



SUMMARY OF THE EIGHTH SESSION OF THE SUBSIDIARY BODY ON SCIENTIFIC, TECHNICAL AND TECHNOLOGICAL ADVICE OF THE CONVENTION ON BIOLOGICAL DIVERSITY: 10-14 MARCH 2003

The eighth session of the Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA-8) of the Convention on Biological Diversity (CBD) met from 10-14 March 2003, in Montreal, Canada. Approximately 460 participants attended, representing 121 governments, as well as UN agencies, inter-governmental, non-governmental, indigenous and academic organizations. Delegates to SBSTTA-8 adopted 11 recommendations on: mountain biodiversity, the main theme of the meeting; inland waters; marine and coastal biodiversity; dry and sub-humid lands; biodiversity and tourism; and SBSTTA operations. The recommendations will be forwarded to the seventh meeting of the Conference of the Parties to the CBD (COP-7) to be held in March 2004, in Kuala Lumpur, Malaysia.

The development of a programme of work on mountain biodiversity proved to be a considerable undertaking, as SBSTTA-8 did not fully complete deliberations on its components. Delegates mandated a technical expert group to further consider this before SBSTTA-9, which some considered the most strategic means to create a comprehensive and practicable work programme. Delegates were pleased with the meeting's outcomes on marine and coastal biodiversity, which included recommendations on follow-up work to the long-awaited study on deep seabed genetic resources, as well as on marine and coastal protected areas (MCPAs). The meeting did encounter difficulties, connected to its heavy agenda and politically sensitive issues such as references to trade-related agreements and invasive alien species. The challenge for SBSTTA remains to streamline its work and focus on action-oriented recommendations.

A BRIEF HISTORY OF THE CONVENTION

The CBD, negotiated under the auspices of the UN Environment Programme (UNEP), was opened for signature on 5 June 1992, and entered into force on 29 December 1993. To date, 187 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."

The Conference of the Parties (COP) is the governing body of the Convention. From 1994 to 1998, it held four meetings (Nassau, the Bahamas, November – December 1994; Jakarta, Indonesia, November 1995; Buenos Aires, Argentina, November 1996; and Bratislava, Slovakia, May 1998). Major decisions included: establishment of a Clearing-house Mechanism (CHM); designation of the Global Environment Facility (GEF) as the interim financial mechanism and signing of a Memorandum of Understanding; designation of Montreal, Canada, as the permanent location for the Secretariat; and cooperation with other biodiversity-related conventions. The COP also established Open-ended *Ad Hoc* Working Groups on Biosafety and on CBD Article 8(j) (traditional knowledge), as well as a regionally balanced expert panel on access and benefit sharing (ABS). The COP developed thematic work programmes on: inland water ecosystems; marine and coastal biodiversity; agricultural biodiversity; and forest biodiversity.

In accordance with CBD Article 25 (SBSTTA), SBSTTA was established by a COP-1 decision to provide "timely advice" relating to the Convention's implementation. From SBSTTA's establishment to 1999, it held four meetings (Paris, France, September 1995; and Montreal, Canada, September 1996, September 1997, and June 1999).

ExCOP: The first Extraordinary COP (Cartagena, Colombia, February 1999) was convened to adopt the Cartagena Protocol on Biosafety, and followed the sixth and final meeting of the Working Group on Biosafety. Delegates were unsuccessful at developing a compromise package that would finalize the Protocol, and the meeting was suspended. Following three sets of informal consulta-

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tions to resolve outstanding issues, the ExCOP resumed in Montreal in January 2000, where delegates finally adopted the Protocol. The Cartagena Protocol on Biosafety addresses the safe transfer, handling and use of living modified organisms that may have an adverse effect on biodiversity, with a specific focus on trans-boundary movements. The Protocol will enter into force 90 days after receipt of the 50th instrument of ratification. To date, 45 countries have ratified the Protocol.

SBSTTA-5: The fifth session of SBSTTA (Montreal, Canada, January – February 2000) developed recommendations on: inland waters; forests; agricultural biodiversity; marine and coastal biodiversity, including coral bleaching; a work programme on dry and sub-humid lands; alien species; the ecosystem approach; biodiversity indicators; the CHM's pilot phase; the second national reports; and *ad hoc* technical expert groups.

COP-5: At its fifth meeting (Nairobi, Kenya, May 2000), the COP adopted decisions on: a work programme on dry and sub-humid lands; the ecosystem approach; access to genetic resources, including the establishment of an Open-ended *Ad Hoc* Working Group; alien species; sustainable use; biodiversity and tourism; incentive measures; the Global Strategy for Plant Conservation (GSPC); the Convention's operations; the Global Taxonomy Initiative (GTI); the CHM; financial resources and mechanism; identification, monitoring and assessment, and indicators; Article 8(j); education and public awareness; and impact assessment, liability and redress. COP-5 also included a high-level segment on the Cartagena Protocol, with a Ministerial Roundtable and a special signing ceremony.

SBSTTA-6 AND 7: At its sixth meeting (Montreal, Canada, March 2001), SBSTTA focused on invasive alien species, including draft guiding principles, and developed additional recommendations on: *ad hoc* technical expert groups; marine and coastal biodiversity; inland water ecosystems; scientific assessments; the GTI; biodiversity and climate change; and migratory species. SBSTTA-7 (Montreal, Canada, November 2001) reconsidered and expanded the work programme on forest biodiversity and produced recommendations on: agricultural biodiversity, including the International Pollinators Initiative; the GSPC; incentive measures; indicators; sustainable tourism; and environmental impact assessments (EIAs).

COP-6: The sixth meeting of the COP (The Hague, the Netherlands, April 2002) adopted: a revised work programme on forest biodiversity; guiding principles for invasive alien species; the Bonn Guidelines on ABS; and the Strategic Plan for the CBD. Decisions were also adopted on: the GSPC; the GTI; the ecosystem approach; sustainable use; incentive measures; liability and redress; the CHM; financial resources and mechanism; cooperation with other conventions and international initiatives; a contribution to the ten-year review of Agenda 21; Article 8(j); and the International Treaty on Plant Genetic Resources for Food and Agriculture. The validity of Decision VI/23 on invasive alien species was challenged due to its adoption despite the objections of some Parties. COP-6 hosted a high-level segment to discuss inputs to the World Summit on Sustainable Development (WSSD), with a Ministerial Roundtable and a multi-stakeholder dialogue.

SBSTTA-8 REPORT

On Monday, 10 March, SBSTTA Chair Jan Plesnik (Czech Republic) opened the meeting and outlined the agenda. Referring to the meeting's main theme of mountain biodiversity, he recalled that 2002 was the International Year of Mountains and of Eco-

tourism. He stressed SBSTTA's mandate to develop an indicative list of technologies for mountain biodiversity, and to substantiate the outcomes of COP-6 and the WSSD. He then reported on the SBSTTA Bureau's intersessional activities.

Paul Chabeda, on behalf of UNEP Executive Director Klaus Töpfer, stressed the importance of the indicative list of technologies for mountain biodiversity and its socioeconomic implications, and referenced UNEP activities regarding mountain ecosystems. CBD Executive Secretary Hamdallah Zedan highlighted the links between biodiversity, poverty reduction and sustainable development. Noting that 45 Parties have ratified the Cartagena Protocol, he hoped that the Protocol's first Meeting of the Parties would be held together with CBD COP-7.

Thomas Hofer, UN Food and Agriculture Organization (FAO), underscored the crucial role of water and mountain ecosystems to secure the livelihoods of poor communities. He noted that the FAO was the UN lead agency for the International Year of Mountains and had collaborated with other institutions to raise global awareness on the issue. Peter Bridgewater, UN Educational, Scientific and Cultural Organization (UNESCO), presented UNESCO's joint activities with other UN agencies and programmes related to the 2003 International Year of Freshwater. He highlighted UNESCO's role as the Secretariat of the World Water Assessment Programme. He stressed the linkages between biodiversity, ecosystem functions and services, and water-related issues.

Nick Davidson, Ramsar Convention on Wetlands, presented the Ramsar Convention's COP-8 decisions relevant to mountains, inland waters and marine and coastal biodiversity, which also addressed water allocation and management, dams, the River Basin Initiative, invasive species, impact assessment and temporary pools. He reported on the implementation of the joint work programme with the CBD, and recalled that wetlands and water are a cross-cutting feature of SBSTTA-8 agenda items.

