Convention. The recommendation related to review of the CBD's implementation were forwarded for insertion into the recommendations on the strategic plan (see page 6 above).

Recommendation: The recommendation UNEP/CBD/MSP/L.5 requests the Executive Secretary to, *inter alia*:

- conduct a pilot review of the implementation and relevance of COP decisions;
- propose a list of decisions to be retired;
- identify issues not yet implemented;
- report to COP-6;
- propose further review processes; and
- investigate means to improve notifications to Parties.

The final document also recommends that the COP decide to:

- encourage the Executive Secretary to seek ways and means to make the CBD Handbook available in other languages;
- review implementation status of its decisions;
- request the Executive Secretary to review the SBSTTA's recommendations in consultation with the COP and the SBSTTA bureaus and report to SBSTTA-9 and COP-7; and
- request SBSTTA to prepare proposals for improvements.

COP-6 is also expected to request the Executive Secretary to make full use of the roster of experts and retire it once tasks have been completed. It also: requests the Executive Secretary to assess the potential of existing regional and subregional instruments, institutions, networks and mechanisms for enhancing implementation; encourages Parties to strengthen cooperation; and invites support for regional and subregional processes. The recommendation takes note of procedural



issues raised at inter-sessional meetings; calls for implementation of the rules of procedure; and requests the COP and SBSTTA Bureaus to develop proposals to improve participation by one-person delegations.

NATIONAL REPORTS: On Tuesday, 20 November, delegates discussed documents UNEP/CBD/MSP/3, and UNEP/CBD/MSP/INF/2, 3, and 4, which address options for analysis, harmonization, linkages, and a preliminary synthesis of the second national reports. Delegates also considered sections of UNEP/CBD/MSP/2 on monitoring and reporting, and periodic assessment and review related to the strategic plan.

Many delegations suggested that the CBD Executive Secretary analyze the second national reports to identify obstacles in implementation and make the results available through the CHM before the third national reports. Portugal suggested using the analysis for developing the next strategic plans. With regard to harmonizing reports, New Zealand called for more effective reporting instead of more efforts on harmonization, while the UK said harmonization could help reduce bureaucratic burdens. Norway requested inclusion of information regarding assistance given or received by countries in future reporting. Iran noted the need for periodic revisions of national and thematic reports. The Republic of Moldova noted the absence of references to technology transfer in most reports.

On the relationship between national reporting and the strategic plan, Eritrea stressed timely release of GEF funding for reporting, and Estonia noted a need to analyze causes for delays or failure to report. Norway and the UK said report questions should address targets and obstacles, while several pointed out that some questions in the format were ambiguous.

On Wednesday, Working Group II considered a Chair's text (UNEP/CBD/MSP/WG.II/CRP.3). Argentina, supported by many others, added a new paragraph requesting financial support to enable developing countries and countries with economies in transition to draw up their national reports within the deadlines. Regarding drawing conclusions from analysis of the second national reports, Switzerland requested such information be made available prior to COP-7. Delegates discussed issues related to reports and the strategic plan. On thematic reports on mountain ecosystems, protected areas, and technology transfer, New Zealand requested a format to be prepared by the Executive Secretary to identify priorities and potential areas for capacity-building cooperation. On inter-sessional review of progress in implementation of the strategic plan, the EU said it might be premature to decide on the inter-sessional meeting and its time. South Africa said review should be based not only on information contained in the reports but also on other relevant reports and information. The UK endorsed both interventions, which were accepted. On harmonization of reporting, the EU suggested language calling for UNEP to continue its work in this regard, while New Zealand maintained a reservation to the addition, saying it is premature to focus on harmonization. Regarding publication of the Global Biodiversity Outlook (GBO), Argentina requested translation into all UN languages.

Working Group II approved the text as amended, and the closing Plenary adopted the draft recommendation (UNEP/CBD/MSP/L.3).

Recommendation: The recommendation contains two sections and an annex on the strategic plan. The first section requests the Executive Secretary to undertake and submit to COP-6 a full assessment of information contained in the second national reports, and to prepare for COP-6's consideration draft formats for the thematic reports that will be discussed in depth at COP-7.

