

ENVIRONMENT AND SUSTAINABLE DEVELOPMENT

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LIST OF ABBREVIATIONS

AALCO	Asian-African Legal Consultative Organization
ABS	Access and Benefit Sharing (relevant to CBD)
AIA	Advanced Informed Agreement (relevant to CBD)
BCH	Biosafety Clearing House (relevant to CBD)
CBD	Convention on Biological Diversity
CBDR	(Principle of) Common But Differentiated Responsibility
CDM	Clean Development Mechanism (relevant to UNFCCC)
CHM	Clearing House Mechanism (relevant to CBD)
COP	Conference of Parties
CPB	Cartagena Protocol on Biosafety
CRIC	Committee to Review the Implementation of the United Nations Convention to Combat Desertification
CSD	Commission on Sustainable Development
CST	Committee on Science and Technology (of UNCCD)
EU	European Union
FAO	Food and Agriculture Organization
G-77	Group of 77
GEF	Global Environment Facility
GHG	Green House Gases (relevant to UNFCCC)
GM	Global Mechanism (relevant to UNCCD)
GPSC	Global Strategy for Plant Conservation (relevant to CBD)
GTI	Global Taxonomy Initiative (relevant to CBD)
IAS	Invasive Alien Species (relevant to CBD)
ICCP	Intergovernmental Committee for the Cartagena Protocol on Biosafety
IFAD	International Fund for Agriculture Development
IMO	International Maritime Organization
IPR	Intellectual Property Rights
KP	Kyoto Protocol
LDC	Least Developed Countries
LMMC	Group of Like-Minded Megadiverse Countries (relevant to CBD)
LMO	Living Modified Organisms (relevant to CBD)
LULUCF	Land Use, Land Use Change and Forestry (relevant to UNFCCC)
MCPA	Marine Coastal Protected Area (relevant to CBD)
MDG	Millennium Development Goal
MEA	Multilateral Environmental Agreement
NAP	National Action Plan (relevant to UNCCD)
NAPA	National Adaptation Programme of Action (relevant to UNFCCC)
NBSAP	National Biodiversity Strategic Action Plan (relevant to CBD)
PA	Protected Areas (relevant to CBD)
PIC	Prior-Informed Consent
SBI	Subsidiary Body on Implementation (of UNFCCC)
SBSTA	Subsidiary Body on Scientific and Technological Advice (of UNFCCC)

SBSTTA	Subsidiary Body for Scientific, Technical and Technological Advice (of CBD)
SIDS	Small Island Developing States
SPS	Agreement on the Application of Sanitary and Phytosanitary Measures
TBT	Agreement on Technical Barriers to Trade
UNCCD	United Nations Convention to Combat Desertification
UNCED	United Nations Conference on Environment and Development (or the Earth or Rio Summit)
UNEP	United Nations Environment Programme
UNFCCC	United Nations Framework Convention on Climate Change
UNFF	United Nations Forum on Forests
UNGA	United Nations General Assembly
WGRI	Working Group on Review of Implementation of Biosafety Protocol
WIPO	World Intellectual Property Organization
WSSD	World Summit on Sustainable Development (or the Johannesburg Summit)
WTO	World Trade Organization

ENVIRONMENT AND SUSTAINABLE DEVELOPMENT

I. INTRODUCTION

A. Background

1. The law relating to “Environment and Sustainable Development” constitutes an important item on the agenda of AALCO. The Organization has been following the developments on this topic for over thirty years now, with the present focus of the work of the Organization being on the implementation of the three Rio Conventions namely; United Nations Framework Convention on Climate Change (UNFCCC), Convention on Biological Diversity (CBD) and United Nations Convention to Combat Desertification in those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa, 1994 (UNCCD) and Follow-Up in progress of the Implementation of the outcome of World Summit on Sustainable Development.

2. Accordingly, the present Secretariat Report attempts to furnish an Overview of the Eighth Conference of Parties to the CBD (COP-8, 20-31 March 2006, Curitiba, Brazil) and Third Meeting of the Parties to the Cartagena Protocol on Biosafety (COP/MOP 3, 13-17 March 2006, Curitiba, Brazil); the Twelfth Conference of the Parties to the UNFCCC and the Second Conference of Parties serving as the Meeting of Parties to the Kyoto Protocol (COP-12 and COP/MOP 2, 6-17 November 2006, Nairobi, Kenya) and the Seventh Conference of Parties of the UNCCD (COP-7, 17-28 October 2005, Nairobi, Republic of Kenya), as well as the International Year for Deserts and Desertification 2006; and Follow-Up in progress of the Implementation of the outcome of World Summit on Sustainable Development. Finally, it offers some comments and observations on the agenda item under consideration for the Forty-Sixth Session of the Organization.