Hanna Hoffmann, UN Framework Convention on Climate Change (UNFCCC), reported on UNFCCC COP-8 decisions and conclusions regarding cooperation with the CBD and other conventions. Cristián Samper, Millennium Ecosystem Assessment (MA), presented the MA's conceptual framework and activities. He said that the MA addresses: the conditions of and trends in ecosystems and their contribution to human well-being; options for conserving ecosystems and increasing their contribution to human welfare; and future scenarios for change. He noted that several assessments include mountain regions and stressed the MA's contribution to scientific knowledge.

Tunisia, on behalf of the African Group, said Africa is at the center of discussions on poverty alleviation and sustainable development, stressed regional efforts, and urged delegates to build on the progress made on ABS. Iran, on behalf of the Asia and Pacific Region, and Greece, on behalf of the European Union (EU), reported on regional meetings.

Delegates adopted the provisional agenda (UNEP/CBD/SBSTTA/8/1) and established two working groups, as proposed in the annotated provisional agenda (UNEP/CBD/SBSTTA/8/1/Add.1). They then elected Robert Andren (Sweden) as Chair of Working Group I (WG-I), Asghar Mohammadi Fazel (Iran) as Chair of Working Group II (WG-II) and Grace Thitai (Kenya) as the meeting's rapporteur.

KEYNOTE PRESENTATION: Christian Körner, Chair of the Global Mountain Biodiversity Assessment, made a keynote presentation on mountain biodiversity. He said that the concept of mountain should include altitude and latitude, and explained the



definitions of lowlands, montane, alpine and nival areas. He stressed that the safety of one-sixth of the world's human population is dependent on mountain ecosystems. He noted that mountains are the last wilderness areas, highlighting that hot spots in mountain ecosystems contain approximately one-third of all existing plant species. Körner called for a "lowland-upland contract," emphasizing the importance of mountain-captured water to lowland communities and the importance of lowland food production for mountain communities. He stressed that sustainable upland management could help to retain livelihoods and traditional culture in the mountains, and provide food and water security to both upland and lowland communities. He also said that human diversity is a key element of sustainable land use at high altitudes.

Andrei Iatsenia, UNEP Mountain Programme, highlighted the deterioration of mountain ecosystems in both developed and developing countries. He focused on the use of payments for environmental services as an alternative source of income for communities living in mountain ecosystems.

In response to questions from delegates, Körner stressed the human genetic diversity of mountain dwellers and the sensitivity of volcanic strata and marginal ecosystems. He clarified that mountain ecosystems do not always contain all bio-climatic zones. He commented on the "upland-lowland contract" as a model for redistributing wealth over generations, and on models for food production that maintain agricultural biodiversity and overcome population pressures. Körner suggested that land use is not sustainable when it accelerates natural erosion, and stressed that soil integrity is an inclusive criterion for ecosystem integrity. He also highlighted the importance of education, particularly of women, and stressed the need to expand forest areas.

ORGANIZATION OF WORK: After the opening meeting, Plenary met on Monday, 10 March, and considered progress reports on the implementation of the thematic programmes and cross-cutting issues, and the multi-year programme of work of the COP up to 2010 (MYPOW). It reconvened on Friday, 14 March, to adopt SBSTTA's recommendations and address organizational and other matters. The working groups met from Tuesday to Thursday, 11-13 March. WG-I focused on mountain biodiversity, and also considered SBSTTA operations, and biodiversity and tourism. Under discussions on mountain biodiversity, WG-I established a contact group on the programme of work and a Friends of the Chair group on the indicative list of technologies. It produced recommendations on: mountain biodiversity, including an indicative list of technologies; SBSTTA's operational plan and assessment of SBSTTA recommendations; and biodiversity and tourism, including a set of draft guidelines.

WG-II addressed: inland waters; marine and coastal biodiversity; and dry and sub-humid lands. WG-II established a Friends of the Chair group on inland waters and a contact group on deep seabed genetic resources, and adopted recommendations on: dry and sub-humid lands; marine and coastal biodiversity, including a review of the work programme, conservation and sustainable use of deep seabed genetic resources beyond national jurisdiction, MCPAs, and mariculture; and inland water ecosystems, including a review of the work programme. The following section of the report summarizes discussions on each agenda item, as well as the adopted recommendations.

PLENARY

REPORTS: On Monday, the Secretariat introduced, and Plenary took note of progress reports on implementation of thematic programmes and cross-cutting issues (UNEP/CBD/SBSTTA/8/2 and 3). Argentina prioritized implementation of the work programme on dry and sub-humid lands. Regarding agricultural biodiversity, Colombia said the work programme should focus on priorities and implementation, and Brazil called for Parties' involvement in preparing the outline paper on impacts of trade liberalization. On cross-cutting issues, Colombia highlighted sustainable use and called for including topics such as technology transfer, capacity building and information exchange. Australia noted its reservation regarding COP Decision VI/23 on invasive alien species.

MULTI-YEAR PROGRAMME OF WORK: On Monday, Plenary also heard general comments on the MYPOW (UNEP/CBD/COP/6/5/Add.2/Rev.1 and 6/INF/30; UNEP/CBD/SBSTTA/8/14; and UNEP/CBD/MYPOW/4). Several delegates opposed adding new agenda items to the existing programme of work, favoring in-depth review and implementation of existing themes. Mexico stressed the need to revise SBSTTA's *modus operandi*. Greece said the CBD's Strategic Plan should guide the programme of work and recommended that the COP's agendas be more focused. Supported by the Netherlands, he proposed reviewing forest biodiversity at COP-8, while Brazil and Kenya preferred postponing the review to COP-10. The UK recommended, *inter alia*, that each COP consider progress in achieving the 2010 target for significantly reducing biodiversity loss and that new agenda items be limited to three, chosen according to their potential to contribute to the target. Several countries called for prioritization of and emphasis on national programmes and needs. Norway stressed better use of the CHM for scientific cooperation. Syria recommended strengthening institutional capacity and transfer of technology.

On Friday, the closing Plenary considered UNEP/CBD/SBSTTA/8/L.5. The Seychelles, supported by Cuba, Haiti, Mauritius, New Zealand, the Philippines and Tunisia, on behalf of the African Group, expressed reservations to language limiting the number of new items for in-depth consideration until after 2010, and suggested including island biodiversity as a theme to be considered at COP-8. Brazil, Colombia and Mexico proposed, and delegates supported, making special reference to an in-depth consideration of island biodiversity without allowing inclusion of other items. Ireland suggested, and delegates agreed, that the COP's ministerial segment should assess the progress in achieving the 2010 goals. Mozambique suggested adding the importance of capacity building to technology transfer. Delegates also agreed to a suggestion by Canada and Norway on use of the CHM and other mechanisms to assist implementation of work programmes. The recommendation was adopted as amended.

Final Recommendation: The final document (UNEP/CBD/SBSTTA/8/L.5) recommends that: the Strategic Plan and the 2010 target for reducing biodiversity loss guide the MYPOW's implementation; the addition of new items for in-depth consideration is not desirable, with the exception of island biodiversity; issues relating to the CBD's three objectives should be addressed in a balanced manner; the MYPOW should focus on implementation by Parties, according to national priorities; the CHM should further contribute to practical implementation; and each COP and its ministerial segment assess progress in achieving the goals of the Strategic Plan.



REPORTING FORMATS: On Monday, the Secretariat presented the draft reporting formats on forest and agricultural biodiversity, forwarded to the Parties for comment. He said some Parties commented on the length of the questionnaires and stressed the need for harmonization with other international processes. Canada said countries can prioritize and limit their reporting to activities included in the programme of work. The UK called for strategic questions to reduce the burden of reporting. Plenary took note of the issue.

WORKING GROUP I

MOUNTAIN BIODIVERSITY: On Tuesday, WG-I Chair Andren opened discussion on mountain biodiversity and the Secretariat introduced documents on: status and trends of, and threats to, mountain biodiversity (UNEP/CBD/SBSTTA/8/5); measures for conservation and sustainable use (UNEP/CBD/SBSTTA/8/6); and proposed elements for a work programme (UNEP/CBD/SBSTTA/8/7). Regarding threats to mountain biodiversity, Poland suggested adding transport and Burundi, mining and small-scale logging. On status and trends, Cameroon and India called for more specific examples.