The second section contains draft elements for a decision by COP-6. On national reporting, the elements include: urging Parties that have not submitted a second national report to do so without further delay; requesting the Executive Secretary to draw conclusions from the analysis of the second national reports to facilitate the CBD's implementation and to make such conclusions available through the CHM before COP-7; and preparing a format for the third national reports for COP-7's consideration.

The annex contains the reporting schedule and review of the strategic plan, which is to be incorporated into the plan.

WORLD SUMMIT ON SUSTAINABLE DEVELOPMENT: On Monday, Denmark proposed that COP-6 send a separate message to the WSSD and that the MSP produce elements for inclusion in that message. The proposal was supported by many delegates. On Tuesday, Denmark suggested that the message address five elements: analysis of national reports; financing biodiversity activities; CBD leadership on biodiversity-related conventions; conclusions drawn from the GBO; and the strategic plan.

On Wednesday, delegates considered a Chair's draft text (UNEP/CBD/MSP/WG.II/CRP.4). The EU suggested adding a reference to the multi-year programme of work on the element of information on the strategic plan. Iran suggested adding text referencing information on implementation of NBSAPs and the CHM. Working Group II approved the text with those amendments, and the draft recommendation was adopted by the closing Plenary.

Recommendation: The text (UNEP/CBD/MSP/L.6) recommends that COP-6 develop and adopt a message for transmission to the WSSD to highlight the CBD's central role in implementing commitments on sustainable development. The message's proposed elements include:

- information on the state of implementation of the CBD, the NBSAPs, and the CHM;
- information on the CBD's strategic plan and its multi-year programme of work;
- the need to renew the commitment to make available financial resources and support for capacity development to implement the CBD;
- the leadership role the CBD can play in implementing global and regional biodiversity-related conventions and agreements; and
- the GBO and the outlook for biological diversity.

CLOSING PLENARY

On Wednesday, 21 November, Reuben Olembo convened the closing Plenary and called upon the Chairs of the working groups to report on their progress. Working Group I Chair Schei presented document UNEP/CBD/MSP/L.2 containing draft recommendations and the draft strategic plan, noting that the plan contains bracketed text. The recommendations were adopted without amendment. Following debate, the draft strategic plan was adopted with some remaining sets of brackets.

Working Group II Chair Fisher reported that the group had produced four draft recommendations on national reports, implementation and operations of the Convention, and a message to the WSSD (UNEP/CBD/MSP/L.3, 4, 5, and 6). The recommendations were adopted without amendments. Rapporteur Jaakkola introduced the MSP's report (UNEP/CBD/MSP/L.1), which was adopted without amendment.



Olembo invited NGOs to make statements. The Lawyers Environmental Group Team said that the draft strategic plan is vague and does not guide the Convention's implementation, and called upon the Executive Secretary to help increase NGO participation in CBD processes. Greenpeace International expressed disappointment with the draft strategic plan, and urged delegates to COP-6 to focus on a strong mission statement, the ecosystem approach, a short set of goals, monitoring and assessment for implementation, and communication for promoting the CBD.

Regional groups then made their statements. Belgium, on behalf of the EU, expressed interest in adopting a short and focused strategic plan at COP-6. Togo, on behalf of the African Group, called upon delegates to work more closely towards a compromise for the plan and said the regional preparatory meeting for Africa should take place no later than a month prior to COP-6. Slovenia, on behalf of the Central and Eastern European countries, noted the meeting provided a starting point for strategic thinking. Syria, on behalf of Arab countries, made reference to the destruction of Palestinian forests. Jamaica, on behalf of GRULAC, Jordan, on behalf of the Asian Group, and all the above-mentioned speakers, thanked the participants, the MSP and the Working Group Chairs, the CBD Secretariat, translators, the government of Canada, as well as the Parties that provided financial support.

CBD Executive Secretary Hamdallah Zedan said the meeting would be a significant contribution to the success of COP-6, and thanked participants for their hard work and spirit of cooperation. Olembo urged Parties to accede to and ratify the Biosafety Protocol and stressed the importance of regional preparatory meetings for COP-6. He closed the meeting at 5:45 pm.

