

The Whole World is Watching

With Reports by Ban Terminator Campaign (www.banterminator.org) and James Rowe

As buses full of delegates arrived yesterday morning for day two of COP 8 they were met by hundreds of protesting (and dancing) farmers, peasants, Indigenous People and NGO's twirling flags, giving speeches, chanting and rallying for food sovereignty and against Terminator Technology - many of them organised through Via Campesina - the global movement of peasants.

Up until now the farmers and peasants have been kept out of the conference centre and relegated to a tent hidden around the back of the expotrade. By bringing their resistance so colourfully to the gates they ensured that every delegate arriving this morning could see and hear the strength of opposition to the commodification of life emblemized by Terminator Technology.

Later in the day La Via Campesina convened a press conference where they outlined their concerns. All the speakers pointed to the parochial profit-seeking of transnational corporations as central to their predicament. In the case of Terminator, companies like Monsanto and Syngenta are trying to render farmers and peasants dependent on their expensive seeds (terminator seeds become sterile after use, thus keeping farmers from the age-old practice of saving seed). According to Roberto Baggio from the Movimento Sem Terra (MST - Landless People's Movement) corporations are striving to "turn peasants into hostages for the rest of their lives."

Via Campesina remains worried the *de facto* moratorium on Terminator technology will be lifted at COP 8. Karen Pederson, a beekeeper from Canada, expressed her fury with her government's desire (along with Australia and New Zealand) to lift the ban and allow for case-by-case assessment. She encouraged everyone in attendance to join her in saying: "Go home Canada, go home!"

Meanwhile, in Canada, over a thousand people gathered in Ottawa last night to put Terminator and the Canadian government on trial. Attendees heard speeches from Indian activist Vandana Shiva and Canadian farmer Percy Schmeiser. "We see the terminator technology as a crime against nature," said Shiva. "The driving force behind this is quite clearly the United States [note: the US Department of Agriculture holds a patent on the technology]. The problem is the United States has never become a member of the UN Biosafety Convention. Instead they're using Canada to do its dirty work."

While Shiva was speaking in Canada yesterday, half a million signatures decrying Terminator technology were handed to the Indian government back in her home country. India has a Ban on Terminator but there are whispers they may not defend it strongly here thus allowing moratorium to be undermined. The petition was organized by SAGE (South Against Genetic Engineering).

We also learned yesterday of another overwhelming vote on Terminator - this time in the European Parliament that passed a resolution calling on the EU negotiators not to support the case by case risk assesment proposed by Canada, Australia and New Zealand. The resolution (P6_TA-PROV(2006)0098) was passed by

419 MEPs of all parties with only 5 opposing. It urges the European Commission and member states to "reject any proposals to undermine the moratorium on the field-testing and marketing of so-called terminator technologies set by CBD Decision V/5 through a 'case-by-case' assessment or approval of Genetic Use Restriction Technologies" and to "defend robustly an EU policy to require that no open-air growing of crops involving Genetic Use Restriction Technologies can be permitted until thorough research on ecological and socio-economic impacts and on any adverse effects for biodiversity, food security and human health has been carried out in a transparent manner."

Will the lives of the world's 1.4 billion peasants be further compromised so transnational corporations can accumulate more profit? Will the Canadian government continue being the US' deferent servant? We'll find out today.

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SUBMISSIONS: Welcome from all civil society groups. Please give to Jessica Dempsey or James Rowe at morning NGO meetings or submit to jdempsey@interchange.ubc.ca

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Protected Areas @ CBD: Implementation 2050??

Ashish Kothari, Kalpavriksh

The world is in safe hands. Or so it would seem, if we are to believe the responses a number of governments have given to the CBD Secretariat's questionnaire on the implementation of the CBD Programme of Work on Protected Areas (PA POW). But as usual, there's good news and there's bad.

Some of the good news is historical. Displaying a significant resolve to conserve at least a part of what remains of life's diversity on earth, countries of the world together enhanced the coverage of areas under official protection for wildlife, from 2.17 million sq.km. in 1972 to 19.6 million sq.km. in 2005. Undoubtedly this bold measure, seen as one of humanity's most significant land/water use decisions, has helped to stem the rapid decline of biological diversity.

Equally significant is the global commitment shown in 2004, when at CBD's COP7, countries framed the progressive PA POW (www.biodiv.org/decisions/), with the following key objectives: (1) enhancement of the coverage of PAs to cover the full diversity of ecosystems and species, (2) more effective management and innovative governance, (3) full participation of indigenous peoples and local communities with respect for their rights, and (4) enhanced attention to funding, building capacity, and research. The deadlines set by countries themselves, were tight, with actions to be finished between 2006 and 2012.

