



## 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  
Item 3 of the provisional agenda\*

### REVISED ANNOTATIONS TO THE PROVISIONAL AGENDA

#### Note by the Executive Secretary

1. The present note is a revision of the annotations to the provisional agenda for the fifth meeting of the Conference of the Parties to the Convention on Biological Diversity, as contained in document UNEP/CBD/COP/5/1/Add.1 dated 18 November 1999 and Corr.1, which it supersedes and replaces. It has been prepared to take into account the developments that have occurred since that document was issued, which include, but are not limited to, the adoption of the Cartagena Protocol on Biosafety at the resumed session of the first extraordinary meeting of the Conference of the Parties in January 2000, the outcome of fifth meeting of the Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA) in February 2000, and the first meeting of the Ad Hoc Inter-Sessional Working Group on Article 8(j) and Related Provisions of the Convention on Biological Diversity, held in Seville in March 2000. The note also provides more detailed information on the proposed organization of work for the meeting.

2. As noted in the original annotations to the provisional agenda, the Executive Secretary, in accordance with the guidance of the Bureau, has organized the items on the provisional agenda into four sections: organizational matters; adoption of reports; review of implementation of the programme of work; and priority issues for review and guidance. A more detailed explanation as to the overall purpose of each section is provided in their opening paragraphs. A revised list of the working and information documents for the meeting is contained in annex I below. At the request of the Bureau, the Executive Secretary has also compiled in document UNEP/CBD/COP/5/1/Add.2 the various elements of draft decisions that have been proposed by SBSTTA, the Inter-Sessional Meeting on the Operations of the Convention (ISOC), the Panel of Experts on Access and Benefit-sharing, the Ad Hoc Open-ended Inter-Sessional Working Group on Article 8(j) and Related Provisions of the Convention on Biological Diversity, the Bureau of the Intergovernmental Committee for the Cartagena Protocol on Biosafety (ICCP) and, where appropriate, the notes prepared by the Executive Secretary for this meeting.

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\* UNEP/CBD/COP/5/1.

## I. ORGANIZATIONAL MATTERS

3. Section I of the provisional agenda comprises those items that are procedural in nature. They include matters relating to the organization, operation and protocol of the meeting, rather than substantive issues.

### ITEM 1. OPENING OF THE MEETING

4. Pursuant to paragraph 1 of decision IV/16 and following the invitation of the Government of the Republic of Kenya, which was welcomed and accepted by the Conference of the Parties in its decision IV/18, the fifth meeting of the Conference of the Parties will be held in Nairobi from 15 to 26 May 2000.

5. The meeting will be held at the United Nations Office at Nairobi (UNON).

6. The meeting will be opened at 10 a.m. on Monday, 15 May 2000. Registration of participants will commence at the venue of the meeting at 3 p.m. on Friday, 12 May 2000.

7. Meeting rooms will be made available on Saturday and Sunday, 13 to 14 May 2000 for informal consultations within the five regional groups, in particular for the designation and/or confirmation of their respective candidates to the Bureau of the meeting.

8. In accordance with Article 36, paragraph 3, of the Convention, the Convention enters into force for a Party ninety days after the deposit of the relevant instrument. Consequently, only those States and regional economic integration organizations that deposited their instruments by 14 February 2000 will be Parties at the outset of the meeting. Those that deposited their instruments after 14 February but before 25 February 2000 will become Parties during the fifth meeting. Those that did so after 25 February 2000 will become Parties only after the end of the meeting, but may participate as observers.

9. In accordance with rule 6 of the rules of procedure for meetings of the Conference of the Parties, the Secretariat has notified the United Nations, its specialized agencies and the International Atomic Energy Agency as well as all States not party to the Convention, of this meeting so that they may be represented as observers.

10. In accordance with rule 7 of the rules of procedure, the Secretariat has also notified all bodies or agencies, whether governmental or non-governmental, qualified in fields relating to the conservation and sustainable use of biological diversity, which have informed the Secretariat of their wish to be represented at the meeting, so that they may be represented as observers. Such bodies or agencies that wish to be represented but have not already informed the Secretariat are requested to do so.

11. The President of the fourth meeting of the Conference of the Parties, H.E. Mr. Lázlő Miklós (Slovakia), will open the meeting.

12. It is expected that, at the opening session, the Conference will hear one or more addresses of welcome by representatives of the Government of the Republic of Kenya.

13. Also at the opening session, a statement will be made by the Executive Director of the United Nations Environment Programme.

14. The Executive Secretary of the Convention will also make a statement highlighting the main issues before the Conference of the Parties at its fifth meeting.

## ITEM 2. ELECTION OF OFFICERS

### Election of the President

15. In accordance with past practice, it is expected that, at the opening session, the President of the fourth meeting will call for the election of a representative of the host country as President.

### Election of officers other than the President

16. In accordance with rule 21 of the rules of procedure, in addition to the President, eight Vice-Presidents and a Rapporteur are to be elected from among the representatives of the Parties present at the meeting. They will serve as the Bureau of the meeting.

### Election of officers of subsidiary bodies and other meetings

17. Rule 26 of the rules of procedure provides that the chairperson of any subsidiary body shall be elected by the Conference of the Parties, while the election of other officers is the responsibility of the body itself. At this meeting, the Conference of the Parties will therefore need to elect the chair of Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA) and of any other subsidiary body that may be established at the current meeting. Previous chairs of SBSTTA have come from following regional groups: first meeting - Africa; second meeting - Western European and Others; third meeting - Asia; fourth meeting - Asia; and fifth meeting - Latin America and the Caribbean. The Central and Eastern European Group has yet to provide the Chair of SBSTTA.

18. In keeping with past practice, the Conference of the Parties may also wish to elect the chair of any other working groups, committees or other types of bodies it has established or will establish at this meeting.

## ITEM 3. ADOPTION OF THE AGENDA

19. The provisional agenda contained in document UNEP/CBD/COP/5/1 has been prepared by the Executive Secretary in the light of the provisions of rule 8 of the rules of procedure for meetings of the Conference of the Parties, taking into account the programme of work (contained in decision IV/16) and other relevant decisions adopted by the Conference of the Parties. In preparing the provisional agenda, the Executive Secretary has benefited from guidance of the Bureau of the fourth meeting of the Conference of the Parties.

ITEM 4. ORGANIZATION OF WORK

20. In light of the number and complexity of the matters to be addressed at the fifth meeting, the Conference of the Parties may wish to establish two working groups. A timetable and division of responsibilities between two working groups is proposed in annex II below.

21. Interpretation will be available for two working groups for morning and afternoon sessions. Interpretation will not, however, be available for evening sessions, should these be necessary.

22. As indicated in annex II, a High-level Segment of the meeting will be held on 24 May 2000, chaired by the President of the fifth meeting of the Conference of the Parties and focusing on the entry into force of the Protocol on Biosafety. The Segment will also be open to observers, who will be given the opportunity to make a few coordinated interventions. The session will conclude with a signing ceremony for the Caratagena Protocol.

23. In addition, the Government of Kenya will convene a Ministerial Roundtable on transfer of biotechnology and capacity-building in the morning of 23 May 2000.

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

24. Rule 18 of the rules of procedure states that:

"The credentials of representatives and the names of alternate representatives and advisers shall be submitted to the Executive Secretary of the Conference of the Parties or the representative of the Executive Secretary not later than twenty four hours after the opening of the meeting. Any later change in the composition of the delegation shall also be submitted to the Executive Secretary or his representative. The credentials shall be issued by the Head of State or Government or by the Minister for Foreign Affairs or, in the case of a regional economic integration organization, by the competent authority of that organization".

25. Rule 19 provides that "the Bureau of any meeting shall examine the credentials and submit its report to the Conference of the Parties for decision".

