



# CONVENTION ON BIOLOGICAL DIVERSITY

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CONFERENCE OF THE PARTIES TO THE  
CONVENTION ON BIOLOGICAL DIVERSITY  
Fifth meeting  
Nairobi, 15-26 May 2000

## REPORT OF THE FIFTH MEETING OF THE CONFERENCE OF THE PARTIES TO THE CONVENTION ON BIOLOGICAL DIVERSITY

### INTRODUCTION

1. In accordance with rules 3 and 4 of the rules of procedure for meetings of the Conference of the Parties to the Convention on Biological Diversity and decision IV/18 adopted at its fourth meeting, the fifth meeting of the Conference of the Parties to the Convention on Biological Diversity, hosted by the Government of Kenya, was held at the United Nations Office at Nairobi from 15 to 26 May 2000.

2. All States were invited to participate in the meeting. The following Parties to the Convention attended:

Algeria	Comoros
Angola	Congo
Antigua and Barbuda	Cook Islands
Argentina	Costa Rica
Armenia	Côte d'Ivoire
Australia	Croatia
Bahamas	Cuba
Bangladesh	Cyprus
Barbados	Czech Republic
Belarus	Democratic Republic of the Congo
Belgium	Denmark
Belize	Djibouti
Benin	Dominica
Bhutan	Dominican Republic
Bolivia	Ecuador
Botswana	Egypt
Brazil	El Salvador
Burkina Faso	Eritrea
Burundi	Estonia
Cameroon	Ethiopia
Canada	European Community
Central African Republic	Fiji
Chad	Finland
China	France
Colombia	

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Gabon	Norway
Gambia	Oman
Germany	Pakistan
Ghana	Panama
Greece	Papua New Guinea
Grenada	Paraguay
Guinea	Peru
Guyana	Philippines
Haiti	Poland
Honduras	Portugal
Hungary	Republic of Korea
Iceland	Republic of Moldova
India	Romania
Indonesia	Russian Federation
Iran (Islamic Republic of)	Rwanda
Ireland	Saint Kitts and Nevis
Israel	Saint Lucia
Italy	Senegal
Jamaica	Seychelles
Japan	Singapore
Jordan	Slovakia
Kazakhstan	Slovenia
Kenya	Solomon Islands
Kiribati	South Africa
Kuwait	Spain
Kyrgyzstan	Sri Lanka
Lao People's Democratic Republic	Sudan
Latvia	Suriname
Lesotho	Swaziland
Lithuania	Sweden
Luxembourg	Switzerland
Madagascar	Tajikistan
Malawi	The former Yugoslav Republic of Macedonia
Malaysia	Togo
Mali	Tonga
Marshall Islands	Trinidad and Tobago
Mauritania	Tunisia
Mauritius	Turkey
Mexico	Turkmenistan
Monaco	Uganda
Mongolia	United Kingdom of Great Britain and Northern Ireland
Morocco	United Republic of Tanzania
Mozambique	Uruguay
Myanmar	Vanuatu
Namibia	Venezuela
Nepal	Viet Nam
Netherlands	Zambia
New Zealand	Zimbabwe
Nicaragua	
Niger	
Nigeria	

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3. The following States were represented by observers:

Holy See	Saudi Arabia
Liberia	Thailand
Libyan Arab Jamahiriya	United States of America

4. Observers from the following United Nations bodies, Secretariat units, specialized agencies and convention secretariats also attended:

Economic Commission for Africa Food and Agriculture Organization of the United Nations (FAO)	Secretariat of the Vienna Convention for the Protection of the Ozone Layer and its Montreal Protocol on Substances that Deplete the Ozone Layer
Global Environment Facility (GEF)	UNDP Office to Combat Desertification and Drought (UNSO)
International Finance Corporation (IFC)	UNEP World Conservation Monitoring Centre
Secretariat of the Barcelona Convention for the Protection of the Mediterranean Sea against Pollution	United Nations Conference on Trade and Development (UNCTAD)
Secretariat of the Convention on the Conservation of Migratory Species of Wild Animals (CMS)	United Nations Development Programme (UNDP)
Secretariat of the Ramsar Convention on Wetlands of International Importance especially as Waterfowl Habitat	United Nations Educational, Scientific and Cultural Organization (UNESCO)
Secretariat of the United Nations Convention to Combat Desertification in Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa	United Nations Environment Programme (UNEP)
	United Nations Secretariat
	United Nations University
	World Heritage Centre of UNESCO
	World Intellectual Property Organization (WIPO)
	World Meteorological Organization (WMO)

5. The following other organizations were represented:

(a) Intergovernmental organizations:

Agence Africaine de Biotechnologie	Organisation for Economic Co- operation and Development (OECD)
Arab Center for the Studies of Arid Zones and Dry Lands (ACSAD)	Programme of Environment for the Red Sea and the Gulf of Aden (PERSGA)
Commonwealth Secretariat	Scientific and Technical Research Commission of the Organization of African Unity (OAU/STRC)
Council of Europe	South Pacific Regional Environment Programme (SPREP)
Economic Community of West African States (ECOWAS)	Southern African Development Community Plant Genetic Resources Centre
Energy and Environmental Institute of Francophone Countries (IEPF)	
International Plant Genetic Resources Institute (IPGRI)	

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(b) Non-governmental organizations:

Aboriginal and Torres Strait Islander Commission	Centre for Environment and Renewable Energy
Action Aid Kenya	Centre for Environment, Technology & Development (CETDEM)
Ad-hoc Working Group-Tourism of the German NGO Forum	Centre for Indigenous Knowledge Systems and By- Products (CIKSAP)
Africa Resources Trust	Cohort for Research on Environment, Urban Management and Human Settlement (CREUMHS)
African Biodiversity Institute	College of Indigenous Australian Peoples
African Centre for Technology Studies (ACTS)	Consejo de Todal las Tierras Conservation International
African Conservation Centre	Conserve Africa Group International
African Indigenous Women Organization (AIWO)	Consultative Group on International Agricultural Research (CGIAR)
African Wildlife Foundation	Cooperativa Technico Scientifica di Base (COBASE)
Agricultural Development Corporation	Coordinación Mapuche de Neuquen
Agricultural University of Norway	Coordinating Body for the Indigenous Peoples' Organizations of the Amazon Basin (COICA)
Akin, Gump, Strauss, Hauer & Feld	Coordination Nationale pour la Défense des Semences Fermières (CNDSF)
Albertine Rift Conservation Society (ARCOS)	Council for Responsible Genetics
Alliance for Youth for Habitat	Cultural and Biological Diversity
Alliance International des Peuples Indigènes et Tribaux des Forêts Tropicale	Dandora Girls & Women Education Centre (DAGWED)
Amigransa	Defenders of Wildlife Development and Environmental Research Agency (DERAA)
Arab Urban Development Institute	Diverse Women for Diversity EarthCare Africa
Arid Lands Information Network	East Africa Environmental Network
Asociacion ANDES	East African Wildlife Society
Asociacion Ixacavaa de Desarollo e Información Indigena	École Nationale Supérieure Agronomique
Asociacion Napguana	Ecooperation
Association Burundaise des Oiseaux (ABO)	ECOROPA
Association of Tanimbar Intellectuals (ICTI)	EcoTerra International
Association pour la promotion des batwa	Emanzi Food and Peace Development Centre
Baha'i International Community	
Biodiversity in Development Project BDP	
BioNET-INTERNATIONAL	
Bioresources development & Conservation Program	
Biotechnology Industry Organization	
Birdlife International	
Botanic Gardens Conservation International (BGCI)	
BP Amoco	
CAB International	

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Environment 2000  
 Environment Liaison Centre  
 International (ELCI)  
 Ethnic Minority and Indigenous  
 Rights Organisation of  
 Africa (EMIROAF)  
 EUROPABIO (European  
 Association for  
 Bioindustries)  
 European Centre for Nature  
 Conservation  
 Fauna and Flora International  
 Federation of Saskatchewan  
 Indian Nations  
 Fellowship Africa Kambe  
 First Peoples Worldwide  
 FONA/EANHNS  
 Forest Action Network  
 Forest Peoples Programme  
 Forum Environment and  
 Development, Working Group  
 on Biological Diversity  
 Foundation for International  
 Environmental Law and  
 Development (FIELD)  
 Franciscans International  
 ECOSOC  
 Friends of Nairobi National  
 Park (FONNAP)  
 Friends of the Earth/National  
 Committee for the Defence of  
 the Fauna and Flora (CODEFF)  
 Fundación Zio-Ai  
 Genetic Engineering Network  
 Gerster Development  
 Consultants  
 Ghana Wildlife Society  
 GIFTS  
 Gita Pertiwi  
 Global Biodiversity Institute,  
 Inc.  
 Global Nature Fund  
 Global Village  
 Globe Southern Africa  
 Green Belt Movement  
 Greenpeace International  
 Greenpeace International  
 Guinee Ecologie  
 Heifer Project International  
 ICFT  
 International Institute for  
 Environment and Development  
 (IIED)  
 Imperial College, University  
 of London  
 Indigenous Knowledge Programme  
 Indigenous Biodiversity  
 Information Network (IBIN)  
 Indigenous Peoples'  
 Secretariat (Canada) on the  
 Convention on Biological  
 Diversity  
 Institute of Development  
 Studies  
 Institute of Genetic  
 Engineering  
 Intermediate Technology  
 Development Group  
 International Centre for  
 Research in Agroforestry  
 (ICRAF)  
 International Centre for Trade  
 and Sustainable Development  
 (ICTSD)  
 International Centre of Insect  
 Physiology and Ecology  
 (ICIPE)  
 International Council of Women  
 International Development  
 Research Institute (IDRC)  
 International Environmental  
 Action Network  
 International Seed Trade  
 Federation/International  
 Association of Plant  
 Breeders for the Protection  
 of Plant Varieties  
 (FIS/ASSINSEL)  
 International Indian Treaty  
 Council  
 International Ocean Institute  
 International Petroleum  
 Industry Environmental  
 Conservation Association  
 International Support Group  
 for Sustainable Tourism  
 International Service for the  
 Acquisition of Agri-biotech  
 Applications (ISAAA), Afri  
 Center  
 Kajiado Integrated Rural  
 Association for Development  
 (KIRAD)  
 KALPAVRIKSH  
 Kenya Association of Social  
 Workers  
 Kenya Forestry Research  
 Institute (KERI)  
 Kenya School of Professional  
 Studies  
 Kenya Wildlife Service  
 Kenya Youth Foundation

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Kenyatta University	Pulsar International Swedish
Lake Victoria Environment	Society for Nature
Management Project	Conservation
Las Cuatro Flechas de Mexico	Quaker Peace & Service
A.C./Rethinking Tourism	Rethinking Tourism Project
Project	Rice University
Laurier Linguistic Services	Ritam
Legworks Environment Inc.	Rosterman Environmental Youth
LUCID	Royal Botanic Gardens, Kew
Lumatete Muchai & Co.	Royal Holloway Institute for
Associates	Environmental Research
Maarifa Women Jua Kali	Rural Advancement Foundation
Organisation	International (RAFI)
Maasai Environmental Resource	Russian Association of
Coalition	Indigenous Peoples of the
Makerere University	North (RAIPON)
MARECIK-TZ	Sustainable Agriculture
MATCOS/Trickle Up	Community Development
Documentation Centre-NYAMIRA	Programme (SACDEP) - Kenya
Mathare Valley Women Crafts	Safari Club International
and Shelter	Foundation
Max-Planck Institute	Sandama Women Empowerment
Mazingira Institute	Union S.W., EU
Meghalaya Environment and	Save Environment Students
Wildlife Society	Association
MERC	Shelter 2000
Millennium Assessment	Shelter and Sustainable
Secretariat	Women's Aspiration and
Monsanto Co./CGC	Initiatives (SSWAAI)
Movimiento Autoridades	Simba Maasai Outreach
Indigenas de Colombia	Organisation (SIMDO)
Movimiento Indigena Colombiano	Sobrevivencia
NAADUTARO	Society for the Improvement of
Nairobi University	Rural People
National Landowners Wildlife	Solagral Montpellier
Forum	Solagral Nogent
NATURAMA/Birdlife	South East Asia Regional
International	Institute for Community
Nature Conservation Agenda for	Education (SEARICE)
Africa	Sunshine Project - US Program
Nature Kenya	Office
Netherlands Center for	Society for Wildlife and
Indigenous People (NCIV)	Nature International (SWAN)
Nigerian Conservation	Tana GEF Project
Foundation	Te Iwi Moriori Trust Board
Nkusi/COBASE	TEAN
Organizacion Jabiru-Yapacana	The Edmonds Institute
Ornamental Aquatic Trade	The Eye Opener
Association	The Journal of Food Technology
Oxford Centre for the	in Africa (JFTA)
Environment, Ethics &	The World Conservation Union
Society	(IUCN)
Pelum Association	Traditional and Modern Health
PRONATURA A.C.	Practitioners Together
	Against AIDS (THETA)
	Third World Network

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Torito Plants	University of Nairobi
Traditional Indigenous Healers	University of Ouagadougou
TRAFFIC International	University of Oxford
Tropical Institute of	University of Toronto
Community Health and	University of Tuebingen
Development (TICH)	WATU Accion Indigena
Tuskegee University	Wetlands International
Uganda National Council for	Wildlife Clubs of Kenya
Science and Technology	Wildlife Conservation Society
(UNCST)	World Association of Girl
Uganda Wildlife Society	Guides and Girl Scouts
Umoja Waso Women Group	World Commission on Dams
Université du Québec à	World Endangered Species
Montréal, Observatoire de	Protection Association
l'Écopolitique	(WESPA)
Internationale	World Resources Institute
University of California,	(WRI)
Berkeley	World Wide Fund for Nature
University of Frankfurt	(WWF)
University of Georgia	Youth for Action
University of Kent England	

I. ORGANIZATIONAL MATTERS

AGENDA ITEM 1. OPENING OF THE MEETING

1.1. Opening of the meeting by the President of the fourth meeting of the Conference of the Parties

6. The meeting was opened at 10.10 a.m. on Monday, 15 May 2000 by Mr. László Miklós, Minister of the Environment of the Slovak Republic and President of the fourth meeting of the Conference of the Parties. In his opening address, Mr. Miklós said that much had been achieved within the Convention process since the fourth meeting of the Conference of the Parties, with the obvious highlight being the successful negotiation of the Cartagena Protocol on Biosafety. Kenya's hosting of the current meeting was a real demonstration of that country's commitment to the issue, entailing a major sacrifice on the part of a country from a region with legitimate claims of scarcity of resources. The heavy agenda before the meeting placed a premium on preparation, and the current meeting was the best prepared yet. Most of the items scheduled for discussion were already the subject of carefully crafted recommendations. Such comprehensiveness was the result of the hard work carried out during the inter-sessional period not only by the subsidiary bodies of the Convention but also by the Secretariat; he also wished to express thanks for the diligence of his fellow members of the Bureau. In addition, he wished to pay special tribute to the extraordinary personal efforts of Mr. Juan Mayr Maldonado in bringing to a successful conclusion the negotiations on the Cartagena Protocol on Biosafety.

1.2. Opening statement by Mr. Hamdallah Zedan, Executive Secretary of the Convention on Biological Diversity

7. Addressing the Conference of the Parties at the opening session, Mr. Hamdallah Zedan, Executive Secretary of the Convention, thanked the Government of Kenya and its people for hosting the meeting, the Executive Director of the UNEP for his support, and all those countries that had supported Convention activities since the fourth meeting of the Conference of the Parties. He thanked specially the Presidents, bureau members and chairs of the Conference of the Parties and its subsidiary bodies and working groups, as well as Canada, host of the Secretariat.

8. The period since the fourth meeting of the Conference of the Parties had been a productive one. A number of important meetings had made significant contributions to advancing the implementation of the Convention, moving towards agreement on key concepts and mapping out directions for future actions. The outstanding achievement had been the adoption of the Cartagena Protocol on Biosafety. The participants would consider the work programme of the Intergovernmental Committee for the Cartagena Protocol (ICCP) along with other inter-sessional activities and draft decisions contained in document UNEP/CBD/COP/5/1/Add.2. Mr. Zedan then briefly reviewed the main items before the current meeting, drawing particular attention to the three items for in-depth discussion - the biological diversity of dry and sub-humid lands, sustainable use, and the question of access to genetic resources - the proposed programme of work on Article 8(j) and related provisions, the various thematic and cross-cutting issues, as well as important proposals related to the operations of the Convention. Noting that the development of the proposals had been greatly helped by discussion among the Convention's partners, he said that that such cooperation was essential to the success of

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the Convention. Finally, he said that support, input and guidance at the current meeting regarding the participation of the Convention in the preparation of the Rio+10 review would be greatly appreciated.

1.3. Opening address by Mr. Klaus Töpfer, Executive Director of the United Nations Environment Programme (UNEP)

9. Addressing the Conference of the Parties at the opening session of the meeting, Mr. Klaus Töpfer, Executive Director of UNEP, said a renewed positive and cooperative approach was essential to the success of the Convention. He reaffirmed the keen desire of the United Nations to support the Convention, briefly outlining some of its relevant activities. Africa was a reminder of the interrelation between biodiversity and poverty and the concomitant urgent need for a cooperative approach between industrialized countries and the developing world in areas such as debt relief, capacity-building, technology transfer and the equitable sharing of benefits from biotechnology and biological resources. An example of such a cooperative approach was the finalization of the Cartagena Protocol on Biosafety under the Convention. The spirit of cooperation engendered by the Cartagena process had also pervaded the recent meeting on indigenous knowledge in Seville, Spain, and the Global Biodiversity Forum held in Nairobi prior to the fifth meeting. The dedication of UNEP to the Convention and related efforts was apparent on many fronts, including through its commitment to the successful execution of the Millennium Assessment, its active engagement in a GEF-funded biodiversity support programme, and its participation in capacity-building efforts. UNEP was also seeking to make a greater contribution to the important issue of agricultural biodiversity.

1.4. Address by His Excellency President Daniel Toroitich arap Moi, President of the Republic of Kenya

10. At the opening session of the meeting, the Conference of the Parties heard an address by H.E. President Daniel Toroitich arap Moi, President of Kenya. After welcoming the participants, President Moi noted that the food security of millions of people was based on the activities of small-scale producers who had helped to shape, manage and develop agricultural biodiversity. He therefore noted with great satisfaction that agricultural biodiversity enjoyed a high profile on the agenda. Biodiversity provided the natural resource base for socio-economic development for the present and for the future. The world could not afford to lose much more of that socio-economic base if the battle to combat poverty and ensure a fair quality of life for all was to be won. For the Convention to play an effective role, there was a need to develop realistic levels of international action and substantial flows of aid in the form of investment towards sustainable activities. In order to address those issues, the Conference of the Parties had taken bold steps by developing a programme of work that would require partnerships with all stakeholders and financial institutions, including bilateral and multilateral organizations.

