



MYPOW HIGHLIGHTS MONDAY, 17 MARCH 2003

Delegates to the Open-ended Inter-Sessional Meeting on the Multi-Year Programme of Work for the Conference of the Parties (COP) up to 2010 (MYPOW) of the Convention on Biological Diversity (CBD) convened in Plenary and in two working groups. The Plenary heard opening statements, addressed organizational matters and heard general comments on the outcome of the World Summit on Sustainable Development (WSSD) as it relates to the Convention process. Working Group I (WG-I) started debating the international regime on access and benefit-sharing (ABS). Working Group II (WG-II) began discussing implementation of the Strategic Plan.

OPENING PLENARY

OPENING STATEMENTS: CBD COP-6 President Hans Hoogeveen (the Netherlands) highlighted the challenge to meet the CBD and WSSD 2010 target to significantly reduce the current rate of biodiversity loss. He welcomed the shift from policy development to implementation.

CBD Executive Secretary Hamdallah Zedan noted biodiversity's role in sustainable development and poverty eradication, and outlined the meeting's agenda, stressing its importance for the Convention's future, and the need for a strategic approach.

Paul Chabeda, on behalf of UNEP Executive Director Klaus Töpfer, stressed SBSTTA-8's recommendations as a foundation for achieving the 2010 target. He said equitable benefit-sharing is a way of addressing poverty without undermining ecosystem integrity, and called on MYPOW to provide guidance to COP-7 on an international regime for ABS, and address technology transfer and partnerships to achieve the CBD's objectives. He expressed hope that the Biosafety Protocol would enter into force before the International Day for Biodiversity, on 22 May, 2003.

Mark Collins, UNEP-World Conservation Monitoring Centre, reported on the meeting "Biodiversity after Johannesburg," held in London, 2-4 March, 2003.

Shakeel Bhatti, World Intellectual Property Organization (WIPO), reported on the work of WIPO's Committee on Intellectual Property, Genetic Resources, Traditional Knowledge and Folklore, and on cooperation with the CBD on intellectual property issues, including ABS and technology transfer.

ORGANIZATIONAL MATTERS: Delegates elected Hans Hoogeveen Chair of the meeting and Diann Black-Layne (Antigua and Barbuda) meeting's rapporteur. They adopted the provisional agenda (UNEP/CBD/MYPOW/1), established two working groups as proposed in the annotated agenda (UNEP/CBD/

MYPOW/1/Add.1 and Corr.1), and agreed that legal and socio-economic aspects of technology transfer and cooperation would be considered by WG-I instead of WG-II, which would instead address the WSSD outcome, along with the Strategic Plan and MYPOW-2010. Delegates then elected Dush Deepak Verma (India) Chair of WG-I, and Gordana Beltram (Slovenia) Chair of WG-II.

WSSD OUTCOMES: Chair Hoogeveen stressed the importance of the Johannesburg Declaration and WSSD Plan of Implementation for the Strategic Plan and MYPOW-2010, and noted that WSSD commitments on negotiating an international regime for fair and equitable benefit-sharing, and promoting hot spot areas, ecological networks and corridors.

CBD Executive Secretary Zedan then introduced the document on the WSSD outcome as it relates to the Convention process (UNEP/CBD/MYPOW/2).

Cameroon, on behalf of the AFRICAN GROUP, highlighted the New Partnership for Africa's Development and, with NORWAY, technology transfer and capacity building. Greece, on behalf of the EU, stressed the need for: a mechanism for CBD's leadership on biodiversity issues; a holistic approach; implementation of Decision VI/23 on invasive alien species; in-depth review of the forest work programme at COP-8; and considering trade practices at SBSTTA-9. JORDAN, supported by many, called for additional financial resources and scientific and technical support to implement WSSD biodiversity-related outcomes.

SWITZERLAND said achieving the 2010 target requires action at all levels, and prioritized partnerships and synergies between MEAs and trade agreements, with CANADA adding development aspects. AUSTRALIA supported exploring biodiversity and trade linkages. CANADA and NORWAY highlighted links with the Millennium Development Goals (MDG). ALGERIA supported strengthening the relationship between the CBD and the World Trade Organization (WTO). FRIENDS OF THE EARTH called for reviewing the WTO Trade Related Aspects of Intellectual Property Rights (TRIPS) Agreement. TANZANIA requested substantially increasing Official Development Assistance. JAMAICA recommended efficient and equitable utilization of existing resources. LIBERIA said that technology transfer and cooperation should be country-driven. The EU, ETHIOPIA, and KENYA supported developing indicators and monitoring performance towards the 2010 target. UKRAINE suggested a new system of "green" development indicators. Several countries stressed poverty eradication. FAO highlighted links between WSSD, biodiversity and the 2015 MDG's target to halve hunger and poverty. SYRIA raised concerns over the lack of support for research in developing countries.

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BANGLADESH highlighted work on sustainable tourism and, with AUSTRALIA, called for further discussing marine and coastal biodiversity, while the EU stressed establishing marine and coastal protected areas. The BAHAMAS drew attention to vulnerable coastal areas with relation to island biodiversity. MAURITIUS stressed the importance of controlling invasive species and halting marine biodiversity loss. BARBADOS and TOGO supported in-depth consideration of island biodiversity by COP-7 and, with the EU and the CZECH REPUBLIC, an ecosystem approach. MEXICO called for preserving ecological networks and corridors. JAPAN and SWITZERLAND said COP-7 should address ecological networks and corridors under protected areas. BIRDLIFE INTERNATIONAL called for ecological corridors at national and international levels. UNESCO reported on its network of biosphere reserves, including ecological corridors, and recommended these be discussed at SBSTTA-9.

