

Paper Tiger: no threat of extinction Fern report on the outcome of the CBD COP VI.

Ten years after Rio, stakes were high for the Convention on Biological Diversity (CBD). So far, except for the Cartagena Protocol on Biosafety still to be ratified by most Parties, the Convention has mainly produced decisions, research papers and reports but has not shown any teeth in implementing actions to tackle the biodiversity crisis. The Sixth Conference of the Parties¹ to the Convention on Biological Diversity was considered a validating test on whether the Convention could move from policy dialogue to concrete action and implementation. The result is disappointing, as although progressive text was adopted, the CBD proved unable to focus itself and risks becoming a reserve for biodiversity elites.

General Overview

COP6 was arguably the busiest of the CBD COP to date with an attendance of about 2000 participants from 176 countries, an overloaded agenda, afternoon and evening sessions from the start, multiple side-events and a chaotic second week characterized by an array of late night “friends of the chair” groups, contact groups, working groups, plenary sessions and ministerial and multi-stakeholder processes. At the end, COP 6 resulted in a Ministerial Declaration and 36 decisions being adopted by the Parties on, inter alia, forest biological diversity, strategic plan, global strategy for plant conservation, guidelines on access and benefit sharing, and guiding principles on alien invasive species. While on some issues, real progress has been achieved, the bottle is half full or half empty on many others. All over, COP 6 discussions have been underpinned by the tension between developing global priorities and targets to address the unabated biodiversity loss while preserving national sovereignty over such efforts.

Forest Biological Diversity: a Holistic Work Programme at Last

Although forests harbor about 2/3 of the terrestrial biodiversity, it took 8 years for the CBD to place forests as a main theme on the agenda of its biannual COP. Hopes were thus high for environmental NGOs, IPOs and national delegates that COP 6 would mark a turning point in the current forest crisis. Especially in view of the excellent holistic and action-oriented work programme on forest biological diversity² (2002-2010) prepared by the technical body³ of the Convention in November 2001 and to be adopted by this COP (See FW 58).

Early in the meeting, auspices were favorable as Parties agreed that the work programme elements, objectives and activities should be adopted as such. Enthusiasm faltered subsequently as heated debates procrastinated on priority setting at national versus international level, special consideration for primary forests, and on a mechanism to facilitate and review progress in implementation of the work programme.

In the end, although the work programme (130 activities) is adopted, no global priority has been agreed upon nor has been a timetable for national implementation. Parties are requested to submit voluntary national reports on their priority setting and progress in implementation by COP 7. An ad-hoc expert group (harshly negotiated for by the EU) could ensure that focus rests on implementation of the work programme by assisting the Secretariat and SBSTTA³ in reviewing the progress in implementation by COP 8.

The adopted decision on forests puts significant emphasis on collaboration with UNFF. CBD's access to GEF funds calls for closer collaboration since the UNFF has no dedicated resources for

¹ COP 6, The Hague, April 7-19, 2002

² SBSTTA, Montreal November 2001, Document UNEP/CBD/COP/6/17 available from www.biodiv.org

³ Subsidiary Body for Scientific, Technological, and Technical Advice

implementation. Still, it is to be seen how countries will manage to integrate and implement the 130 activities of the CBD work programme and 270 IPF/IFF proposals for action on forests.

Strategic Plan: the Missing Target

COP 5 decided that a Strategic Plan would be adopted at COP 6 initially covering the period 2002-2010. Fern and many environmental NGOs lobbied for a strategic plan that would give a vision and overall guidance for the implementation of the many work programmes and decisions of the Convention. To this end a strong target, such as halting the loss of biodiversity by the year 2010, was expected to be set and activities prioritized to contribute to achieving the target.

Unfortunately the Strategic Plan adopted consists merely in a mission statement addressing the rate of biodiversity loss and a number of objectives that are only normative reiterations of existing obligations. The plan does not include concrete indicators, targets, or an immediate review process.

The undelivered 2010 strategic plan target is, by contrast, firmly set in the Global Strategy for Plant Conservation (GSPC) also adopted at COP 6 in the form of outcome-oriented global targets for 2010. Most targets will be achieved by implementing objectives and activities already defined in the various work programmes of the Convention including the forest one, thereby indirectly setting within these programmes priorities at global level to be implemented at national level.

Other Decisions

Among other decisions, COP 6 has also:

- Endorsed guidelines for incorporating biodiversity-related issues into environmental assessment legislation or processes and into strategic impact assessment;
- Adopted 15 strong guiding principles on the prevention of introduction and mitigation of the impacts of invasive alien species. These principles are non-binding, and implementation depends upon available resources;
- Recognized the need to integrate the ecosystem approach in thematic and cross-sectoral programmes of the Convention and other relevant fora and agreed to convene an expert's meeting to compare the ecosystem approach with sustainable forest management;
- Invited Governments to use the Bonn Guidelines on Access and Benefit Sharing when developing measures and contractual arrangements;
- Established an NGO liaison unit/focal point in the Secretariat and requested the Secretariat to identify support for (Southern) NGOs participation;
- Provided additional guidance to the GEF to provide funding for the implementation of the GSPC, the work programme on forest biological diversity, invasive alien species strategies and action plans, among others.

Ministerial Declaration: A Call to WSSD

Ministers acknowledged that biological diversity is being destroyed by human activities at unprecedented rates and committed themselves to halting deforestation and to the full implementation of the expanded work programme on forests in close relation with other Multilateral Environmental Agreements (MEAs). Most importantly, the Ministers sent a strong message to the WSSD (Earth Summit, August-September 2002) reconfirming the commitment to halt biodiversity loss by 2010 and to fully implement the expanded action-oriented work programme on forest biological diversity, to promote the integration of biodiversity objectives in social and economic policies and actions, and to promote synergy between CBD, MEAs and WTO in a more concrete manner.

Participation

For NGOs and IPOs to get to COP is as simple as sending a fax to the CBD Secretariat. Still, the 35 m² NGO room with only one available computer proved to be a bit narrow for the over 100

organisations present while the room reserved for NGOs meetings seemed to be located as far away as possible from where the Convention's debates were going on.

Failed Multi Stakeholder Dialogue

The Dutch Government created a precedent by organising a multi-stakeholder dialogue during the high ministerial segment. However, the initiative failed as NGOs and IPOs were only informed a week beforehand. Furthermore on the day itself, the afternoon session was postponed several times leaving in the end only half an hour for the Dialogue which should have lasted a whole afternoon. Nobel Prize Winner Rigoberta Menchu who was flown in specially for this process subsequently refused to speak and branded the process as a lack of true dialogue.

Conclusion

The increasing complexity of handling the Convention's numerous decisions and work programmes raise concerns that the understanding of the Convention might be reserved to a biodiversity elite and its implementation to financially rich countries. COP 6 overwhelming agenda failed to clarify the way forward and somehow reinforced these concerns. Much is left to the countries willingness, capacity, and financial resources to make a difference. It is hoped that future COPs will provide them clear and informed guidance by focusing on critical review of implementation of agreed upon decisions rather than on generating text decisions. The CBD remains a Convention with lots of good and progressive texts but unable to deliver.