

CBD COP-8 HIGHLIGHTS: MONDAY, 27 MARCH 2006

Delegates to the eighth meeting of the Conference of the Parties to the Convention on Biological Diversity (CBD COP-8) met in two working groups throughout the day. Contact groups on the financial mechanism, island biodiversity and the budget convened, while informal groups addressed indigenous participation in the negotiations on access and benefit-sharing (ABS), and retirement of decisions. The COP-8 High-Level Segment opened at the Estação Embratel Convention Center.

HIGH-LEVEL SEGMENT

Amb. Celso Amorim, Brazil's Minister of External Relations, welcomed representatives to the world's most megadiverse country. Carlos Alberto Richa, Mayor of Curitiba (Brazil), noted the important role cities play in biodiversity conservation. Stressing that transnational corporations have no commitment to nature, Roberto Requião, Governor of the State of Paraná (Brazil), called for public policy to defend the environment. Welcoming relevant national and international initiatives, CBD Executive Secretary Ahmed Djoghlahf urged upholding the commitment enshrined in the 2010 biodiversity target. Marina Silva, Brazil's Minister of the Environment, instilled a sense of responsibility to mainstream environmental issues into public policy, especially cross-cutting issues such as ABS. UNEP Executive Director Klaus Töpfer warned representatives that the poorest people cannot bear the burden of protecting nature and traditional knowledge. Brazil's President Luis Inácio Lula da Silva called for adopting an international regime on ABS, noting that biodiversity is our planet's greatest treasure and that opposition to fair benefit-sharing is a threat to life on earth.

A plenary session addressed progress and challenges in mainstreaming biodiversity. In the afternoon, representatives participated in two interactive panels on: biodiversity, food and agriculture; and biodiversity, development and poverty eradication.

WORKING GROUP I

INCENTIVE MEASURES: The Secretariat introduced the relevant documents (UNEP/CBD/COP/8/2, 3 and 27/Add.1).

AUSTRALIA stressed that discussions to date have been ineffective in developing a work programme and, supported by ARGENTINA, BRAZIL, CANADA and NEW ZEALAND, proposed focusing on a structured preparatory process for the in-depth review of the work programme at COP-9. Austria, for the EU, Liberia, for AFRICA, and EL SALVADOR, opposed, favoring finalization and adoption of decisions on incentive measures at COP-8. INDIA and MALAYSIA, opposed by the EU, proposed convening an *ad hoc* expert group on incentive measures prior to COP-9.

CANADA drew attention to recent research by the Organization for Economic Cooperation and Development on harmful subsidies. PERU, supported by ECUADOR and UGANDA, suggested including a reference to the BioTrade

Initiative of the UN Conference on Trade and Development as a tool to generate positive incentives. GREENPEACE called for innovative mechanisms to remove harmful subsidies.

Following a lengthy discussion on process, WG-I Chair Matthew Jebb (Ireland) said he will prepare a draft decision on perverse and positive incentives and valuation, based on SBSTTA-10 and 11 recommendations.

ENVIRONMENTAL IMPACT ASSESSMENT (EIA):

The Secretariat introduced the relevant document (UNEP/CBD/COP/8/27/Add.2). NORWAY, with CANADA, supported retiring Decision VI/7A (guidelines for incorporating biodiversity-related issues into EIA legislation), noting that a new decision on the same issue will be agreed and, with INDIA and the EU, called for collaboration with the International Association for Impact Assessment.

The EU called for countries to contribute to the case studies database on national experiences and best practices. The INTERNATIONAL INDIGENOUS FORUM ON BIODIVERSITY (IIFB) said that disclosure of information gathered from indigenous and local communities should occur with their prior informed consent (PIC).

BIODIVERSITY AND CLIMATE CHANGE: The Secretariat introduced the relevant document (UNEP/CBD/COP/8/27). The EU highlighted that the COP recognize UNFCCC's five-year work programme on adaptation, and encourage parties to integrate biodiversity considerations into national policies for adaptation to, and mitigation of, climate change. BRAZIL requested deletion of references to mitigation activities. SWITZERLAND called for activities that contribute to reducing greenhouse gas emissions. CANADA encouraged efforts on incentives and policy mechanisms strengthening ecosystem resilience.