Two years down the road, how far is the world in implementing these measures? Unfortunately, there is no way to tell for sure. This is where the bad news begins. Firstly, most countries don't seem to have thought it important enough to report back on their national level progress. The CBD Secretariat's report for COP8 (UNEP/CBD/COP/8/29, February 2006), says that only 15 countries out of 188 have responded to the call for reports specifically on PAs, while 50 countries sent in their Third National Reports to the CBD which contained specific questions on protected areas (see <http://www.biodiv.org/reports/list.aspx>).

A limited survey by the IUCN Theme group on Indigenous/Local Communities, Equity, and Protected Areas (TILCEPA), suggests that countries have a long way to go before the POW is achieved, with a few countries well ahead of others (for details, write to tasul@vsul.com). A briefing paper by IUCN to COP8 highlights the following main weaknesses:

- Countries are woefully under-reporting their progress making the obligations set under the PA POW;
- The second meeting of the Ad Hoc Working Group on PAs (AHWGPA), scheduled for late 2005, was not held, and the Experts meeting being organized just before COP8 is unlikely to provide substantial enough inputs for the discussion on PAs slotted at the COP;
- Funding commitments remain woefully inadequate (apparently the reason the 2nd meeting of the AHWGPA was put off).

Some Key Concerns

While every key target and action of the PA POW is important, the ones of immediate concern are those with a timeline of 2006. Of these, the following are some aspects of critical concern.

i. Tackling Threats (PA POW, Activity 1.5.5)

Even as many countries struggle to expand their PA networks thus enabling more representative coverage of ecosystems and species, the threats to existing and potential PAs are only increasing. In many countries, the forces of globalization and consumerism are compelling governments to open up wildlife habitats to mining, major infrastructure development, mega-dams, industries, ports, tourism resorts, and other large projects that threaten ecosystem destruction. Of added concern is climate change. Most countries have not reported on how they are tackling such threats; indeed, several governments remain tied to industrial and military developments without properly evaluating their environmental and social costs. Equally alarming are the collaborations some conservation organizations are entering into with big business – collaborations undermining the struggles other conservation groups, or indigenous and local communities, are waging against the same corporations.

Finally, few countries are moving towards the re-oriented development paths required for biodiversity's preservation. Sweden's recent announcement of their plans for an oil-free future is one such bold attempt, even if partial.

ii. Making Protected Areas More Democratic

(PA POW, Activities 2.1.2, 2.2.1, 2.2.2, 2.2.3)

Element 2 of the PA POW (Governance, Participation, Equity and Benefit-sharing,) is probably its least implemented part. Many

countries have reported on their development of participatory mechanisms, but how much of this reflects reality? According to the Indian government, for instance, its "relevant laws and policies incorporate a clear requirement for the participation of stakeholders in the planning, establishment and management of protected areas" (as quoted in the Secretariat's paper). This is far from the truth. In fact:

- (i) protected areas in India are currently threatening the livelihoods of 3 to 4 million people (due to a series of judicial and administrative orders influenced by ultra-conventional conservation views);
- (ii) there is no provision for participatory decision-making and management in the relevant wildlife law (the only provision is for advisory committees for one of the two categories of PAs, and this has not been implemented anywhere in the country since 2002 when it was enacted);
- (iii) the move to recognize community conserved areas has been a non-starter due to serious conceptual flaws in the relevant legal provisions; and
- (iv) not a single indigenous/local community representative has been involved in any of the governmental committees set up to frame wildlife policy and law.



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In Defense of the CBD's Culture of Participation

Christine von Weizsäcker, Ecoropa

Many Civil Society Organisations have carefully looked at the document UNEP/CBD/COP/8/30 concerning NGO accreditation.

Over the many years the meetings of the CBD have become outstanding in terms of cooperative interaction and participation. Of course, we are hoping this "Culture of CBD" continues to grow and thrive. Of course, there has to be an approved process for accreditation. Of course, it has to fit into UN established practices. But should the CBD comply with the least common denominator of established practices? NO.

The CBD should make its experiences available to other Rio-related Conventions and establish a transparent "proper NGO accreditation procedure" in a forward, not backward, manner. We will follow this issue very closely. We will point to difficulties and make proposals for solving them. And we do hope there will be no scandals of unnecessary exclusion.

Some of Civil Society's Special Concerns

Indigenous peoples, local communities, community based organisations, local governments and civil society organisations have much political will and experience to positively contribute to the implementation of the three objectives of the Convention. The process of accreditation – as described in the draft Policy for Accreditation, which has been submitted to the Parties by the Bureau – will be difficult for many of these organizations to comply with.

We hope the "Contact Point for NGOs" established within the Secretariat will address these difficulties by continuously and actively promoting and facilitating the wide participation of the above organisations working at all levels for the implementation of the 2010 Target and beyond.

