



## CBD COP-7 HIGHLIGHTS: THURSDAY, 19 FEBRUARY 2004

COP-7 delegates met in morning, afternoon and evening sessions. Working Group I (WG-I) continued discussing conference room papers (CRPs) on sustainable use, invasive alien species (IAS), inland water ecosystems, mountain biodiversity, protected areas (PAs), marine and coastal biodiversity, and the Strategic Plan. Working Group II (WG-II) addressed CRPs on: technology transfer and cooperation; communication, education and public awareness (CEPA); operations of the Convention; Article 8(j) (traditional knowledge); access and benefit-sharing (ABS); financial resources and mechanism; cooperation with other conventions; and incentive measures. Parties convened in a brief afternoon Plenary and established a Friends of the President group to address outstanding issues. The Ministerial Segment continued discussing ABS, technology transfer and cooperation, and scientific assessments, and adopted the Kuala Lumpur Declaration.

### WORKING GROUP I

**SUSTAINABLE USE:** ARGENTINA opposed text requesting SBSTTA to address agricultural biodiversity before COP-8. Delegates agreed that SBSTTA address the issue before COP-9. Noting budgetary implications, Ireland, for the EU and Acceding Countries (EU), suggested deleting text on technical experts workshops for assessments of ecosystem services. The RUSSIAN FEDERATION and CANADA opposed. WG-I Chair Hans Hoogeveen (the Netherlands) pointed out that such workshops will be financed through voluntary funds, and the EU agreed, provided that reference be made to the Strategic Plan. Delegates approved the decision as amended.

**IAS:** CANADA agreed to delete reference to developing options to address gaps and inconsistencies within the context of international frameworks, or at the national level. Delegates approved language on taking into consideration the risks associated with the introduction, use and spread of IAS during the development, expansion and environmental review of arrangements, such as trade arrangements.

On introducing non-trade distorting positive incentive measures for the eradication or control of IAS and the use of native species, delegates agreed to reference the trade-related paragraph of the chapeau that would result from informal consultations. The decision was approved as amended.

**INLAND WATER ECOSYSTEMS:** NEW ZEALAND approved references to the Akwé: Kon guidelines on impact assessments. Delegates agreed that a reference to ecological networks and connectivity for inland water PAs use language from the PA work programme. Parties debated and agreed that environmental impact assessments (EIAs) include socioeconomic assess-

ments, and approved language on strengthening efforts to apply EIAs not only to individual projects, taking into account effects of existing and proposed developments.

**MOUNTAIN BIODIVERSITY:** Regarding references to international trade and trade-distorting activities, WG-I Chair Hoogeveen proposed text based on WSSD language. A Friends of the Chair group was established to consider the proposal. In the afternoon, WG-I Chair Hoogeveen noted the group's lack of progress and, supported by many, suggested deleting references to international trade and trade-distorting measures.

ARGENTINA and VENEZUELA said the work programme should not be interpreted as supporting agricultural subsidies. They requested a footnote noting ongoing negotiations on agricultural subsidies in other fora, should the text be kept. In the evening, BRAZIL announced its willingness to delete references to trade-distorting measures in the inland waters work programme, but a decision on whether this would apply to all relevant work programmes was postponed.

**PAs:** Delegates considered a CRP agreed upon by the PA contact group.

Paragraphs on establishing a working group to review implementation of the work programme and on assessment periods of its implementation were left open, pending adoption of the decisions on the Strategic Plan and the multi-year programme of work (MYPOW). Delegates agreed to delete paragraphs on, *inter alia*: estimating the cost of necessary activities to meet the targets of the work programme; and performing gap analyses and effectiveness assessments.

**MARINE AND COASTAL BIODIVERSITY:** The Secretariat introduced a revised CRP, drafted by a Friends of the Chair group. Text on coastal States' consent to establish marine and coastal PAs, which cross boundaries, was left pending. Regarding the work programme, ARGENTINA requested addressing bycatch. Delegates discussed, but did not reach agreement, on paragraphs regarding bioprospecting, and enhancing biodiversity conservation and sustainable use in marine areas beyond national jurisdiction. Delegates approved, without amendment, a coral bleaching work plan to be appended to the work programme.

**STRATEGIC PLAN:** Delegates considered a CRP on the Strategic Plan agreed upon by the contact group, including a draft decision and annexes. Bracketed text was left pending until relevant decisions are made under other agenda items. NEW ZEALAND raised concern over the consistency of several activities with MYPOW. CANADA, supported by BRAZIL, proposed language regarding convening an intersessional Working Group to review implementation of the Convention and progress towards the 2010 target. NEW ZEALAND and the SEYCHELLES favored convening intersessional meetings. Noting budgetary constraints, the EU, supported by the AFRICAN GROUP, opposed establishing a Working Group. This matter was referred to a Friends of the President group following the evening Plenary.



The annex on global outcome-oriented targets for the work programmes on inland waters and marine and coastal biodiversity was left open, pending a decision on other relevant agenda items. In the evening session, the EU, supported by NORWAY and CANADA, requested that the outcome-oriented goals and targets regarding the inland water ecosystem and marine and coastal biodiversity work programmes be referred to SBSTTA, and thus excluded from the respective draft decisions. Delegates approved the decision.

### **WORKING GROUP II**

**TECHNOLOGY TRANSFER:** CANADA presented language agreed upon by a Friends of the Chair group on: convening the Clearing-house Mechanism's (CHM) informal advisory committee to assist the Executive Secretary, including through electronic consultation and long-distance communication; and an expert group on technology transfer to assist the Executive Secretary, including through meeting in conjunction with the CHM committee. On creating enabling environments, consensus was achieved in a Friends of the Chair group to delete language on government activities consistent with countries' development levels. The revised CRP was approved as amended.