INDIA noted that synergy among Rio conventions can be promoted through forestry activities. The EU, supported by KIRIBATI, welcomed UNFCCC work on deforestation in developing countries. KIRIBATI and TUVALU emphasized the importance of protecting coastal ecosystems as an effective measure to address climate change impacts. The IIFB called for research on the impact of climate change on indigenous peoples.

ISLAND BIODIVERSITY: Delegates addressed a draft decision on the work programme on island biodiversity. CANADA and AUSTRALIA suggested focusing on the decision, rather than the annex on an indicative list of supporting actions, noting that a contact group may be needed to address the latter. AUSTRALIA, supported by JAMAICA and NEW ZEALAND, requested deleting a paragraph requesting that the Article 8(j) Working Group provide recommendations for work programme implementation. Jamaica, on behalf of G-77/CHINA and SIDS, suggested that the GEF prioritize island biodiversity. The EU called for a general reference to supporting actions and partners.

JAPAN opposed text requesting regional development banks and financial institutions to increase their assistance, while TUVALU suggested its retention. NORWAY suggested an amendment calling for international organizations to provide information on islands classified as biodiversity hotspots.

Chair Jebb established a contact group to address the annex on supporting actions.

DRY AND SUB-HUMID LANDS: On a draft decision, AUSTRALIA, opposed by NORWAY, requested deletion of a paragraph on implementation of relevant sectoral and cross-sectoral plans and programmes. CANADA requested retention of a reference to poverty alleviation. Kenya, on behalf of G-77/CHINA, requested the Executive Secretary to secure more financial resources. Discussion will resume on Tuesday.

WORKING GROUP II

COOPERATION WITH OTHER ORGANIZATIONS:

Continuing Friday's discussions, many supported the work of the Biodiversity Liaison Group, with CANADA and NORWAY proposing that the FAO join the Group. AUSTRALIA suggested clarifying the scope of the proposed memorandum of cooperation with the WTO, with NEW ZEALAND favoring deletion of text on the memorandum.

Thailand, for ASIA AND THE PACIFIC, supported the proposed global biodiversity partnership. ECOROPA and the HUMANE SOCIETY called for further inclusion of civil society organizations. AUSTRALIA, ARGENTINA, COLOMBIA, NEW ZEALAND and BRAZIL opposed the proposed partnership, to avoid duplication with other cooperation arrangements and resource diversion from implementation activities.

The UNITED NATIONS UNIVERSITY stressed the need for partnership with developing country organizations on implementation issues. The FAO highlighted collaboration with the CBD on agricultural biodiversity and cooperation issues.

WG-II Chair Sem Shikongo (Namibia) said he will undertake consultations on the global partnership.

PRIVATE SECTOR ENGAGEMENT: The Secretariat introduced relevant documents (UNEP/CBD/COP/8/25/Add.1 and INF/11). The EU stressed development of tools and guidelines to improve the private sector's engagement. INDIA encouraged private sector involvement in technology transfer. The INTERNATIONAL FINANCE CORPORATION underscored the importance of market-based mechanisms to value biodiversity and best practices for biodiversity conservation. ECOROPA cautioned against emphasizing the role of the private sector over other stakeholders, with the GLOBAL FOREST COALITION stressing the need for national and international regulation ensuring proper corporate behavior. A PRIVATE SECTOR representative cautioned against treating the business sector as a single actor.

ABS: WG-II Chair Shikongo presented a draft decision, noting that the budget group will accommodate the intersessional meetings on ABS in the core budget. NORWAY and MEXICO reported on informal consultations on indigenous participation and the certificate of origin/source/legal provenance, respectively, with MEXICO noting lack of consensus on the list of potential objectives and features of the certificate, and therefore agreement on its deletion.