11. The recently concluded Cartagena Protocol on Biosafety would contribute to ensuring that there was an adequate level of protection in the safe transfer, handling and use of living modified organisms resulting from modern technology. Implementation of the Protocol would, however, require sufficient resources to be made available to build and enlarge technological competences in biotechnology and establish the biosafety clearing-house mechanism to access capabilities in risk management and safety assurance. He noted with satisfaction that those issues would be fully deliberated upon by the

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ministerial round table and the high-level segment to be held in the course of the meeting. He also expressed the hope that the question of access and benefit-sharing would be given all the attention it deserved, as it related to intellectual property rights, indigenous knowledge and bioprospecting.

1.5. Statements by the representatives of United Nations organizations and convention secretariats

12. At the 2nd plenary session of the meeting, on 15 May 2000, statements were also made by the representatives of the following United Nations organizations and convention secretariats: Food and Agriculture Organization of the United Nations (FAO), United Nations Educational, Scientific and Cultural Organization (UNESCO), Secretariat of the Ramsar Convention on Wetlands of International Importance especially as Waterfowl Habitat, the World Intellectual Property Organization (WIPO), and the Convention on the Conservation of Migratory Species of Wild Animals (CMS).

13. The representative of FAO said that the conservation and sustainable use of biological diversity for food and agriculture were essential to satisfy basic human needs for food and livelihood security and to achieve sustainable agriculture and rural development. The Conference of the Parties had already recognized the distinctiveness of agricultural biodiversity and the associated problems. FAO and its Commission on Genetic Resources for Food and Agriculture were intergovernmental forums where complex issues related to agricultural biodiversity were discussed and international agreements were negotiated and adopted. The Commission would welcome requests for assistance from the Conference of the Parties on any matter related to biological diversity for food and agriculture. Noteworthy features of cooperation between FAO and the Secretariat of the Convention included the renewal of the loan of a Programme Officer dealing with agricultural biodiversity and an assessment of activities in that area being carried out jointly at the request of the Conference of the Parties at its third meeting, as well as the further development of a programme of work on agricultural biodiversity. FAO also cooperated technically on issues related to the Convention programme of work on forests, marine and coastal ecosystems and dryland and inland water ecosystems, as well as on cross-sectoral issues such as indicators. More specifically, FAO would be pleased to assist in efforts under the next phase of the Convention's work on forest biological diversity, through the FAO Global Forest Resources Assessment, as well as with invasive alien species and living modified organisms. Finally, he reiterated FAO's commitment to work with its member countries and the Parties to the Convention in the areas falling within its mandate.

14. The representative of UNESCO drew attention to two background papers prepared by his organization. The first (UNEP/CBD/COP/5/INF/5) provided the Parties with a response to the invitation to UNESCO issued by the Conference of the Parties in decision IV/10 B to consider launching a global education and public awareness initiative, while the second (UNEP/CBD/COP/5/INF/27) dealt with the way in which the ecosystem approach and the concept of biosphere reserves related to each other. There were other themes and issues under the Convention that were being implemented and designed at the same time: through its multidisciplinary approach (science, education, culture and communication), giving rise to a range of programmes, UNESCO was able to deliver the kind of inputs that the Parties to the Convention needed. UNESCO would continue to assist the Executive Secretary of the Convention in his efforts to ensure a full launch and successful implementation of the Global

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Taxonomy Initiative, a process that needed to be accelerated with innovative funding. UNESCO hoped to develop a project on training and capacity-building in taxonomy. UNESCO would also welcome requests for assistance and partnership in areas in which it was able to make a contribution.

15. Mr. Delmar Blasco, Executive Secretary of the Convention on Wetlands of International Importance especially as Waterfowl Habitat, said that he was pleased to report real progress towards creating a true synergy between the Convention on Biological Diversity and the Convention on Wetlands. Following the signing of the Memorandum of Understanding between the two conventions in 1996, the first joint work plan for 1998-1999 had been completed, and a new draft work plan for 2000-2001 had been developed in consultation with the Secretariat of the Convention on Biological Diversity and the chairs of SBSTTA and the Scientific and Technical Review Panel of the Convention on Wetlands. SBSTTA had recommended the adoption of the new work plan, and he sincerely hoped that that recommendation would receive the support of all delegations. He encouraged Parties to add references to the draft joint work plan in their decisions related to other areas of work, such as marine and coastal and forest biodiversity, as well as to the cross-cutting theme of alien invasive species, since the draft joint work plan covered all those areas. He was also pleased to note the proposal to adopt a new format for national reports that was very similar to that adopted by the Parties to the Convention on Wetlands. The proposed new format should assist with future efforts to harmonize national reporting.

16. The representative of WIPO stated that WIPO's exploratory work programme on global intellectual property issues had identified four main areas in which issues arose regarding the direct and indirect relationship between intellectual property and biological diversity: intellectual property and access to genetic resources and benefit-sharing; intellectual property and the protection of traditional knowledge, innovations and practices; intellectual property and the transfer of, and access to, technology; and intellectual property and scientific and technical cooperation. He reported on the outcome of the activities that WIPO had undertaken during 1998 and 1999 regarding these four areas, and provided a description of the activities it was planning to undertake in 2000 and 2001. Jointly with UNEP, WIPO had submitted to the Conference of the Parties three case-studies on the role of intellectual property rights in the sharing of benefits arising from the use of biological resources and associated traditional knowledge (UNEP/CBD/COP/5/INF/26). WIPO had also convened a meeting on intellectual property and genetic resources on 17 and 18 April 2000; the Chairman's conclusions from that meeting would be formally transmitted to the fifth meeting of the Conference of the Parties. Finally, he said that WIPO was willing to collaborate, within the scope of its mandate and resources, and in keeping with the guidance of its member States, with the Convention Secretariat and other related bodies, as appropriate, with a view to assisting in the discharge of decisions of the current meeting relating to intellectual property.

17. The Executive Secretary of the Convention on Migratory Species, Mr. Arnulf Müller-Helmbrecht, said that the Secretariat of that Convention had always tried to direct the implementation of the Convention on Migratory Species towards complementarity with the aims, purposes and instruments of the Convention on Biological Diversity. Most recently, with strong input and guidance from UNEP and after consultations with UNDP and the World Bank, two medium-sized projects jointly implemented by CMS and the Convention on Biological Diversity, with input from the Secretariat of the Convention on

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Wetlands, had been approved by GEF and represented an excellent example of synergy in action. Drawing attention to the study entitled "A guide to the complementarities between the Convention on Migratory Species and the Convention on Biological Diversity" (UNEP/CBD/COP/5/INF/28), he urged all the national delegations and the Convention Secretariat to examine it closely to determine how potential synergies between the two conventions could be identified, and how the Conference of the Parties could develop and adopt conclusions for further guidance on the subject, at its current or next meeting. Noting that he would bring the matter to the attention of the parties to the Convention on Migratory Species and its subsidiary bodies, he expressed the hope that the forthcoming meeting of the parties, scheduled for late August/mid-September 2002, would take similar decisions on such synergies between the two conventions.

18. At the 4th plenary session of the meeting, on 22 May 2000, the Conference of the Parties heard statements from Mr. Jorge Illueca, Assistant Executive Director of UNEP and Head of the Division of Environmental Conventions, speaking on behalf of Mr. Willem Wijnstekers, Secretary-General of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES); Mr. Roberto Lenton, on behalf of the United Nations Development Programme (UNDP); and Mr. Mohamed T. El-Ashry, Chief Executive Officer and Chairman of the Global Environment Facility (GEF).

19. Mr. Illueca said that it was important for CITES and the Convention on Biological Diversity to enhance cooperation and find joint solutions in common policy areas. He congratulated the Conference of the Parties on the successful conclusion of the Cartagena Protocol on Biosafety and offered the 25 years of practical experience of the CITES Secretariat in the control of cross-border movement of live plants and animals, and the parts and derivatives thereof. The ecosystem approach to biological diversity issues was challenging and was also a major concern of CITES. He believed that its implementation could be greatly enhanced through the activities of the Convention on Biological Diversity. On the question of sustainable development, which was a controversial subject within CITES, there was considerable scope for the two conventions to clarify the issues at stake in a coherent and consistent manner. He stressed that the aims of the two Conventions were complementary and that a close working relationship between their secretariats and between those responsible for their implementation could not fail to lead to effective and efficient conservation of nature.

20. Mr. Lenton said that UNDP had adopted as its overarching corporate goal the global target of reducing extreme poverty by half by the year 2015. Sustained poverty reduction could be achieved only if the productive capacity of local and global ecosystems, and the goods and services they provided, were also sustained. UNDP's comparative advantage would be to provide policy advice, institutional strengthening and capacity-development services. In addition, UNDP would make available studies and operational lessons emerging from its work to lend support to the work programme of the Convention on Biological Diversity on forest biodiversity and the United Nations Forum on Forests. Since the fourth meeting of the Conference of the Parties, UNDP had reactivated its Indigenous Peoples programme and, together with the European Commission, had launched the Poverty and Environment Initiative to identify concrete policy recommendations and practical measures that addressed the environment concerns of the poor in developing countries. A recently established and important way in which countries were receiving support to implement the Convention was through the Biodiversity Planning Support

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Programme, which was implemented by UNDP and UNEP with core financing from GEF. UNDP was engaged in work on a number of the thematic and cross-cutting issues of the Convention on Biological Diversity, and remained highly committed to working towards its successful implementation.

21. Mr. Mohamed T. El-Ashry welcomed the adoption of the Cartagena Protocol on Biosafety and said that GEF stood ready to play the role assigned to it by the Protocol. GEF would also welcome a role which went beyond that proposed in the Secretariat document on additional financial resources (UNEP/CBD/COP/5/14) and was centred around the identification and coordination, on behalf of the Convention, of additional financial resources from bilateral sources, international organizations and the private sector. A new generation of GEF programmes and projects was putting financial resources to increasingly better use, as illustrated by the brand new operational programme on integrated ecosystem management. Strengthening country capacity to undertake global environmental action was an important objective of GEF and the conventions it served. Over the coming 18 months, GEF and UNDP would work in partnership to pursue a consultative process which would result in strategy and multi-year action plans, designed to help countries meet the challenges of global environmental management, specifically in the areas of biodiversity, climate change and land degradation. Future success lay in integrating GEF priorities for action and combining forces on mobilizing finance, and GEF stood ready to provide leadership in both areas. GEF was also well placed to serve as a clearing-house for financial assistance in collaboration with the Convention on Biological Diversity.

22. At the 5th plenary session of the meeting, on 26 May 2000, the Conference of the Parties heard a statement by Mr. Hama Arba Diallo, Executive Secretary of the United Nations Convention to Combat Desertification. Mr. Diallo said that the loss of biological diversity and land degradation were closely linked to the root causes of rural poverty, particularly through the adverse effects they had on agricultural and food production. On the issue of collaboration between the two conventions, he said he was confident that the Conference of the Parties to the Convention to Combat Desertification would appreciate the decision of the Conference of the Parties to the Convention on Biological Diversity to establish a programme of work on the biological diversity of dry and sub-humid lands and its request that the secretariats of the two conventions should develop a joint work programme. Coordinated implementation of environmental conventions was essential at the local level, and therefore country-driven capacity development was an area needing strong support. The implementation frameworks under the Convention to Combat Desertification offered an advantage for low-level coordination of activities. Moreover, in addressing cross-cutting issues that had broad constituencies, the work programme could also take advantage of the regional thematic programme networks already in place under the Convention to Combat Desertification in order to enhance the implementation of regional-level activities. He hoped that the initiative between the two conventions would reinforce determination to collaborate through joint actions, and the secretariat of the Convention to Combat Desertification stood ready to cooperate fully in the furtherance of common goals.

1.6. Statements on behalf of the Global Biodiversity Forum and the International Indigenous Forum

23. At the 2nd plenary session of the meeting, on 15 May 2000, statements were made by representatives of the Global Biodiversity Forum and the International Indigenous Forum.

24. The representative of the Global Biodiversity Forum, reported on the fifteenth session of the Forum, which had been held in Nairobi immediately before the current meeting and had brought together some 200 participants from 46 countries. Its three key themes had been biodiversity for poverty alleviation, instruments for access and benefit-sharing from genetic resources, and dryland ecosystems as an illustration of agricultural biodiversity and sustainable livelihoods. The main conclusions of the workshops held on those themes had been that the Conference of the Parties should, inter alia, recommend the full integration of the monetary and non-monetary goods and services provided by biodiversity into poverty eradication strategies; full consideration of the rights and needs of the poor, women, indigenous peoples and other local communities in national biodiversity strategies and action plans; the establishment or strengthening of effective incentive schemes and small grants and micro-credit facilities to promote community-driven biodiversity conservation and poverty eradication initiatives; full participation in the processes on access and benefit-sharing under the Convention; the adoption of farmer-centred programmes of work on agricultural biodiversity and dry and sub-humid lands; and support for actions to raise consumer awareness to promote sustainable farming, agricultural biodiversity and localized food systems.

25. The representative of the International Indigenous Forum highlighted the vital role to be played by indigenous peoples in the protection of biological diversity. She urged the Convention participants to support continuation of the work of the Ad Hoc Open-ended Inter-Sessional Working Group on Article 8(j) and Related Provisions, and to guarantee the full and effective participation of indigenous peoples in all Convention processes. The meeting should also ensure adequate coordination between the Convention and other instruments and actors dealing with human rights, intellectual property rights and the environment, and recognize the important role of women in conserving biodiversity. There was also a need to support the establishment of indigenous communication networks and clearing-house mechanisms to interact with the Convention Secretariat, and to impose a moratorium on bioprospecting in indigenous peoples' territories until the protection of those peoples' rights and traditional knowledge could be guaranteed.

AGENDA ITEM 2. ELECTION OF OFFICERS

Election of the President, Vice-Presidents and Rapporteur

26. In accordance with rule 21 (Officers) of the rules of procedure for meetings of the Conference of the Parties to the Convention on Biological

Diversity, the Conference, at the opening session of the meeting, elected the following officers:\*

President: Mr. Francis Nyenze (Kenya)

Vice-Presidents: Mr. Phocus Ntayombya (Rwanda)  
Mr. A.H. Zakri (Malaysia)  
Ms. Manal Al-Dulaimi (Kuwait)  
Ms. Elaine Fisher (Jamaica)  
Ms. Mariangela Rebuá (Brazil)  
Ms. Gordana Beltram (Slovenia)  
Ms. Ilona Jepsen (Latvia)  
Mr. Peter Schei (Norway)

Rapporteur: Ms. Marina von Weissenberg (Finland)

27. On assuming the presidency of the meeting, Mr. Nyenze thanked the Conference of the Parties for the honour shown to him and to Kenya by his election. Welcoming all participants to Kenya, he observed that the honour was enhanced by the fact that the Convention's first protocol was being opened for signature in Nairobi, the birthplace of the Convention itself. In that connection, he urged all countries to sign the Cartagena Protocol on Biosafety and to commit themselves to its successful implementation. The Parties faced many challenges in tackling their agenda, and he pledged to do his utmost to facilitate their work and also to serve the aims of the Convention in the coming two years. He urged all participants to help him in his task and wished the Conference success in its deliberations.

28. Also at the opening session of the meeting, and following the establishment of the two sessional working groups (see paragraph 32 below), Mr. Peter Schei, Vice-President from Norway, was elected Chair of Working Group I and Ms. Elaine Fisher, Vice-President from Jamaica, was elected Chair of Working Group II.

Election of the Chair of the seventh and eighth meetings of the Subsidiary Body on Scientific, Technical and Technological Advice

29. At the 4th plenary session of the meeting, on 22 May 2000, the Conference of the Parties elected Mr. Jan Plesnik (Czech Republic) as Chair of the Subsidiary Body on Scientific, Technical and Technological Advice at its seventh and eighth meetings.

AGENDA ITEM 3. ADOPTION OF THE AGENDA

30. At the opening session of the meeting, on 15 May 2000, the Conference of the Parties adopted the following agenda on the basis of the provisional agenda that had been circulated as document UNEP/CBD/COP/5/1, with a new agenda item 17.5:

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\* Following the amendment of rule 21 of the rules of procedure, through paragraph 5 of decision V/20, adopted at the 5th session of the meeting (see para. 282 below), it was decided that, as a transitional measure, the Bureau elected at the current meeting would remain in office until the end of the sixth meeting of the Conference of the Parties. A new President would, however, be elected at the start of that meeting.

I. ORGANIZATIONAL MATTERS

1. Opening of the meeting.
2. Election of officers.
3. Adoption of agenda.
4. Organization of work.
5. Report on the credentials of representatives to the fifth meeting of the Conference of the Parties.
6. Pending issues.
7. Date and venue of the sixth meeting of the Conference of the Parties.

II. ADOPTION OF REPORTS

8. Reports of regional meetings.
9. Reports of the Subsidiary Body on Scientific, Technical and Technological Advice.
10. Report of the Inter-Sessional Meeting on the Operations of the Convention.
11. Report of the Ad Hoc Open-ended Inter-Sessional Working Group on the Implementation of Article 8(j) and Related Provisions of the Convention on Biological Diversity.
12. Report on the status of the Biosafety Protocol.
13. Report of the Global Environment Facility.
14. Report of the Panel of Experts on Access and Benefit-sharing.
15. Report of the Executive Secretary on the administration of the Convention and the budget for the Trust Fund of the Convention.

III. REVIEW OF THE IMPLEMENTATION OF THE PROGRAMME OF WORK

16. Thematic areas:
  - 16.1 Progress report on the implementation of the programme of work on the biological diversity of inland water ecosystems diversity, marine and coastal biological diversity, and forest biological diversity (implementation of decisions IV/4, IV/5, IV/7);
  - 16.2 Agricultural biological diversity: review of phase I of the programme of work and adoption of a multi-year work programme.
17. Cross-cutting issues:
  - 17.1. Ecosystem approach: adoption of principles (implementation of decision IV/1 B);
  - 17.2. Identification, monitoring and assessment, and indicators (implementation of decision IV/1 A);
  - 17.3. Alien species that threaten ecosystems, habitats or species (implementation of decision IV/1 C);

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- 17.4. Global Taxonomy Initiative: implementation and further advance of the Suggestions for Action (implementation of decision IV/1 D);
- 17.5. Global strategy for plant conservation.
18. Mechanisms for implementation:
  - 18.1. Financial resources and mechanism (Articles 20 and 21);
  - 18.2. Scientific and technical cooperation and the clearing-house mechanism (Article 18);
  - 18.3. Incentive measures (Article 11);
  - 18.4. Article 8(j) and related provisions;
  - 18.5. Education and public awareness (Article 13);
  - 18.6. Impact assessment, liability and redress (Article 14);
  - 18.7. National reporting (Article 26).
19. Operations of the Convention.
20. Budget for the programme of work for the biennium 2001-2002.

#### IV. PRIORITY ISSUES FOR REVIEW AND GUIDANCE

21. Consideration of options for conservation and sustainable use of biological diversity in dryland, Mediterranean, arid, semi-arid, grassland and savannah ecosystems.
22. Sustainable use, including tourism.
23. Access to genetic resources.