26. In order to assist Parties in fulfilling the requirements of rule 18, the Executive Secretary has prepared a sample format of appropriate credentials, which has been distributed to national focal points as an annex to the letter of invitation to the meeting.

27. The Conference of the Parties will be invited to consider and adopt the report on credentials submitted to it by the Bureau.

ITEM 6. PENDING ISSUES

28. At its first meeting the Conference of the Parties adopted its rules of procedure in decision I/1, with the exception of paragraph 1 of rule 40, relating to the taking of substantive decisions. Previous meetings have

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considered this outstanding matter but without resolving it conclusively. At the third meeting, consensus was reached concerning some, but not all, of the text in brackets.

29. By decision I/6, the Conference of the Parties adopted the financial rules for the administration of the Trust Fund for the Convention on Biological Diversity. Paragraphs 4 and 16 of these rules contain bracketed text. Paragraph 4 deals with scale of assessments for the apportionment of contributions by Parties to the Trust Fund. Paragraph 16 deals with adopting decisions regarding the Trust Fund. The paragraphs have been considered at previous meetings of the Conference of the Parties, but without any agreement. The text therefore remains bracketed.

30. The inter-sessional consultations foreshadowed at the fourth meeting of the Conference of the Parties (see UNEP/CBD/COP/4/27, para. 70) have not resolved the outstanding issues. The President, after consultation with the Bureau, is of the view that it will not be possible to conclude consideration of the pending matters at the outset of this meeting.

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

31. In accordance with paragraph 2 of rule 4 of its rules of procedure, the Conference of the Parties is to decide on the date and duration of its next ordinary meeting.

32. The Conference of the Parties considered the periodicity of future ordinary meetings at its fourth meeting, within the framework of its review of the operations of the Convention. The Conference decided to defer any decision on the subject and referred the matter to the Inter-Sessional Meeting on the Operations of the Convention convened in June 1999. That Meeting did not reach consensus on whether the meetings of the Conference of the Parties should be held annually or biennially, and both options are provided for in its recommendation on the subject, which is expected to be considered under item 19 of the provisional agenda.

33. With respect to the venue of the next meeting of the Conference of the Parties, rule 3 of the rules of procedure states that meetings of the Conference of the Parties shall take place at the seat of the Secretariat, unless the Conference of the Parties decides otherwise or other appropriate arrangements are made by the Secretariat in consultation with the Parties.

34. In this context, the Conference of the Parties may also wish to consider the recommendation of the Bureau of the Intergovernmental Committee for the Cartagena Protocol on Biosafety (ICCP) regarding the need for the first meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol to be held no later than 12 months after the entry into force of the Protocol.

35. Under this item, a decision regarding the date and venue of the sixth meeting of the Conference of the Parties will be required.

## II. ADOPTION OF REPORTS

36. Section II of the provisional agenda provides for the presentation of the reports of:

- (a) The regional preparatory meetings for the fifth meeting of the Conference of the Parties;
- (b) The Subsidiary Body on Scientific, Technical and Technological Advice on the work of its fourth and fifth meetings (UNEP/CBD/COP/5/2 and 3);
- (c) The Inter-Sessional Meeting on the Operations of the Convention (UNEP/CBD/COP/5/4);
- (d) The Ad Hoc Open-ended Inter-Sessional Working Group on Article 8(j) and Related Provisions of the Convention on Biological Diversity (UNEP/CBD/COP/5/5);
- (e) The Global Environment Facility (GEF) (UNEP/CBD/COP/5/7);
- (f) The Panel of Experts on Access and Benefit-sharing (UNEP/CBD/COP/5/8); and
- (g) The Executive Secretary, on the administration of the Convention (UNEP/CBD/COP/5/9) and the status of the biosafety protocol (UNEP/CBD/COP/5/6).

37. The Conference of the Parties is invited, with some exceptions, simply to take note of the reports submitted, on the understanding that the substantive issues arising therefrom will be taken up under the appropriate agenda item, as indicated below.

## ITEM 8. REPORTS OF THE REGIONAL PREPARATORY MEETINGS

38. Under this item, an opportunity will be provided for the chairs of the regional meetings held to prepare for the Conference of the Parties to introduce the reports of these meetings. Copies of the reports will be available for information purposes.

39. The Conference of the Parties will be invited to take note of and to incorporate, as appropriate, the conclusions of the regional meetings into its consideration of relevant items of the provisional agenda.

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

Report of the fourth meeting of SBSTTA

40. The report of the fourth meeting of SBSTTA, held in Montreal from 21 to 25 June 1999, is contained in document UNEP/CBD/COP/5/2 and will be introduced by the Chair of that meeting, Mr. A. H. Zakri (Malaysia).

41. The report contains seven recommendations. The Conference of the Parties is invited to address the substantive recommendations of the Subsidiary Body contained in its report under the corresponding substantive item of the agenda, as follows:

<u>Recommendation</u>	<u>Subject matter of SBSTTA recommendation</u>	<u>Substantive agenda item of COP agenda</u>
IV/1 A-C	Programme of work	19

<u>Recommendation</u>	<u>Subject matter of SBSTTA recommendation</u>	<u>Substantive agenda item of COP agenda</u>
IV/2	Further development of a Global Taxonomy Initiative	17.4
IV/3	Assessment of the status and trends and options for the conservation and sustainable use of terrestrial biological diversity: drylands, Mediterranean, arid, semi-arid, grassland and savannah ecosystems	21
IV/4	Development of guiding principles for the prevention of impacts of alien species and identifying priority areas of work on isolated ecosystems and giving further recommendations to the Global Invasive Species Programme	17.3
IV/5	Consequences of the new technology for the control of plant genetic expression for the conservation and sustainable use of biological diversity	16.2
IV/6	Incorporation of biological diversity concerns into environmental impact assessment	18.6
IV/7	Development of approaches and practices for the sustainable use of biological resources, including tourism	22

#### Report of the fifth meeting of SBSTTA

42. The report of the fifth meeting of SBSTTA, held in Montreal from 31 January to 4 February 2000 (UNEP/CBD/COP/5/3), will be introduced by the Chair of the Subsidiary Body at its fifth meeting, Mr. C. Samper (Colombia).

43. The report contains fourteen recommendations. The Conference of the Parties is invited to address the substantive recommendations of the Subsidiary Body contained in its report under the corresponding substantive item of the agenda, as follows:

<u>Recommendation</u>	<u>Subject matter of SBSTTA recommendation</u>	<u>Substantive agenda item of COP agenda</u>
V/1	Cooperation with other bodies	19
V/2	Pilot phase of the clearing-house mechanism	18.2
V/3	Review of the Global Taxonomy Initiative	17.4
V/4	Alien species: guiding principles for the prevention, introduction and mitigation of impacts	17.3
V/5	Inland water biological diversity	16.1
V/6	Marine and coastal biological diversity: implementation tools for the programme of work and coral bleaching	16.1
V/7	Forest biological diversity: status and trends and identification of options for conservation and sustainable use	16.1

<u>Recommendation</u>	<u>Subject matter of SBSTTA recommendation</u>	<u>Substantive agenda item of COP agenda</u>
V/8	Biological diversity of dryland, Mediterranean, arid, semi-arid, grassland and savannah ecosystems: options for the development of a programme of work	21
V/9	Agricultural biological diversity: assessment of ongoing activities and priorities for a programme of work	16.2
V/10	Ecosystem approach: further conceptual elaboration	17.1
V/11	Development of indicators of biological diversity	17.2
V/12	Sustainable use of the components of biological diversity: identification of sectoral activities that could adopt biodiversity-friendly practices and technologies	22
V/13	Establishment of guidelines for the second national reports, including indicators and incentive measures	18.7
V/14	Ad hoc technical expert groups: terms of reference, and roster of experts and proposal on a uniform methodology for their use	19

44. Under this item of the agenda, the Conference of the Parties is invited to take note of the reports of the fourth and fifth meetings of SBSTTA. It is also suggested that the respective Chairs of the Subsidiary Body on Scientific, Technical and Technological Advice be invited to introduce the individual recommendations of the Subsidiary Body as and when they are taken up under the substantive agenda items.