**CEPA:** ANTIGUA AND BARBUDA and NORWAY supported creating a CEPA post in the Secretariat. The EU opposed, unless funded by voluntary contributions. Delegates agreed to request the Executive Secretary to allocate a post, invite voluntary contributions, and convene an informal advisory committee to meet during SBSTTA and COP sessions. The revised CRP was approved as amended.

**OPERATIONS OF THE CONVENTION: Review and consolidation of COP decisions:** Delegates adopted a CRP with minor revisions.

**Rules of Procedure:** Delegates deleted a paragraph extending the term of office of the COP President. Egypt, for the AFRICAN GROUP, proposed adding a request to the Executive Secretary to make arrangements for regional preparatory meetings prior to COP-8. Delegates agreed to a proposal by COLOMBIA on the review of mechanisms for prioritization, and by BRAZIL on reviewing the periodicity of COP meetings. Delegates agreed to remove a reference to the availability of financial resources in text on regional preparatory meetings, and adopted the CRP as amended.

**ARTICLE 8(j):** The Secretariat proposed adding a reference to convene future meetings of the Article 8(j) Working Group, with CANADA requesting that they be funded from the core budget. NORWAY suggested holding one regular meeting, and considering an additional session for ABS-related matters. Delegates agreed to request "at least one" meeting prior to COP-8. The EU requested bracketing the reference to the meeting, pending budget negotiations. The issue was referred to the Friends of the President group.

**ABS:** Mexico, on behalf of the LIKE-MINDED MEGA-DIVERSE COUNTRIES (LMMC), opposed subjecting the ABS Working Group meetings to budgetary considerations.

The LMMC suggested holding three intersessional meetings before COP-8. CANADA, AUSTRALIA and NEW ZEALAND suggested one meeting. As a compromise, SWITZERLAND, supported by ARGENTINA, suggested two meetings and a clear recommendation to the budget group, while CANADA proposed holding "at least one" meeting. WG-II Chair Desh Deepak Verma (India) said one meeting could be funded from the core budget and another from the voluntary fund. CHINA, CANADA and the LMMC agreed. The EU reserved its position until the completion of WG-I deliberations. The issue was referred to the Friends of the President group.

Delegates resolved bracketed references on cooperation with WIPO by adding language on cooperation with UNCTAD.

**COOPERATION WITH OTHER CONVENTIONS:** Delegates added language requesting CBD observer status in relevant WTO bodies. Following discussions, they agreed to refer to the "leading role" of UNEP on environmental issues. Regarding a flex-

ible framework for cooperation between all actors, such as a global partnership on biodiversity, delegates agreed to request the Executive Secretary to examine possible ways forward.

**INCENTIVE MEASURES:** ARGENTINA, BRAZIL and URUGUAY requested a reference instructing SBSTTA to assess cases of mitigation of perverse incentives. ARGENTINA refused to negotiate positive incentives in the absence of agreement on perverse incentives. Delegates consulted informally on the annexed draft proposals for ways to mitigate perverse incentives. ARGENTINA and BRAZIL agreed to adopt them in draft form if considered by SBSTTA-10. The EU proposed adopting the proposals on an interim basis, and requested their review by SBSTTA before COP-9. ARGENTINA rejected policies of developed countries that distort trade, and objected to the proposals' adoption. Delegates agreed to adopt the proposals as a draft for consideration by SBSTTA-10. References to positive incentives in the decision remain bracketed.

### **MINISTERIAL SEGMENT**

COP-7 President Dato' Seri Law, Malaysia's Minister of Science, Technology and the Environment, called on Ministers to accept the draft Kuala Lumpur Declaration without amendments.

Many Ministers emphasized the need to integrate the CBD's objectives into poverty reduction strategies. Ministers expressed support for an international ABS regime, highlighting the need for awareness raising, and requesting meaningful participation of developing countries and indigenous peoples. Several said the ABS regime should be based on existing international instruments. Ministers stressed the need to adapt technologies to national and local circumstances. One Minister expressed regret regarding the lack of political will to mobilize financial resources. Ministers emphasized the importance of scientific assessments in developing the baselines, goals and indicators to assess progress towards the 2010 target. One country stressed that lack of scientific knowledge should not be used as a reason to postpone action. Many Ministers supported PA networks, calling for a Working Group to implement an effective PA work programme.

The Kuala Lumpur Declaration was adopted by acclamation with the addition of language on PAs.

### **PLENARY**

In an afternoon Plenary, delegates heard progress reports from the two WGs and the contact group on the budget. They elected Antonio Matamoros (Ecuador) as GRULAC's second Bureau member, and formed a Friends of the President group to discuss establishing intersessional Working Groups, and address outstanding issues.

### **IN THE CORRIDORS**

On the eve of COP-7's closing Plenary, delegates were still resolutely drafting language in numerous informal consultations on outstanding issues regarding the establishment of intersessional working groups, trade-related references, and the status of decision VI/23 on IAS.

Several delegates were getting increasingly impatient about the never ending back-and-forth of decisions between the working groups and the budget contact group. They remarked that it is the working groups' task to take policy decisions and agree on their prioritization.

One delegate expressed hope that the baby steps achieved so far would bring about a big leap forward at the closure of the meeting, providing the necessary impetus for the upcoming Biosafety COP/MOP-1.

### **THINGS TO LOOK FOR TODAY**

**WORKING GROUPS:** The two WGs will meet at 10:00 am to discuss outstanding issues.

**PLENARY:** The closing Plenary will meet in the Dewan Merdeka Hall to adopt the meeting's decisions, at a time to be announced.