#### V. FINAL MATTERS

24. Other matters.
25. Adoption of the report.
26. Closure of the meeting.

#### AGENDA ITEM 4. ORGANIZATION OF WORK

31. At the 1st plenary session of the meeting, on 15 May 2000, the Conference approved the suggestions for the organization of the work of its fourth meeting, as contained in annex I of the revised annotations to the provisional agenda (UNEP/CBD/COP/5/1/Add.1/Rev.1).

32. Accordingly, the Conference established two working groups: Working Group I, under the chairmanship of Mr. Peter Schei (Norway), to consider agenda items 16, 17 (with the exception of sub-item 17.2), 18.3, 21 and 22, and Working Group II, under the chairmanship of Ms. Elaine Fisher (Jamaica), to consider agenda items 17.2, 18 (with the exception of sub-item 18.3), 19 and 23. It was further decided that the remaining items would be taken up directly in plenary.

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Work of the sessional working groups

33. At the 4th plenary session of the meeting, on 22 May 2000, the Conference of the Parties heard interim reports from the Chairs of the two working groups.

34. The final reports of the working groups were presented to the Conference of the Parties at the 5th plenary session of the meeting, on 26 May.

35. Working Group I held 13 meetings, from 16 to 25 May 2000. It decided to establish two open-ended contact groups: a contact group on agricultural biological diversity, dealing with agenda item 16.2, under the chairmanship of Ms. Elzbieta Martyniuk (Poland); and a contact group on the ecosystem approach, under the Chair, Mr. Peter Schei (Norway), dealing with agenda item 17.1. It also decided to establish four open-ended drafting groups: a drafting group on forest biological diversity, under agenda item 16.1, chaired by Mr. A.A. Yeboah (Ghana); a drafting group on the Global Taxonomy Initiative, dealing with agenda item 17.4, chaired by Mr. Bráulio Ferreira de Souza Dias (Brazil); a drafting group on biological diversity of dry and sub-humid lands, dealing with agenda item 21, chaired by Mr. Sem T. Shikongo (Namibia); and a drafting group on sustainable use, including tourism, dealing with agenda item 22, chaired by Mr. David Lawson (Australia).

36. Working Group I adopted its report (UNEP/CBD/COP/5/L.20) at its 13th meeting, on 25 May 2000.

37. Working Group II held 12 meetings from 16 to 25 May 2000. It decided to establish three contact groups: an open-ended contact group on access to genetic resources (agenda item 23), chaired by Mr. A.H. Zakri (Malaysia); an open-ended contact group on operations of the Convention, chaired by Mr. Jonathan Tillson (United Kingdom of Great Britain and Northern Ireland); and an open-ended contact group on Article 8(j) and related provisions (agenda item 18.4), chaired by Mr. Johan Bodegård (Sweden).

38. Working Group II adopted its report (UNEP/CBD/COP/5/L.19) at its 12th meeting, on 25 May 2000.

High-level segment of the meeting

39. In accordance with the organization of work, the high-level segment of the meeting was held on 24 May 2000 and focused on capacity-building endeavours to promote the ratification of the Cartagena Protocol on Biosafety. The report of the high-level segment, including as an appendix the summary by the Chair is contained in annex I to the present report.

Ministerial round table

40. On 23 May 2000, a ministerial round table on capacity-building in developing countries to facilitate the implementation of the Cartagena Protocol on Biosafety was held in conjunction with the meeting of the Conference of the Parties. The summary by the Chair of the ministerial round table is contained in annex II to the present report.

AGENDA ITEM 5. REPORT ON THE CREDENTIALS OF REPRESENTATIVES TO THE  
FIFTH MEETING OF THE CONFERENCE OF THE PARTIES

41. At the 5th plenary session of the meeting, on 26 May 2000, Ms. Ilona Jepsen, Vice-President of the Conference of the Parties, introduced the report of the Bureau on the credentials of representatives to the meeting (UNEP/CBD/COP/5/L.14). She said that, in accordance with rule 19 of the rules of procedure for meetings of the Conference of the Parties, the Bureau had examined the credentials of the 154 Parties attending the meeting. The credentials of 135 representatives had been found to be in full compliance with the provisions of rule 18 of the rules of procedure, while those of six representatives only partly complied with those provisions and were therefore not in good order. The representatives of a further 19 Parties attending the meeting had as yet not submitted credentials. Those Parties which had either not submitted their credentials or had submitted credentials which did not fully comply with the rules of procedure were requested by the Bureau to sign a declaration promising to provide credentials in the proper form to the Executive Secretary within 30 days of the end of the meeting.

42. The Conference of the Parties approved the report of the Bureau.

AGENDA ITEM 6. PENDING ISSUES

43. At the 1st plenary session of the meeting, on 15 May 2000, the Conference of the Parties took up the item. The item was introduced by a representative of the Secretariat, who drew attention to the note prepared by the Executive Secretary on pending issues (UNEP/CBD/COP/5/22).

44. The representative of India made a statement on the item.

45. The President, noting that no solution of the pending issues seemed likely at the current meeting, invited Parties to pursue informal consultations on the pending issues and to postpone consideration of the subject until the sixth meeting of the Conference of the Parties.

46. The Conference of the Parties agreed with the approach proposed by the President.

AGENDA ITEM 7. DATE AND VENUE OF THE SIXTH MEETING OF THE  
CONFERENCE OF THE PARTIES

47. At the 4th plenary session of the meeting, on 26 May 2000, the Conference of the Parties gratefully accepted the offer of the Government of the Netherlands to host its sixth meeting in The Hague, during the second quarter of 2002 at a date to be specified by the Bureau and communicated to all Parties. The Conference adopted decision V/29 to that effect on the basis of a draft decision that had been circulated under the symbol UNEP/CBD/COP/5/L.10. The text of the decision is contained in annex III to the present report.

48. The representative of the Netherlands made a statement.

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## II. ADOPTION OF REPORTS

### AGENDA ITEM 8. REPORTS OF REGIONAL MEETINGS

49. At the 1st and 2nd plenary sessions of the meeting, on 15 May 2000, the Conference of the Parties considered this item.

50. The Executive Secretary explained that, although the Secretariat had contributed to events in the regions and subregions which served as inputs to the preparatory process, budgetary constraints had made it impossible to organize stand-alone meetings in each of the regions to prepare for the fifth meeting of the Conference of the Parties. However, immediately prior to the current meeting, the Secretariat had facilitated the holding of regional preparatory meetings in Nairobi.

51. Several representatives expressed regret at the departure from the traditional practice of providing resources for the convening of regional consultations to allow the regional groups to prepare adequately for the heavy workload of the Conference of the Parties. They hoped that, in the future, resources would be made available to enable such valuable regional preparatory meetings to continue to be convened.

52. The representative of the Cook Islands, speaking on behalf of the small island developing States of the Pacific, reported on a subregional workshop on access to genetic resources and benefit-sharing, organized in Fiji from 13 to 17 March 2000.

53. The representative of Algeria read out a declaration on behalf of the African Group, addressed to the fifth meeting of the Conference of the Parties.

54. The representative of Zimbabwe reported on the outcome of the Fifth Southern African Biodiversity Forum, held in Harare from 3 to 6 April 2000.

55. The representative of Nigeria, speaking on behalf of the Group of 77 and China, reported on issues arising from the Group's meetings at its negotiating headquarters at New York.

56. The representative of Latvia, as spokesperson for the Central and Eastern European Group, reported on the International Conference "Biodiversity in Europe" (Riga Conference), held in Riga from 20 to 23 March 2000, the report of which was available in document UNEP/CBD/COP/5/INF/23.

57. The representative of Portugal, speaking on behalf of the European Union, also described the outcome of the Riga Conference.

### AGENDA ITEM 9. REPORTS OF THE SUBSIDIARY BODY ON SCIENTIFIC, TECHNICAL AND TECHNOLOGICAL ADVICE

58. The Conference of the Parties took up this item at the 2nd plenary session, on 15 May 2000. Introducing the item, the President said that during the period between the fourth and fifth meetings of the Conference of the Parties, the Subsidiary Body on Scientific, Technical and Technological Advice had held its fourth and fifth meetings.

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59. Mr. H. A. Zakri (Malaysia), Chair of the fourth meeting, introduced the report of that meeting (UNEP/CBD/COP/5/2), which had been held in Montreal from 21 to 25 June 1999. He pointed out that at its fourth meeting, the Subsidiary Body had continued to improve its effectiveness in bridging the gap between researchers and policy makers by concentrating on the scientific and technical input required. Annex I to the report contained seven recommendations on the issues addressed at that meeting, which would be considered under the appropriate agenda items during the fifth meeting of the Conference of the Parties. The recommendations had also been incorporated into the compilation of draft decisions before the Conference of the Parties (UNEP/CBD/COP/5/1/Add.2).

60. At the same plenary session, Mr. Cristián Samper (Colombia), Chair of the fifth meeting of Subsidiary Body, introduced the report of that meeting (UNEP/CBD/COP/5/3), which had been held in Montreal from 31 January to 4 February 2000. He called on the Conference of the Parties to provide the Subsidiary Body with clear and precise directions to enable it to make the work of the Conference more focused and effective. Annex I to the report contained 14 recommendations on the issues addressed at the meeting, which would be considered under the appropriate agenda items during the fifth meeting of the Conference of the Parties. The recommendations had likewise been incorporated into the compilation of draft decisions before the Conference of the Parties.

61. The Conference of the Parties took note of the two reports of the Subsidiary Body on Scientific, Technical and Technological Advice, on the understanding that the substantive elements of the reports would be taken up under the corresponding items of the agenda.

AGENDA ITEM 10. REPORT OF THE INTER-SESSIONAL MEETING ON THE  
OPERATIONS OF THE CONVENTION

62. At the 2nd plenary session of the meeting, on 15 May 2000, the Conference of the Parties took up the item. The report of the Inter-Sessional Meeting on the Operations of the Convention (UNEP/CBD/COP/5/4) was introduced by the President of the fourth meeting of the Conference of the Parties, who had served as Chair of the Meeting, Mr. László Miklós (Slovakia). The Inter-Sessional Meeting, which had been held in Montreal from 28 to 30 June 1999, had made recommendations to the Conference of the Parties pertaining to the operations of the Convention; the relationship between intellectual property rights, the Convention on Biological Diversity and the Agreement on Trade-related Aspects of Intellectual Property Rights of the World Trade Organization (WTO); and ex situ collections. It had also provided guidance to the Panel of Experts on Access and Benefit-sharing, which had helped the Bureau and the Secretariat in preparing for the meeting of the Panel held in Costa Rica in October 1999. The Inter-Sessional Meeting had proved a great success, as a result of the spirit of cooperation that prevailed among participants. He expressed his gratitude to the working group chairs, Mr. Jonathan Tillson (United Kingdom) and Ms. Elaine Fisher (Jamaica), and his fellow Bureau members for their contributions to the success of the Meeting.

63. The Conference of the Parties took note of the report of the Inter-Sessional Meeting, on the understanding that its substantive elements would be taken up under the corresponding items of the agenda.

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AGENDA ITEM 11. REPORT OF THE AD HOC OPEN-ENDED WORKING GROUP ON  
ARTICLE 8 (j) AND RELATED PROVISIONS OF THE  
CONVENTION ON BIOLOGICAL DIVERSITY

64. At the 2nd plenary session of the meeting, on 15 May 2000, the Conference of the Parties took up this item. The report of the Working Group (UNEP/CBD/COP/5/5) was presented by the Ambassador of Spain to Kenya, speaking on behalf of Mr. Juan Luis Muriel (Spain), the Chair of the Working Group at its first meeting. He recalled that the Working Group had been established by Conference of the Parties at its fourth meeting, in decision IV/9, and had subsequently met in Seville, Spain, from 27 to 31 March 2000. The meeting had been characterized by a spirit of frank and open discussion, in which the representatives of indigenous and local communities took an active part. The Working Group had agreed on three recommendations, which were annexed to the report. He drew particular attention to the programme of work annexed to the recommendation 2, which was both ambitious and comprehensive.

65. The Conference of the Parties took note of the report, on the understanding that its substantive elements would be taken up under agenda item 18.4.

AGENDA ITEM 12. REPORT ON THE STATUS OF THE BIOSAFETY PROTOCOL

66. At the 2nd plenary session of the meeting, on 15 May 2000, the Conference of the Parties took up the item. The Chair of the Intergovernmental Committee for the Cartagena Protocol on Biosafety (ICCP), Mr. Philemon Yang (Cameroon), introduced the proposed work plan for the Committee (UNEP/CBD/COP/5/6/Add.1), which had been drawn up by the Bureau in pursuance of Conference decision EM-1/3 on the basis of draft elements prepared by the Executive Secretary. In developing this work plan, it had been the view of the Bureau that the primary focus of the work of the ICCP should be on issues earmarked in the Protocol for consideration at the first meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol. At the same time, however, in order to plan the effective implementation of the Protocol, the first meeting of the Parties would also have to address other provisions, particularly those that related to activities that had been identified as central to the operation of the Protocol and would promote the ratification process, such as capacity-building. The proposed work plan therefore addressed both sets of issues. The Bureau of the ICCP had also made a number of other recommendations, namely: that the Conference of the Parties should request the Executive Secretary to invite the private sector to contribute to capacity-building; convene a meeting of technical experts on the Biosafety Clearing-House prior to the first meeting of the ICCP; and consider ways and means to ensure that the first meeting of the Parties to the Protocol was held no later than 12 months after the entry into force of the Protocol.

67. Statements under the item were made by the representatives of Argentina, Australia, Canada, Colombia, the European Community, France, Indonesia, the Islamic Republic of Iran, Malawi, Portugal (on behalf of the European Union), Switzerland, and Turkey.

68. A large number of representatives expressed satisfaction with the proposed work plan as presented by the Chair of the ICCP. Several representatives, however, expressed concern over certain aspects of the plan and asked for more time for discussion on the item. During the discussion,

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the representative of France announced that the first meeting of the ICCP would be held in Montpellier from 11 to 15 December 2000.

69. At its 3rd plenary session of the meeting, on 16 May 2000, the Conference of the Parties resumed its discussion of the item. Statements were made by the representatives of Algeria, the Bahamas, Bangladesh, Bolivia, Chad, China, Cuba, Ecuador, Egypt, Ethiopia, El Salvador, the Gambia, Haiti, Japan, Kenya, Lesotho, Madagascar, Malaysia, Mexico, Namibia, New Zealand, the Niger, Nigeria, Norway, Pakistan, Peru, the Republic of Korea, Togo, the United States of America, and Zimbabwe.

70. Statements were also made by the representatives of the Commonwealth Secretariat and Greenpeace International.

71. The Chair of the ICCP said that the proposed work plan was a mere outline of suggestions on how to move forward in the implementation of the Cartagena Protocol. The ICCP had no mandate or authority to negotiate or take decisions. In that regard, he accepted the brief given to him by the Conference of the Parties to continue to hold consultations on the work plan and report back to the plenary in due course.

72. At the 4th plenary session of the meeting, on 22 May 2000, the Conference of the Parties had before it a draft decision submitted by the Bureau on the work plan of the Intergovernmental Committee for the Cartagena Protocol on Biosafety (ICCP) (UNEP/CBD/COP/5/L.2).

73. Statements were made by the representatives of Argentina, Australia, Bolivia, Botswana, Brazil, Canada, Chad, China, Colombia, Ethiopia, the European Community, Haiti, India, Indonesia, the Islamic Republic of Iran, Japan, Kenya, Malawi, Malaysia, Mexico, Morocco, Nigeria, Portugal (on behalf of the European Union), Switzerland, Togo, the United States, Venezuela, and Zimbabwe.

74. The Chair of the Intergovernmental Committee also spoke.

75. The Conference of the Parties then adopted the draft decision as decision V/1. The text of the decision is contained in annex III to the present report.

76. During the discussion of the draft decision, the representative of Argentina expressed the wish that the topic "Consideration of modalities for developing standards with regard to handling, transport, packaging and identification (Article 18)" listed under issue 4, "Handling, transport, packaging and identification" on the agenda of the first meeting of the ICCP should be included under issue 3, "Capacity-building", in view of the fact that it was a highly complex area in which skills were required in order to contribute constructively to the implementation of the Protocol at the national and international level. The representative of Argentina also expressed the view that the Executive Secretary, when convening the meeting of experts on the Biosafety Clearing-House, should ensure broad and equitable representation of the various interests, including those of the grain-exporting countries.

AGENDA ITEM 13. REPORT OF THE GLOBAL ENVIRONMENT FACILITY

77. At the 3rd plenary session of the meeting, on 16 May 2000, the Conference of the Parties took up this item. A representative of the secretariat of the Global Environment Facility (GEF) introduced the report of GEF (UNEP/CBD/COP/5/7), which covered the period 1 January 1998 to 30 June 1999 and described GEF activities approved by the Council in areas covered by the Convention.

78. He said that the GEF biodiversity portfolio had continued to expand and mature; from its inception in 1991 to June 1999, it had allocated nearly \$1 billion to 324 biodiversity activities in 119 countries, while during the current reporting period, total project funding for activities exceeded \$788 million, of which \$268 million had been grants, with the remainder co-financed from various sources. GEF had integrated into its operational modalities the guidance of the fourth meeting of the Conference of the Parties, and in response to decision IV/13 of that meeting, projects had been and were being supported for the following programme priorities: alien species, taxonomy, inland waters, the clearing-house mechanism, incentive measures and access and benefit-sharing. Other activities described in the report included an interim assessment of GEF support to biodiversity enabling facilities, new resources for targeted capacity-building and a new operational programme on ecosystem management.

79. The representative of Nigeria made a statement on behalf of the Group of 77 and China.

AGENDA ITEM 14. REPORT OF THE PANEL OF EXPERTS ON ACCESS AND BENEFIT-SHARING

80. At the 3rd plenary session of the meeting, on 16 May 2000, the Conference took up this item. It had before it the report of the Panel of Experts on Access and Benefit-sharing (UNEP/CBD/COP/5/8).

81. The report was introduced by Mr. Jorge Cabrera Medaglia, Co-Chair of the Panel, who said that the Panel of Experts had met in San Jose, Costa Rica, from 4 to 8 October 1999 to access and benefit-sharing arrangements in line with its mandate as contained in decision IV/8 and the further guidance provided thereon by recommendation 2 of the Inter-Sessional Meeting on the Operations of the Convention. The Panel reached broad consensus on the basic principles that should govern access and benefit-sharing arrangements, and a common understanding of the key concepts such as prior-informed consent, mutually agreed terms, and fair and equitable benefit-sharing. It had also identified important information and capacity-building needs associated with access and benefit-sharing arrangements. The Panel had reached a number of conclusions, which were reflected in its report for consideration by the Conference of the Parties. Some of the conclusions, such as the development of guidelines with respect to prior informed consent and mutually agreed terms, required action by Parties, Governments and the Conference of the Parties.

82. The Panel had also identified certain key issues that, in its opinion, still required further study.

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83. The Conference of the Parties took note of the report, on the understanding that its substantive elements would be taken up during the discussion of access to genetic resources (agenda item 23).