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

45. In its decision IV/16, on institutional matters and the programme of work, the Conference of the Parties decided to hold an open-ended meeting to consider, inter alia, possible arrangements to improve preparations for and conduct of the meetings of the Conference of the Parties. This meeting, referred to as the "Inter-Sessional Meeting on the Operations of the Convention", was held in Montreal from 28 to 30 June 1999.

46. The report of the Meeting (UNEP/CBD/COP/5/4) will be introduced by the President of the fourth meeting of the Conference of the Parties, Mr. Lázló Miklós (Slovakia), who served as chair of the Inter-Sessional Meeting.

47. As with the reports of SBSTTA, the Conference of the Parties is invited under this item to take note of the report of the Inter-Sessional Meeting and to consider its recommendations under the corresponding substantive item of the agenda, as follows:

<u>Recommendation</u>	<u>Subject matter of ISOC recommendation</u>	<u>Substantive agenda item of COP</u>
1	Review of the operations of the Convention and	19

<u>Recommendation</u>	<u>Subject matter of ISOC recommendation</u>	<u>Substantive agenda item of COP</u>
	the programme of work	
2	Panel of Experts on Access and Benefit-sharing	23
3	Relationship between intellectual property rights and the relevant provisions of the Agreement on Trade-Related Aspects of Intellectual Property Rights and the Convention	23
4	<u>Ex situ</u> collections which were acquired prior to the entry into force of the Convention and are not addressed by the FAO Commission on Genetic Resources for Food and Agriculture	23

48. It also suggested that the President of the Conference of the Parties at its fourth meeting be invited to introduce the individual recommendations of the Inter-Sessional Meeting as and when they are taken up under the substantive agenda items.

ITEM 11. REPORT OF THE WORKING GROUP ON THE IMPLEMENTATION OF ARTICLE 8(j) AND RELATED PROVISIONS

49. By decision IV/9, the Conference of the Parties established and approved the mandate of the Ad Hoc Open-ended Inter-Sessional Working Group on Article 8(j) and Related Provisions of the Convention on Biological Diversity. Its first meeting was held from 27 to 31 March 2000 in Seville, Spain. The report of the meeting is contained in document UNEP/CBD/COP/5/5 and will be introduced by the Chair of the Working Group, Mr Juan Luis Muriel (Spain).

50. Under this item, the Conference of the Parties is invited to take note of the report of the first meeting of the Ad Hoc Working Group, on the understanding that the substantive recommendations and advice of the Group will be taken up under agenda item 18.4.

ITEM 12. REPORT ON THE STATUS OF THE BIOSAFETY PROTOCOL

51. By decision EM-1/3 adopted at its first extraordinary meeting, the Conference of the Parties adopted the Cartagena Protocol on Biosafety. This decision, together with the Cartagena Protocol on Biosafety annexed thereto, is reproduced in document UNEP/CBD/COP/5/6 and Corr.1 (English only). The Protocol will be opened for signature at the meeting. Under established international practice, only Heads of State, Heads of Government and Ministers of Foreign Affairs are empowered, by virtue of their functions, to sign treaties on behalf of States without having to produce full powers to that effect. Other representatives must be in possession of appropriate full powers emanating from one of these authorities for the purpose of signing the Protocol on behalf of their Governments. Representatives of States and regional economic integration organizations wishing to sign the Protocol in Nairobi from 15 to 26 May 2000 should, as necessary, provide the required full powers in advance to the Secretariat of the Convention on Biological Diversity. States and regional economic integration organizations wishing to sign the Protocol thereafter should, as necessary, provide the required full powers in advance to the Treaty Section, Office of Legal Affairs, at the

United Nations Headquarters in New York. For the sake of convenience, a model of full powers is available from the Secretariat.

52. By decision EM-1/3, the Conference of the Parties also established an open-ended ad hoc Intergovernmental Committee for the Cartagena Protocol (ICCP). The mandate of the ICCP is "to undertake, with the support of the Executive Secretary, the preparations necessary for the first meeting of the Parties, at which time it will cease to exist, taking into account the budgetary provisions adopted by the Conference of the Parties".

53. In paragraph 10 of decision EM-1/3, the Conference of the Parties requested the Executive Secretary to develop, in consultation with the Bureau of the Intergovernmental Committee, a work plan for the Committee for consideration and approval by the Conference of the Parties at its fifth meeting. This work plan is contained in document UNEP/CBD/COP/5/6/Add.1 and Corr.1 (English only). The work plan is based on the proposals of the ICCP Bureau developed at its meeting held on 13-14 March 2000 in Paris at the kind invitation of the Government of France. The Conference of the Parties is also invited to consider ways and means that the first meeting of the Parties to the Protocol is held no later than 12 months after the entry into force of the Protocol.

54. Under this item the Conference of the Parties may wish to consider approving the proposed work plan.

#### ITEM 13. REPORT OF THE GLOBAL ENVIRONMENT FACILITY

55. Pursuant to Article 21 of the Convention on Biological Diversity and paragraph 3.1 of the Memorandum of Understanding between the Conference of the Parties and the Council of the Global Environment Facility (GEF), the report of the GEF is contained in document UNEP/CBD/COP/5/7. In accordance with past practice, the report is available in the languages of submission.

56. The Conference of the Parties is invited to take note of the report of the Council and to consider the information contained therein when deciding upon the need for further guidance to the financial mechanism under item 18.1 and other items of relevance.

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

57. In paragraph 3 of decision IV/8, on access and benefit-sharing, the Conference of the Parties decided to establish and approved the mandate of a regionally balanced panel of experts on the subject appointed by Parties and Governments, composed of representatives from the private and the public sectors as well as representatives of indigenous and local communities, operating under the Conference of the Parties and reporting to its fifth meeting. In accordance with the guidance from the Inter-Sessional Meeting on the Operations of the Convention, the Executive Secretary selected the members of the Panel of Experts on Access and Benefit-sharing, which met in Costa Rica from 4 to 8 October 1999.

58. Under this item, the Conference of the Parties is invited to take note of the Panel's report (UNEP/CBD/COP/5/8) and to take up its substantive elements within the context of item 23 (Access and benefit-sharing). The Conference of the Parties may also wish to consider inviting the Co-Chairs of

the Panel to present the report when it considers that item of the provisional agenda.

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

59. In accordance with paragraph 15 of decision IV/17, the report of the Executive Secretary on the income and budget performance is contained in document UNEP/CBD/COP/5/9.

60. The Conference of the Parties is invited to consider the suggestions of the Executive Secretary arising from the experience of the last biennium under item 20 of the provisional agenda for this meeting (Budget for the programme of work for the biennium 2001-2002).

III. REVIEW OF THE IMPLEMENTATION OF THE PROGRAMME OF WORK

61. The items included in section III of the provisional agenda are intended to provide the Conference of the Parties with an opportunity to review the implementation of the Convention and the programme of work, which includes the implementation of existing decisions, as well as the programme adopted in decision IV/16 for the period from the fourth to the seventh meeting of the Conference of the Parties. The section is structured in line with the existing programme of work and decisions of the Conference of the Parties.

62. Under this section, the Conference of the Parties is expected to address a number of issues, mostly of an administrative or secondary nature, that have arisen during the course of implementing existing decisions and require the attention of the Conference of the Parties for overall implementation to proceed in a timely fashion. Accordingly, the documentation provided by the Executive Secretary does not contain exhaustive details about the activities undertaken, but rather focuses on specific issues requiring action by the Conference of the Parties.