B. Issues for focused deliberations at the Forty-Sixth Session of AALCO

3. Environmental law encompasses a whole range of issues, therefore amongst other issues, following may be considered as issues for focused deliberations at the forthcoming Forty-Sixth Session of the Organization:

- *Legal principles relating to marine and coastal biological diversity*
- *Liability and redress for damage resulting from transboundary movement of Living Modified Organisms*
- *Evolution of an international legal regime on access to genetic resources and benefit sharing*
- *Former UN Secretary-General Mr. Kofi Annan has placed the problem of climate change alongside other global threats such as armed conflict, poverty and weapons proliferation. This highlights the seriousness with which this environmental problem needs to be addressed*

- *Encouraging equitable distribution of Clean Development Mechanism projects, particularly taking more such projects to the African continent*
- *Framework for the commitments of industrialized countries (Annex I) beyond 2012*
- *Raising awareness of and commitment to the implementation of the United Nations Convention to Combat Desertification*
- *Encouraging continuing cooperation between the Secretariats of the UNFCCC, CBD and UNCCD in order to promote complementarities among the Secretariats*
- *Implementation of Strategic Approach to International Chemicals Management (SAICM) at the national, regional and international level to promote the quest for sustainable development*
- *Proper mechanism for transfer of advanced clean energy technologies, including fossil fuel technologies*

C. Secretariat Comments and Observations

a. Convention on Biological Diversity and the Cartagena Protocol on Biosafety

4. One of the significant aspects of the COP-8 was that the 2010 timeline now completes the otherwise open-ended target on ABS set by the World Summit on Sustainable Development. Also, governments have been requested to support compliance with prior informed consent, in accordance not only with CBD Article 15 but also with national legislation, and a related request to the ABS Working Group to further consider such compliance measures was welcomed by developing countries. This indeed pushed forward discussions on disclosure of origin in the CBD framework, in spite of some developed countries' attempts to confine such discussions in trade-related bodies, such as WIPO and the TRIPS Council.

5. In addition to this, the discourses on the substantive issues reveal the significance of addressing a number of critical issues in the global biodiversity agenda that were central to the realization of the target of significantly reducing the current rate of biodiversity loss by 2010, which was well supported by the World Summit on Sustainable Development. Further, the adoption of structured framework and a time frame for the elaboration and negotiation of an international regime on access to genetic resources and benefit sharing. There has been a major breakthrough in documentation accompanying shipments of LMOs intended for direct use as food or feed, or for processing. It supported the reviewed process of the Cartagena Protocol. The most important areas dealt were on biodiversity in marine areas beyond the limits of national jurisdiction, namely, the conservation and sustainable use of deep seabed genetic resources; and marine protected areas beyond national jurisdiction. Hence, both the Convention and the Protocol are dealing with issues that are highly significant to States and making effective mechanism to deal with it.

b. United Nations Framework Convention on Climate Change and Kyoto Protocol

6. The report¹ on the economics of climate change prepared by Professor Nicholas Stern, former Chief Economist of the World Bank, for the British Government, succinctly brings out that not doing anything to reduce global warming was no longer a valid choice. The report argues that the uncertainty surrounding the long-term impacts of green house gas emissions on climate warrant stronger, not weaker, goals to limit them before they cause permanent and dangerous climate change. The economic model presented in the Report demonstrates that stabilizing emissions to a level of about 550 parts per million of carbon di oxide (nearly double the quantity in the atmosphere at the start of industrial revolution) appears possible with an investment of one per cent of gross domestic product by 2050. On the other hand, a business as usual approach can set the world economy back by the equivalent of a 5 per cent to 20 per cent reduction in consumption per capita. In economic and social terms, the distress could be comparable to the great wars and the depression of the 20th century. Fortunately, today most countries accept the need to curb emissions and the international community is alive to such a threat and collective efforts are getting strengthened under the UNFCCC regime. However, the Report does sounds alarming bell and the case made by the Report for transition to a low carbon economy needs to be seriously considered.