AGENDA ITEM 15. REPORT OF THE EXECUTIVE SECRETARY ON THE ADMINISTRATION OF THE CONVENTION AND THE BUDGET FOR THE TRUST FUND OF THE CONVENTION

84. Introducing his note on the administration of the Convention and the budget of the Trust Fund of the Convention (UNEP/CBD/COP/5/9), the Executive Secretary said that it set out the financial and administrative performance of the Secretariat since the last meeting of the Conference of the Parties, in May 1998; the status of income of the three trust funds of the Convention during the period 1999-2000; and the levels of expenditure during that period vis-à-vis the approved budgets. The report commented on the status of staffing of the Secretariat, the status of implementation of the headquarters agreement with Canada, and the administrative arrangements with UNEP. The report noted that the percentage of assessed contributions paid in any year to the General (BY) Trust Fund of the Convention since 1995 had never exceeded 75 per cent of the approved amount, and that that proportion was usually spread over the entire year, rather than being paid on 1 January when contributions were due. Therefore, in order to implement the 1999 work programme and renew staff contracts, the Executive Secretary had drawn upon available surpluses in the BY Trust Fund, without which the Secretariat could not have discharged its functions. However, a marked tendency for payments to be received earlier in the year had been observed in 2000. In addition to providing details on the status of contributions to the trust funds, the report also contained a draft revised scale of assessment for the biennium 2000-2001, which had been prepared on the basis of the budget proposed by the Secretariat (UNEP/CBD/COP/5/18). That scale would be adjusted to reflect the final budget approved by the Conference of the Parties.

85. Item 15 was subsequently considered in conjunction with item 20 (Budget for the programme of work for the biennium 2001-2002) (see paras. 285-297 below).

III. REVIEW OF THE IMPLEMENTATION OF THE PROGRAMME OF WORK

AGENDA ITEM 16. THEMATIC AREAS

16.1. Progress report on the implementation of the programmes of work on the biological diversity of inland water systems, marine and coastal biological diversity, and forest biological diversity (implementation of decisions IV/4, IV/5, IV/7)

86. At its 4th meeting, on 18 May 2000, Working Group I took up the item. It was introduced by the representative of the Secretariat, who drew attention to the note prepared by the Executive Secretary (UNEP/CBD/COP/5/10) to assist the Conference of the Parties in its consideration of progress made in the implementation of decisions IV/4, IV/5 and IV/7 on, respectively, the status and trends of the biological diversity of inland water ecosystems and options for conservation and sustainable use; conservation and sustainable use of marine and coastal biological diversity, including a programme of work; and forest biological diversity. The representative of the Secretariat also drew attention to the following information documents that had also been circulated under the item: review of existing instruments relevant to integrated marine and coastal area management and their implications for the implementation of the Convention on Biological Diversity (UNEP/CBD/COP/5/INF/6); information on marine coastal and genetic resources, including bioprospecting (UNEP/CBD/COP/5/INF/7); criteria for the selection of marine and coastal protected areas (UNEP/CBD/COP/5/INF/8); gaps in existing or proposed legal instruments, guidelines and procedures to counteract the introduction of and the adverse effects exerted by alien species and genotypes that threaten ecosystems, habitats or species (UNEP/CBD/COP/5/INF/9); the report of the fourth session of the Intergovernmental Forum on Forests (UNEP/CBD/COP/5/INF/16); status of forest biological diversity: summary of information from national reports (UNEP/CBD/COP/5/INF/18); and the report of the Global Workshop to Address the Underlying Causes of Deforestation and Forest Degradation (UNEP/CBD/COP/5/INF/22).

87. The Chair of SBSTTA, Mr. Cristián Samper (Colombia), explained that recommendations V/5, V/6 and V/7, as contained in the report of its fifth meeting (UNEP/CBD/COP/5/3), proposed for consideration at the current meeting of the Conference of the Parties, outlined actions recommended, respectively, for programmes of work on the biological diversity of inland water ecosystems, marine and coastal biological diversity and forest biological diversity. Recommendation V/14 dealt with ad hoc technical expert groups and their terms of reference, as well as rosters of experts and a uniform methodology for their use.

88. The Chair of Working Group I said that, as there were three programmes of work, the first three recommendations would be considered separately, and the technical elements in the terms of reference for the expert groups could be addressed while dealing with the three programmes of work.

Biological diversity of inland water ecosystems

89. Accordingly, the Chair opened the floor for a discussion on the biological diversity of inland water ecosystems, including progress in the implementation of decision IV/4, and on SBSTTA recommendation V/5.

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90. Statements were made by the representatives of Australia, Burundi, Canada, China, Ecuador, Haiti, India, Indonesia, Kenya, Korea, Lesotho, Malawi, Namibia, Nepal (on behalf of the Asian Group), the Netherlands, Pakistan, Papua New Guinea, Peru, Portugal (on behalf of the European Union), Rwanda, Seychelles, Slovenia (on behalf of the Central and Eastern European Group), South Africa, Switzerland, Uganda, the United States of America and Zimbabwe.

91. At the end of the discussion on inland water biological diversity, the Chair, noting consensus, undertook to prepare, with the assistance of the Secretariat, a draft decision based on SBSTTA recommendation V/5, incorporating proposals made by representatives in writing.

92. At its 9th meeting, on 23 May, Working Group I considered an informal paper prepared by the Chair with the assistance of the Secretariat, containing a draft decision on the biological diversity of inland water ecosystems. Statements were made by the representatives of Colombia, Nigeria and New Zealand. The draft decision, as orally amended, was approved for transmission to the plenary as document UNEP/CBD/COP/5/L.5.

93. At the 5th plenary session of the meeting, on 26 May 2000, the Conference of the Parties adopted draft decision UNEP/CBD/COP/5/L.5 as decision V/2. The text of the decision is contained in annex III to the present report.

#### Marine and coastal biological diversity

94. In Working Group I, the Chair opened the floor for a discussion on progress in the programme of work for marine and coastal biological diversity, including progress in the implementation of decision IV/5, and SBSTTA recommendation V/6.

95. Statements were made by the representatives of Canada, China, Colombia, the European Community, France, Haiti, Iceland, India, Indonesia, Jamaica, Japan, Kenya, Monaco, the Netherlands, New Zealand, Norway, Panama, Papua New Guinea, Portugal (on behalf of the European Union), the Republic of Korea, Samoa, Seychelles, Slovenia, Trinidad and Tobago (on behalf of the Group of Latin American and Caribbean Countries), Turkey, the United Republic of Tanzania and the United States of America.

96. A statement was also made by a representative of the secretariat of the Barcelona Convention.

97. At the end of the discussion on marine and coastal biological diversity, the Chair said that, with the assistance of the Secretariat, he would prepare a draft decision based on SBSTTA recommendation V/5, incorporating proposals made by representatives in writing.

98. At its 9th meeting, on 23 May, the Working Group considered an informal paper prepared by the Secretariat containing a draft decision on marine and coastal biological diversity. Statements were made by the representatives of Greece, Iceland, Kuwait, the Netherlands, New Zealand, Seychelles, Turkey and the United States. After an exchange of views, the Chair of the Working Group proposed that consideration of the draft decision be suspended until representatives had had the opportunity to check the relevant decisions

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adopted at the fourth meeting of the Conference of the Parties pertaining thereto.

99. At its 10th meeting, the Working Group resumed its consideration of the draft decision on marine and coastal biological diversity. Statements were made by the representatives of Australia, Canada, Colombia, Iceland, Kenya, New Zealand, Portugal (on behalf of the European Union), Seychelles, Turkey and the United Kingdom. The draft decision, as orally amended, was approved for transmission to the plenary as document UNEP/CBD/COP/5/L.7.

100. At the 5th plenary session of the meeting, the Conference of the Parties adopted draft decision UNEP/CBD/COP/5/L.7, as orally corrected by the Secretariat and orally amended by the representative of Colombia, as decision V/3. The text of the decision is contained in annex III to the present report.

101. Following the adoption of decision V/3, at the 5th plenary session of the meeting, Mr. J. Illueca, Assistant Executive Director of UNEP and Head of the Division of Environmental Conventions, made a statement on behalf of the Executive Coordinator of the Cartagena Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region, with reference to cooperation between the Convention on Biological Diversity and other regional seas conventions. He said that the Protocol on Specially Protected Areas and Wildlife to the Cartagena Convention had entered into force during the week. All parties that had ratified the Protocol (Colombia, Cuba, Dominican Republic, Netherlands Antilles, Panama, Saint Lucia, Saint Vincent and the Grenadines, Trinidad and Tobago, and Venezuela) were also Parties to the Convention on Biological Diversity. The Cartagena Convention therefore looked forward to collaboration with the Convention on Biological Diversity.

#### Forest biological diversity

102. In Working Group I, the Chair opened the floor for a discussion on forest biological diversity, including progress in the implementation of decision IV/7 and SBSTTA recommendation V/7.

103. Statements were made by the representatives of Armenia, Canada, China, El Salvador, Ghana, the Islamic Republic of Iran, Japan, Kenya, Norway, Poland, Portugal (on behalf of the European Union), the Republic of Korea, the Russian Federation, Sweden, Switzerland, Uganda, and the United Republic of Tanzania, .

104. At the end of the meeting, the Working Group agreed that those representatives with strong positions on either the establishment of ad hoc technical expert groups proposed in recommendation V/14 or their terms of reference should meet in informal consultations to help the Group make some headway in its discussions on those issues.

105. At its 5th meeting, on 19 May 2000, the Working Group heard a report from the representative of Ghana, speaking on behalf of an informal group that had met to consult on the establishment of groups for further work on forest biological diversity. The group had resolved that the Conference of the Parties should establish an ad hoc technical expert group with a structure including expertise geared towards other concerns such as forest policies; that the Secretariat of the Convention should complement the work of the

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experts by exploiting its memorandum of understanding with such bodies as the Centre for International Forestry Research (CIFOR) and FAO to obtain more information; and that the Secretariat should also collate information already available and tap experience available elsewhere, with a view to providing for potential future trends that could arise. The Working Group then resumed its consideration of forest biological diversity.

106. Statements under the item were made by representatives of Austria, Brazil, Bolivia, Chile, China, Colombia, Ecuador, Ethiopia, Finland, France, the Gambia, India, Indonesia, Japan, Kazakhstan, Malawi, the Netherlands, New Zealand, Nigeria, Paraguay, Peru, Rwanda, Solomon Islands (also on behalf of Papua New Guinea and Vanuatu), Togo, Turkey, the United Kingdom of Great Britain and Northern Ireland, and the United States of America.

107. Statements were also made by representatives of Greenpeace International and the Consultative Group on International Agricultural Research (CGIAR).

108. The Working Group decided to establish a drafting group on the item, under the chairmanship of Mr. A.A. Yeboah (Ghana) to prepare a draft decision for its consideration. The core members were Burkina Faso, Brazil, Canada, Chile, Indonesia, Japan, Norway, the Russian Federation and the European Community, but participation was open to representatives of other countries.

109. At its 12th meeting, on 25 May 2000, the Working Group heard a report by the Chair of the drafting group on forest biological diversity. The drafting group had prepared an informal paper containing a draft decision based on the recommendations of the fifth meeting of SBSTTA and statements made by members of the Working Group at its 5th meeting.

110. Statements were made by Australia, the Bahamas, Colombia, Nigeria, Pakistan, Portugal (on behalf of the European Union) and Switzerland.

111. The draft decision, as orally amended, was approved for transmission to the plenary as document UNEP/CBD/COP/5/L.15, on the understanding that, when presenting the draft decision to the plenary, the Chair would state that the financing of the ad hoc technical expert group on forest biological diversity should be covered by the core budget.

112. At the 5th plenary session of the meeting, on 26 May 2000, the Conference of the Parties adopted draft decision UNEP/CBD/COP/5/L.15, as orally corrected by the Secretariat, as decision V/4. The text of the decision is contained in annex III to the present report.

113. During the discussion under this item at the 5th plenary session of the meeting, the Chair of Working Group I, supported by several other representatives, stressed the importance of the ad hoc technical expert groups to achievement of the Convention's objectives, had expressed concern at the fact that no funds were provided in the core budget for the establishment and operation of those groups and had urged that Parties with sufficient means make voluntary contributions.

114. The representative of Colombia said that the technical expert groups were a basic instrument for improving technical inputs to meetings of SBSTTA. It was a matter of concern that the core budget did not include resources for the operation of the four groups set up in the decisions that had been adopted. That omission would have a negative effect on the operations of

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SBSTTA. The delegation of Colombia did not wish to re-open the debate on the text, which reflected a balance resulting from the negotiations. It did, however, have doubts as to whether it would be possible to implement some of the elements of the decision.

115. The representative of Canada, stressing the importance of forest biological diversity as well as the role to be played by the ad hoc technical expert groups in achieving the aims of the Convention, said that his country offered to host the first meeting of the technical expert group on forest biological diversity in Montreal at a date to be determined.

116. The representative of New Zealand echoed the concerns expressed in Working Group I and welcomed the offer of Canada, which would enable the necessary preparatory work to get under way.

16.2. Agricultural biological diversity: review of phase I of the programme of work and adoption of a multi-year work programme

117. At its 5th meeting, on 19 May 2000, Working Group I took up the item. The representative of the Secretariat drew attention to a note by the Executive Secretary (UNEP/CBD/COP/5/11) to assist the Conference of the Parties in reviewing the implementation of decisions III/11 and IV/6 on agricultural biological diversity and in adopting the next phase of the programme of work. He said that the Conference of the Parties might also wish to take note of the SBSTTA assessment of ongoing activities and instruments (UNEP/CBD/SBSTTA/5/INF/10). Finally, he drew attention to the following three information documents that had been circulated under the item: summaries of case-studies on soil biota, pollinators and landscape diversity, and of coverage of agricultural biological diversity in national reports (UNEP/CBD/COP/5/INF/10); the ecosystem approach: towards its application to agricultural biological diversity (UNEP/CBD/COP/5/INF/11); and the report on the negotiations to revise the International Undertaking on Plant Genetic Resources (UNEP/CBD/COP/5/INF/12).

118. The Chair of SBSTTA at its fifth meeting, Mr. Cristián Samper (Colombia), said that SBSTTA recommendation IV/5, contained in the report of its fourth meeting (UNEP/CBD/COP/5/2), related to possible actions to be taken at the international and national levels with regard to genetic use restriction technologies, while recommendation V/9, contained in the report of its fifth meeting (UNEP/CBD/COP/5/3) contained a proposed multi-year programme of work, whose elements he briefly outlined.

119. Statements were made by the representatives of Argentina, Armenia, Brazil, Canada, Colombia, El Salvador, the European Community, Ghana, India, Indonesia, Kenya, Malawi, Morocco, Norway, the Philippines, Poland, Portugal (on behalf of the European Union), Slovenia (on behalf of the Central and Eastern European Group), Turkmenistan, Uganda and the United Republic of Tanzania.

120. At its 6th meeting, on 19 May 2000, the Working Group resumed its consideration of the agenda item.

121. Statements were made by representatives of Australia, Burkina Faso, Ethiopia, Haiti, Hungary, Japan, the Netherlands, New Zealand, Nigeria,

Paraguay, Turkey, the United States of America and Vanuatu (on behalf of Papua New Guinea and Solomon Islands).

122. A statement was made by the representative of the Food and Agriculture Organization of the United Nations (FAO).

123. Statements were also made by representatives of CGIAR, the Rural Advancement Foundation International (RAFI) (on behalf of a group of non-governmental organizations) and the Intermediate Technology Development Group (ITDG) (on behalf of a group of non-governmental organizations).

124. The Working Group decided to set up a contact group on the item, under the chairmanship of Ms. Elzbieta Martyniuk (Poland) to prepare a draft decision for its consideration. The core membership of the group comprised the representatives of Argentina, Australia, Brazil, Canada, El Salvador, Ethiopia, the European Community, India, Paraguay, Poland, Slovenia, and Uganda, but participation was open to other representatives.

125. At its 11th meeting, on 23 May 2000, the Working Group received an informal paper containing a draft decision prepared by the contact group on agricultural biodiversity.

126. Statements were made by the representatives of Brazil, Cameroon, Colombia, the European Community, India, Malawi, Nigeria, Portugal (on behalf of the European Union), and Uganda (on behalf of the African Group).

127. Following the discussion on the appropriateness of considering the draft decision separately from the issue of genetic use restriction technologies (GURTs), the Working Group requested the contact group to reconvene on the issue under the chairmanship of Ms. Elzbieta Martyniuk (Poland) and prepare a revised consolidated text for its consideration.

128. At its 12th meeting, on 25 May 2000, the Working Group considered a revised consolidated paper containing a draft decision on agricultural biological diversity prepared by the contact group, including the issue of genetic use restriction technologies.

129. A statement was made by the representative of Cameroon.

130. The draft decision, as orally amended, was approved for transmission to the plenary as document UNEP/CBD/COP/5/L.17.

131. At the 5th plenary session of the meeting, on 26 May 2000, the Conference of the Parties adopted draft decision UNEP/CBD/COP/5/L.17, as orally corrected by the Secretariat, as decision V/5. The text of the decision is contained in annex III to the present report.

#### AGENDA ITEM 17. CROSS-CUTTING ISSUES

##### 17.1. Ecosystem approach: adoption of principles

132. At its 6th meeting, on 19 May, Working Group I took up the item. It was introduced by a representative of the Secretariat who recalled that, pursuant to its decision II/8, the Conference of the Parties had adopted the ecosystem approach as the primary framework for action under the Convention. At its fourth meeting, the Conference of the Parties had requested SBSTTA to develop

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principles and other guidance on the ecosystem approach and to report thereon to the Conference of the Parties at the fifth meeting. At its fifth meeting, SBSTTA had discussed the ecosystem approach and, in its recommendation V/10, contained in the report of that meeting (UNEP/CBD/COP/5/3), had recommended a set of principles and guidance to be adopted by the Conference of the Parties. He also drew attention to a note prepared by the Secretariat (UNEP/CBD/COP/5/12) on progress in various cross-cutting areas of work under the Convention, including the ecosystem approach.

133. Also before the meeting under this item was a brochure prepared by UNESCO on the ecosystem approach and biosphere reserves (UNEP/CBD/COP/5/INF/27).

134. The Chair of SBSTTA, Mr. Cristián Samper (Colombia), drew attention to SBSTTA recommendation V/10, which, in its annex, contained a description of the ecosystem approach, as well as 12 principles and five points of operational guidance for application of the ecosystem approach.

135. Statements on the item were made by representatives of Australia, Austria, Brazil, Canada, China, Colombia, Finland, Germany, Haiti, India, Indonesia, Italy, Jamaica, Japan, Kenya, Malawi, Mexico, the Netherlands, New Zealand, Norway, Peru, Poland, Portugal (on behalf of the European Union), the Russian Federation, Seychelles, Saint Kitts and Nevis, Switzerland, Tonga, Turkey, the United States of America, and Zimbabwe.