ITEM 16. THEMATIC AREAS

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

63. The thematic programmes to be considered under this sub-item were approved by the Conference of the Parties at its fourth meeting and are a subset of the programme of work for the Convention as a whole. With respect to implementing these programmes, the Secretariat has begun developing programmatic links with relevant organizations and building the information base to address identified gaps. The institutions of the Convention, such as the financial mechanism, have also begun to address the identified needs of Parties, or at least to initiate programmes to do so.

64. The relevant decisions of the Conference of the Parties, where appropriate, also indicate the need for further guidance and tools, the

development of which is based on an iterative process between Parties that is supported by the Secretariat and its clearing-house mechanism. Periodically, SBSTTA reviews progress and provides guidance. Draft versions of the tools are disseminated to Parties and other stakeholders for their application, evaluation and further refinement. When the products have been finalized they are submitted to the Conference of the Parties for its endorsement and official distribution to Parties. Implementation of these programmes is largely at the beginning of this phase.

65. SBSTTA reviewed progress in the implementation of the programmes at its fourth and fifth meetings and its recommendations are annexed to the reports of those meetings (UNEP/CBD/COP/5/2 and 3).

66. Under this item, the Executive Secretary has also prepared a note (UNEP/CBD/COP/5/10) identifying, on the basis of the review by SBSTTA and, where appropriate, recommendations of other bodies of the Convention and other organizations, matters that require the attention of the Conference of the Parties for progress to be made in the implementation of the programmes of work.

#### Inland water ecosystems

67. The programme of work on inland water ecosystem was adopted by the Conference of the Parties as annex I to decision IV/4. Annex II to the same decision contains a suggested timetable that SBSTTA and the Executive Secretary are to consider in their work on inland waters. The framework provided for most activities is until 2002 or 2003, although it is designed to be applicable on a continuing basis.

68. At its fifth meeting, SBSTTA reviewed: implementation of annexes I and II of decision IV/4; incorporation of the results of sixth session of the Commission on Sustainable Development; modes of cooperation with the Scientific and Technical Review Panel of the Convention on Wetlands of International Importance especially as Waterfowl Habitat; rapid assessment methodologies; and advice on the joint programme of work with the Convention on Wetlands. On the basis of this review, SBSTTA adopted recommendation V/5, which is annexed to document UNEP/CBD/COP/5/3.

69. The Conference of the Parties is invited to endorse the recommendations of SBSTTA and to request the Executive Secretary to continue with implementation of decision IV/4. It is also invited to consider the proposals of the Executive Secretary contained in document UNEP/CBD/COP/5/10.

#### Marine and coastal biological diversity

70. The programme of work on marine and coastal biological diversity, as approved by the Conference of the Parties in its decision IV/5, identifies important operational objectives and priority activities within the framework of five key programme elements: implementation of integrated marine and coastal area management (IMCAM); marine and coastal living resources; marine and coastal protected areas; mariculture; and alien species and genotypes. The programme provides a framework for activities to implement the Jakarta Mandate on Marine and Coastal Biological Diversity until 2000, although the framework is designed to be applicable beyond that year. A report on the progress in the implementation of the above programme is contained in paragraphs 28-58 of document UNEP/CBD/COP/5/10. Products of the programme

that are submitted for the consideration of the Conference of the Parties at its fifth meeting include:

(a) A review of existing instruments relevant to integrated marine and coastal area management and their implications for the implementation of the Convention (UNEP/CBD/COP/5/INF/6);

(b) Information on marine and coastal genetic resources, including bioprospecting (UNEP/CBD/COP/5/INF/7);

(c) Criteria for the selection of marine and coastal protected areas (UNEP/CBD/COP/5/INF/8); and

(d) 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).

71. At its fifth meeting, SBSTTA reviewed progress with the implementation of this programme. In accordance with decision IV/5, SBSTTA also provided advice for the consideration of the Conference of the Parties on the effects of coral bleaching in its recommendation V/6.

72. The Conference of the Parties is invited to endorse the advice of SBSTTA on coral bleaching and consider the suggestions of the Executive Secretary as contained in document UNEP/CBD/COP/5/10 and the aforementioned information documents.

#### Forest biological diversity

73. The focus of the work programme for forest biological diversity, as adopted by the Conference of the Parties in its decision IV/7, is on research, cooperation and indicators, and development of technologies necessary for the conservation and sustainable use of forest biodiversity. The programme is divided into three sequential phases of three years duration, a time-frame acknowledged by the Parties to be flexible in light of the programme of work of the Convention and the timetable of the Intergovernmental Forum on Forests (IFF). Interim reports are to be made to the Conference of the Parties at the end of each phase.

74. The programme outlines four areas of activities for its initial phase, namely:

(a) Synthesis of existing knowledge of holistic and inter-sectoral ecosystem approaches that enhance integration of forest biodiversity conservation into forest management systems;

(b) Analysis of ways in which human activities, in particular forest-management practices, influence biological diversity and assessment of ways to minimize or mitigate negative influences;

(c) Development of methodologies for criteria and indicators for forest biodiversity; and

(d) Development of research and technological priorities.

75. SBSTTA reviewed progress in the implementation of this programme at its fourth and fifth meetings. The recommendations of the Subsidiary Body based on the assessment are annexed to the report of the meetings (documents UNEP/CBD/COP/5/2 and 3). Further information for the Conference of the

Parties is provided by the Executive Secretary in paragraphs 59-86 of document UNEP/CBD/COP/5/10. The report of the fourth session of IFF will be available as information document UNEP/CBD/COP/5/INF/16. : A summary of information on the status of forest biological diversity derived from national reports will also be available as information document UNEP/CBD/COP/5/INF/18. Also available for the information of participants will be the report of the Global Workshop to Address the Underlying Causes of Deforestation and Forest Degradation (UNEP/CBD/COP/5/INF/22).

76. The Conference of the Parties is invited to endorse the recommendations of SBSTTA and to consider the activities proposed by the Executive Secretary in light of the recommendations of the Subsidiary Body, the outcome of IFF and other relevant information.

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

77. At its third meeting, the Conference of Parties established, through its decision III/11, a multi-year programme of activities on agricultural biodiversity, and requested the Executive Secretary to invite the Food and Agriculture Organization of the United Nations (FAO), in close collaboration with other relevant organizations, to identify and assess relevant ongoing activities and instruments. The results of this assessment were to be reported back to the Conference of the Parties through SBSTTA. At its fourth meeting, the Conference of Parties, in its decision IV/6, requested that SBSTTA develop and provide to the Conference of the Parties at its fifth meeting, advice and recommendations for the further development of the programme of work on agricultural biodiversity. The advice and recommendations of SBSTTA are provided in its recommendation V/9, which is annexed to document UNEP/CBD/COP/5/3.

78. Drawing on those conclusions the Executive Secretary identifies proposed elements for the further development of the programme of work in his note submitted under this item (UNEP/CBD/COP/5/11).

79. By paragraph 11 of decision IV/6, the Conference of the Parties, requested SBSTTA to consider and assess whether there are any consequences for the conservation and sustainable use of biological diversity from the development and use of new technology for the control of plant gene expression, such as that described in United States patent 5723765, and to elaborate scientifically based advice to the Conference of the Parties. This matter was considered by SBSTTA at its fourth meeting, on the basis of a study (UNEP/CBD/SBSTTA/4/9/Rev.1, annex) prepared by a group of experts and peer-reviewed using the roster of experts. On the basis of this study, and deliberations at the meeting, SBSTTA adopted recommendation IV/5.

80. The Conference of the Parties is invited to endorse the recommendations of SBSTTA and to consider the activities proposed by the Executive Secretary in light of the recommendation of SBSTTA and other relevant information.