Programme of Work: On Tuesday, delegates started discussion of the programme of work. On the proposed elements for the work programme, Cuba and others asked for reference to indigenous and local communities. Colombia, supported by many, called for focus on soil, species and impacts of trade. Malawi advocated addressing population density and legal aspects. Japan proposed including vulnerability of mountain communities and, supported by Australia, Greece and the Seychelles, recommended further elaborating the GTI.

Jordan stressed developing countries' needs regarding establishing inventories and national strategies and, supported by Indonesia and Eritrea, called for financing awareness campaigns. Uganda stressed the importance of capacity building, information exchange and incentives for mountain dwellers to adopt alternative livelihoods. Kenya highlighted the importance of technology transfer. Bangladesh called for a participatory approach and benefit sharing. China said national plans, programmes and policies should follow the objectives set by COP-7. Canada, Italy and Sweden proposed a landscape approach.

Canada, supported by others, expressed reservations to the establishment of an expert group on the effects of climate change. Cameroon and others advocated expanding the expert group's mandate to include poverty alleviation, awareness raising, and sustainable use by indigenous and local communities, and land-use change. Syria underscored assessment of the links among desertification, water sources and over-use of mountain resources. The Russian Federation highlighted the need for environment-based education and alternative mountain ecosystem management. Austria stressed the need for targets and indicators, and identifying actors, at various levels, for implementing the work programme. The UK, supported by the European Community (EC), advocated avoiding overlaps between existing themes. The Canadian Indigenous Biodiversity Network (CIBN) stressed respecting indigenous rights and facilitating indigenous participation in conserving and managing mountain biodiversity.

On Tuesday afternoon, Chair Andren presented a draft on proposed elements for the work programme, incorporating delegates' interventions, noting that the draft includes four programme elements: synergies with other programmes of work; conservation, sustainable use and benefit sharing; institutional and socioeco-

nomically enabling environment; and knowledge, assessment and monitoring. The EC and others noted structural shortcomings of the draft. Colombia underscored the need to translate the importance of indigenous and local communities into clear objectives. Ireland suggested emphasizing the role of women. Cameroon, on behalf of the African Group, stressed the need to broaden the definition of mountain to include lower altitudes. A contact group met in the evening to continue discussion on the draft.

On Wednesday, WG-I considered document UNEP/CBD/SBSTTA/8/WG.I/CRP.1, which reduced the programme elements to three. Ukraine suggested adding goals on eco-nets, and education and public awareness. The EC called for restructuring within the programme elements. Colombia suggested dividing each element into objectives, goals and actions. The African Group reiterated the importance of women's empowerment, the CHM, and a broader definition of mountain. She also proposed language on conservation incentives for indigenous and local communities, rather than capacity building for benefit-sharing arrangements. Brazil said that activities should take into account national and local conditions, and requested reference to national legislation regarding ABS. The contact group met in the evening to reconsider goals and activities, and remove activities not related to mountains.

Delegates then continued discussion in a Friends of the Chair group.

On Thursday afternoon, 13 March, Chair Andren introduced UNEP/CBD/SBSTTA/8/WG.I/CRP.1/Rev.1, as revised by the contact and Friends of the Chair groups suggesting the establishment of an *ad hoc* technical expert group (AHTEG) on mountain biodiversity to review the programme of work and develop targets, actors and timeframes; and to develop proposals for research and development approaches. Ireland suggested that the AHTEG focus on targets and outputs. Delegates then debated how to proceed on completing deliberations on the work programme and on defining terms of reference (TOR) for an AHTEG. After some discussion, Chair Andren called for a Friends of the Chair group to review the document and prepare TOR for the AHTEG, which would develop the programme of work and report to SBSTTA-9.

On Friday, during the closing Plenary, delegates discussed a draft recommendation, including the structure of a proposed work programme and TORs for the AHTEG on mountain biodiversity. New Zealand inquired about financing the AHTEG, and the Executive Secretary noted that Italy pledged initial funding. Mexico stressed AHTEG should work efficiently, use electronic means and elaborate a proposal for quick adoption by SBSTTA-9. Delegates debated language on the scope of public consultations and agreed on requesting the Executive Secretary to consult with Parties, other governments and relevant organizations. Noting that the Plenary was just adopting the work programme's framework, Colombia suggested that the AHTEG review the particular actions. The document was adopted as amended with other minor changes.

Final Recommendation: The final document (UNEP/CBD/SBSTTA/8/L.9) includes a recommendation and the annexed structure of the proposed work programme on mountain biodiversity containing three programme elements, each with numerous goals and suggested actions. The recommendation requests the Executive Secretary to consult with Parties, other governments and relevant organizations on the proposed work programme, including national and SBSTTA's focal points and relevant organizations. It also establishes the AHTEG on mountain biodiversity to assist SBSTTA's work before COP-7. The TOR state that the AHTEG will:



- review existing actions in the proposed work programme;
- identify gaps in relevant actions, and include new ones under the programme elements and goals; and
- include the results of the public consultation in the proposed work programme.

The annexed work programme includes elements on:

- direct actions for conservation, sustainable use and benefit sharing that include the following goals: protect, recover and restore mountain biodiversity; promote its sustainable use; promote access to, and sharing of benefits arising from the use of, its genetic resources; and maintain genetic diversity in mountain ecosystems, in particular through traditional knowledge and practices;
- means of implementation for conservation, sustainable use and benefit sharing that include the following goals: enhance the legal, policy, institutional and economic framework; respect, preserve and maintain indigenous and local communities' knowledge, practices and innovations; and establish regional and transboundary collaboration and cooperative agreements;
- supporting actions for conservation, sustainable use and benefit sharing that include the following goals: develop work on identification, monitoring and assessment of mountain biodiversity; improve the infrastructure for data and information management; improve research, technical and scientific cooperation and other forms of capacity building; increase public education, participation and awareness; and promote the development, validation and transfer of appropriate technologies, including indigenous ones.

Indicative List of Technologies: On Tuesday, delegates discussed the indicative list of technologies for mountain biodiversity (UNEP/CBD/SBSTTA/8/7/Add.1). The EC and others recalled the deadline for thematic reports on technology transfer. Slovenia, on behalf of the Central and Eastern European Countries (CEE), highlighted on-going innovative activities on mountains. Ukraine proposed eco-corridors and eco-nets as tools for preserving mountain biodiversity. Many stressed traditional knowledge of indigenous and local communities and proposed adding local technologies to the list.

Colombia stressed the need to focus on ABS, information exchange, biotechnology and genetic resources. New Zealand, supported by Panama, said the list should focus on mountain ecosystems and be more outcome-oriented. Eritrea and Uganda requested adding methodologies for North-North, North-South and South-South transfers. Spain, supported by Jordan, stressed the need for a portal to exchange technological information. The Andean Association highlighted that traditional knowledge is key to indigenous survival and the diversity of food crops. Algeria noted the legal aspects of technology transfer, including patents. Cameroon lamented lack of implementation of technology transfer, and with Ethiopia, stressed the importance of local solutions for mountain degradation. Malawi requested increased access to information for local communities. Haiti, supported by the UNEP World Conservation Monitoring Centre, endorsed compensation of mountain populations for providing ecological services and water. A Friends of the Chair group was established to continue discussing the issue.

On Thursday, delegates addressed document UNEP/CBD/SBSTTA/8/WG.I/CRP.2, which incorporated discussions held in the Friends of the Chair group. Following proposals by France, the Netherlands, Spain, and the UK, delegates debated and finally agreed on revised language to develop a proposal on measures that

would facilitate and promote technology transfer and cooperation, and training activities related to mountain biodiversity. France and Switzerland requested to extend the deadline for submitting thematic reports on technology transfer. Colombia stressed that the recommendation should remain within the framework of mountain biodiversity and not extend to technology transfer. The Russian Federation requested capacity building for countries with economies in transition. The document was sent to Plenary as amended.

On Friday, the closing Plenary adopted recommendation UNEP/CBD/SBSTTA/8/L.2 without amendment.