136. A statement was made by a representative of UNESCO.

137. Statements were also made by representatives of IUCN and Greenpeace International.

138. The Working Group decided that the Chair would prepare a draft decision for consideration at a future meeting.

139. At its 12th meeting, on 25 May 2000, the Working Group considered an informal paper containing a draft decision submitted by the contact group on the ecosystem approach. The Working Group agreed to a proposal by the Chair to delete part of the title of the draft decision to reflect the outcome of its deliberations.

140. A statement was made by the representative of Brazil.

141. The draft decision, as orally amended, was approved for transmission to the plenary as document UNEP/CBD/COP/5/L.16.

142. At the 5th plenary session of the meeting, on 26 May 2000, the Conference of the Parties adopted draft decision UNEP/CBD/COP/5/L.16 as decision V/6. The text of the decision is contained in annex III to the present report.

#### 17.2: Identification, monitoring and assessment

143. At its 8th meeting, on 22 May 2000, Working Group II took up the item. Introducing the item, the representative of the Secretariat pointed out that in decision IV/1 A, the Conference of the Parties had endorsed a SBSTTA recommendation on current approaches to indicator development and recommendations for a preliminary core set of indicators of biological

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diversity, particularly those related to threats, and options for capacity-building in developing countries in the application of guidelines and indicators for subsequent national reports. The recommendation contained a series of short-term and long-term objectives. Activities in the short term were to concentrate on incorporating existing science into the Convention process, mainly through preparatory activities carried out by a liaison group.

144. The Subsidiary Body on Scientific, Technical and Technological Advice had reviewed progress on the issue at its fifth meeting and adopted recommendation V/11, which was to be found in the report of the meeting (UNEP/CBD/COP/5/3). That recommendation had served as a basis for the draft decision on identification, monitoring and assessment, and indicators, which was before the Conference of the Parties (UNEP/CBD/COP/5/1/Add.2).

145. Statements under the item were made by the representatives of Australia, Brazil, China, Colombia, Egypt, Ethiopia, Germany, Grenada, India, Japan, Kenya, Liberia, Mexico, New Zealand, Peru, Portugal (on behalf of the European Union), Slovenia, Sudan, Switzerland, the United Kingdom of Great Britain and Northern Ireland, the United States of America, and Vanuatu (also on behalf of the Solomon Islands).

146. A statement was also made by the representative of BirdLife International.

147. At its 12th meeting, on 25 May 2000, the Working Group considered a conference room paper, submitted by the Chair, containing a draft decision on identification, monitoring and assessment and indicators. The draft decision, as orally amended, was approved for transmission to plenary as document UNEP/CBD/COP/5/L.29.

148. At the 5th plenary session of the meeting, on 26 May 2000, the Conference of the Parties adopted draft decision UNEP/CBD/COP/5/L.29 as decision V/7. The text of the decision is contained in annex III to the present report.

### 17.3. Alien species that threaten ecosystems, habitats or species

149. At its 8th meeting, on 22 May 2000, Working Group I took up the item. Introducing the item, a representative of the Secretariat recalled that in decision IV/1 C, the Conference of the Parties had invited Parties to address the issue on alien species through projects and incorporation of activities into national strategies, programme and actions plans. At the same time, through its decision IV/16, the Conference of the Parties had decided that it would consider the issue of alien species in depth at its sixth meeting, following consideration by SBSTTA at its fourth and fifth meetings. SBSTTA had been requested to report on the issue to the Conference of the Parties at its fifth meeting. The Conference of the Parties was now being invited to consider SBSTTA recommendation IV/4, contained in the report of its fourth meeting (UNEP/CBD/COP/5/2), and recommendation V/4, contained in the report of its fifth meeting (UNEP/CBD/COP/5/3).

150. The Chair of SBSTTA, Mr. Cristián Samper (Colombia), said that in its recommendation IV/4, SBSTTA had requested the Executive Secretary to develop principles for the prevention, introduction and mitigation of impacts of alien species, in cooperation with the Global Invasive Species Programme, and an outline for case-studies on alien species. At its fifth meeting, SBSTTA had

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recommended that the Conference of the Parties invite Parties to take into account a set of interim guiding principles for the prevention, introduction and mitigation of impacts of alien species, as contained in the annex to recommendation V/4.

151. Statements under the item were made by the representatives of Argentina, Australia, Burkina Faso, Cameroon, Canada, China, Colombia, the Cook Islands, Costa Rica (on behalf of Central American countries and Mexico), the Democratic Republic of the Congo, Denmark, Ethiopia, Haiti, Hungary, India, Indonesia, Ireland, Japan, Kenya, Kiribati, Latvia, Mauritius, Monaco, New Zealand, the Niger, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Portugal (on behalf of the European Union), the Republic of Korea, Samoa, Senegal, Seychelles, Solomon Islands, South Africa, Saint Kitts and Nevis, Switzerland, Tonga, Tunisia, Turkey, Uganda, the United States of America, the United Republic of Tanzania, Venezuela and Zimbabwe.

152. A statement was also made by a representative of FAO.

153. Statements were also made by the representatives of IUCN, the Sunshine Project and Defenders of Wildlife.

154. The Chair said that, with the assistance of the Secretariat, he would prepare a draft decision incorporating the points raised by representatives, and submit it to the Working Group at a later meeting.

155. At its 10th meeting, the Working Group considered an informal paper containing a draft decision on alien species that threaten ecosystems, habitats or species, prepared by the Secretariat on the basis of the discussion held at the 8th meeting.

156. Statements were made by the representatives of Australia, Cameroon, Canada, China, the European Community, Ghana, Kenya, New Zealand, Norway, Portugal (on behalf of the European Union), Samoa, Senegal, Seychelles, Sweden and the United States of America.

157. After an exchange of views, the Working Group requested the Secretariat to prepare a revised draft decision for its consideration.

158. At its 11th meeting, the Working Group resumed its deliberations on the informal paper prepared by the Secretariat containing a draft decision on alien invasive species.

159. Statements were made by representatives of Australia, Canada, Colombia, Greece, Kenya, Namibia, the Netherlands, New Zealand, Nigeria, Norway, Portugal (on behalf of the European Union), Seychelles and Zimbabwe.

160. A statement was also made on behalf of IUCN, the Centre for Agriculture and Biosciences International, and the Global Invasive Species Programme.

161. The draft decision, as orally amended, was approved for transmission to the plenary as document UNEP/CBD/COP/5/L.8.

162. At the 5th plenary session of the meeting, on 26 May 2000, the Conference of the Parties adopted draft decision UNEP/CBD/COP/5/L.8, as orally corrected by the Secretariat and amended by the representatives of Norway and

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Seychelles, as decision V/8. The text of the decision is contained in annex III to the present report.

17.4. Global Taxonomy Initiative: implementation and further advance of the Suggestions for Action

163. At its 9th meeting, on 23 May 2000, Working Group I took up the item. Introducing the item, the representative of the Secretariat drew attention to the Executive Secretary's report on cross-cutting issues (UNEP/CBD/COP/5/12) and recalled that the Conference of the Parties had recognized the lack of taxonomic knowledge as one of the key obstacles in the implementation of the Convention. At its third meeting, the Conference of the Parties had endorsed SBSTTA recommendation II/2 concerning capacity-building for taxonomy, and had recommended that Parties explore ways of making taxonomic information readily available. At its fourth meeting, the Conference of the Parties had stressed the urgent need for the further implementation of SBSTTA recommendation II/2 and endorsed, as initial advice, a set of suggestions for action to develop and implement a Global Taxonomy Initiative. At its fourth meeting, SBSTTA had provided a series of recommendations to the Conference of the Parties for the further development of the Initiative. The Conference of the Parties was now being invited to consider SBSTTA recommendation V/3, contained in the report of its fifth meeting (UNEP/CBD/COP/5/3).

164. Before addressing the issue, the Chair of SBSTTA, Mr. Cristián Samper (Colombia), appealed for SBSTTA to be given more flexibility and more specific guidance when issues were submitted to it for consideration. Turning to the item before the Working Group, he said that SBSTTA had considered the Global Taxonomy Initiative at its fourth and fifth meetings, and had identified a number of priority activities for Parties, Governments and relevant organizations to undertake in order to further the Initiative.

165. Statements under the item were made by the representatives of Argentina, Australia, the Bahamas, Belgium, Bolivia, Botswana, Brazil, Cameroon, Canada, the Central African Republic, China, Colombia, Costa Rica, Ethiopia, Germany, India, Indonesia, Japan, Kenya, Malawi, Mexico (on behalf of the Latin American and Caribbean Group), the Netherlands, New Zealand, Nigeria (on behalf of the Group of 77 and China), Norway, Peru, Portugal (on behalf of the European Union), Seychelles, Slovenia, South Africa, Sweden, Switzerland, the Russian Federation, Tunisia, the United Kingdom of Great Britain and Northern Ireland, and the United States of America.

166. Statements were also made by representatives of UNESCO and the Commonwealth Secretariat.

167. The Working Group decided that the Chair, with the assistance of the Secretariat, should prepare a revision of the draft decision on the Global Taxonomy Initiative contained in document UNEP/CBD/COP/5/1/Add.2 for its consideration, taking into account the amendments proposed during the meeting.

168. At its 12th meeting, on 25 May 2000, the Working Group considered an informal paper containing a revised draft decision on the Global Taxonomy Initiative, prepared by the Chair with the assistance of the Secretariat, and incorporating comments made by the Working Group at its 9th meeting.

169. Statements were made by representatives of Australia, the Bahamas, Brazil, Greece, New Zealand, Nigeria, Portugal (on behalf of the European Union), South Africa, and the United Republic of Tanzania.

170. The Working Group decided to establish a drafting group under the chairmanship of Mr. Bráulio Ferreira de Souza Dias (Brazil) to prepare a revised text of the draft decision for its consideration. The core members were Australia, Bahamas, South Africa, the United Republic of Tanzania and one country from the European Union, but participation was open to representatives of other countries.

171. At the 13th meeting of the Working Group, on 25 May 2000, the Chair of the drafting group reported that the group had revised the annex to the draft decision.

172. Statements were made by the representatives of Brazil and Canada.

173. The draft decision, as orally amended, was approved for transmission to the plenary as document UNEP/CBD/COP/5/L.18.

174. At the 5th plenary session, on 26 May 2000, the Conference of the Parties adopted draft decision UNEP/CBD/COP/5/L.18, as orally corrected by the Secretariat, as decision V/9. The text of the decision is contained in annex III to the present report.

#### 17.5. Global strategy for plant conservation

175. At its 8th meeting, on 22 May 2000, Working Group I took up an informal paper submitted by Colombia and Brazil containing a draft decision on a global strategy for plant conservation. Although the issue of plant conservation was linked to that of invasive alien species, the Working Group decided to consider it as a separate item because of the scope of the draft decision submitted for consideration. The representative of Colombia, speaking also on behalf of Brazil, introduced the item, describing the proposed global strategy as a useful instrument for plant conservation which could be integrated into the framework of the Convention on Biological Diversity.

176. Statements under the item were made by the representatives of Argentina, Bahamas, Bolivia, Brazil, Cameroon, Canada, China, Colombia, El Salvador, Haiti, India, Indonesia, Japan, Kenya, Malawi, Mexico, Namibia, New Zealand, Nigeria, Oman, Pakistan, Paraguay, Portugal (on behalf of the European Union), Seychelles, Slovenia (on behalf of the Central and Eastern European Group), South Africa, Togo, Uganda, the United States, Venezuela and Zimbabwe.

177. A statement was also made by the representative of the Commonwealth Secretariat.

178. The Working Group requested the Secretariat to prepare a revised draft decision for its consideration, taking into account proposals made during the meeting.

179. At its 10th meeting, on 23 May 2000, the Working Group resumed consideration of the item. The Chair introduced an informal paper containing a draft decision on a global strategy for plant conservation prepared by the Secretariat, on the basis of a proposal by Brazil and Colombia, incorporating the points raised by representatives. Statements were made by the

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representatives of Brazil, Cameroon, Canada, Colombia, Japan, New Zealand, Nigeria, Portugal (on behalf of the European Union) and Turkey. After a discussion, an informal group was set up by the Chair to consult and arrive at a compromise on the draft.

180. At its 11th meeting, on 23 May 2000, the Working Group heard a report by the Chair of the informal group set up to arrive at a compromise on the revised draft decision on a global strategy for plant conservation.

181. Statements were made by the representatives of Canada, Colombia, Japan, New Zealand, Nigeria and Poland. The draft decision, as orally amended, was approved as document UNEP/CBD/COP/5/L.9.

182. At its 13th meeting, on 25 May 2000, the Working Group agreed to an amendment proposed by the Chair to the draft decision that it had approved at its 11th meeting. The draft decision, as orally amended, was approved for transmission to the plenary as document UNEP/CBD/COP/5/L.9/Rev.1.

183. At the 5th plenary session of the meeting, on 26 May 2000, the Conference of the Parties adopted draft decision UNEP/CBD/COP/5/L.9/Rev.1 as decision V/10. The text of the decision is contained in annex III to the present report.

#### AGENDA ITEM 18. MECHANISMS FOR IMPLEMENTATION

##### 18.1: Financial resources and mechanism

184. At its 5th meeting, on 18 May 2000, Working Group II took up the item.

185. Introducing the item, the representative of the Secretariat said that it covered three issues: further guidance to the financial mechanism; the terms of reference for the second review of the effectiveness of the financial mechanism; and additional financial resources.

186. Regarding further guidance to the financial mechanism, he pointed out that in decision IV/11, the Conference of the Parties had requested the Executive Secretary to advise the Parties on the relationship of any draft guidance to previous guidance and any possible effects of that draft guidance on the implementation of previous guidance from the Conference of the Parties. In addition, the ISOC had recommended that future guidance to the financial mechanism should be incorporated into a single decision (UNEP/CBD/COP/5/4, annex, recommendation 1).

187. The Conference of the Parties had before it a note prepared by the Executive Secretary (UNEP/CBD/COP/5/13/Add.1) containing a compilation of past guidance to the financial mechanism.

188. Regarding the terms of reference for the second review of the effectiveness of the financial mechanism, the Conference of the Parties had reviewed the effectiveness of the mechanism at its fourth meeting and, in the decision IV/11, had requested the Council of the Global Environment Facility to take a number of actions with a view to improvement and to report on them to the Conference of the Parties at its fifth meeting. The requested report was before the Conference of the Parties (UNEP/CBD/COP/5/7).

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189. In decision IV/11, the Conference of the Parties had also decided that it would determine the terms of reference for the second review at its fifth meeting. Proposed terms of reference were set out in the progress report of the Executive Secretary on mechanisms for implementation (UNEP/CBD/COP/5/13).

190. Regarding additional financial resources, the Conference of the Parties, in decision IV/12, had requested the Executive Secretary to prepare a report on the subject, to include proposals for monitoring financial support for the implementation of the Convention; possible collaboration with international organizations, institutions, conventions and agreements of relevance; exploring possibilities for additional financial support to elements in the programme of work outlined in decision IV/16, annex II; and examining the constraints to, opportunities for and implications of private-sector support for the implementation of the Convention. The report before the Conference of the Parties (UNEP/CBD/COP/5/14) reviewed progress made in the implementation of the decision, with emphasis placed on continuing existing initiatives, developing innovative mechanisms and generating new sources of finance from the private sector, and suggested further action.

191. Two information notes prepared by GEF had also been submitted under item 18.1, relating to access and benefit-sharing (UNEP/CBD/COP/5/INF/17) and an interim assessment of biodiversity enabling activities (UNEP/CBD/COP/5/INF/20).

192. A draft decision on the item was set out for the Parties in the document entitled "Draft decisions for the fifth meeting of the Conference of the Parties" (UNEP/CBD/COP/5/1/Add.2).

193. Statements under the item were made by representatives of Australia, Austria, Bangladesh (on behalf of the Group of 77 and China), Brazil, Canada, China, Denmark Eritrea, Ethiopia, Germany, India, Indonesia, Kenya, Liberia, Malaysia, Namibia, Netherlands, New Zealand, Nigeria, Norway, Pakistan, Rwanda, Switzerland, the United Kingdom of Great Britain and Northern Ireland, and the United States of America.

194. The representative of the United States of America announced that her Government was launching a new forest biological diversity conservation initiative, involving new funding of \$150 million for bilateral projects related to such conservation. Of that sum, \$110 million would be disbursed through the United States Agency for International Development (USAID) and \$40 million through an innovative debt-reduction programme in return for measures to conserve forest biological diversity.

195. A statement was also made by the representative of Flora and Fauna International.

196. Also at its 5th meeting, the Working Group decided that representatives should submit comments and proposals to the Secretariat, with a view to the preparation of a revised draft decision, covering the three issues involved, namely: further guidance to the financial mechanism; the terms of reference for the second review of the effectiveness of the financial mechanism; and additional financial resources.

197. At its 9th meeting, on 23 May 2000, the Working Group considered a conference room paper containing a draft decision, submitted by the Chair, on additional financial resources. With regard to further guidance to the

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financial mechanism, the Chair announced that informal consultations would be conducted by Mr. John Ashe (Antigua and Barbuda) with a view to assisting her to prepare a draft decision on the subject.

198. Statements on the draft decision on additional financial resources were made by the representatives of the following countries: Brazil, Canada, China, Colombia, Ethiopia, Germany, India, Japan, Kenya, the Netherlands, Sweden, the United Kingdom of Great Britain and Northern Ireland, the United States of America, and Uruguay.

199. After the discussion, the Working Group decided to defer further consideration of the draft decision until a number of points contained therein had been further clarified and agreement had been reached.

200. At its 10th meeting, on 23 May 2000, the Working Group considered a conference room paper containing a draft decision prepared by the Chair on the subject of the second review of the financial mechanism.

201. Statements on the draft decision were made by the representatives of Antigua and Barbuda, Australia, Canada, Colombia, Germany, the Netherlands, Switzerland, the United Kingdom of Great Britain and Northern Ireland, and the United States of America.

202. The Working Group decided that, taking into account the comments made and the amendments proposed during the discussion, the Secretariat would prepare a revised version of the draft decision for subsequent submission to the Working Group.

203. At its 11th meeting, on 25 May 2000, the Working Group considered a revised conference room paper, submitted by the Chair, containing a draft decision on additional financial resources. The draft decision, as orally amended, was approved for transmission to plenary as document UNEP/CBD/COP/5/L.22.

204. At the same meeting, the Working Group considered a revised conference room paper, submitted by the Chair, containing a draft decision on the second review of the financial mechanism. The draft decision, as orally amended, was approved for transmission to plenary as document UNEP/CBD/COP/5/L.23.

205. At its 12th meeting, on 25 May 2000, the Working Group considered a conference room paper, submitted by the Chair, containing a draft decision on further guidance to the financial mechanism. The draft decision, as orally amended, was approved for transmission to plenary as document UNEP/CBD/COP/5/L.24.