## ITEM 17. CROSS-CUTTING ISSUES

17.1. Ecosystem approach: adoption of principles  
(implementation of decision IV/1 B)

81. In its decision IV/1 B, the Conference of the Parties, inter alia, requested SBSTTA to develop principles and other guidance on the ecosystem approach. SBSTTA consider this issue at its fifth meeting and adopted recommendation V/10 (document UNEP/CBD/COP/5/3).

82. The Conference of the Parties is invited to endorse the recommendation of SBSTTA.

17.2. Identification, monitoring and assessment, and  
indicators (implementation of decision IV/1 A)

83. In its decision IV/1 A, the Conference of the Parties endorsed SBSTTA recommendation III/5, on current approaches to indicator development and recommendations for a preliminary core set of indicators of biological 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. This recommendation contained a series of short-term and long-term objectives. The short-term activities concentrate on incorporating existing science into the Convention process, mainly through preparatory activities carried out by a liaison group.

84. SBSTTA reviewed progress on this issue at its fifth meeting and adopted recommendation V/11 (see document UNEP/CBD/COP/5/3).

85. The Conference of the Parties is invited to endorse the recommendation of SBSTTA.

17.3. Alien species that threaten ecosystems, habitats or  
species (implementation of decision IV/1 C)

86. At its fourth meeting, the Conference of the Parties decided that alien species would be considered as a priority item at its sixth meeting. In its decision IV/1 C, the Conference of the Parties requested SBSTTA to develop guiding principles for the prevention, introduction and mitigation of impacts of alien species and to report on those principles and any related work programme to the Conference of the Parties at its fifth meeting. It further requested SBSTTA to identify the priority work pertinent to the issue of alien species in geographically and evolutionarily isolated ecosystems and to report thereon to the Conference of the Parties at its fifth meeting. Finally, it requested SBSTTA to examine the Global Invasive Species Programme (GISP), with a view to considering concerted action and developing proposals for further action under the Convention on this issue.

87. SBSTTA considered the issue at its fourth and fifth meetings and adopted recommendations IV/4 and V/4.

88. In recommendation V/4, SBSTTA, inter alia, advised the Conference of Parties to invite Parties to take into account the interim guiding principles for the prevention, introduction and mitigation of impacts of alien species, as annexed to the recommendation and to call for further case-studies.

89. Under this item of the agenda, the Conference of the Parties is invited to endorse SBSTTA recommendation V/4 .

17.4. Global Taxonomy Initiative: implementation and further advance of the Suggestions for Action (implementation of decision IV/1 D)

90. In its decision IV/1 D, the Conference of the Parties, inter alia, endorsed "Suggestions for Action" for the development and implementation of a Global Taxonomy Initiative and requested SBSTTA to provide advice on its further advancement.

91. SBSTTA considered the issue at its fourth and fifth meetings and adopted recommendations IV/2 and V/3 (see documents UNEP/CBD/COP/5/2 and 3).

92. By recommendation V/3, SBSTTA requested the Executive Secretary to develop draft terms of reference for a coordination mechanism to assist the Executive Secretary to facilitate international cooperation and coordinate activities under the GTI. It also recommended that the Executive Secretary, with the assistance of the coordination mechanism, draft a work programme for the GTI, initiate short-term activities, synthesize the findings of previous GTI expert meetings, and use the GTI as a forum to promote the importance of taxonomy in the Convention. The Executive Secretary has provided this information in document UNEP/CBD/COP/5/12.

93. The Conference of the Parties is invited to consider the recommendations of SBSTTA, and the further information provided by the Executive Secretary.

ITEM 18. MECHANISMS FOR IMPLEMENTATION

18.1. Financial resources and mechanism (Article 20 and 21)

Further guidance to the financial mechanism

94. Pursuant to Article 21 of the Convention, and in accordance with the Memorandum of Understanding between the Conference of the Parties and the Council of the Global Environment Facility (GEF), the Conference of the Parties is to communicate its guidance, and any revisions to previous guidance, to GEF, as the institutional structure operating the financial mechanism under the Convention.

95. Under this item, and on the basis of its consideration of the report of the Council on the activities of GEF (item 13), and its consideration of priority issues relating to drylands (item 21), sustainable use, including tourism (item 22) and access and benefit-sharing (item 23), the Conference of the Parties may wish consider providing further guidance to GEF in accordance with Article 21 of the Convention and the Memorandum of Understanding. The Conference of the Parties may also wish to consider whether it needs to adjust its existing guidance to GEF in light of its consideration of the thematic areas under item 16, cross-cutting issues under item 17 and the mechanisms for implementation under item 18 of the provisional agenda.

96. In paragraph 4 of its decision IV/11, on review of the effectiveness of the financial mechanism, the Conference of the Parties requested the Executive Secretary to advise the Parties on the relationship of any draft

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guidance to previous guidance and any possible effects of that draft guidance on the implementation of previous guidance from the Conference of the Parties. Moreover, the Inter-Sessional Meeting on the Operations of the Convention has recommended to the Conference of the Parties that future guidance to the financial mechanism should be incorporated into a single decision (UNEP/CBD/COP/5/4, annex, recommendation 1, para. 7). To assist the Conference of the Parties in considering this issue, the Executive Secretary has prepared a note (UNEP/CBD/COP/5/13/Add.1) that provides a compilation of past guidance to the financial mechanism by substantive item of the provisional agenda.

#### Review of the effectiveness of the financial mechanism

97. At its fourth meeting, the Conference of the Parties reviewed the effectiveness of the financial mechanism, pursuant to Article 21 of the Convention, and adopted decision IV/11, in which it, *inter alia*, requested the GEF Council to take a number of actions to improve the effectiveness of the financial mechanism and to report thereon to the Conference of the Parties at its fifth meeting. The measures taken by GEF in response to decision IV/11 are outlined in the Council's report to the Conference of the Parties (UNEP/CBD/COP/5/7).

98. Also in decision IV/11, the Conference of the Parties decided to determine, at its fifth meeting, terms of reference for the second review of the effectiveness of the financial mechanism. Draft terms of reference for the second review of the effectiveness are contained in the progress report of the Executive Secretary on mechanisms for implementation (UNEP/CBD/COP/5/13) and are based on the terms that guided the first review. They have been adjusted in light of the experience gained from the first review, and the resources of the Trust Fund of the Convention.

99. The Conference of the Parties is invited to adopt terms of reference for the second review of the effectiveness of the financial mechanism.

#### Additional financial resources

100. At its fourth meeting, the Conference of the Parties, in its decision IV/12, requested the Executive Secretary to prepare, for the consideration of the Parties at their fifth meeting, a report on additional financial resources to include proposals for:

- (a) Monitoring financial support for the implementation of the Convention;
- (b) Possible collaboration with international organizations, institutions, conventions and agreements of relevance;
- (c) Exploring possibilities for additional financial support to elements in the programme of work outlined in decision IV/16, annex II;
- (d) Examining the constraints to, opportunities for and implications of private-sector support for the implementation of the Convention.

101. Accordingly, the note by the Executive Secretary on additional financial resources (UNEP/CBD/COP/5/14) reviews progress made in the implementation of the decision of the Conference of the Parties on the matter and proposes further action in this regard. Emphasis is placed on continuing

existing initiatives, developing innovative mechanisms and generating new sources of finance from the private sector.

102. The Conference of the Parties is invited to consider the recommendations.

18.2. Scientific and technical cooperation and the clearing-house mechanism (Article 18)

103. In its decision IV/12, the Conference of the Parties requested the Executive Secretary to undertake an independent review of the pilot phase of the clearing-house mechanism, starting at the end of 1998, to be presented to SBSTTA for its consideration, together with a longer-term programme of work for the mechanism. The results of this review were presented to the fifth meeting of SBSTTA. They are also available to the Conference of the Parties at its fifth meeting in the following documents: report of the independent review of the pilot phase of the clearing-house mechanism (UNEP/CBD/COP/5/INF/2); the clearing-house mechanism's strategic plan (UNEP/CBD/COP/5/INF/3); and the clearing-house mechanism's longer-term programme of work (UNEP/CBD/COP/5/INF/4).