Final Recommendation: The final document requests the Executive Secretary to, *inter alia*:

- invite Parties and relevant organizations to submit additional comments on technology transfer, and submit thematic reports by 31 May 2003;
- revise and expand the indicative list of technologies on mountain biodiversity, including: traditional knowledge, innovations and practices of indigenous and local communities; legal and socioeconomic aspects; and the capacity-building needs of developing countries and countries with economies in transition;
- synthesize information on positive and negative experiences with technology transfer and propose a set of best practices relevant to the conservation and sustainable use of mountain biodiversity for consideration at SBSTTA-9;
- develop a proposal on enhancing the role of the CHM to become a central mechanism for information exchange and benefit sharing for consideration at SBSTTA-9; and
- integrate specific issues related to mountain biodiversity that would facilitate and promote technology transfer for consideration at SBSTTA-9.

BIODIVERSITY AND TOURISM: On Wednesday, discussion on the draft guidelines for sustainable tourism and biodiversity (UNEP/CBD/SBSTTA/8/11), supported by case studies on their implementation (UNEP/CBD/SBSTTA/8/INF/8), was opened with a specific case study on Kuna Yala (Panama). A number of delegates called for the guidelines to be adopted as presented. Iceland, with Argentina and Canada, said that the guidelines are voluntary. Brazil stressed respect for national legislation. The Philippines underscored the need for capacity and technologies to promote sustainable tourism. Mexico stressed the need for participation of indigenous and local communities. The Netherlands expressed concerns relating to the practical use of the guidelines and suggested elaborating a users' guide. Australia and others stressed the potential of tourism to maintain vulnerable ecosystems in good condition. Some delegates debated whether the guidelines should be adopted or endorsed by the COP.

On Thursday morning, Norway, supported by Austria, recommended that the Executive Secretary streamline and make the guidelines more user-friendly based on the results of pilot projects. Switzerland proposed submitting information voluntarily through the CHM, rather than setting up a monitoring system. Finland recommended flexible application of the guidelines and UNEP said their adoption would enable pilot projects to start. The Seychelles stressed the precautionary principle. Cameroon and Ethiopia called for benefit sharing and private-public partnerships and, with others, for capacity building for local communities. Haiti regretted lack of focus on poverty reduction and eco-tourism. Turkey, supported by Namibia, called for incentives for improving indigenous and local livelihoods.



In the afternoon, delegates considered UNEP/CBD/SBSTTA/8/WG.I/CRP.4, containing the revised recommendations and guidelines. Australia and Switzerland suggested deleting a recommendation on review of the guidelines after sufficient pilot testing, while others called for its retention. Delegates finally agreed that the Executive Secretary should develop a users' manual and checklists, and produce a streamlined and user-friendly set of voluntary guidelines on the basis of experience gained. The document was approved as amended.

On Friday, 14 March, the closing Plenary adopted the final text with minor amendments.

Final Recommendation: The final text (UNEP/CBD/SBSTTA/8/L.4) consists of the recommendations and annexed draft guidelines on biodiversity and tourism development. SBSTTA recommends that the COP: adopt the guidelines; note that they are voluntary; and recognize that tourism can provide significant benefits to biodiversity conservation. The recommendation requests the Executive Secretary to: facilitate the understanding of the guidelines and their implementation by developing a user's manual, checklists and, on the basis of experience gained, a streamlined and user-friendly set of voluntary guidelines; prepare a glossary and promote the use of the CHM to collect and disseminate information on case studies regarding the use of specific analytical tools and the involvement of indigenous and local communities. The recommendation also invites governments to: implement pilot projects; establish monitoring and reporting systems; and provide capacity building and financial resources for indigenous and local communities to participate at all stages from policy-making to management. In light of international cooperation, the recommendation invites the World Tourism Organization, the UN Conference on Trade and Development, the UN Development Programme, the World Bank, the World Trade Organization and regional development banks to take the guidelines into account and provide technical and financial assistance. It finally calls on Parties to: integrate the guidelines into their national tourism and biodiversity strategies and action plans in consultation with stakeholders; and raise awareness and provide training on the guidelines.

The draft guidelines on biodiversity and tourism development highlight their voluntary nature and application on the local, regional and national levels. On policy-making, development planning and management process, the draft guidelines include a framework for the management of tourism and biodiversity, a notification process, and public education, capacity building and awareness raising. The draft guidelines also contain sections on institutions, baseline information, visions and goals, objectives, legislation and control measures, impact assessment, impact management and mitigation, decision-making, implementation, monitoring and reporting, and adaptive management.

SBSTTA OPERATIONS: On Wednesday, delegates considered the strategic plan of SBSTTA (UNEP/CBD/SBSTTA/8/12), and the review of SBSTTA recommendations (UNEP/CBD/SBSTTA/8/13). Discussion focused on the Bureau's recommendations regarding the strategic plan. Greece, supported by many, suggested changing the plan's name to "Plan for the Operation of SBSTTA." Canada, with Australia, questioned the need for an additional plan, noting that the Convention's Strategic Plan provides overall guidance for SBSTTA. They also recalled SBSTTA's *modus operandi*. Jordan, supported by others, highlighted the need for a financial mechanism to achieve proposed objectives. The Netherlands and Switzerland underscored the need for practical and concrete work programmes. Colombia and Brazil

noted the high number of cross-cutting issues. Kenya proposed improving SBSTTA's operation by assessing the implementation of COP decisions. Turkey, supported by Brazil, proposed adding technology transfer to SBSTTA's plan. Panama noted the need for improving participation of developing countries in meetings. China suggested fostering synergies with the GEF. Austria and others suggested that SBSTTA-9 reconsider the plan after receiving directions from the upcoming MYPOW meeting. Ukraine proposed that SBSTTA have a more forward-looking approach, and focus on future trends and forecasts. Norway, supported by Uganda, stressed that SBSTTA should focus on technical and scientific issues, and avoid political debates. Switzerland, supported by Australia, called for increased involvement of scientists in SBSTTA and, with the UK, for considering legal and economic aspects of technology transfer. Some delegates opposed language suggesting that SBSTTA delegations should ensure that COP delegations support their recommendations, and Australia opposed the Bureau's suggestion on appropriate constitution of delegations. Noting that the role of focal points is to disseminate information and not to make decisions, Argentina opposed using SBSTTA focal points during preparatory and follow-up SBSTTA work, while others wanted to strengthen their role in preparing for meetings.

On Thursday, delegates discussed recommendations on a renamed operational plan of SBSTTA (UNEP/CBD/SBSTTA/A/WG.I/CRP.3). Regarding a reference to the document on assessment of SBSTTA recommendations (UNEP/CBD/SBSTTA/8/13), Australia again noted its reservations regarding Decision VI/23 on invasive alien species. Canada suggested, and delegates agreed, to take note of, rather than endorse, the background document. The document was approved as amended.

On Friday, 14 March, the closing Plenary adopted the text without amendments.

Final Recommendation: The final document (UNEP/CBD/SBSTTA/8/L.3) requests that the SBSTTA Bureau review the operational plan, for consideration by SBSTTA-10, taking into account recommendations of the MYPOW meeting, relevant COP decisions and comments by Parties at SBSTTA-8 on the holistic approach, synergies between different conventions, efficiency of focal points, participation of the scientific community and adequate financing.

WORKING GROUP II

INLAND WATER ECOSYSTEMS: On Tuesday, delegates discussed documents related to the review and further elaboration of the work programme (UNEP/CBD/SBSTTA/8/8; 8/Add.1 to 5; and 8/INF/4, 5 and 16). Nicolas Lucas, MA, presented the MA's work on inland waters. Matthias Halwart, FAO, highlighted the FAO's policy and field activities on inland waters. Nick Davidson, Ramsar Convention, outlined collaboration between the CBD and Ramsar, presented key features of the draft work programme and recommendations, and highlighted the need for further work on ecosystem level assessments, targets and timeframes.

Regarding the status and trends (UNEP/CBD/SBSTTA/8/8/Add.1), Ghana stressed poverty as a major threat. India underscored community participation noting that security of livelihoods is related to wetland conservation, and suggested developing synergies between Ramsar and CBD national focal points. Most delegates supported the proposed elements for refinement of the work programme and recommendations (UNEP/CBD/SBSTTA/8/8/Add.2). Ghana suggested referencing subterranean waters. Austria stressed clear division of work with the Ramsar Convention, called



for incorporating the issue of water supply, and, with Germany, called for timelines regarding outcome-oriented targets. Brazil expressed concerns regarding subsidies and distortions of trade in agricultural products. Switzerland called for another in-depth review within six years, or for the programme's rolling adaptation. Germany and Norway stressed links with the report of the World Commission on Dams and follow-up activities.