The AFRICAN GROUP and Mexico, on behalf of the LIKE-MINDED MEGADIVERSE COUNTRIES, called for an international legally binding instrument on benefit-sharing, with the latter highlighting recognition and protection of indigenous and local communities' rights, and their participation in decision making. ARGENTINA said the legal status of an international regime cannot be determined before its content is known. SWITZERLAND prioritized implementation of the Bonn Guidelines. BRAZIL and KENYA suggested that COP-7 provide a negotiating mandate to develop a protocol to the CBD. AUSTRALIA and CANADA said the WSSD Plan does not mandate a legally binding regime. The PHILIPPINES recommended countries adopt their own access legislation, respecting indigenous peoples' land and intellectual property rights. She said a voluntary international regime would not achieve the aim of combating biopiracy. LIBERIA called for respect of CBD provisions on prior informed consent (PIC) and indigenous empowerment to develop criteria for access. The CANADIAN INDIGENOUS BIODIVERSITY NETWORK (CIBN) said an ABS international regime must have clear procedures to guarantee PIC of indigenous peoples. The United Nations University presented its programme on ABS.

WORKING GROUP I

ACCESS AND BENEFIT SHARING: The Secretariat introduced the document on an international regime for access and benefit sharing (UNEP/CBD/MYPOW/6). ALGERIA, BRAZIL, CAMEROON, EGYPT, KENYA, LIBERIA, MEXICO, TANZANIA and TOGO requested a legally binding regime. KENYA suggested a protocol to the CBD, and said the scope should include mutually agreed terms, PIC and, with ALGERIA and MEXICO, associated traditional knowledge. CAMEROON and SUDAN noted that benefits should reach local communities, which are the custodians of the resources.

MEXICO said the regime should address transboundary movement of genetic resources and, with COLOMBIA, stressed ensuring access through PIC, and benefit-sharing with emphasis on technology transfer and capacity building. ALGERIA said the instrument should cover *in situ* and *ex situ* genetic resources and products thereof. BRAZIL urged action, noting ongoing biopiracy in the Amazon, and recalled developing countries' difficulties to access medicines.

CANADA said the regime's main elements are already included in CBD provisions, the Bonn Guidelines, the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGR) and WIPO's work, and stressed ensuring that governments adopt ABS regimes. With JAPAN, JAMAICA, NORWAY and SWITZERLAND, he called for completing work on and applying the Bonn Guidelines before starting negotiations. The EU stressed coherence with the ITPGR, the WTO TRIPS Agreement, and WIPO. She stressed the need for further work on ABS,

including a progress report on implementing COP Decision VI/24 on ABS, and assessing capacity-building needs and traditional knowledge. CUBA called for reviewing existing regulations, implementing the Bonn Guidelines, a progress report on the ITPGR and analysis at the next meeting of the ABS Working Group.

ARGENTINA suggested a regime ensuring compliance with contractual clauses. CHINA said the regime should include basic principles, norms and rules, without being limited to a legally binding instrument, and prioritized capacity building.

WORKING GROUP II

STRATEGIC PLAN: The Secretariat introduced the document on the implementation of the Convention and the Strategic Plan (UNEP/CBD/MYPOW/3). The EU suggested developing a framework of indicators on biodiversity and performance. ALBANIA and HAITI suggested a nationally and regionally differentiated system of indicators, while CANADA stressed integration at the international level. The EU proposed, and AUSTRALIA and CANADA opposed, an independent expert group for reviewing national reports. CHINA and the PHILIPPINES called for reviewing national implementation plans. NEW ZEALAND and NORWAY proposed a voluntary review mechanism. BRAZIL recalled SBSTTA's mandate to assess the status and trends of biodiversity, and said that monitoring should not be voluntary. SWITZERLAND proposed a liaison group on biodiversity to regularly report to SBSTTA on achieving the 2010 targets. MEXICO, supported by NEW ZEALAND, requested a global assessment of the Convention's effectiveness, and that MYPOW focus on outstanding issues before addressing new ones. POLAND emphasized identifying the reasons for a decreasing number of national reports and, supported by many, suggested that national reports: be shortened; employ more user-friendly language; and prioritize issues related to the 2010 targets. Many requested simplifying the reporting format. COLOMBIA, SENEGAL and the PHILIPPINES noted the reports require input from various sectors and financial resources for participatory processes. MALI, NIGER and UKRAINE called for increased cooperation to build reporting capacity. SWITZERLAND highlighted strengthening synergies among MEAs. BIRDLIFE INTERNATIONAL stressed civil society's key role in implementing national plans.

IN THE CORRIDORS

As delegates dived into MYPOW's heavy agenda, first discussions on ABS expectedly overshadowed other WSSD outcomes, announcing a busy week (and years) ahead. Some noted that this meeting would, at best, postpone addressing the issue of an international regime for benefit-sharing until December when the ABS Working Group is expected to meet. Calls for further studies on legal gaps and exchange of views had some participants reflecting on the laborious early days of biosafety negotiations.

In the meantime, closed-door consultations on Decision VI/23 on invasive alien species are still ongoing. Many delegates, eager to promote the Guiding Principles' implementation, hoped to reach common ground for acceptable wording before the end of the week.

THINGS TO LOOK FOR TODAY

Both working groups will convene at 10:00 am.

WG-I will continue discussing access and benefit-sharing, and will consider legal and socioeconomic aspects of technology transfer and cooperation.

WG-II will continue discussing the Strategic Plan, and consider ecological corridors and networks, and MYPOW-2010.

Plenary will meet at 5:15 pm to review progress.