A BRIEF ANALYSIS OF THE MSP

Many consider the development of the strategic plan as one of the most important activities undertaken by the Convention on Biological Diversity since its adoption in 1992. Following SBSTTA-7's lengthy and rather technical discussions on the forest work programme, MSP delegates faced tasks involving broader and somewhat abstract issues.

On the strategic plan, delegates started with the basic structure developed by a workshop in the Seychelles. Some delegates noted that limited participation in this workshop hindered progress. This became evident as negotiations advanced and delegates made vast amounts of additions to the text, including a new section on constraints, and several new cross-cutting operational goals, such as capacity building. Though perfectly valid for a first reading of a text, the many additions were seen by some as diluting the plan's strategic focus, turning the session into a rewrite of the Convention.

Debates also revealed a lack of common understanding on the purpose of the plan. Some stressed the plan's role as an overall strategic framework for the Convention's work, while others apparently saw it as just another opportunity to promote national priorities. These different perspectives were never addressed directly and remained an underlying obstacle throughout the meeting.

Towards the end of Working Group I's deliberations, it became clear that no agreement on clean text could be reached, and some delegates became successively more frustrated that last-minute amendments led to more new brackets than they resolved. Nevertheless, by the close of the meeting, delegates had adopted a draft strategic plan, one which contained many unresolved issues but also important building blocks – the overall structure and themes.

The struggle to finalize work on the strategic plan contrasted with the relative ease by which delegates in Working Group II passed recommendations on general improvements to CBD implementation, operations and national reports. Delegates managed to produce clean text designed to help improve the Convention's implementation without significant controversies. Some delegates highlighted enhancing participation in CBD implementation processes and making better use of existing resources as important steps in the sometimes sticky process of national implementation.

At COP-6, the strategic plan will only be one of several complicated substantive matters and discussions on the plan could be lost among more tangible issues, such as forest biological diversity and invasive alien species. The challenge will be to balance conflicting interests and perceptions, while at the same time ensuring strategic focus and simplicity. Bearing in mind these concerns and with the World Summit on Sustainable Development on the horizon, the question remains whether the CBD's strategic plan will constitute a real contribution to achieving sustainable development or merely be "another plan" for the bookshelves.

THINGS TO LOOK FOR BEFORE COP-6

EUROPEAN WORKSHOP ON CLIMATE PROTECTION AND CONSERVATION OF BIODIVERSITY: This workshop will take place from 10-12 December 2001, in the Isle of Vilm, Germany. It is organized by the German Federal Agency for Nature Conservation. For more information, contact: Jutta Stadler; tel: +49-38-301-86130; fax: +49-38-301-86150; e-mail: bfn.ina.vilm@t-online.de

AD HOC WORKING GROUP ON THE INTERLINKAGES BETWEEN BIOLOGICAL DIVERSITY AND CLIMATE CHANGE: This meeting is scheduled to take place in January 2002, in Helsinki, Finland. For more information, contact: the CBD Secretariat; tel: +1-514-288-2220; fax: +1-514-288-6588; e-mail: secretariat@biodiv.org; Internet: <http://www.biodiv.org>

AD HOC INTER-SESSIONAL WORKING GROUP ON ARTICLE 8(j) OF THE CONVENTION ON BIOLOGICAL DIVERSITY: This meeting is scheduled to take place from 4-8 February 2002, in Montreal, Canada. For more information, contact: the CBD Secretariat; tel: +1-514-288-2220; fax: +1-514-288-6588; e-mail: secretariat@biodiv.org; Internet: <http://www.biodiv.org>

SIXTH CONFERENCE OF THE PARTIES TO THE CONVENTION ON BIODIVERSITY/CARTAGENA PROTOCOL ON BIOSAFETY MOP-1 or ICCP-3: CBD COP-6 will take place from 8-26 April 2002, in The Hague, the Netherlands. This gathering also will serve as the First Meeting of the Parties or the third meeting of the ICCP of the Cartagena Protocol. For more information, contact: the CBD Secretariat; tel: +1-514-288-2220; fax: +1-514-288-6588; e-mail: secretariat@biodiv.org; Internet: <http://www.biodiv.org>