International regime: India, for the LIKE MINDED MEGADIVERSE COUNTRIES (LMMC), Venezuela, for GRULAC, Malaysia, for G-77/CHINA, Kenya, for AFRICA, JORDAN and NORWAY supported using the text agreed in the fourth meeting of the ABS Working Group (ABS-4). AUSTRALIA opposed, noting the ABS-4 outcome is not an agreed document. The EU proposed as basis for future negotiations not only the ABS-4 outcome, but also the final version of the gap analysis and the outcome of the expert group on the certificate of source/origin/legal provenance.

The LMMC, GRULAC, SWITZERLAND, the EU and NORWAY favored holding two intersessional meetings. JAPAN and CANADA supported holding only one.

The LMMC, GRULAC, G-77/CHINA and SWITZERLAND supported elaborating a specific agenda for the Working Group meetings. AUSTRALIA proposed examination of objectives and scope at ABS-5 and consideration of the elements at ABS-6.

The LMMC, G-77/CHINA and AFRICA suggested that the regime be completed and adopted by COP-9. JAPAN, AUSTRALIA, and SINGAPORE cautioned against a specific timeline. The EU and CANADA proposed referring to "an early completion."

The LMMC, GRULAC and G-77/CHINA suggested deleting a reference to continued implementation of the Bonn Guidelines on ABS. JAPAN, the REPUBLIC OF KOREA, SWITZERLAND, SINGAPORE, CANADA and the EU supported retention of the reference. AUSTRALIA and NEW ZEALAND suggested submitting reports on national implementation.

The IIFB presented a proposal to ensure indigenous participation in the ABS negotiations facilitated by Co-Chairs and supported by parties, including indigenous representatives on delegations, without limiting the right to participate independently.

International certificate: GRULAC requested that the expert group be composed of 25 experts, nominated by parties and selected by regional groups, and five members from international organizations. CANADA suggested that the Bureau select the experts, including up to seven additional experts from indigenous groups, industry and research institutions. The IIFB favored the inclusion of indigenous experts as active participants rather than as observers.

BRAZIL, supported by many, requested the expert group deal with both the costs and benefits of international certificates. CANADA, opposed by MALAYSIA, requested deletion of reference to the expert group elaborating possible options of an international certificate.

PIC and MAT: Regarding bracketed text noting that the negotiations on the regime will consider disclosure requirements, the EU, NEW ZEALAND and SINGAPORE requested its deletion, while AFRICA, BRAZIL and MALAYSIA opposed. NORWAY proposed noting that disclosure requirements in applications for intellectual property rights should be considered as one element of the international regime in the context of WIPO and TRIPS.

The EU, NEW ZEALAND, JAPAN and SWITZERLAND opposed references to derivatives, products and associated traditional knowledge, while AFRICA, BRAZIL, MALAYSIA, MALAWI and others supported them. CANADA called for deleting reference to derivatives but retaining reference to traditional knowledge. The IIFB suggested text noting that indigenous peoples have to give their PIC to access to genetic resources from their traditional territories.

On text inviting relevant organizations to address the interrelation between genetic resources and disclosure requirements, the EU suggested aligning it with language agreed at COP-7. NORWAY proposed using text agreed at ABS-3.

AFRICA, ARGENTINA, BRAZIL, NORWAY, MALAYSIA and MEXICO supported language noting discussions on disclosure of origin in WTO. The EU proposed renewing CBD's request for an observer status at the TRIPS Council.

AUSTRALIA suggested deleting the text in its entirety and looking for a process to reach consensus. WG-II Chair Shikongo established an informal group of parties to further consider indigenous participation in ABS negotiations, with the EU and the IIFB objecting to lack of indigenous participation.

CONTACT GROUP ON ISLAND BIODIVERSITY

In an evening meeting, participants agreed on new chapeau language stating that the indicative list of supporting actions is intended as guidance to parties and that not all activities are relevant to all parties. Participants then initiated consideration of the list action by action.

CONTACT GROUP ON THE FINANCIAL MECHANISM

The group agreed to initiate negotiations on the basis of a G-77/China contribution.

IN THE CORRIDORS

Those expecting swifter deliberations on ABS were taken aback, as discussion on future process on the international regime was marked by disagreement on whether to use the Granada outcome as basis for negotiations. According to some, Tuesday's High-Level Panel on ABS will infiltrate into WG-II deliberations on this issue.