
The outcome of the Biodiversity Convention's COP6: mixed feelings

The Sixth Conference of the Parties of the Convention on Biological Diversity has concluded and it is difficult to say whether it was a success or a failure. "Mixed feelings" would perhaps best describe what many people attending the meeting felt, particularly regarding the issue of forests, which was one of the main items of the agenda.

The main products of the COP were the Ministerial Declaration and the adoption of a Programme of Work on Forest Biological Diversity.

All in all, the Ministerial Declaration contains many more positive than negative elements. It acknowledges that biodiversity continues to be destroyed and that "with some honourable exceptions, our responses are too few, too little and too late." The ministers commit themselves "to move from dialogue to action" and "to the full implementation" of the Work Programme on Forests. They even admit that trade-related agreements may be contradictory to forest biodiversity conservation and thus call for "synergy and mutual supportiveness" between the CBD and international trade-related agreements, "in particular with the World Trade Organization." All this is extremely positive.

Perhaps the main negative aspect of the Declaration lies in its point 15(b), that reaffirms that States have "the sovereign right to exploit their own resources pursuant to their own environmental policies" as long as they don't affect other countries' environment. This appears to ignore the fact that the Convention is a legally-binding instrument which, when ratified, involves the obligation to comply with it. Such statement thus implies that countries need not comply with the Convention under the "sovereignty" argument.

The Programme of Work --prepared last November by the CBD's Subsidiary Body on Scientific, Technical and Technological Advice-- is in theory also basically a very useful document. However, what the COP did was to ensure that no-one had the obligation of actually implementing it. This was achieved in point 11, that is preceded by the following statement: "Underlining the sovereign rights and responsibilities of countries over their forests and the biodiversity within them."

That means that, under the guise of defending their "sovereign rights", governments can do whatever they want. Furthermore, point 11 says that they "should" (not that they "must") implement the programme of work "in the context of their priorities and needs," and that activities "will be prioritized based on country and regionally specific needs, national determination, legislation, circumstances and priorities concerning forest-related issues, and their national forest and biodiversity strategies." The obvious question is: what's the use then of an international legally-binding agreement --ratified by sovereign states-- if there is no need to comply with the resulting obligations?

In fact, that wording highlights the main drawback of this Convention: the lack of political will --in most of the North and in most of the South-- to comply with it. The prevailing globalized economy seems to leave little space for biodiversity conservation. Southern countries destroy their forests to increase exports for debt repayment, and to achieve a type of "development" that is ever more distant.

Northern countries benefit from that same destruction through the obtention of cheap raw materials --wood, pulp, minerals, oil, agricultural products-- and financial returns from investments in the South that result in forest destruction.

Within that framework, political will becomes the key issue for forest conservation. Country level pressure, coupled with international support may change the current inertia and lead to positive changes at both the national and international levels. In this context, the Ministerial Declaration and the Programme of Work may prove to be useful for increasing pressure for the implementation of forest-related agreements. Governments that do not comply with their commitments --both at home and abroad-- should be exposed, so as to increase public pressure on them in order to generate the necessary conditions for the implementation of actions to truly address forest biodiversity loss. The two above mentioned documents can be a good starting point