104. In addition to SBSTTA recommendation V/2, on the clearing-house mechanism, as contained in annex I to the report of its fifth meeting (UNEP/CBD/COP/5/3), supplementary information has been provided by the Executive Secretary in his progress report on mechanisms for implementation (UNEP/CBD/COP/5/13).

105. The Conference of the Parties is invited to consider and adopt the SBSTTA recommendation V/2, regarding the strategic plan on the clearing-house mechanism, and a longer-term programme of work for the clearing-house mechanism.

18.3. Incentive measures (Article 11)

106. As requested by the Conference of the Parties in paragraph 5 of its decision IV/10 A, the Executive Secretary, with the collaboration of Organisation for Economic Co-operation and Development (OECD) and IUCN-The World Conservation Union, is submitting for the consideration of the Parties a note on the further analysis of the design and implementation of incentive measures (UNEP/CBD/COP/5/15).

107. The Conference of the Parties has also called upon Parties to provide case-studies on incentive measures at both its third and fourth meetings. In addition, OECD and IUCN have contributed to this work through the production of case-studies and conceptual development. A synthesis of case-studies from these organizations and from Parties is also before the meeting as an information document (UNEP/CBD/COP/5/INF/14), which also identifies case-studies related to the thematic focus of the fifth meeting, as requested in paragraph 5 (a) of decision IV/10 A.

108. The Conference of the Parties is invited to recommend that Parties use these elements in the implementation of Article 11. It is also invited to recommend the continued exchange of information and encourage Parties to provide case-studies, using the outline developed by the Secretariat.

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

109. Under this item, the Conference of the Parties is invited to take up 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). This document contains, inter alia, the recommendations of the Working Group regarding a proposed programme of work and advice on the application and development of legal and appropriate forms of protection.

110. In its decision IV/9, by which the Working Group was established, the Conference of the Parties also identified a number of other activities to promote the implementation of Article 8(j) and the related provisions of the Convention. In particular, it reiterated its calls for further case-studies and for the Executive Secretary to further develop links with the World Intellectual Property Organization (WIPO). Information regarding these activities is provided in the progress report of the Executive Secretary on mechanisms for implementation (UNEP/CBD/COP/5/13).

#### 18.5. Education and public awareness (Article 13)

111. In its decision IV/10 B, the Conference of the Parties invited the United Nations Educational, Scientific and Cultural Organization (UNESCO) to consider launching a global initiative on biological diversity education, training and public awareness and requested the Executive Secretary to explore the feasibility of the afore-mentioned initiative and to report to the fifth meeting of the Conference of the Parties on the progress of such an initiative. Following consultations between the Secretariat and UNESCO, the latter has developed a proposal for a global initiative (UNEP/CBD/COP/5/INF/5). The proposed initiative would be a joint undertaking by the Convention and UNESCO, and would also involve other relevant international organizations as partners.

112. The report of the Executive Secretary on mechanisms for implementation (UNEP/CBD/COP/5/13) reports on other activities undertaken since the last meeting of the Conference of the Parties including the preparation of the Handbook on the Convention, the Global Biodiversity Outlook and Guide to the Convention.

113. Also of relevance under this item is the recommendation of SBSTTA, adopted at its fourth meeting, that education and public awareness be included in the discussions on the work programmes on thematic issues (UNEP/CBD/COP/5/2, annex I, recommendation IV/1, para. 7).

114. The Conference of the Parties is invited to consider the proposal of UNESCO, take note of the information provided by the Executive Secretary and to endorse the recommendation of SBSTTA.

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

115. By its decision IV/10 C, the Conference of the Parties invited Governments and organizations to transmit to the Executive Secretary reports and case-studies relating to environmental impact assessment. It also requested that a synthesis report based on the information submitted and other relevant information be prepared for the consideration of SBSTTA. On the basis of this report, it instructed SBSTTA to identify further actions

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that would promote implementation of the impact assessment procedures provided for in Article 14 of the Convention.

116. SBSTTA considered the matter at its fourth meeting and adopted recommendation IV/6 (document UNEP/CBD/COP/5/2). The recommendation outlines a number of activities that the Conference of the Parties might consider inviting Parties, Governments and other organizations to undertake. It also recommends 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 should continue efforts to generate and disseminate case-studies.

117. The Conference of the Parties is invited to consider the advice of SBSTTA and take appropriate action.

118. Also under this item, the Conference of the Parties has before it the synthesis report on liability and redress requested in decision IV/10 C (UNEP/CBD/COP/5/16). This document was prepared on the basis of information received regarding international and regional measures and agreements on liability and redress applicable to damage to biological diversity. The Executive Secretary did not receive enough submissions to provide the basis for the examination of redress and liability anticipated in Article 14. Accordingly, the Executive Secretary has proposed that detailed consideration of the issue be considered at a future meeting of the Conference of the Parties.

119. The Conference of the Parties is invited to consider the proposal.

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

120. In its decision IV/14, the Conference of the Parties requested SBSTTA to provide advice on the intervals and forms of future national reports. Elements for the recommendation to be prepared by SBSTTA are annexed to the decision.

121. Accordingly, SBSTTA considered the matter at its fifth meeting and adopted recommendation V/13. By this recommendation, SBSTTA requested the Executive Secretary, for the consideration of the Conference of the Parties at its fifth meeting, to:

(a) Revise the matrix contained in annex I to his note on the establishment of guidelines for future national reports (UNEP/CBD/SBSTTA/5/14), taking into account the views expressed at the fifth meeting of SBSTTA; and

(b) Propose a format for thematic reports by Parties on items for in-depth consideration at meetings of the Conference of the Parties, in accordance with its programme of work.

122. In response to those requests, the Executive Secretary has prepared a note on national reporting for the consideration of the Conference of the Parties (UNEP/CBD/COP/5/13/Add.2). The annexes to the note contain the revised matrix and the proposed formats for thematic reports.

123. The Conference of the Parties is invited to endorse SBSTTA recommendation V/13, on the basis of the formats contained in the annexes to

the note by the Executive Secretary (UNEP/CBD/COP/5/13/Add.2), including the respective deadlines for submission.

#### ITEM 19. OPERATIONS OF THE CONVENTION

124. Under this item, the Conference of the Parties is invited to take up recommendation 1 of the Inter-Sessional Meeting on the Operations of the Convention, as contained in its report (UNEP/CBD/COP/5/4) presented under item 10 of the provisional agenda. The two key elements of the recommendation that remain undecided are the periodicity of ordinary meetings of the Conference of the Parties and its subsidiary bodies and the potential mechanisms or combination of mechanisms required in order to enhance the review and facilitate the implementation of the Convention.

125. At its fourth and fifth meetings, SBSTTA also made a number of recommendations of direct relevance to this item. These include a request to the Executive Secretary to prepare a detailed proposal that seeks to address the issues of peer review and scientific assessments for the Convention, terms of reference for technical expert groups, a methodology for using the roster of experts and the advice of SBSTTA for the adoption of a longer-term programme of work for SBSTTA and a strategic plan for the Convention. In order to assist with the preparation of a proposal on scientific assessments, the Executive Secretary convened a brainstorming session in Oslo, from 17 to 19 November 1999. The report of this brainstorming session is contained in document UNEP/CBD/COP/5/INF/1.

126. The Executive Secretary has also prepared a note (UNEP/CBD/COP/5/17) to assist the Conference of the Parties in its consideration of this item.

127. The Conference of the Parties is invited to adopt a decision on this matter based on the draft elements contained in recommendation 1 of the Inter-Sessional Meeting, the recommendations of SBSTTA and consider the proposals of the Executive Secretary.