We also hope the requirements for accreditation will be presented in a timely, inviting, and inclusive manner, again and again, for all CBD meetings as fits the Culture of the Convention. Formal and easy to comply with procedures for on site-registration should be developed. We would like to contribute our experiences and suggestions. Also, we would like to contribute our observations and experiences in an ongoing review process.

In addition, we urge Parties of the CBD to establish a process which will end the *terminological confusion* prevailing not only in Document UNEP/CBD/COP/8/30, but also in the Attachment to the Annex contained in UNEP/CBD/COP/8/25 (equals COP/8/1/Add 2 page 170), and UNEP/CBD/COP/8/25/Add 1 (equals COP/8/1/Add 2 page 171). We are more than ready to help solve the following inconsistencies in terminology:

- The Rio-related conventions make use of the term "NGO".
- Industry Organisations also register as "NGOs" or "Industry", and Corporations as "Industry". The term "Private Sector" is becoming increasing prevalent. But how should they register?
- Organisations of Researchers register as "NGOs" or as "Education".
- Community-based organisations often do not want to be called NGOs because there are rich and co-opting international or national NGOs out there making life difficult for some communities. But they have no choice, so far.
- Indigenous peoples rightly point to their special status and rights. They state, over and over again, that they are not stakeholders but rightsholders. This is not always reflected in the documents in a consistent way.
- Environmental, human rights and sustainable development organisations have to register as "NGOs". They chose the term "civil society organisation" to indicate their different background, approach and interest from other "NGOs". Many of us are frustrated seeing our clarifying category used as an umbrella term for everybody (See UNEP/CBD/COP/8/25 Appendix on the Proposed Core Group Members of the Global Partnership for Biodiversity: IUCN comes under the header "Civil Society Organisations", during COP 8 it is registered as "IGO." Indigenous Peoples will certainly not want to be under the header "Civil Society Organisations"; Academia also is not a "Civil Society Organisation"). Or should we just be happy that our credibility and effectiveness are so stunning that everybody wants to adopt our name?

The Stakes are Clear

There is work to be done on the terms. These terms will decide on who participates in what. Everybody involved in political processes knows that the composition of participants is decisive for the outcome of decisions. We need a widening of participation of "[NGOs]/ [Stakeholders]/ [Civil Society Organisations]/ [Communities] [etc.][etc.]", certainly not a narrow focus on the most powerful and privileged stakeholders. Only an inclusive and diverse composition of participants representing diverse experiences and backgrounds in the conference rooms, side-events and talks in the corridors will ensure that decisions taken by Conferences of Parties are not driven by narrow and particular interests. Only thus, will they be implementable at the national and local levels. Only thus, will they be worthy of the "Culture of CBD".

[[about][shopping-lists]][:][[report][from][abs][yesterday]]

[[While][some][countries][considered][the][annex][to][the][draft][decision][on][access][and][benefit][sharing][a][very][sound][basis][for][negotiations][,][others][merely][see][it][as][a][shopping][list]].

[Meanwhile][everybody][supports][full][and][effective][participation][of][indigenous][and][local][communities]].

[[However][,][it][seems][the][African][group]['s][definition][of][indigenous][peoples][participation][is][:][just][give][money][for][our][national][delegations][and][we][will][take][care][of][it][.]]

[That][is][what][we][would][call][[[[[[p][a][r][t][i][c][i][p][a][t][i][o][n]]]]]]].

Forest TRADE – Why the « T » word should be present in the debate

Greenpeace International

In the recent UN FAO Forest Resources Assessment (2005), global forest loss is estimated at more than 13 million hectares per year. According to the International Crisis Group (ICG), economic losses from illegal logging in Indonesia are estimated at \$3 billion a year. In Brazil for instance, an area of Amazon rainforest more than half the size of England was illegally destroyed last year by loggers, soya farmers and cattle ranchers.

In the forest biological diversity POW, parties to the CBD committed to address issues of sustainable use and consumption of forest biological resources, forest governance, and to take action against illegal logging as a matter of urgency. Four years later we are faced with a depressing reality.

Industrial and illegal logging activities are causing irreversible damage to biodiversity and ecosystem services – services essential to supporting life, livelihoods, traditions and sustainable development in producer countries. They create social conflict within Indigenous and local populations, often leading to violence, crime and human rights abuses. Documented uses of illegal logging profits include civil wars, organised crime and money laundering.

There is a clear and direct link between forest destruction, illegal logging and the consumer market. The ecological footprint of consumer countries like US, Japan, China, Australia and the EU have long since outgrown their resource base, forcing them to fuel international demand for timber products from illegal and destructive sources. Companies from these countries, and others like Malaysia, import, process and distribute cheap timber and timber products to feed the consumer demand.