206. At the 5th plenary session of the meeting, on 26 May 2000, the Conference of the Parties adopted draft decision UNEP/CBD/COP/5/L.22, as orally corrected by the Secretariat, as decision V/11, draft decision UNEP/CBD/COP/5/L.23 as decision V/12 and draft decision UNEP/CBD/COP/5/L.24 as decision V/13. The text of those decisions is contained in annex III to the present report.

18.2. Scientific and technical cooperation and the clearing-house mechanism

207. At its 5th meeting, on 18 May 2000, Working Group II took up the above item. Introducing the item, the representative of the Secretariat said that the Conference of the Parties, in decision IV/12, had requested the Executive Secretary to undertake an independent review of the pilot phase of the clearing-house mechanism, starting at the end of 1998, for presentation to SBSTTA, together with a longer-term programme of work for the mechanism. The results of the review, which had been presented to SBSTTA at its fifth meeting, were also before the Conference of the Parties (UNEP/CBD/COP/5/INF/2), as well as the proposed strategic plan for the clearing-house mechanism (UNEP/CBD/COP/5/INF/3) and proposals for its longer-term programme of work 1999-2004 (UNEP/CBD/COP/5/INF/4).

208. Also before the Conference of the Parties was SBSTTA recommendation V/2 on the clearing-house mechanism (UNEP/CBD/COP/5/3, annex I), in which the Conference of the Parties was recommended to endorse the strategic plan for the clearing-house mechanism and the longer-term programme of work. The Executive Secretary had also provided supplementary information on the topic in his progress report on mechanisms for implementation (UNEP/CBD/COP/5/13). Also before the Conference of the Parties under this item was an information paper on the experience of GEF in support of the clearing-house mechanism of the Convention (UNEP/CBD/COP/5/INF/24).

209. Based on SBSTTA recommendation V/2, the Executive Secretary had prepared a draft decision on the item, which was contained in the document containing draft decisions for the fifth meeting of the Conference of the Parties (UNEP/CBD/COP/5/1/Add.2).

210. Mr. David Brackett (Canada), Vice-Chair of the fifth meeting of SBSTTA, speaking on behalf of the Chair of SBSTTA, Mr. C. Samper (Colombia), presented to the Working Group the background to and content of SBSTTA recommendation V/2.

211. Statements under the item were made by the representatives of Australia, Bangladesh, Canada, Colombia, India, Indonesia, Japan, New Zealand, Peru, and Poland.

212. At the 6th meeting of the Working Group, on 19 May 2000, statements under the item were made by the representatives of Bangladesh, Belgium, Burkina Faso, Chad, Fiji (on behalf of the Pacific island developing States), Finland, Germany, the Islamic Republic of Iran, Italy, Jordan, Kenya, Mexico, Morocco, Norway, Portugal (on behalf of the European Union), Russian Federation, Senegal, Switzerland, the United Kingdom of Great Britain and Northern Ireland, the United States of America, and Venezuela.

213. A statement was also made by the representative of GEF.

214. At its 10th meeting, on 23 May 2000, the Working Group considered a conference room paper containing a draft decision prepared by the Chair on the subject of scientific and technical cooperation and the clearing-house mechanism.

215. Statements on the draft decision were made by the representatives of Antigua and Barbuda, Australia, Bahamas, Belgium, Brazil, Canada, Chad,

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Colombia, Denmark, Egypt, Germany, India, Italy, Jordan, Kenya, New Zealand, Norway, Oman, the Russian Federation, and the United Kingdom of Great Britain and Northern Ireland.

216. The Working Group decided that, taking into account the comments made and the amendments proposed during the discussion, the Secretariat would prepare a revised version of the draft decision for subsequent submission to the Working Group.

217. At its 11th meeting, on 25 May 2000, the Working Group considered a revised conference room paper, submitted by the Chair, containing a draft decision on scientific and technical cooperation and the clearing-house mechanism. The draft decision, as orally amended, was approved for transmission to plenary as document UNEP/CBD/COP/5/L.21.

218. At the 5th plenary session of the meeting, on 26 May 2000, the Conference of the Parties adopted draft decision UNEP/CBD/COP/5/L.21 as decision V/14. The text of the decision is contained in annex III to the present report.

#### 18.3. Incentive measures

219. Working Group I took up this item at its 1st meeting, on 16 May 2000. It was decided that the item would be considered in conjunction with agenda item 18.3 (Sustainable use, including tourism) (see paras. 307-314 below).

220. At its 7th meeting, on 19 May, the Working Group approved for transmission to plenary a draft decision under this item as document UNEP/CBD/COP/5/L.3, draft decision 3 (see also para. 313 below).

221. At the 4th plenary session of the meeting, on 22 May 2000, the Conference of the Parties took up draft decision 3 in document UNEP/CBD/COP/5/L.3.

222. Statements were made by the representatives of Argentina, Seychelles, Mexico and Nigeria.

223. The Conference of the Parties then adopted the draft decision, as orally amended, as decision V/15. The text of the decision is contained in annex III to the present report.

#### 18.4. Article 8(j) and related provisions

224. At its 6th meeting, on 19 May 2000, Working Group II took up this item. Introducing the item, a representative of the Secretariat drew attention to the substantive elements of the report of the Ad Hoc Open-ended Intersessional Working Group on Article 8(j) and Related Provisions of the Convention on Biological Diversity (UNEP/CBD/COP/5/5), which contained the Working Group's recommendations regarding a proposed programme of work and advice on the application and development of legal and other appropriate forms of protection.

225. In its decision IV/9, establishing that Working Group, the Conference of the Parties had also identified a number of other activities to promote the implementation of Article 8(j) and the related provisions of the Convention, and had reiterated its call for further case-studies and the further

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development of links with the World Intellectual Property Organization (WIPO). Information regarding those activities had been provided in the progress report of the Executive Secretary on mechanisms for implementation (UNEP/CBD/COP/5/13).

226. A draft decision on the item was also before the meeting, contained in the note by the Executive Secretary, entitled, "Draft decisions for the fifth meeting of the Conference of the Parties" (UNEP/CBD/COP/5/1/Add.2). In addition, an information document was before the meeting, prepared by UNEP and WIPO, on the role of intellectual property rights in the sharing of benefits arising from the use of biological resources and associated traditional knowledge, giving selected case-studies (UNEP/CBD/COP/5/INF/26).

227. Statements under the item were made by the representatives of Canada, Colombia, Ecuador, France, Germany, India, Japan, Kenya, Malawi (on behalf of the members of the Southern African Development Community (SADC)), Mexico, the Netherlands, Norway, Portugal (on behalf of the European Union), the Russian Federation, Spain, Sweden (on behalf of the Nordic countries) and Venezuela.

228. A statement was also delivered by two representatives of the Fifth International Indigenous Forum on Biodiversity.

229. At the 7th meeting of the Working Group, on 19 May 2000, statements were made by the representatives of Bolivia, Brazil, Canada, Colombia, Ecuador, Cuba, Ethiopia (on behalf of the Group of 77 and China), Indonesia, Mexico, Namibia, the Netherlands, New Zealand, Norway, Panama (on behalf of the countries of Central America), Peru, the Philippines, Rwanda, Solomon Islands (also on behalf of Papua New Guinea and Vanuatu), Spain, Switzerland, Uganda, the United Kingdom of Great Britain and Northern Ireland, and the United States of America.

230. A statement on the item was also made by the representative of the United Nations Conference on Trade and Development (UNCTAD).

231. Statements were also made by representatives of the following indigenous people's groups: International Forum on Biological Diversity, Consejo de Todas las Tierras de Chile, Coordinación Mapuche (Argentina), Russian Association of Indigenous People of the North, Coordinating Body for the Indigenous Organizations of the Amazon Basin (COICA), Te Iwi Moriori Trust Board, Asociación Ixacawaa de Desarrollo e Información Indígena, Movimiento Indígena Colombiano, Movimiento Autoridades Indígenas de Colombia, Canadian Indigenous Caucus (speaking on his own behalf and on behalf of the International Indigenous Forum on Biological Diversity), Indigenous Women's Biodiversity Network, Aboriginal Community of Australia, and Alliance internationale des peuples indigènes et tribaux des forêts tropicales.

232. At its 8th meeting, on 22 May 2000, the Working Group established an open-ended contact group under the chairmanship of Mr. Johan Bodegård (Sweden) to consider the issues under the item. It was decided that the following countries would constitute the core membership of the open-ended contact group: Argentina, Australia, Canada, Colombia, Ecuador, Germany, India, Indonesia, Namibia, Norway, Portugal, Russian Federation, Solomon Islands, Spain, Sweden, and Uganda.

233. At its 12th meeting, on 25 May 2000, the Working Group considered a conference room paper, submitted by the Chair of the contact group, containing

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a draft decision on Article 8(j) and related provisions. The draft decision, as orally amended, was approved for transmission to plenary as document UNEP/CBD/COP/5/L.31.

234. At the 5th plenary session of the meeting, on 26 May 2000, the Conference of the Parties adopted draft decision UNEP/CBD/COP/5/L.31, as orally amended by the representative of Colombia, as decision V/16. The text of the decision is contained in annex III to the present report.

235. Following the adoption of the decision, a representative of the International Indigenous Forum on Biodiversity expressed great satisfaction at the positive action taken by the Conference of the Parties in relation to Article 8(j) and related provisions of the Convention. She congratulated the Secretariat of the Convention as well as the Conference of the parties for their efforts in raising the profile of indigenous issues. She then briefly noted some particular issues that were vital to indigenous peoples, many of which had not been articulated to their full satisfaction. These issues included: the recognition of indigenous territories; the call for a moratorium on bioprospecting and access and use of traditional knowledge until such time as the cultural heritage of indigenous peoples was fully protected under national and international laws; the need for full participation in the development of policies and laws relating to biodiversity, including the right to deny access to genetic resources and traditional knowledge and the right to fair and equitable benefit-sharing where indigenous peoples agreed to such access; the need for financial support to ensure participation of indigenous peoples at all levels; and the right of prior informed consent in respect of the use of traditional knowledge. She also reiterated the principle of a rights-based approach to social justice and, in that context, she recommended the draft Declaration on the Rights of Indigenous Peoples as the most up-to-date articulation of their rights. Of particular importance was the full recognition and participation of indigenous women, for they were the nurturers of life.

#### 18.5. Education and public awareness

236. At its 8th meeting, on 22 May 2000, Working Group II took up the item. Introducing the item, the representative of the Secretariat said that, in its decision IV/10 B, the Conference of the Parties had invited the United Nations Educational, Scientific and Cultural Organization (UNESCO) to consider launching a global initiative on biological diversity education, training and public awareness. It requested the Executive Secretary to explore the feasibility of such an initiative and to report on progress to the fifth meeting of the Conference of the Parties. UNESCO had developed a proposal (UNEP/CBD/COP/5/INF/5) for a joint undertaking by the Convention, UNESCO and other relevant international organizations.

237. Also to be considered under the item were the SBSTTA recommendation that education and public awareness be included when considering the work programmes on thematic issues, and a recommendation by ISOC that the Conference of the Parties request the Executive Secretary to designate a theme each year for the International Day for Biological Diversity.

238. The SBSTTA and ISOC recommendations were contained in the reports of those bodies (UNEP/CBD/COP/5/2 and UNEP/CBD/COP/5/4, respectively).

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239. A draft decision on the item was set out in the document "Draft decisions for the fifth meeting of the Conference of the Parties" (UNEP/CBD/COP/5/1/Add.2).

240. Statements under the item were made by the representatives of Canada, Colombia, Ecuador, Germany, India, the Islamic Republic of Iran, Kenya, Mali, Namibia, the Netherlands, Norway, Peru, Portugal (on behalf of the European Union), Rwanda, Slovenia and Spain.

241. The working Group also heard a brief presentation by a representative of UNESCO describing the proposed joint undertaking by UNESCO, the Convention Secretariat and others.

242. At its 12th meeting, on 25 May 2000, the Working Group considered a conference room paper, submitted by the Chair, containing a draft decision on education and public awareness. The draft decision, as orally amended, was approved for transmission to plenary as draft decision UNEP/CBD/COP/5/L.28.

243. At the 5th plenary session of the meeting, on 26 May 2000, the Conference of the Parties adopted draft decision UNEP/CBD/COP/5/L.28 as decision V/17. The text of the decision is contained in annex III to the present report.

18.6. Impact assessment, liability and redress (Article 14)

244. At its 9th meeting, on 23 May 2000, Working Group II took up the above agenda item.

245. Introducing the item, the representative of the Secretariat said that, by its decision IV/10 C, the Conference of the Parties invited input from Governments and organizations relating to environmental impact assessment. It also requested that the Secretariat incorporate such input in a synthesis report and requested SBSTTA, on the basis of the report, to identify further actions that would promote implementation of the impact assessment procedures provided for in Article 14 of the Convention.

246. Recommendation IV/6 of SBSTTA, contained in the report of the fourth meeting of SBSTTA (UNEP/CBD/COP/5/2), outlined a number of activities that Parties, Governments and other organizations might undertake. It also recommended that SBSTTA be requested to further develop guidelines on environmental impact assessments in time for the sixth meeting of the Conference of the Parties and that the Executive Secretary continue efforts to generate and disseminate case-studies.

247. As also requested in decision IV/10 C, the Conference of the Parties had before it a synthesis report on liability and redress (UNEP/CBD/COP/5/16). However, the Executive Secretary had not received enough submissions to provide the basis for the examination of redress and liability anticipated in Article 14, and it was accordingly proposed that detailed consideration of the issue be considered at a future meeting of the Conference of the Parties.

248. The Conference of the Parties also had before it under this item an information document entitled "Environmental impact assessment and biological diversity: contribution from the German Technical Cooperation project on implementing the Convention on Biological Diversity", circulated at the request of the delegation of Germany (UNEP/CBD/COP/5/INF/34).

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249. A draft decision on impact assessment, liability and redress was contained in the document "Draft decisions for the fifth meeting of the Conference of the Parties" (UNEP/CBD/COP/5/1/Add.2).

250. Statements under the item were made by the representatives of Australia, Brazil, Canada, Colombia, Ethiopia, European Community, Germany, India, Indonesia, the Islamic Republic of Iran, Jordan, Kenya, Mali, Morocco, Namibia, the Netherlands, Norway, Peru, Portugal (on behalf of the European Union), South Africa, Sudan, Switzerland, the United Republic of Tanzania, the United States of America, and Zambia.

251. A statement under the item was also made by the representative of BirdLife International (speaking on his own behalf and on behalf of the International Association for Impact Assessment, and also as a member of the Working Group on Impact Assessment of the Scientific and Technical Review Panel of the Ramsar Convention on Wetlands).

252. At its 12th meeting, on 25 May 2000, the Working Group considered a conference room paper, submitted by the Chair, containing a draft decision on impact assessment, liability and redress.

253. During the discussion of the draft decision, the representative of France announced his Government's intention to host a workshop on liability and redress with respect to the Convention on Biological Diversity, and to invite interested Parties.

254. The draft decision, as orally amended, was approved for transmission to plenary as document UNEP/CBD/COP/5/L.30.

255. At the 5th plenary session of the meeting, on 26 May 2000, the Conference of the Parties adopted draft decision UNEP/CBD/COP/5/L.30 as decision V/18. The text of the decision is contained in annex III to the present report.

#### 18.7. National reporting (Article 26)

256. At its 4th meeting, on 18 May 2000, Working Group II took up the item.

257. Introducing the item, the representative of the Secretariat reported that, in its decision IV/14, the Conference of the Parties had requested SBSTTA to provide advice on the intervals and forms of future national reports, taking into account the elements contained in the Annex to that decision. SBSTTA had considered the matter at its fifth meeting and recommended that the Conference of the Parties request Parties to submit full national reports every four years, making use of a matrix of questions, and that Parties be invited to prepare detailed thematic reports on one or more of the items for in-depth consideration by meetings of the Conference of the Parties.

258. In response to a request from SBSTTA at its fifth meeting, the Executive Secretary had prepared a note on national reporting for the consideration of the fifth meeting of the Conference of the Parties (UNEP/CBD/COP/5/13/Add.2). The annexes to the note contained a matrix and proposed formats for thematic reports for in-depth consideration by the Conference of the Parties.

259. A draft decision on national reporting, based on the recommendations by SBSTTA, was set out in the document "Draft decisions for the fifth meeting of the Conference of the Parties" (UNEP/CBD/COP/5/1/Add.2).

260. The Chair of SBSTTA, Mr. C. Samper (Colombia), drawing attention to the note by the Executive Secretary contained in document UNEP/CBD/COP/5/13, presented the recommendations of the fifth meeting of SBSTTA.

261. Statements under the item were made by the representatives of Australia, Bangladesh, Brazil, Canada, Ecuador, Egypt, Eritrea, Ethiopia (on behalf of the Group of 77 and China), the European Community, Finland, Haiti, India, Indonesia, Japan, Kenya, Malaysia, New Zealand, Nigeria, Norway, Pakistan, Portugal (on behalf of the European Union), the Russian Federation, Seychelles, Slovenia (on behalf of the Central and Eastern European Group), Switzerland, Uganda, and the United Kingdom of Great Britain and Northern Ireland.

262. At the 5th meeting of the Working Group, on 18 May 2000, statements were made by representatives of Algeria, Bolivia, Cameroon, the Islamic Republic of Iran, Morocco, Paraguay and Romania.

263. A statement was also made by the representative of BirdLife International.

264. The Chair requested that representatives should submit to the Secretariat their proposed amendments to the draft decision on the item contained in document UNEP/CBD/COP/5/1/Add.2, with a view to the preparation of a revised draft.

265. At its 10th meeting, on 23 May 2000, the Working Group considered a conference room paper containing a draft decision submitted by the Chair on the subject of national reporting.

266. Statements on the draft decision were made by the representatives of Bahamas, Canada, Colombia, Costa Rica, Ethiopia, Finland, New Zealand, Norway, Peru, and the United Kingdom of Great Britain and Northern Ireland.

267. The Working Group decided that, taking into account the comments made and the amendments proposed during the discussion, the Secretariat would prepare a revised version of the draft decision for subsequent submission to the Working Group.

268. At its 11th meeting, on 25 May 2000, the Working Group considered a revised conference room paper, submitted by the Chair, containing a draft decision on national reporting. The draft decision was approved for transmission to plenary as document UNEP/CBD/COP/5/L.25.

269. At the 5th plenary session of the meeting, on 26 May 2000, the Conference of the Parties adopted draft decision UNEP/CBD/COP/5/L.25 as decision V/19. The text of the decision is contained in annex III to the present report.

#### AGENDA ITEM 19: OPERATIONS OF THE CONVENTION

270. At its 3rd meeting, on 17 May 2000, Working Group II took up the item.

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271. Introducing the item, the representative of the Secretariat reported that, at its fourth meeting, the Conference of the Parties had established an Inter-Sessional Meeting on the Operations of the Convention (ISOC) with a view to improving operations of the meetings of the Conference of the Parties and, accordingly, had decided to consider the report of the ISOC at its fifth meeting. In the ISOC report (UNEP/CBD/COP/5/4), recommendation 1 contained two key outstanding issues: the periodicity of meetings of the Conference of the Parties; and mechanisms for enhancing the review and facilitating the implementation of the Convention.