#### ITEM 20. BUDGET FOR THE PROGRAMME OF WORK FOR THE BIENNIUM 2001-2002

128. Under this item, the Conference of the Parties is invited to adopt a programme budget for the biennium 2001-2002 to meet the core administrative costs of the Conference of the Parties, SBSTTA, other meetings and the Secretariat. To assist the Conference of the Parties the Executive Secretary has prepared a proposed budget for the Trust Fund for the Convention on Biological Diversity for 2001-2002 (UNEP/CBD/COP/5/18).

129. Detailed information on activities and resource needs by programme and subprogramme are explained in the note by the Executive Secretary on detailed subprogramme activities and resources required (UNEP/CBD/COP/5/18/Add.1). As noted before the report of the Executive Secretary on the income and budget performance is contained in document UNEP/CBD/COP/5/9.

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

130. Section IV of the provisional agenda includes those items that the Conference of the Parties, in its decision IV/16, singled out for in-depth consideration at its fifth meeting

131. Parties have indicated that, in undertaking a strategic review of the issue in this way, the Conference of the Parties should endeavour to achieve three goals: review of accomplishments to date; adoption of decisions regarding the products of work completed to date and the establishment of a vision for future work. Any programme initiated by the Conference of the Parties should, where possible, establish a vision for future work and identify: the types of products towards which the programme should be working; a timetable for those products; and the means to achieve these goals.

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

132. As provided for in its programme of work (decision IV/16, annex II), the Conference of the Parties will consider in depth at its fifth meeting the biological diversity of dryland, Mediterranean, arid, semi-arid, grassland and savannah ecosystems.

133. The Conference of Parties may wish to:

(a) Take note of the assessment of status and trends of the biological diversity of dry and sub-humid lands as considered by the Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA) at its fourth meeting (see recommendation IV/3 as contained in annex I to the report of the fourth meeting of SBSTTA (UNEP/CBD/COP/5/2));

(b) Consider for endorsement SBSTTA recommendation V/8, as contained in annex I to the report of the fifth meeting of SBSTTA (UNEP/CBD/COP/5/3), including the establishment of a work programme; and

(c) Consider the development of a joint work programme with the United Nations Convention to Combat Desertification in those Countries Experiencing Serious Drought and/or Desertification particularly in Africa, as recommended by SBSTTA in paragraph 5 of its recommendation V/8 (information document UNEP/CBD/COP/5/INF/15).

134. To assist the Conference of the Parties in considering the above the Executive Secretary has prepared document UNEP/CBD/COP/5/19.

ITEM 22. SUSTAINABLE USE, INCLUDING TOURISM

135. As provided for in its programme of work (decision IV/16, annex II), the Conference of the Parties will consider at its fifth meeting "sustainable use, including tourism" as one of the three themes for in-depth discussion. In preparation for this, the Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA), at its fourth meeting, considered the development of approaches and practices for the sustainable use of biological resources in the context of tourism and adopted recommendation IV/7, which is contained document UNEP/CBD/COP/5/2. At its fifth meeting, SBSTTA considered sustainable use as a cross-cutting issue and adopted recommendation V/12, which is contained in annex I to document UNEP/CBD/COP/5/3.

136. The Conference of Parties is invited to:

(a) Consider SBSTTA recommendation IV/7, on development of approaches and practices for the sustainable use of biological resources, including

tourism, as well as the assessment of the interlinkages between tourism and biological diversity annexed thereto; and

(b) Consider SBSTTA recommendation V/12, on sustainable use of the components of biological diversity: identification of sectoral activities that could adopt biodiversity-friendly practices and technologies.

137. To assist the Conference of the Parties in considering the above the Executive Secretary has prepared a note on the subject (UNEP/CBD/COP/5/20).

#### ITEM 23. ACCESS TO GENETIC RESOURCES

138. Under this item, the Conference of the Parties is invited to take up, as appropriate, recommendations 2, 3 and 4 of the Inter-Sessional Meeting on the Operations of the Convention, as contained in its report introduced under item 10 of the agenda (UNEP/CBD/COP/5/4), together with the substantive elements of the report of the Panel of Experts on Access and Benefit-Sharing introduced under item 14 (UNEP/CBD/COP/5/8).

139. In recommendation 4, on ex situ collections, the Inter-Sessional Meeting advised the Conference of the Parties to request the Executive Secretary to continue gathering information on ex situ collections. To this end, it provided guidance on the structure of the questionnaire. In recommendation 3, on intellectual property rights, the Meeting advised the Conference of the Parties to continue the gathering of relevant information, for the Conference of the Parties to closely monitor developments in other forums, in particular the World Trade Organization (WTO) and WIPO through the Secretariat, and to reaffirm the importance of sui generis system to the aims of the Convention. Recommendation 2, regarding the Panel of Experts on Access and Benefit-sharing, guided the work of the Panel at its meeting in October 1999.

140. At that meeting, the Panel developed a set of key conclusions to assist Parties in implementing access and benefit sharing arrangements as envisaged by the Convention. It 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.

141. To assist the Conference of the Parties in considering the above the Executive Secretary has prepared document UNEP/CBD/COP/5/21. The note recommends that the Panel be requested to develop the key conclusions into guidelines in time for the sixth meeting of the Conference of the Parties.

142. The Conference of the Parties is invited to consider the recommendation of the Executive Secretary based on the advise of ISOC and the Panel.

#### V. FINAL MATTERS

##### ITEM 24. OTHER MATTERS

143. The Conference of the Parties may wish to consider other matters raised and accepted for discussion in accordance with rule 12 of the rules of procedure and paragraph 7 of decision IV/16.

ITEM 25. ADOPTION OF THE REPORT

144. The Conference of the Parties, at its fifth meeting, will consider and adopt its report. In accordance with established practice, the Conference of the Parties is invited to authorize the Rapporteur to complete the final report after the meeting, with the guidance of the President and assistance of the Secretariat.

ITEM 26. CLOSURE OF THE MEETING

145. It is expected that the fifth meeting of the Conference of the Parties will be closed by its President on Friday, 26 May 2000, at approximately 6 p.m.

Annex ILIST OF DOCUMENTS FOR THE FIFTH MEETING OF THE CONFERENCE OF THE  
PARTIES TO THE CONVENTION ON BIOLOGICAL DIVERSITY

<u>Symbol</u>	<u>Title</u>
UNEP/CBD/COP/5/1	Provisional agenda
UNEP/CBD/COP/5/1/Add.1	Annotations to the provisional agenda
UNEP/CBD/COP/5/1/Add.1/Corr.1	Corrigendum in English only to correct reference to INF/1
UNEP/CBD/COP/5/1/Add.1/Rev.1	Revised annotations to the provisional agenda
UNEP/CBD/COP/5/1/Add.2	Draft decisions for the fifth meeting of the Conference of the Parties
UNEP/CBD/COP/5/2	Report of the fourth meeting of the Subsidiary Body on Scientific, Technical and Technological Advice
UNEP/CBD/COP/5/3	Report of the fifth meeting of the Subsidiary Body on Scientific, Technical and Technological Advice
UNEP/CBD/COP/5/4	Report of the Inter-Sessional Meeting on the Operations of the Convention
UNEP/CBD/COP/5/5	Report of the Ad Hoc Working Group on Article 8(j) and Related Provisions
UNEP/CBD/COP/5/6	Report on the status of the Biosafety Protocol
UNEP/CBD/COP/5/6/Corr.1 (English only)	Report on the status of the Biosafety Protocol: corrigendum
UNEP/CBD/COP/5/6/Add.1	Proposed programme of work of the Intergovernmental Committee for the Cartagena Protocol on Biosafety
UNEP/CBD/COP/5/6/Add.1/Corr.1 (English only)	Proposed programme of work of the Intergovernmental Committee for the Cartagena Protocol on Biosafety: corrigendum
UNEP/CBD/COP/5/7	Report of the Global Environment Facility
UNEP/CBD/COP/5/8	Report of the Panel of Experts on Access and Benefit-Sharing
UNEP/CBD/COP/5/9	Report of the Executive Secretary on the administration of the Convention and the budget for the Trust Fund of the Convention