The link between supply and demand, from forests to consumers, is *trade*. Unless this issue, which is missing in the CBD COP8 negotiations so far, is seriously addressed, the objective of the Convention to reduce forest biological diversity loss will never be met.

On the other hand, producer countries have largely failed to address issues such as unjust laws, poor governance and forest law enforcement, as well as widespread corruption. Despite the commitments made, ecologically and socially responsible forest management involving local communities and Indigenous people, is not yet implemented. The lack of decisive political action has allowed logging companies and illegal loggers to continue deforestation with impunity.

All Parties to the CBD must recognise their share in the ongoing disaster. Urgent action is required and a time-bound global target should be set under the Convention. The target should

ensure unsustainable use, consumption and trade of forest biological resources will be reduced, forest laws, governance and enforcement mechanisms improved, and that illegal logging and related trade are eradicated, before 2008.

A Call To the CBD to Ban GE Trees

Anne Petermann, Global Justice Ecology Project

Non-governmental organizations, social movements, scientists, indigenous groups, farmers, foresters and others are calling for a global ban on the commercial release of genetically engineered trees into the environment. Such release would inevitably and irreversibly contaminate native forest ecosystems, which would themselves become contaminants in an endless cycle. The potential effects of commercially releasing transgenic trees include destruction of biodiversity and wildlife, loss of fresh water, desertification of soils, collapse of native forest ecosystems, major changes to ecosystem patterns and severe human health impacts. Rural and indigenous communities in and around commercial GE tree plantations will bear the greatest burden of the negative impacts of GE trees. Despite all these predictably disastrous consequences, thorough risk assessments of transgenic tree release have not been done.

For the first time, the agenda of the UN CBD COP-8 includes a section addressing the potential impacts of genetically engineered trees. Organizations from around the world are uniting to call on the CBD to impose a moratorium on the release of GE trees into the environment.

In particular, GE tree development is moving rapidly forward in Brazil and Chile. China already has widespread plantations of GE Bt poplar close to conventional poplar plantations. Studies have found that contamination of conventional poplars is already occurring. The technology is also advancing in India, South Africa and Indonesia, the U.S. and several countries in Europe. Because tree pollen is known to travel for hundreds to thousands of kilometers, countries sharing their borders should also be concerned.

World renowned geneticist Dr. David Suzuki pithily summarizes our concerns: “As a geneticist, I believe there are far too many unknowns and unanswered questions to be growing genetically engineered plants – food crops or trees – in open fields. GE trees should not be released into the environment in commercial plantations and any outdoor test plots or existing plantations should be removed.”

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Our repeated attempts to get information on how India is implementing the PA POW, have

been met with silence -- so much for transparent governance.

Undoubtedly several other countries are further down the road of participatory conservation than is India (with especially progressive legislation in some Central and South American countries, Australia, several European countries, etc.). But many others may be even further behind, given that most countries have a long history of conventional, top-down conservation policies. Globally, there is a long way to go to achieve Element 2 of the PA POW, and the 2006 targets are unlikely to be met in most countries.

What Now?

The above issues of concern do not mean little has been achieved. Indeed several countries, NGOs, and indigenous/local community organizations have achieved considerable success on many fronts. The overall global picture, however, remains a mix of murkiness due to inadequate reporting and insufficient action.

Meeting the ambitious global target of halting biodiversity loss by 2010 and the various specific targets of the PA POW, will require more concentrated efforts by all countries. At the very least, parties to the CBD need to commit to:

- Immediately fixing dates (well within 2006) and a venue for the aborted 2nd meeting of the Ad Hoc Working Group on PAs;
- Preparing, through participatory processes that meaningfully involve indigenous/local communities and NGOs, their national reports on progress of implementation of the PA POW. Their 2006 activity targets should be highlighted. These reports should be submitted to the Secretariat before the 2nd meeting of the AHWGPA.
- Finishing fully transparent and participatory reviews of key measures needed to comply with the PA POW, and initiating substantive actions on each of these measures.
- Exchanging key lessons from successes and failures in achieving the various targets of the PA POW, bilaterally and through the CBD mechanisms.

Also, indigenous/local community organizations, NGOs, and other concerned groups and individuals, need to independently report on the state of implementation of the PA POW. In particular, we need to query our governments back home, find out if those charged with implementing the CBD's provisions are actually informing the rest of government or not, help those officials who are seeking inputs on how to carry out the implementation, and bring back information to international forums. We in civil society must strengthen our efforts at monitoring how parties to the CBD are, or are not, meeting their obligations.

A longer version of this article, with several country profiles, is available from him at ashishkothari@vsnl.com