Finland, Germany, Japan and Spain supported use of the Ramsar classification system. Australia said the Ramsar system was not adequate in its entirety, and New Zealand noted it may not be appropriate for all countries. Australia said the formulation of the goal on impact assessment may cover actions for which rigorous assessment is impossible. France addressed the impacts of artificial damming and the need to better reflect the impacts of public policies. The Netherlands said work of the Organization for Economic Cooperation and Development (OECD) on incentives should be taken into account. Norway stressed the need for methodologies for water allocation and management. The EC said reporting on implementation measured against global targets should be linked to work done on indicators. CIBN called for indigenous participation in inland waters' management.

Regarding the work plan for the valuation of goods and services (UNEP/CBD/SBSTTA/8/8/Add.3), France called for assessment mechanisms for socioeconomic impacts. Canada opposed the concept of tradable water rights. A Friends of the Chair group met in the evening to consider a Chair's text.

On Wednesday, delegates considered a Chair's draft (UNEP/CBD/SBSTTA/8/WG.II/CRP.1). On assessment of status and trends, and rapid assessment, the GEF suggested including causes of threats to inland waters, and Colombia noted the need to define the resources to carry out the work mentioned.

On Thursday, delegates continued discussing the document. The CEE, supported by the EC and Spain, and opposed by Australia, suggested deleting repeated references to trade-related agreements. On guiding principles, Canada, opposed by the CIBN, requested replacing references to the prior informed consent (PIC) of indigenous and local communities with their "approval." Some delegates recalled other agreements subjecting access to genetic resources to PIC, and noted a difference between seeking approval and PIC. After informal consultations, Canada agreed to refer to PIC "subject to national laws."

Under the goal on preventing the introduction of alien species that threaten inland waters biodiversity, Australia agreed to retain wording on invasive alien species without referencing COP Decision VI/23 on the issue. Canada suggested preventing the introduction of invasive alien species in the context of restoration and aquaculture development activities. With regard to low-cost technology and innovative approaches to management, Cameroon said watershed management goals should not be limited to the use of indigenous species for aquaculture. Brazil and Burkina Faso requested adding the Ramsar Bureau and the Scientific and Technical Review Panel (STRP) to the CBD's main partners.

Regarding incentives and valuation measures, Turkey proposed reference to maintenance of livelihoods in language on designing and implementing incentive measures. Regarding incentives and valuation measures, Slovenia requested deleting bracketed references to trade and subsidies as perverse incentives. Argentina opposed and the document was forwarded to Plenary with bracketed text.

On Friday, the Plenary considered UNEP/CBD/SBSTTA/8/L.8. Delegates did not reach agreement on bracketed references to international trade, and the brackets remained. The EC and others regretted deletion of references to Decision VI/23 on invasive alien species and hoped for a satisfactory resolution of the debate on its validity. The document was adopted, with remaining brackets on trade-related references.

Final Recommendation: The final document (UNEP/CBD/SBSTTA/8/L.8) contains the recommendation and the revised programme of work. The recommendation encourages synergy with the Ramsar Convention and requests a proposal on streamlining national reporting. It recommends that the Strategic Plan and the 2010 target to reduce biodiversity loss guide the implementation of the revised work programme; recognizes the need for resources for implementation; and urges information exchange and incorporation of the work programme's objectives and activities in biodiversity and wetland legislation. It recommends:

- compilation of information on mountain water supply and examples of transferable technologies for COP-8;
- incorporation of inland water issues into all thematic work programmes;
- provision of information by Parties on successful policy interventions;
- close collaboration with the Commission on Sustainable Development in the development of the World Water Development Report and the celebration of 2003 as the International Year of Freshwater; and
- preparation of outcome-oriented targets and deadlines for implementation of the work programme.

It invites use of the guidelines on rapid assessment of inland water biodiversity (UNEP/CBD/SBSTTA/8/INF/5) and requests developing a monitoring and reporting system to assess their usefulness and applicability. Regarding classification systems and identification criteria, it requests use of the Ramsar classification as an interim system, and its review prior to SBSTTA-10. It invites the Ramsar Bureau and the Ramsar STRP to further elaborate the guidelines existing criteria, consider the development of additional criteria and develop guidelines on the geographical scale at which criteria should be applied.

The revised programme of work contains elements on: conservation, sustainable use and benefit sharing; institutional and socioeconomic enabling environment; and knowledge, assessment and monitoring. Each programme element contains a number of goals incorporating specific objectives, Parties' activities, supporting activities, main partners, and other collaborators. It builds upon ongoing activities, uses existing knowledge, and focuses on gaps in the institutional frameworks and knowledge base upon which management decisions are made. It seeks to respond to the constraints identified by Parties through their national reports and to provide activities to address these obstacles and impediments. Its activities are intended to be targeted towards national priorities.

The goal on providing the appropriate incentives and valuation measures to support the conservation and sustainable use of inland water biodiversity, and removing or reforming perverse incentives, including subsidies to local production and consumption that distort international trade, remains bracketed. The work programme also contains a number of bracketed references to international trade and trade-distorting domestic support measures in violation of international law, including trade-related agreements.



MARINE AND COASTAL BIODIVERSITY: Review and Elaboration of the Work Programme: On Tuesday, delegates started discussing the review and elaboration of the work programme on marine and coastal biodiversity (UNEP/CBD/SBSTTA/8/9 and INF/13, 15 and 16). Norway highlighted the ecosystem approach and stressed the concept of Large Marine Ecosystems (LME). Brazil underscored the needs of stakeholders and local communities in developing countries. Portugal recommended adding a programme element on deep seabed ecosystems. Several countries called for collaboration with regional initiatives. Tunisia stressed the need to strengthen developing countries' legislative capacity. The UNEP Mediterranean Action Plan stressed the difficulty in addressing high seas biodiversity conservation and called for establishing an expert group on the issue. Regarding a proposed expert group on integrated marine and coastal area management (IMCAM), Japan requested reconsidering its establishment, Haiti called for timelines and Canada suggested including indigenous representatives.

On Thursday, delegates considered UNEP/CBD/SBSTTA/8/WG.II/CRP.2/Rev.1. They agreed, *inter alia*, to delete reference to background documents on MCPAs, mariculture and deep seabed genetic resources. Regarding the programme element on alien species, the EC proposed compromise wording referencing "relevant COP decisions," rather than Decision VI/23. Canada and the EC supported mentioning indigenous and local communities' needs in the text on enabling activities and partnerships. Noting the need to avoid anticipating the outcomes of the MYPOW meeting, Germany requested deleting wording on producing a thematic report to assist review of the work programme. The document was approved as amended.

On Friday, during the closing Plenary, New Zealand requested that the expert group on IMCAM be established at this meeting, instead of waiting until COP-7. Delegates adopted the document with this amendment.

Final Recommendation: The final document (UNEP/CBD/SBSTTA/8/L.10) recommends that the COP decide that the programme elements still correspond to global priorities, and extend the programme for an additional six years, taking into account the MYPOW. The document recognizes that some refinement is needed, which should be undertaken by, *inter alia*:

- incorporating the recommendations on MCPAs, mariculture and deep seabed genetic resources into various programme elements of the work programme and developing associated detailed work plans for COP-7;
- considering the elaboration of the programme element on invasive alien species in accordance with relevant COP decisions by inviting relevant organizations to develop an initiative to address the management of marine alien species;
- emphasizing the implementation of the ecosystem approach;
- considering collaboration with regional seas conventions and actions plans and the LME concept;
- incorporating WSSD results as priority actions and setting targets for the implementation of activities, taking into account the WSSD's Plan of Implementation and the CBD's Strategic Plan; and
- setting a goal for the work programme to achieve a significant reduction in the current rate of marine and coastal biodiversity loss by 2010.

The document further: establishes an expert group on IMCAM, including indigenous and local community representatives; requests the Executive Secretary to elaborate the work programme

for presentation at COP-7; and recommends review of implementation at six-year intervals. An annex to the document contains draft TOR for an AHTEG on IMCAM, including its mandate and duration of work.