272. SBSTTA, at its fourth and fifth meetings, had also made recommendations relevant to the item, including peer review and scientific assessment; terms of reference for technical expert groups; a methodology for using the roster of experts; and development of a longer-term work programme for SBSTTA and a strategic plan for the Convention. A brainstorming session on scientific assessments was convened by the Executive Secretary from 17 to 19 November 1999, and the report of that session (UNEP/CBD/COP/5/INF/1) was before the participants. Also before the Conference of the Parties under this item was the report of the Pan-European Biological and Landscape Diversity Strategy to the fifth meeting of the Conference of the Parties (UNEP/CBD/COP/5/INF/29).

273. The Working Group also heard a brief presentation by the Chair of SBSTTA, highlighting the items for consideration of particular relevance to SBSTTA.

274. A draft decision based on ISOC recommendation 1 and the note by the Executive Secretary on operations of the Convention (UNEP/CBD/COP/5/17) was set out in the document "Draft decisions for the fifth meeting of the Conference of the Parties" (UNEP/CBD/COP/5/1/Add.2). The draft decision covered Convention operations, a strategic plan and scientific assessments.

275. Statements under the item were made by the representatives of Australia, Brazil, Canada, Chad, Chile, Colombia, Costa Rica, Ecuador, Ethiopia (on behalf of the African group), Hungary, India, Indonesia, Japan, Kenya, Latvia (on behalf of the Central and Eastern European Group), Malaysia, Mexico, Netherlands, New Zealand, Norway, Panama, (on its own behalf and on behalf of the Central American countries), Paraguay, Peru, Portugal (on behalf of the European Union), Seychelles, Singapore, Slovenia (on behalf of the Central and Eastern European Group), Switzerland, the United Kingdom of Great Britain and Northern Ireland, the United States of America, and Zambia.

276. At its 3rd meeting, on 17 May 2000, the Working Group decided to establish an open-ended contact group, under the chairmanship of Mr. Jonathan Tillson (United Kingdom of Great Britain and Northern Ireland), with a mandate to formulate a draft decision on the item, on the basis of the draft decision on operations of the Convention contained in the note by the Executive Secretary (UNEP/CBD/COP/5/1/Add.2). It was decided that representatives of the following countries and regional economic integration organizations would constitute the core membership of the contact group: Australia, Brazil, Ethiopia, European Community, Hungary, Indonesia, Kenya, Latvia, Malaysia, Netherlands, New Zealand, Norway, Peru, Portugal (on behalf of the European Union), Singapore, Slovenia, United Kingdom of Great Britain and Northern Ireland, and Zambia.

277. At the 4th meeting of the Working Group, on 18 May 2000, statements were made by the representatives of Argentina, Australia, Bangladesh, Brazil,

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Canada, China, Colombia, the Cook Islands (on behalf of the Pacific island developing States), Ecuador, Ethiopia (on behalf of the Group of 77 and China and the African Group), Haiti, Japan, Jordan, Kenya, Mexico, Morocco, New Zealand, Nigeria, Norway, Pakistan, Papua New Guinea, Peru, Portugal (on behalf of the European Union), the Republic of Korea, the Russian Federation, the Solomon Islands (on behalf of the Pacific island developing States), Sudan, Uganda, the United States of America, Venezuela and Zambia.

278. A statement was also made by the representative of BirdLife International.

279. At its 9th meeting, on 23 May 2000, the Working Group considered a conference room paper, prepared by the Chair of the contact group, containing a draft decision on cooperation with other bodies. The draft decision was approved for transmission to plenary as document UNEP/CBD/COP/5/L.6.

280. At its 11th and 12th meetings, on 25 May 2000, the Working Group considered a conference room paper, submitted by the Chair of the contact group, containing a draft decision on operations of the Convention. The draft decision, as orally amended, was approved for transmission to plenary as document UNEP/CBD/COP/5/L.27.

281. The representative of Colombia, while joining the consensus on the draft decision, wished to record her Government's reservation concerning the proposed amendment to paragraph 1 of rule 21 of the rules of procedure, as set out in paragraphs 5 and 6 of the draft decision. Colombia believed that, as drafted, the proposal would not solve the problems that had been encountered in preparing for meetings of the Conference of the Parties.

282. At the 5th plenary session of the meeting, the Conference of the Parties adopted draft decision UNEP/CBD/COP/5/L.6 as decision V/21 and draft decision UNEP/CBD/COP/5/L.27 as decision V/20. The text of those decisions is contained in annex III to the present report.

283. The representative of Mexico, recalling the proposal her country had made for the Conference of the Parties to consider and adopt quantitative targets for the conservation of biological diversity, underscored the need to continue developing mechanisms and approaches to improve the operations of the Convention. The targets would be met through the voluntary participation of Parties, provided they received appropriate technological and financial incentives.

284. The representative of New Zealand welcomed the adoption of decision V/20 but said that it was only the start of a process to improve the operations of the Convention. It was vital for the Inter-Sessional Meeting on the Operations of the Convention and SBSTTA to provide forums for discussion of operational issues such as the strategic plan. She therefore called on the bureaus of the Conference of the Parties and SBSTTA to ensure that, in setting the agendas for meetings of those bodies, they provided sufficient time to adequately address such issues. She also sought assurances that sufficient funds would be made available for the inter-sessional meetings.



AGENDA ITEM 20: BUDGET FOR THE PROGRAMME OF WORK FOR THE BIENNIUM  
2000-2002

285. At the 3rd plenary session of the meeting, on 16 May 2000, the Conference of the Parties took up its consideration of the item.

286. Introducing his note on the proposed budget for the programme of work for the biennium 2001-2002 (UNEP/CBD/COP/5/18), the Executive Secretary said that, since the fourth meeting of the Conference of the Parties, a number of inter-sessional activities had generated recommendations for the consideration of the current meeting. Since their implementation would have financial and human-resource implications, the Secretariat, as requested by the Bureau, had estimated the cost of such implementation as it related to the work programme. The proposed budget before the Conference of the Parties was based on those recommendations and also built upon the existing activities of the Secretariat.

287. Drawing attention to his note on programme and subprogramme activities and resources required (UNEP/CBD/COP/5/18/Add.1), the Executive Secretary observed that the structure of the three trust funds under the Convention had been retained. Concerning the proposed increase in the level of the BY Trust Fund, he explained that, in accordance with the headquarters agreement, in the biennium 2001-2002 the Secretariat would no longer enjoy an annual contribution of \$1 million from the Government of Canada and would also have to charge to the BY Trust Fund the rental costs of its premises, hitherto paid by the Government of Canada and amounting to some \$700,000 for the biennium. Other factors which required additional funding were: the preparation of meetings of the ICCP and the first meeting of the Parties to the Protocol; the addition of new programmes of work on drylands ecosystems, inland waters, and sustainable use and tourism; and the loss of a post for an expert on marine and coastal ecosystems, previously funded by UNESCO. In addition, the proposed BY Trust Fund budget for the coming biennium included an amount of \$761,800 to cover the participation of developing country Parties and Parties with economies in transition in the sixth meeting of the Conference of the Parties. That arrangement was approved by the Bureau of the fourth meeting of the Conference of the Parties in order to meet the shortfalls in funds committed to the BZ Trust Fund for participation of Parties in the processes of the Convention.

288. The representative of New Zealand made a statement.

289. Also at the 3rd plenary session of the meeting, the Conference of the Parties decided to establish a small contact group, to be chaired by Mr. John Ashe (Antigua and Barbuda), to address administrative and budgetary matters under agenda items 15 and 20 and to report to the plenary on the outcome of its deliberations.

290. At the 4th plenary session of the meeting, on 22 May 2000, the Chair of the contact group gave an interim report on progress in the work of the group.

291. At the 5th plenary session of the session, on 26 May 2000, the Conference of the Parties took up a draft decision under this item submitted by the Chair of the contact group (UNEP/CBD/COP/5/L.12).

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292. The Secretariat introduced an oral correction to table 3 of the draft decision in order to include the Panel of Experts on Access and Benefit-sharing.

293. The representative of Mali drew attention to the following appeal by the African countries to the host country of the Secretariat of the Convention on Biological Diversity, which was read out by the representative of Rwanda:

"The Conference of the Parties,

"Noting with appreciation the annual contribution of the Government of Canada to the rental of the premises of the Secretariat in Montreal, as well as its annual contribution of US\$ 1 million for the period 1996-2000, which was used to offset planned expenditures approved in the biennial budget of the Conference of the Parties,

"Aware that this generous offer will end as of 31 December 2000,

"Deeply concerned that the loss of this generous contribution will severely affect the budget for the Convention for future bienniums,

"Conscious of the continuous nature of the generous offer made by the host Government for the secretariats of the other post-Rio Conventions: the United Nations Framework Convention on Climate Change (UNFCCC) and the United Nations Convention to Combat Drought and Desertification (UNCCD),

"Conscious also of the practice of host Governments with respect to the secretariats of other conventions,

"Noting with concern that the arrangement between the host country and the Convention on Biological Diversity Secretariat has not been finalized,

"1. Appeals to the Government of Canada to further extend its original offer made to the Conference of the Parties at its second meeting;

"2. Urges the Government of Canada to finalize the arrangements between it and the Secretariat of the Convention on Biological Diversity."

294. The representative of Cameroon expressed support for the statement read out by the representative of Rwanda and introduced an oral amendment to paragraph 21 of the draft decision with a view to ensuring that the question of the level of the post of Executive Secretary could be dealt with more expeditiously by having the President report on his consultations to the Bureau, rather than waiting two years for it to be addressed at the sixth meeting of the Conference of the Parties.

295. The representative of Colombia expressed concern that the budget did not fully reflect the outcome of the discussions on the work programme in the working groups. Colombia called upon the Bureau responsible for the

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preparations for the sixth meeting of the Conference of the Parties to study the issue and propose mechanisms to guarantee that when the budget was reviewed, the discussions and conclusions of the other working groups would be taken into account.

296. In answer to a question from the representative of New Zealand, who shared the concerns expressed about inadequate linkages between the results of the working groups and the proposed budget, the Executive Secretary confirmed that the conference-servicing allocation in the BY Trust Fund budget provided for a three-day Inter-Sessional Meeting on the Operation of the Convention.

297. The representative of Canada, said that Canada remained prepared to make special contributions to the work of the Convention on Biological Diversity and looked forward to making additional special contributions in the future. The Canadian delegation had listened closely to the concerns expressed by a number of delegations during the course of the current meeting, and by the representatives of the African Group at the current session. While he could make no further commitment at the present time, he could commit himself to taking the concerns to the highest level of the Canadian Government as it continued to consider the matter.

298. The Conference of the Parties then adopted draft decision UNEP/CBD/COP/5/L.12, as corrected by the Secretariat and amended by Cameroon, as decision V/22. The text of the decision is contained in annex III to the present report.

IV. PRIORITY ISSUES FOR REVIEW AND GUIDANCE

AGENDA ITEM 21. CONSIDERATION OF OPTIONS FOR CONSERVATION AND SUSTAINABLE USE OF BIOLOGICAL DIVERSITY IN DRYLAND, MEDITERRANEAN, ARID, SEMI-ARID, GRASSLAND AND SAVANNAH ECOSYSTEMS

299. At its 2nd meeting, on 17 May 2000, Working Group I took up the item. The item was introduced by the representative of the Secretariat, who recalled that, as provided for in the programme of work adopted in decision IV/16, the Conference of the Parties was scheduled to consider in depth at the present meeting the biological diversity of dryland, Mediterranean, arid, semi-arid, grassland and savannah ecosystems ("dry and sub-humid lands"). In preparation for that discussion, SBSTTA had considered the matter at its fourth and fifth meetings. At its fourth meeting, it had considered the status and trends of the biological diversity of dry and sub-humid lands and adopted recommendation IV/3, requesting the Executive Secretary to prepare a draft programme of work and giving guidance on its scope and preparation. At its fifth meeting, SBSTTA had adopted recommendation V/8, recommending that the Conference of the Parties establish a programme of work on the biological diversity of dryland, Mediterranean, arid, semi-arid, grassland and savannah ecosystems. The Executive Secretary had provided further information on the matter in a note (UNEP/CBD/COP/5/19), which was supplemented by an information note (UNEP/CBD/COP/5/INF/15).

300. The Chair of SBSTTA, Mr. Cristián Samper (Colombia), added that recommendation V/8 proposed for consideration by the Conference of the Parties a draft programme of work on dry and sub-humid lands, and suggested collaboration with the Convention to Combat Desertification in the implementation of the programme of work, including through the development of a joint work programme between the two conventions.

301. Statements under the item were made by the representatives of Armenia, Australia, Botswana, Brazil, Burkina Faso, Burundi, Canada, China, Ecuador, Ethiopia, the Gambia, Greece, India, Indonesia, Italy, Kenya, Malawi, Morocco, Namibia (on behalf of the African Group), the Niger, Nigeria (on behalf of the Group of 77 and China), Norway, Pakistan, Paraguay, Peru, Portugal (on behalf of the European Union), the Republic of Korea, the Russian Federation, Rwanda, Samoa (on behalf of the Pacific island developing States), Senegal, South Africa, Spain, Turkey, Turkmenistan, Uganda, the United Republic of Tanzania, the United States of America, Zambia and Zimbabwe.

302. Statements were also made by representatives of the Secretariat of the United Nations Convention to Combat Desertification and the Consultative Group on International Agricultural Research.

303. Statements were also made by observers from the following non-governmental organizations: BirdLife International and Defenders of Wildlife.

304. At the end of the discussion, the Working Group decided to meet as a drafting group under the chairmanship of Mr. Sem T. Shikongo (Namibia) to assist the Chairman in drafting a consolidated text under the item. The core membership of the drafting group comprised the representatives of Australia, Brazil, China, Ecuador, Greece, India, the Russian Federation, Senegal, Tunisia and Turkmenistan, but participation was open to other representatives.

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305. At its 9th meeting, on 23 May, the Working Group heard a report by Mr. Sem T. Shikongo, the Chair of the drafting group. Following some amendments, proposed by the Chair of the group as well as by the representatives of Australia, Brazil and Colombia, the draft decision, as orally amended, was approved for transmission to the plenary as document UNEP/CBD/COP/5/L.4.

306. At the 5th plenary session, on 26 May 2000, the Conference of the Parties adopted draft decision UNEP/CBD/COP/5/L.4, as orally corrected, as decision V/23. The text of the decision is contained in annex III to the present report.

AGENDA ITEM 22. SUSTAINABLE USE, INCLUDING TOURISM

307. At its 1st meeting, on 16 May 2000, Working Group I took up the item concurrently with agenda item 18.3. The items were introduced by a representative of the Secretariat, who recalled that, in accordance with decision IV/16, sustainable use, including tourism, was one of three themes scheduled for in-depth discussion at the present meeting. In preparation for that discussion, SBSTTA had, at its fourth meeting, considered the interlinkages between biological diversity and tourism, and adopted recommendation IV/7. At its fifth meeting, it had considered sustainable use as a cross-cutting issue, and adopted recommendation V/12. The two recommendations had been consolidated into a draft decision submitted for the consideration of the Conference of the Parties (UNEP/CBD/COP/5/1/Add.2, section 22).

308. The representative of the Secretariat also drew attention to decision IV/10 A of the Conference of the Parties, pursuant to which the Executive Secretary had prepared a note containing a further analysis of the design and implementation of incentive measures (UNEP/CBD/COP/5/15). The conclusions of that analysis had served as the basis for a draft decision on the subject (UNEP/CBD/COP/5/1/Add.2, section 18.3), which was also before the Working Group for its consideration. The paper had drawn on case-studies provided by a number of Parties, UNEP, the Organisation for Economic Co-operation and Development and IUCN, which were summarized in an information document that had also been prepared for the meeting (UNEP/CBD/COP/5/INF/14).

309. The Chair of SBSTTA, Mr. Cristián Samper (Colombia), explained that although substantive work had been carried out on tourism as an example of sustainable use, further analysis would perhaps be required on how to achieve sustainable use in other sectors.

310. Statements under the items were made by the representatives of Australia, the Bahamas, Botswana, Brazil, Canada, China, the Democratic Republic of the Congo, Ecuador, the Gambia, Ghana, Indonesia, Japan, Kenya, Latvia (on behalf of the Central and Eastern European Group), Madagascar, Malawi, Mexico, Mongolia, the Netherlands, Nigeria (on behalf of the Group of 77 and China), Norway, Peru, Portugal (on behalf of the European Union), the Russian Federation, Samoa, Seychelles, Switzerland, Tonga, Turkey, Uganda, the United Republic of Tanzania, and Zimbabwe.

311. A representative of the Secretariat of the Convention on Migratory Species also made a statement.

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312. At the end of its 1st meeting, the Working Group decided that the Chair would prepare a text based on the draft decisions before it as well as on its discussions, and incorporating any proposals submitted by representatives in writing. The revised text would merge the draft decisions under the two items.

313. At its 3rd meeting, on 18 May 2000, the Chair introduced a revised text based on the draft decisions and proposals made. Having considered the revised text, the Working Group decided to set up a drafting group under the chairmanship of Mr. David Lawson (Australia) to give further detailed consideration to the text.

314. At its 7th meeting, on 19 May 2000, the Working Group considered an informal paper prepared by the drafting group containing three draft decisions on sustainable use as a cross-cutting issue, biological diversity and tourism, and incentive measures. The draft decisions, as orally amended, were approved for transmission to the plenary as document UNEP/CBD/COP/5/L.3.

315. At the 4th plenary session of the meeting, on 22 May 2000, the Conference of the Parties took up draft decisions 1 and 2 in document UNEP/CBD/COP/5/L.3, on sustainable use as a cross-cutting issue and on biological diversity and tourism.

316. A statement was made by the representative of Nigeria.

317. The Conference of the Parties then adopted draft decision 1, as orally amended, and draft decision 2 as decisions V/24 and V/25, respectively. The text of the decisions is contained in annex III to the present report.

#### AGENDA ITEM 23: ACCESS TO GENETIC RESOURCES

318. At its 1st meeting, on 16 May 2000, Working Group II took up item.

319. Introducing the item, the representative of the Secretariat reported that, at its fourth meeting, the Conference of the Parties had established a Panel of Experts on Access and Benefit-sharing with the mandate to develop a common understanding of basic concepts and to explore all options for access and benefit-sharing on mutually agreed terms. The report of the meeting of the Panel of Experts, which was currently before the Conference of the Parties (UNEP/CBD/COP/5/8), contained a set of key conclusions to assist Parties in implementing access and benefit-sharing arrangements as envisaged by the Convention. The Panel also identified a series of elements that required further development and urged the Conference of the Parties to continue to gather relevant information through the Secretariat.

320. At its fourth meeting, the Conference of the Parties had also requested the Inter-Sessional Meeting on the Operations of the Convention (ISOC) to explore options for access and benefit-sharing mechanisms. The ISOC report (UNEP/CBD/COP/5/4) contained three recommendations of relevance to the agenda item: on the work of the Panel of Experts; on intellectual property rights; and on ex situ collections.