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<u>Symbol</u>	<u>Title</u>
UNEP/CBD/COP/5/10	Progress report on the implementation of the programmes of work on the biological diversity of inland water ecosystems, marine and coastal biological diversity, and forest biological diversity
UNEP/CBD/COP/5/11	Agricultural biological diversity: review of phase I of the programme of work and adoption of a multi-year programme of work
UNEP/CBD/COP/5/12	Progress report on cross-cutting issues
UNEP/CBD/COP/5/13	Progress report on the mechanisms for implementation
UNEP/CBD/COP/5/13/Add.1	Additional guidance to the financial mechanism
UNEP/CBD/COP/5/13/Add.2	National reporting
UNEP/CBD/COP/5/14	Report on additional financial resources
UNEP/CBD/COP/5/15	Further analysis of the design and implementation of incentive measures
UNEP/CBD/COP/5/16	Synthesis of submissions from Governments and international organizations in response to the questionnaire on liability and redress under the Convention on Biological Diversity
UNEP/CBD/COP/5/17	Operations of the Convention
UNEP/CBD/COP/5/18	Proposed budget for the programme of work for the biennium 2001-2002
UNEP/CBD/COP/5/18/Add.1	Proposed budget for the programme of work for the biennium 2001-2002: programmes of work
UNEP/CBD/COP/5/19	Consideration of options for conservation and sustainable use of biological diversity in dryland, Mediterranean, arid, semi-arid, grassland and savannah ecosystems
UNEP/CBD/COP/5/20	Sustainable use, including tourism
UNEP/CBD/COP/5/21	Access to genetic resources
UNEP/CBD/COP/5/INF/1	Report of the Oslo brainstorming meeting on scientific assessment
UNEP/CBD/COP/5/INF/2	Report of the independent review of the pilot phase of the clearing-house mechanism
UNEP/CBD/COP/5/INF/3	Clearing-house mechanism's strategic plan

<u>Symbol</u>	<u>Title</u>
UNEP/CBD/COP/5/INF/4	Clearing-house mechanism's longer-term programme of work
UNEP/CBD/COP/5/INF/5	Joint initiative with UNESCO on education and public awareness
UNEP/CBD/COP/5/INF/6	Review of existing instruments relevant to integrated marine and coastal area management and their implications for the implementation of the Convention
UNEP/CBD/COP/5/INF/7	Information on marine and coastal genetic resources, including bioprospecting
UNEP/CBD/COP/5/INF/8	Criteria for the selection of marine and coastal protected areas
UNEP/CBD/COP/5/INF/9	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/10	Summaries of case-studies on soil biota, pollinators and landscape diversity, and of coverage of agricultural biodiversity in national reports
UNEP/CBD/COP/5/INF/11	The ecosystem approach: towards its application to agricultural biological diversity
UNEP/CBD/COP/5/INF/12	Report on the negotiations to revise the International Undertaking on Plant Genetic Resources
UNEP/CBD/COP/5/INF/13	Tourism and the sustainable use of biological diversity: a survey of ongoing international initiatives
UNEP/CBD/COP/5/INF/14	Compilation of information on incentive measures received from Parties, Governments, and relevant organizations
UNEP/CBD/COP/5/INF/15	Biological diversity of dry and sub-humid lands: coordination between the Convention on Biological Diversity and the Convention to Combat Desertification and elements of a possible joint work programme
UNEP/CBD/COP/5/INF/16	Report of the fourth session of the Intergovernmental Forum on Forests
UNEP/CBD/COP/5/INF/17	GEF activities related to access and benefit-sharing
UNEP/CBD/COP/5/INF/18	Status of forest biological diversity: summary of information from national reports

<u>Symbol</u>	<u>Title</u>
UNEP/CBD/COP/5/INF/19	Cooperation with the Global Biodiversity Information Facility and the Millennium Assessment
UNEP/CBD/COP/5/INF/20	An Interim Assessment of Biodiversity Enabling Activities
UNEP/CBD/COP/5/INF/21	Swiss draft Guidelines on Access And Benefit-sharing regarding the Utilization Of Genetic Resources
UNEP/CBD/COP/5/INF/22	Report of the Global Workshop to Address the Underlying Causes of Deforestation and Forest Degradation

Annex II

SUGGESTIONS FOR THE ORGANIZATION OF WORK AT THE FIFTH MEETING OF THE  
CONFERENCE OF THE PARTIES TO THE CONVENTION ON BIOLOGICAL DIVERSITY

	PLENARY	WORKING GROUP I	WORKING GROUP II
<b>Monday, 15 May 2000</b> 10:00 - 13:00	1 Opening of the meeting. 4 Organizational matters. 6 Pending issues.		
15:00 - 18:00	8 Reports of the regional preparatory meetings. 9 Reports of SBSTTA. 10 Report of the Inter-Sessional Meeting on the Operations of the Convention		
<b>Tuesday, 16 May 2000</b> 10:00 - 13:00	11 Report of the Working Group on the Implementation of Article 8(j) and Related Provisions. 12 Report of the status of the Biosafety Protocol. 13 Report of the GEF. 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. 20 Budget for the programme of work for the biennium 2001-2002.		
15:00 - 18:00		22 Sustainable use, including tourism. 18.3 Incentive measures.	23 Access to genetic resources.
<b>Wednesday, 17 May 2000</b> 10:00 - 13:00		22 and 18.3 (continued)	23 (continued)
15:00 - 18:00		21 Consideration of options for conservation and sustainable use of biological diversity in dryland, Mediterranean, arid, semi-arid, grassland and savannah ecosystems.	19 Operations of the Convention. 18.7 National reporting.

	PLENARY	WORKING GROUP I	WORKING GROUP II
<b>Thursday, 18 May 2000</b> 10:00 - 13:00		21 (continued)	18.1 Financial resources and mechanism.
15:00 - 18:00		16.1 Progress report on the implementation of the programmes of work on the biological diversity of inland water ecosystems, marine and coastal biological diversity, and forest biological diversity.	18.2 Scientific and technical cooperation and the clearing-house mechanism.
<b>Friday, 19 May 2000</b> 10:00 - 13:00		16.2 Agricultural biological diversity: review of phase I of the programme of work and adoption of a multi-year work programme.	18.4 Article 8(j) and related provisions.
15:00 - 18:00		17.1 Ecosystem approach: adoption of principles	17.2 Identification, monitoring and assessment, and indicators.
<b>Monday, 22 May 2000</b> 10:00 - 13:00	Review of progress		
15:00 - 18:00		17.3 Alien species that threaten ecosystems, habitats or species.	18.5 Education and public awareness.
<b>Tuesday, 23 May 2000</b> 10:00 - 13:00		17.4 Global Taxonomy Initiative: implementation and further advance of the Suggestions for Action.	18.6 Impact assessment, liability and redress.
15:00 - 18:00		(Matters outstanding)	(Matters outstanding)
<b>Wednesday, 24 May 2000</b> 10:00 - 13:00	High-level Segment		
15:00 - 18:00	High-level Segment		
<b>Thursday, 25 May 2000</b> 10:00 - 13:00		(Preparation of report)	(Preparation of report)
15:00 - 18:00		(Approval of report)	(Approval of report)
<b>Friday, 26 May 2000</b> 10:00 - 13:00	5 Report on the credentials of representatives to the fifth meeting of the Conference of the Parties.  7 Venue and date of the sixth meeting of the Conference of the Parties.  24 Other matters.		
15:00 - 18:00	25 Adoption of the report. 26 Closure of the meeting.		

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