Marine and Coastal Protected Areas: On Tuesday, delegates considered the report of the expert group on MCPAs (UNEP/CBD/SBSTTA/8/9/Add.1 and INF/7, 11, 12 and 14). Brazil called for recognition of national legislation. France requested in-depth studies on MCPAs' impacts on economic well-being and fisheries activities. Several countries supported establishing MCPAs within and beyond national jurisdiction. Japan opposed MCPAs beyond national jurisdiction, while Germany called for further work on their legal aspects. Argentina opposed any discussion on the relationship with the Law of the Sea regime. Norway said the establishment of MCPAs must be regional and ecosystem specific. Australia supported the WSSD 2012 target for establishing MCPA networks and recalled that MCPAs include a wide range of management practices. Canada highlighted local communities' participation. Iceland called for a definition of MCPAs. The US said MCPAs are successful when science-based, enforceable, activity-oriented and consistent with international law. The UN Division for Ocean Affairs and the Law of the Sea (UNDOALOS) said the jurisdictional framework for establishing MCPAs is provided for by the UN Convention on the Law of the Sea (UNCLOS). WWF recommended a targeted monitoring mechanism on the establishment of networks and individual areas.

On Thursday, delegates considered UNEP/CBD/SBSTTA/8/WG.II/CRP.3/Rev.1. Turkey proposed subjecting work on specific MCPAs to the multilateral consent of all countries in the region. Many opposed, noting that neighboring States' consent is not necessary regarding areas within one's own national jurisdiction. Delegates agreed to establish MCPAs in accordance with international law and national legislation, and to take into account traditional and cultural practices. Recalling a WSSD goal to establish a network of MCPAs falling both outside and within national jurisdiction, Australia, the EC and Jamaica opposed a proposal by Brazil to restrict MCPAs networks to the national level. Delegates agreed to language on establishing a representative global network of MCPAs "building upon national networks." Iceland proposed, and others opposed, including the IUCN management and classification categories. Regarding MCPAs beyond national jurisdiction, delegates discussed jurisdictional issues and agreed to state that jurisdiction in the high seas is provided for by international law, including UNCLOS and regional agreements. Delegates debated language on an effective management framework and agreed to text on countries' selection of the appropriate balance among various types of MCPAs, taking into account the expert group's advice. On elements of a management framework, Canada called for text ensuring the protection of indigenous and local community interests, and their participation in the establishment and management of MCPAs. Delegates accepted the document as amended.

On Friday, the closing Plenary adopted the document with editorial amendments. Norway noted the need to match language in the annex on elements of a marine and coastal biodiversity management framework with the relevant paragraph of the recommendation and, with the UK, expressed regret over lack of reference to IUCN management categories.

Final Recommendation: The final document (UNEP/CBD/SBSTTA/8/L.11) welcomes the report of the expert group and notes, *inter alia*, that MCPAs protect biodiversity, ensure sustainable use of resources and enhance economic well-being.



On the goals of MCPAs, the recommendation states that:

- the establishment of MCPAs should be in accordance with national legislation when they are within national jurisdictions, and in accordance with international law when they are in areas beyond national jurisdiction;
- the goal for the CBD's work should be the establishment and maintenance of MCPAs that contribute to a permanent representative global network of MCPAs including a range of levels of protection; and
- a strategy should be developed to meet the WSSD goal to establish MCPAs including representative networks by 2012.

Regarding national frameworks for MCPAs, the recommendation urges Parties and governments with jurisdiction over marine and coastal areas to establish a marine and coastal biodiversity management framework covering all areas subject to national jurisdiction. It also states that:

- an effective management framework should be comprised of sustainable practices and actions, including an integrated MCPA network consisting of representative areas where extractive uses are excluded, and other protected areas where extractive uses may be allowed;
- the balance between those types of areas should be selected by countries, taking into account the expert group's advice;
- key factors for achieving an effective management include good governance, enforcement, capacity building and financing; and
- participation of relevant stakeholders and indigenous and local communities is essential.

On MCPAs beyond national jurisdiction, the recommendation agrees that there is an urgent need to establish further MCPAs, consistent with international law, and based on scientific information. It requests the Executive Secretary to work with relevant international bodies to identify appropriate mechanisms for the establishment and effective management of MCPAs beyond national jurisdiction.

The document further contains elements on: assessment, monitoring and research priorities; international support for creating networks of MCPAs; and monitoring progress towards the goal. It contains four annexes on:

- research priorities, including pilot research and monitoring projects;
- guidance for developing a national marine and coastal biodiversity management framework;
- improvement of available data for assessing progress towards the goal; and
- elements of a management framework.

Mariculture: On Wednesday, delegates considered the report of the expert group on mariculture (UNEP/CBD/SBSTTA/8/9/Add.2 and INF/6). Egypt stressed the need to include EIAs. Germany recommended referencing sub-species, sustainable fisheries, development of selective fishing methods to minimize by-catch, and traditional knowledge. Namibia underscored that mariculture contributes to food security and, with Brazil, emphasized the needs and role of indigenous and local communities in mariculture management. Canada requested referencing Annex II of Decision VI/10 on assessments for developments impacting on lands occupied by indigenous and local communities. She also noted that the use of non-native species may be appropriate in certain circumstances.

On Thursday, delegates considered UNEP/CBD/SBSTTA/8/WG.II/CRP.5/Rev.1. The UK suggested that EIAs should not be mandatory. Brazil stressed taking into account special needs of, and difficulties faced by, stakeholders in developing countries. Delegates forwarded the document to Plenary, as amended.

On Friday, 14 March, the closing plenary adopted the document without amendment.

Final Recommendation: The final document (UNEP/CBD/SBSTTA/8/L.12) notes the negative effects on biodiversity of mariculture as well as its potential positive effects. It urges Parties to adopt relevant methods and techniques to avoid mariculture's negative effects and incorporate them into their national biodiversity strategies and actions plans, and recommends that Parties adopt the use of specific methods and practices, including:

- EIAs for mariculture developments, taking into account relevant COP decisions;
- genetic resource management plans;
- use of selective fishing gear;
- use of local species and sub-species;
- measures to prevent the inadvertent release of mariculture species and living modified organisms;
- minimal use of antibiotics; and
- traditional knowledge as a source to develop sustainable mariculture techniques.

The document further urges Parties to adopt best management practices, and legal and institutional arrangements for sustainable mariculture, taking into account the special needs and difficulties of stakeholders from developing countries. It also:

- requests the Executive Secretary to undertake a review of relevant documents on best practices and disseminate the results through the CHM prior to SBSTTA-10;
- approves the research and monitoring priorities identified by the expert group and recommends their implementation as part of the work programme on marine and coastal biodiversity;
- requests the Executive Secretary in collaboration with other relevant organizations to explore ways to implement these priorities; and
- decides to promote technical exchange and training programmes, and transfer of technology.

An annex to the document contains recommendations for future research and monitoring projects, including: general research needs; research on the impacts of mariculture on genetic, species and ecosystem diversity; research on socioeconomics, culture, policy and legislation; and monitoring programmes.

Deep Seabed Genetic Resources: On Wednesday, delegates considered documents on the conservation and sustainable use of deep seabed genetic resources beyond national jurisdiction (UNEP/CBD/SBSTTA/8/9/Add.3/Rev.1 and INF/3/Rev.1). Argentina and other developing countries said they lacked the means to exploit deep seabed genetic resources and, noting that genetic resources beyond national jurisdiction fall outside the CBD's mandate, opposed SBSTTA dealing with the issue. Others said the COP was competent to address the issue because of legal and economic implications. Brazil, Colombia and Peru opposed expanding the CBD's scope beyond national jurisdictions. The EC, Greece and the Seychelles recalled that the issue fell within the CBD's mandate according to CBD Articles 3 (Principle) and 4 (Jurisdictional Scope), and that SBSTTA was competent to deal with its scientific aspects under Decision II/10 on marine and coastal biodiversity. Many delegates supported further studies on the issue.



Kenya proposed reference to benefit sharing. France stressed the need to strengthen the relationship with the International Seabed Authority (ISA). Norway emphasized the need for discussion in the UN General Assembly.

A contact group met in the evening to consider the suggested recommendations, and agreed to delete a recommendation inviting Parties and other States to cooperate within the framework of the ISA to consider necessary measures.

On Thursday, delegates considered UNEP/CBD/SBSTTA/8/WG.II/CRP.4. Argentina said it would not make any formal reservations. The document was approved as amended by the contact group.

On Friday, 14 March, the closing Plenary adopted the document without amendment. Argentina and Turkey stated that their approval of the recommendation did not prejudice their position regarding UNCLOS.