321. He further advised that the note prepared by the Executive Secretary (UNEP/CBD/COP/5/21) was based on the recommendations of the meetings of the ISOC and of the Panel of Experts and contained the elements of a draft decision regarding further work and actions on access and benefit-sharing to

be undertaken in the period between the fifth and sixth meetings of the Conference of the Parties.

322. The elements of a draft decision on access and benefit-sharing, based on the conclusions of the panel of experts, the recommendations of the ISOC, and the note of the Executive Secretary were also contained in the document entitled "Draft decisions for the fifth meeting of the Conference of the Parties" (UNEP/CBD/COP/5/1/Add.2).

323. In addition, three information documents were available to the Conference of the Parties: on the activities of GEF in support of benefit-sharing (UNEP/CBD/COP/5/INF/17); draft guidelines on access and benefit-sharing regarding the utilization of genetic resources, prepared by Switzerland (UNEP/CBD/COP/5/INF/21); and the abstract of the international scientific conference on "Guidelines for Access and Benefit-sharing - Initiatives and Perspectives for Implementing the Convention on Biological Diversity", submitted by Germany (UNEP/CBD/COP/5/INF/25).

324. At the 1st meeting of the Working Group, statements under the item were made by the representatives of Algeria, Argentina, Armenia, Bolivia, Brazil, Canada, the Central African Republic, Chad, China, Colombia, Costa Rica, Ecuador, Egypt, El Salvador, the European Community, Ethiopia (on its own behalf and on behalf of the African Group), Ghana, Guyana, India, Indonesia, Japan, Kenya, the Republic of Korea, Mexico, Namibia, Nigeria, Norway, Pakistan, Peru, Papua New Guinea (on behalf of the Pacific island developing States), Poland, Portugal (on behalf of the European Union), the Russian Federation, Switzerland, Turkey and Venezuela.

325. At the 2nd meeting of the Working Group, statements under the item were made by the representatives of Brazil, Ethiopia (on behalf of the Group of 77 and China), Colombia, Costa Rica, Cuba, Denmark, France, Germany, Islamic Republic of Iran, Japan, Jordan, Kuwait, Lesotho, Malawi, Nigeria, Norway, the Philippines, Rwanda, Slovenia (on behalf of the Central and Eastern European group), Solomon Islands, Togo and the United States of America.

326. Statements were also made by the representatives of the Commonwealth Secretariat and of FAO.

327. A statement was also made on behalf of the Consultative Group on International Agricultural Research (CGIAR).

328. Representatives of the following non-governmental organizations also made statements: Aboriginal and Torres Strait Islander Commission (ATSIC), Coordinating Body for the Indigenous Organizations of the Amazon Basin (COICA), Te Iwi Moriori Trust Board, Third World Network (speaking also on behalf of RAFI, ITDG, Swedish Society for nature Conservation, Council for Responsible Genetics, South East Asia Regional Institute for Community Education (SEARICE), Diverse Women for Diversity, Ecoropa, Greenpeace International, CODEFF/Friends of the Earth - Chile, and Washington Biotechnology Action Council).

329. At its 2nd meeting, on 17 May 2000, the Working Group decided to establish an open-ended contact group under the chairmanship of Mr. A.H. Zakri (Malaysia) to consider issues under the item. It was decided that the following countries would constitute the core membership of the open-ended contact group: Australia, Canada, Costa Rica, Colombia, Cuba, Egypt,

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Ethiopia, France, Germany, India, Islamic Republic of Iran, Japan, Nigeria, Poland, Portugal, Russian Federation, Slovenia, Solomon Islands and Switzerland.

330. At the 3rd meeting of the Working Group, on 17 May 2000, a statement was made by the representative of the International Chamber of Commerce.

331. At its 11th meeting, on 25 May 2000, the Working Group considered a conference room paper, submitted by the Chair of the contact group, containing three draft decisions on agenda item 23. The draft decisions, as orally amended, were approved for transmission to plenary in document UNEP/CBD/COP/5/L.26.

332. The representatives of China and Cameroon stated for the record that, while they did not object to approval of the draft decisions, they believed that paragraphs 4 (d) and 11 in draft decision A, on access and benefit-sharing arrangements, were in conflict and that paragraph 4 (d) should have been deleted or substantially modified.

333. At the 5th plenary session of the meeting, on 26 May 2000, the Conference of the Parties adopted the draft decisions in document UNEP/CBD/COP/5/L.26 as decisions V/26 A, B and C. The text of the decisions is contained in annex III to the present report.

334. The representative of Seychelles, speaking on behalf of the African Group, welcomed the text of the mandate of the Ad Hoc Open-ended Working Group, as contained in paragraph 11 of decision V/26 A. He noted in particular the use of the phrase "to develop guidelines and other approaches for submission to the Conference of the Parties", which did not preclude the consideration of other mechanisms by the Working Group.

335. The representative of Germany confirmed his country's offer to host a meeting of the Ad Hoc Open-ended Working Group in Bonn. He believed that the meeting should take place in 2001 or early 2002, prior to the sixth meeting of the Conference of the Parties. He highlighted the important role to be played by the Panel of Experts on Access and Benefit-sharing in preparing for the Working Group's meeting, and he urged all Parties in a position to do so to make voluntary contributions to secure the funding necessary for the second meeting of the Panel to take place.



V. FINAL MATTERS

AGENDA ITEM 24. OTHER MATTERS

Contribution of the Convention on Biological Diversity to the ten-year review of progress achieved since the United Nations Conference on Environment and Development

336. At the 5th plenary session of the meeting, on 26 May 2000, the Conference of the Parties took up a draft decision submitted by the President on the contribution of the Convention on Biological Diversity to the ten-year review of progress achieved since the United Nations Conference on Environment and Development (UNEP/CBD/COP/5/L.13).

337. The draft decision was adopted as decision V/27. The text of the decision is contained in annex III to the present report.

Tribute to the Government and people of Kenya

338. Also at the 5th plenary session of the meeting, the Conference of the Parties had before it a draft decision submitted by the Bureau on a tribute to the Government and people of Kenya (UNEP/CBD/COP/5/L.11). The draft decision was adopted as decision V/28. The text of the decision is contained in annex III to the present report.

Statement by the representative of Israel

339. Following the adoption of the decisions at the 5th plenary session of the meeting, the representative of Israel said that Israel had not intervened in the discussions that had taken place in the working groups. It had tried to keep with the spirit of cooperation, although deprived of the basic right of a Party to be represented in and by the Bureau and officially briefed on its activity. Each Party should have the right to elect and be elected to the different functions of the Convention on the basis of the rules of procedure. The situation in which Israel found itself raised questions of the legitimacy of the Bureau and also the legal basis of the decisions just approved. On those grounds, Israel reserved its position on any decision that referred to rule 21 of the rules of procedure, namely, every decision that contained the nomination or selection of representatives, experts or locations for activities and meetings on the basis of the regional groupings implemented in the current meeting, unless a solution were to be found.

AGENDA ITEM 25. ADOPTION OF THE REPORT

340. The present report was adopted at the 5th plenary session of the meeting, on 26 May 2000, on the basis of the draft report (UNEP/CBD/COP/5/L.1 and Add.1) and the reports of Working Groups I and II (UNEP/CBD/COP/5/L.20 and L.19). The report was adopted on the understanding that the Rapporteur would be entrusted with its finalization in the light of the discussion at the 5th plenary session.

AGENDA ITEM 26. CLOSURE OF THE MEETING

341. At the 5th plenary session of the meeting, on 26 May 2000, the Conference heard closing statements by Portugal (on behalf of the European Union), Brazil (on behalf of the Latin American and Caribbean Group),

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Indonesia (on behalf of the Asian group), Panama (on behalf of the Central American countries), Latvia (on behalf of the Central and Eastern European Group), New Zealand, Sweden (on behalf of Western European and Others Group) and Ethiopia (on behalf of the African Group).

342. A statement was also made by the representative of Greenpeace International.

343. Closing addresses were also made by Mr. Klaus Töpfer, Executive Director of UNEP, and Mr. Hamdallah Zedan, Executive Secretary of the Convention on Biological Diversity.

344. The President made a statement in which he announced his intention to address a letter to the President of the Conference of the Parties of the United Nations Framework Convention on Climate Change, calling for increased collaboration between the two sister conventions. He then declared the fifth meeting of the Conference of the Parties closed at 2 p.m. on Friday, 26 May 2000.

Annex I

REPORT OF THE HIGH-LEVEL SEGMENT

1. The high-level segment of the fifth meeting of the Conference of the Parties to the Convention on Biological Diversity was held on Wednesday, 24 May 2000. Three sessions were devoted to the high-level segment.

2. The high-level segment was opened at 10.35 a.m. on Wednesday, 24 May 2000 by Mr. Francis Nyenze, President of the fifth meeting of the Conference of the Parties and Minister of the Environment of Kenya. Opening addresses were made by the Executive Secretary of the Convention on Biological Diversity, the Executive Director of the United Nations Environment Programme (UNEP) and the President of the Conference of the Parties at its first extraordinary meeting.

3. In his opening statement, Mr. Hamdallah Zedan, Executive Secretary of the Convention on Biological Diversity, welcomed all participants and said that it was gratifying that over 1,500 delegates, including more than 50 Ministers, representing more than 150 countries, intergovernmental organizations and non-governmental organizations were participating in the high-level segment. Reiterating his congratulations on the successful conclusion of the negotiations for a Protocol on Biosafety, he said that the presence of Ministers and high-level policy makers at the final meeting to negotiate the Protocol had been a crucial element of its success. One of the key provisions of the Protocol was to ensure that importing countries had both the opportunity and the capacity to assess and manage the potential risks from products of biotechnology. Work on capacity-building and efforts to promote the ratification of the Biosafety Protocol would be of fundamental importance in its implementation.

4. In his opening address, Mr. Klaus Töpfer, Executive Director of the United Nations Environment Programme (UNEP), welcomed all participants. Pointing out the appropriateness of signing the first Protocol to the Convention on Biological Diversity at the site of the signing of the Convention itself, he stressed the need to move rapidly towards its implementation. The fast pace of development of modern technology, which was moving towards singling out the genetic code of life itself, brought with it the fear of misuse and made it vital to find a way to handle such technologies. In that connection, the Cartagena Protocol followed the precautionary principle. Without wishing to single out any one aspect of the Convention, since all aspects were integrated, he stressed that biological diversity was an asset in overcoming poverty. In concluding, he paid tribute to the efforts of Mr. Juan Mayr Maldonado, who had created an atmosphere of confidence and trust in the negotiations on the Protocol, and whom he was glad to welcome to the current signing ceremony.

5. In his opening address, Mr. Juan Mayr Maldonado, Minister of Environment of Colombia and President of the Conference of the Parties at its first extraordinary meeting, said that, by signing the Cartagena Protocol on Biosafety, the Parties would be reaffirming their commitment to environmental protection and the beginning of a new era, both for the Convention and for biotechnology in the world. Several lessons had emerged from the negotiation process, including the importance of the need to involve all sectors of society. By signing the Protocol, Parties signalled their intention to uphold its objectives and to seek its incorporation into national law. That was a

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vital step in consolidating and developing the Protocol. Parties now faced the challenge of finding a balance between the negative and positive aspects of biotechnology and demonstrating to the world that trade and the environment could coexist in a mutually beneficial manner. The act of signing was merely the beginning of a long road. Implementation was a complex process and would require the good faith and commitment of all involved. He expressed his profound thanks to all those who had contributed to the development of the Protocol, observing that there was no better legacy to leave to the environment and to the children of the world.

6. Following the opening ceremony, statements were made by the Ministers of Environment of the following countries: Bangladesh, Benin, Burkina Faso, Chad, Czech Republic, Germany, Hungary, India, Malaysia, Malawi, Mexico, Monaco, Morocco, Netherlands, Niger and Nigeria (also on behalf of the Group of 77 and China).

7. At the second session of the high-level segment, statements were made by the Ministers of Environment of the following countries: Angola, Mozambique, Portugal (on behalf of the European Union), Rwanda, Slovakia, Slovenia, Sri Lanka, Turkey, Uganda and Uruguay.

8. At the same session, statements were made by the heads of delegation of Argentina, Armenia, Australia, Austria, Bhutan, Belgium, Bolivia, Brazil, Cameroon, Canada, Chile, China, Cuba, Denmark, Ecuador, El Salvador, Ethiopia, the European Community, Finland, France, Greece, Haiti and Indonesia.

9. At the third session, statements were made by the heads of delegation of Algeria, Kenya, Latvia, Lesotho, Madagascar, Norway, Pakistan, Peru (also on behalf of the Andean Community), Philippines, Republic of Korea, Samoa, Spain, Sweden, Switzerland, Togo, United Republic of Tanzania, Venezuela (also on behalf of the parties to the Amazon Cooperation Treaty), Zambia and Zimbabwe.

10. The representative of the United States of America also made a statement at the third session.

11. Also at the third session, statements were made by the representatives of the following non-governmental organizations: Diverse Women for Diversity (on behalf of civil society organizations working in coordination at the fifth meeting of the Conference of the Parties) and the Global Industry Coalition.

12. Also during the high-level segment, Ms. Geke Faber, State Secretary of Agriculture, Nature Management and Fisheries of the Netherlands, extended an offer on behalf of her Government to host the sixth meeting of the Conference of the Parties in the Netherlands in 2002.

13. A summary by the Chair of the high-level segment is attached (see appendix).

Signing ceremony for the Cartagena Protocol on Biosafety

14. The signing ceremony for the Cartagena Protocol on Biosafety ran concurrently with the high-level segment. Following the opening ceremony, the Protocol was signed by the empowered representatives of the following 64 Parties to the Convention on Biological Diversity: Antigua and Barbuda, Argentina, Austria, Bahamas, Bangladesh, Belgium, Benin, Bolivia, Bulgaria, Burkina Faso, Central African Republic, Chad, Chile, Colombia, Costa Rica, Cuba, Czech Republic, Denmark, Ecuador, El Salvador, Ethiopia, European Community, Finland, France, Gambia, Germany, Greece, Grenada, Guinea, Haiti, Honduras, Hungary, Indonesia, Ireland, Italy, Lithuania, Malawi, Malaysia, Mexico, Monaco, Mozambique, Namibia, Netherlands, New Zealand, Niger, Nigeria, Norway, Peru, Philippines, Poland, Portugal, Rwanda, Samoa, Slovakia, Slovenia, Spain, Sri Lanka, Sweden, Switzerland, Togo, Turkey, Uganda, United Kingdom of Great Britain and Northern Ireland, Venezuela.

Appendix

SUMMARY BY THE CHAIR OF THE HIGH-LEVEL SEGMENT

We have come to the end of a long but very important day. Thank you for your patience today. We have listened to over 70 speakers during today's High-level Segment, which – combined with the 65 signatures we now have on the Biosafety Protocol – is a very strong indication of the extremely high level of interest every country has in this topic.

So many topics were covered here today that I can't pretend to summarize them exhaustively, but several points were stated by almost all delegations and I would like to sum up the meeting with the following points that were frequently highlighted.

- We have recognized that modern biotechnology has great potential for human well-being if developed and used with adequate safety measures for the environment and human health;
- And we have recognized the limited capabilities of many countries, particularly developing countries, to cope with the nature and scale of known and potential risks associated with living modified organisms.
- We stressed in particular the importance of capacity-building, technology transfer, and information-sharing through the effective and timely establishment of the Biosafety Clearing-House, as essential components of implementing this Protocol.
- In this regard, training in risk assessment and risk management were especially emphasized. Public awareness was also highlighted by several speakers.
- We also heard the urgings of several delegations to ensure that biotechnology makes its full contribution to the conservation and sustainable use of biological diversity and also to the elimination of poverty.
- I would particularly like to welcome the commitments made by several Parties here today that are endeavouring to mobilize adequate resources to facilitate the improvement and promotion of institutional and technical capacity-building required by developing country Parties to properly implement the Protocol;
- In this regard, we also heard several countries emphasize the importance of the GEF in assisting developing countries to implement the Protocol. We also heard delegations who emphasized the role that the private sector could play in this area.
- And finally, we have heard a number of delegations urge Parties to make all possible efforts for the early entry into force of the Protocol by signing and ratifying it in a timely manner. I think the 65 signatures received already are a good indication of the support for this Protocol, and I was delighted to hear many of today's speakers reporting on progress their countries have already made towards integrating biosafety considerations in their national regulatory frameworks.

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- I hope this sounds like a fair general summary of the statements expressed here today.
- Again, I thank you all for your time and efforts. I now declare this High-level Segment closed.

Annex II

MINISTERIAL ROUND TABLE ON CAPACITY-BUILDING IN DEVELOPING COUNTRIES  
TO FACILITATE THE IMPLEMENTATION OF THE CARTAGENA PROTOCOL ON  
BIOSAFETY  
Nairobi, 23 May 2000

Summary by the Chair

The Ministerial Round Table reaffirmed the importance of the Protocol to regulate the transboundary movement of living modified organisms and affirmed the importance of capacity-building to ensure that Member States have a framework and capacity to assess and regulate the use of modified organisms. It was recognized that without capacity-building technology transfer is not possible. It was also recognized that developing countries, small island States and less developed countries require capacity-building and technology transfer on fair terms. There is a need to build expertise and put into place appropriate mechanisms for biosafety.

- Capacity-building consists of the development of scientific and regulatory expertise to protect human health and the environment as well as to improve human welfare.
- The capacity must be built at a human level, not purely at an institutional and national level. This will involve training at the national and regional level of individuals in necessary disciplines for the development of legal mechanisms, risk assessment, risk management and monitoring of LMOs. Workshops were proposed as one means to achieve the objectives.
- There was agreement that there must be regional cooperation to fully utilize existing resources and recognize geographical and ecological similarities. While decisions are made on the national level, cooperation may arise at the regional level.
- It was strongly felt that a Biosafety Clearing-House mechanism must be in place as soon as practicable.
- One of the mechanisms to assist in advice, information and training is the setting up of rosters of experts at the national, subregional, regional and global levels.
- The private sector and non-governmental organizations must be involved in capacity building.
- Public education and participation was recognized as crucial.
- Benefit-sharing is an important aspect of capacity-building.
- The UNEP/GEF Pilot Biosafety Enabling Project has been well received and support for continuation was expressed. There is a clear need to pull all resources together and coordinate capacity-building efforts amongst a variety of organizations and Governments.

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- It was noted that the GEF offered assistance in mobilizing and coordinating financial resources for capacity building in the area of biosafety as a follow-up to the pilot phase of the UNEP/GEF Biosafety Enabling Project.
- We note that the Secretary-General will initiate a dialogue addressing the balance between the risk and benefits of biotechnology. This dialogue could profit from being linked to the first meeting of the Intergovernmental Committee for the Cartagena Protocol.
- It was noted that another important element for the implementation of the Cartagena Biosafety Protocol is to take into account the developments within other international agreements, i.e. WTO.