Final Recommendation: The final document (UNEP/CBD/SBSTTA/8/L.7) takes note of the joint CBD-UNDOALOS study on the relationship between the CBD and UNCLOS regarding deep seabed genetic resources beyond national jurisdiction. It recommends that COP-7:

- request the Executive Secretary, in collaboration with relevant organizations, to compile and synthesize information on the status and trends of deep seabed genetic resources and on methods to identify, assess and monitor deep seabed genetic resources beyond the limits of national jurisdiction, with a view to addressing processes and activities under CBD Article 4(b) (on jurisdiction), and to report on progress to SBSTTA for recommendations to COP-10;
- invite the UN General Assembly to call upon relevant international organizations to review issues relating to the issue and make recommendations to the General Assembly for actions; and
- invite Parties and other States to identify activities and processes under their jurisdiction or control that may have significant adverse impact on deep seabed ecosystems and species beyond national jurisdiction.

DRY AND SUB-HUMID LANDS: On Wednesday, delegates addressed dry and sub-humid lands (UNEP/CBD/SBSTTA/8/10, INF/2 and 10). Ndegwa Ndiang'ui, UN Convention to Combat Desertification (UNCCD), outlined progress on the UNCCD-CBD joint work programme. Delegates welcomed cooperation with UNCCD and encouraged synergies at the international and national levels. Colombia highlighted the need for appropriate mechanisms for periodic assessment of status and trends, and development of progress indicators. Germany called for strengthening developing countries' capacity for periodic assessment and addressing poverty reduction as a cross-cutting issue and, with Canada and Ethiopia, stressed the need to involve indigenous and local communities in decision making and implementation. Tanzania said fair and equitable benefit sharing should be tackled earlier than 2008. India recommended targeted local-level assessments. Haiti underscored South-South cooperation, timelines for developing indicators, referencing regional initiatives and, with Norway, the ecosystem approach. Switzerland stressed avoiding overlaps among CBD thematic work programmes. Finland highlighted the need for targets and timeframes regarding conservation and sustainable use, resource management and support for sustainable livelihoods. The UK suggested taking into account the GTI when developing targets for the work programme's implementation.

On Thursday, 13 March, delegates discussed a Chair's draft (UNEP/CBD/SBSTTA/8/WG.II/CRP.6). On the effective implementation of the work programme, Colombia stressed considering national legislation, and establishing the necessary financial and capacity mechanisms. Burkina Faso stressed poverty alleviation to combat desertification. Germany, supported by others, requested that the Executive Secretary facilitate the review of national biodiversity strategies and action plans and their harmonization with UNCCD national action programmes. The document was approved as amended.

On Friday, the closing Plenary adopted the recommendation without amendment.

Final Recommendation: The final document (UNEP/CBD/SBSTTA/8/L.6 and Corr.1) contains a four-phased process for periodic assessment of status and trends of biodiversity in dry and sub-humid lands; and an annex on expected outcomes, timeframes, potential actors, indicators for progress in implementing the programme of work, and an indicative list of potential collaborators. The document also recommends that the COP, *inter alia*:

- adopt the proposed process for periodic assessment, taking into consideration national legislation and recognizing the urgency for action in countries severely affected by land degradation, by strengthening capacities of developing countries and countries with economies in transition to conduct assessment at national level, and by building on ongoing global and national assessments;
- adopt the proposal for further refinement of the programme of work in collaboration with the partners listed in the annex;
- request that the work programme be taken into account when developing and reviewing other thematic work programmes;
- develop targets for implementing the programme of work, taking into account, *inter alia*, national action plans to combat desertification, the WSSD Plan of Implementation, and the GTI;
- request that the Executive Secretary, in collaboration with the secretariats of other Rio and biodiversity-related conventions, facilitate the review of national biodiversity strategies and action plans to harmonize them with the national action plans under the UNCCD, focusing on poverty alleviation and inter-sectoral integration; and
- recognize that effective implementation of the programme of work is subject to availability of relevant resources.

CLOSING PLENARY

On Friday, Chair Plesnik opened the closing Plenary and called for regional nominations for the Bureau. Delegates elected Boumediene Mahi (Algeria), Mitzi Gurgel Valente da Costa (Brazil), Robert Lamb (Switzerland), Theresa Mundita Lim (the Philippines) and Yaroslav Movchan (Ukraine). Alfred Oteng-Yeboah (Ghana), Ashgar Mohammadi Fazel (Iran), Peter Straka (Slovakia), Joseph Ronald Toussaint (Haiti) and Robert Andren (Sweden) will remain as Bureau members. Chair Plesnik then welcomed Oteng-Yeboah as the incoming Chair of SBSTTA-9 and 10.

WG-I Chair Andren presented the report of WG-I (UNEP/CBD/SBSTTA/8/L.1/Add.1), which was adopted without amendment. Delegates also adopted the report of WG-II (UNEP/CBD/SBSTTA/8/L.1/Add.2), presented by WG-II Chair Fazel, with minor corrections.

Delegates then discussed a Chair's proposal on the provisional agenda for SBSTTA-9, which amended the agenda contained in UNEP/CBD/SBSTTA/8/15. The proposal included:



- progress reports on the thematic work programmes, cross-cutting issues and the Bureau's intersessional activities;
- three main themes on protected areas, technology transfer and cooperation, and mountain ecosystems;
- an in-depth review on biodiversity and climate change; and
- other substantive issues, including the ecosystem approach, sustainable use, monitoring and indicators, and incentive measures. Delegates agreed that three main themes would overburden the agenda, and decided to address mountain ecosystems under other substantive issues.

Noting that SBSTTA-8 had failed to complete a less challenging agenda, New Zealand called for postponing consideration of some items, to allow for proper preparation and deliberation. Following delegates' request, the Secretariat reported on preparatory work on the ecosystem approach, indicators and sustainable use. Jamaica suggested postponing consideration of incentive measures and of monitoring and indicators. Delegates debated the proposal, with some stressing the importance of monitoring and indicators for achieving the WSSD and CBD goal on significantly reducing biodiversity loss by 2010. They finally decided to postpone consideration of incentive measures only. New Zealand recorded its objection, highlighting that an unrealistic agenda would make it impossible for the meeting to complete its work. Delegates agreed that SBSTTA-9 will be held from 10-14 November 2003, in Montreal, Canada.

The Secretariat reported on the work of the expert group on protected areas and preparations for its upcoming meeting, and on collaboration with IUCN on the fifth World Congress on Protected Areas. Highlighting the difficulties faced by Africa with regard to protected areas, Senegal called for participation of African countries in the expert group.

Regarding other matters, Syria suggested earmarking financial resources for capacity building, especially for research, and Chair Plesnik noted that SBSTTA is not the appropriate body to address financial issues. Rapporteur Thitai then introduced the meeting's report (UNEP/CBD/SBSTTA/8/L.1). Delegates adopted it with minor corrections.

CBD Executive Secretary Zedan then thanked all participants and congratulated Oteng-Yeboah and Bureau members on their election. Tunisia, on behalf of the African Group, Peru, on behalf of GRULAC, Syria, on behalf of the Arab Group, China, on behalf of Asia and the Pacific region, Slovakia, on behalf of the CEE, and Greece, on behalf of the EU, made closing statements of appreciation. Malaysia highlighted preparations for COP-7.

The Arab Group urged Parties to oppose the war in Iraq. SBSTTA-8 Chair Plesnik and new SBSTTA Chair Oteng-Yeboah thanked participants. Chair Plesnik then gavelled the meeting to a close at 5:00 pm.

A BRIEF ANALYSIS OF SBSTTA-8

SBSTTA-8, the first major CBD meeting since the WSSD, was faced with the challenge of integrating relevant Summit outcomes into the biodiversity agenda, and of translating them into action-oriented recommendations. The meeting's agenda was well-suited for such an exercise, as the main theme, mountain ecosystems, as well as other topics, such as marine and coastal biodiversity, dry and sub-humid lands and tourism, all held some relation to the WSSD's Plan of Implementation. Although delegates did not fulfil the task of developing a complete work programme for mountain biodiversity, the adoption of a structural framework and the establishment of an expert group left most participants satisfied, given

the more realistic prospect of preparing a workable draft programme for consideration at SBSTTA-9. Also, as minor as they may appear substantively, marine and coastal biodiversity-related outcomes, particularly on the sensitive issues of MCPAs and deep seabed genetic resources, constitute a noticeable achievement within the broader scope of discussions on the Law of the Sea.

This brief analysis will show that SBSTTA-8 ultimately lived up to participants' expectations. It will focus on mountains and marine and coastal biodiversity, while considering other more procedural aspects revealing that SBSTTA is slowly finding the right balance between providing scientific, technical and technological advice, and sidestepping delicate political issues. In closing, the analysis will consider SBSTTA-8 in light of the upcoming MYPOW meeting.

FROM MOUNTAIN HEIGHTS ...

Climbing down from the outlook of the International Year of Mountains to the foot of chilly Mont Royal, some had high expectations that a new work programme would emerge from the meeting. The momentum for consideration of mountain ecosystems originally stemmed from Chapter 13 of Agenda 21 on sustainable mountain development. This momentum was built upon by the WSSD Plan of Implementation, which stresses the need for programmes and policies that integrate environmental, economic and social components of sustainable mountain development.

Coming into SBSTTA-8, delegates had mountains of work ahead of them and little time or advance preparation to build a solid work programme. In this regard, some countries that were actively involved in the International Year of the Mountains regretted that no funds had been made available to constitute an expert group before this meeting, which would have prepared more detailed groundwork for the work programme.

Recognizing their limits, SBSTTA-8 delegates preferred using the upcoming intersessional period to build upon a general framework rather than swiftly adopting a work programme that would need constant revision. Given SBSTTA's recent experiences in developing an expanded forest work programme, delegates agreed to employ a similar approach and structure for the mountain theme. The establishment of the expert group, finally having secured initial funding, and the consultations to be conducted by the Executive Secretary, left delegates confident that the suggested framework could be developed into target- and action oriented work programme to be adopted by COP-7.

Similar direct consultations with Parties and stakeholders as now mandated for the mountain theme had proven successful in the finalization of the draft guidelines on tourism and biodiversity. Parties were already familiar with the structure of the guidelines, and discussion in the working group went smoothly. SBSTTA's adoption of the draft guidelines was seen as an important step towards national implementation.

... TO THE HIGH SEAS AND THE DEEP SEABED

The agenda item on marine and coastal biodiversity resulted in two success stories on topics that touch upon traditionally very sensitive issues regarding the Law of the Sea: the freedom of navigation on the oceans, and exploitation of marine resources beyond national jurisdictions. Discussions required examining the interface of two international treaties, UNCLOS and the CBD, and moving beyond many of the political sensitivities held within each fora. UNCLOS provides a framework for the protection of the environment, but does not specifically address biodiversity. Although the CBD did take the issue of marine biodiversity on



board in 1995 at COP-2, which adopted a work programme on marine and coastal biodiversity, the two regimes have evolved on parallel tracks. To some extent, SBSTTA-8 provided an opportunity to shed light on the benefits of mutual supportiveness between the two regimes, and on the need for deeper interactions.

This was particularly striking during debates on the establishment of MCPAs beyond national jurisdiction. Delegates unanimously recognized the urgent need for such MCPAs to address the conservation and sustainable use of marine and coastal biodiversity, including for areas falling beyond national jurisdiction. However, legal and political arguments were the driving factors of the debates, as some feared that the creation of MCPAs extending beyond national jurisdiction might impose restrictions on the sacrosanct principle of the freedom of the high seas. SBSTTA-8 successfully overcame these entrenched positions and adopted recommendations to establish a network of MCPAs both within and beyond national jurisdiction by 2012, as called for by the WSSD Plan of Implementation, and keeping in line with the UNCLOS jurisdictional framework. This framework balances the freedom of the high seas and sovereign rights to exploit resources in areas falling under national jurisdiction with duties to protect the environment, including through cooperation regarding resources and areas beyond national jurisdiction.

The conservation and sustainable use of deep seabed genetic resources also proved that UNCLOS and the CBD can no longer proceed in complete isolation from one another. The joint study prepared by the CBD Secretariat and UNDOALOS had been called for by COP Decision II/10. At the time, preliminary attempts at pushing the issue forward within the CBD, had sparked great criticism from so called "pioneer countries." Such States, equipped with the financial and technological means to access rich deep sea areas, perceived CBD intervention as potentially compromising the potential economic benefits and scientific prevalence that deep seabed organisms could generate for them. Ten years on, reluctance to address the issue remains high, although many of the underlying rationales and country positions have shifted. Some developing country delegates argued that the discussion was out of context as most countries still lack the technical and financial means to access deep seabed areas. Additionally, the ramifications of the topic, which range from conservation to benefit-sharing issues, are still largely unknown. On the other hand, most developed countries now proved particularly adamant on pushing the issue through, evidencing a maturation of the issue outside CBD's framework, in the UN General Assembly and other marine-related fora. SBSTTA-8 managed to overcome initial fears, dig the issue out of the dark waters where it lay for the past decade, and tentatively re-engage international discussions by initiating a global information gathering and analysis process. While some still oppose discussing the issue in any fora, this modest step will hopefully ease concerns and lay the foundations for further consideration whether it be within the CBD's framework, the UNCLOS Informal Consultative Process or the UN General Assembly.

SBSTTA COMES OF AGE?

As with most previous SBSTTA meetings, SBSTTA continued to struggle with avoiding the political and maintaining its focus on its mandate to address scientific and technical issues. Such tensions were evident during the closing Plenary regarding references to trade agreements in the inland waters work programme, as well as in recurrent debates on PIC and the status of Decision VI/23 on invasive alien species. Some noted that any discussion on scientific

and technical matters in an international governmental forum cannot but remain politically and legally driven. While such issues often proved intractable and drawn out in previous SBSTTA meetings, SBSTTA-8 seemed readily able to dispatch such concerns by procedural means, whether brackets or footnotes, to ultimately be dealt with by the COP. By acknowledging such issues without protracted debate, SBSTTA may well have taken a big step towards maturity by recognizing the inevitable character of interactions between science and policy.

Overall, the Convention and SBSTTA are still relatively young and must deal with the growing pains of maintaining progress in an increasingly broad range of work. The inability to complete a work programme on mountain biodiversity was symptomatic of an expanding substantive agenda constrained by a finite pool of resources which precluded some preparatory work. While lessons herein were rapidly gained and applied on how to proceed with mountain biodiversity, initial discussions on how to keep SBSTTA-9's agenda manageable suggest a range of challenges to come.

MYPOW'S SHADOWS

MYPOW, to be held immediately following SBSTTA-8, will have to pick up this issue, by advising on the CBD's agenda up to 2010. At the outset of SBSTTA's discussions, most Parties made clear that they would not accept addition of new themes to the CBD's agenda, with the exception of island biodiversity. Some even preferred cutting issues from SBSTTA's agenda. MYPOW will bear the burden to design and streamline a programme of work integrating the WSSD outcomes (potentially including negotiations on an international ABS regime) and building on the existing range of thematic and cross-cutting work programmes developed over the last ten years. Additionally, such efforts are to be in line with the Strategic Plan and designed to achieve the 2010 target on significantly reducing the rate of biodiversity loss.

To a certain extent, preparations for this landmark meeting for the CBD may have overshadowed substantive discussions during SBSTTA. Some provisions both in the draft work programme for mountain biodiversity and other documents were clearly tied to MYPOW. This raised the question of the appropriateness of holding two meetings of a different nature back to back, where SBSTTA was obviously struggling to depart from policy issues to be considered by the MYPOW. Additionally, some participants lacking the means to afford attending the two meetings may have given priority to MYPOW, hampering valuable contributions to the mountains debates. In this respect, NGOs were conspicuously under-represented in comparison to past meetings, particularly SBSTTA-7, where the forest topic had attracted numerous NGO representatives. It remains to be seen whether MYPOW can set the scene for reaching the 2010 targets, and adopt a realistic and manageable programme of work within the framework of the Strategic Plan, which ultimately provides a means to structure CBD's work and support national implementation.

THINGS TO LOOK FOR TODAY

INTER-SESSIONAL MEETING ON THE MULTI-YEAR PROGRAMME OF WORK: This meeting begins this morning at ICAO headquarters in Montreal, Canada, and will continue until Thursday, 20 March. The meeting will address: the outcome of the WSSD as it relates to the CBD; implementation of the CBD and the Strategic Plan; the multi-year programme of work for the COP up to 2010; legal and socioeconomic aspects of technology transfer and cooperation; and the international regime on ABS.