7. The Nairobi Climate Conference has been rightly called “Africa COP” because of its focus on adaptation, equitable distribution of CDM projects, and other issues of vital interest to African countries, and presented an opportunity to focus on those who stand to lose most from climate change, yet have contributed least. In terms of the Conference outcome, the Agreement on the Adaptation Fund, the Nairobi Work Programme on Adaptation and the Nairobi Framework on Capacity Building for the CDM give a thrust to Africa. The launch of “Nairobi Framework” by Mr. Kofi Annan would one may hope ensure that African and other countries are able to access a fair share of CDM projects. The UN Secretary-General in his statement had rightly emphasized that the chief concern today was not only the pace of climate change but the speed with which the human race can adapt, mitigate and survive.

c. United Nations Convention to Combat Desertification

8. Desertification is one of the hardest and most intractable environmental problems. Thirty-six countries are affected by or by land degradation, in Africa alone, and an estimated 75 per cent of the continent’s’ farmland is rapidly losing the basic nutrients needed to grow crops. Some estimate the cost of this loss-in some of the poorest countries on Earth – as US \$ 4 billion a year.² Although, the UNCCD commands the largest membership of any of the Rio Conventions in comparison to the conventions on biodiversity and climate change, it has received lesser political support from the international community. Although, the observance of 2006 International Year of Deserts

¹ Stern Review is available on http://www.hm-treasury.gov.uk/independent_reviews/stern_review_economics_climate_change/sternreview_index.cfm.

² Shafqat Kakakhel, “Editorial”, *Our Planet*, vol. 17, no.1, p. 3.

and Desertification, enhanced progress on devising and implementing the programmes on combating desertification as well as raising the public awareness about desertification, however, much remains to be done to increasing international efforts for realizing the objectives of the UNCCD.

9. The UNCCD has successfully accomplished the long transition from awareness raising to implementation. The implementation includes 81 national action plans; the synergies developed with other Rio Conventions, the memorandum with the GEF and the recently launched *TerraAfrica* initiative. All these together with the recent World Summit's call for providing adequate and predictable financial resources for addressing land degradation and desertification provide a welcome political signal. There is an increasing realization in the international community that the Millennium Development Goals cannot be achieved without an all-out attack on root causes of rural poverty, which to a large extent is caused by the spreading of desertification and drought.

10. The Convention is often seen as a people's Convention as it directly addresses the needs of the developing world's rural poor and a critical tool to fight global poverty. Therefore, it is essential that it should remain a priority issue for the donor government's of the rich countries. In this regard the growing insistence by developing countries to address desertification in close connection with the other two Rio Conventions, would mean that combating climate change and protecting biodiversity would have to depend forthwith on progress made by the UNCCD.

d. Follow-up on the outcomes of the World Summit on Sustainable Development

11. The recent adoption of the Strategic Approach to International Chemicals Management (SAICM) by the International Conference on Chemicals Management (ICCM), held in Dubai, on 4-6 February 2006 has highlighted the need for ensuring sound management of chemicals for the achievement of sustainable development, including eradication of poverty and disease and improvement of human health and environment. Implementing the SAICM at national, regional and international levels is a challenging task for the states, however, for attaining sustainable development its implementation is imperative.

12. The recent session of the Commission on Sustainable Development (CSD) was fully revolving around the term 'energy' which is critical for sustainable growth. It is pertinent to note that energy can be useful to many countries in different ways and the concerns of the countries also differ accordingly. Efficiency, conservation and provision of affordable energy services should be regarded as overriding concerns, if the world is to tackle poverty and gender equity effectively, and ensure the realization of the Millennium Development Goals.

II. CONVENTION ON BIOLOGICAL DIVERSITY (CBD) AND CARTAGENA PROTOCOL ON BIOSAFETY (CPB)

A. Background

13. The Convention on Biological Diversity (CBD) negotiated under the auspices of the UNEP was opened for signature on 5 June 1992 and entered into force on 29 December 1993. As of 25 December 2006, the Convention has 190 State Parties and 168 signatories.³ The main goals of the CBD are to promote the conservation of biological diversity, the sustainable use of its components and the fair and equitable sharing of benefits arising out of the utilization of the genetic resources. During the negotiations on this Convention and the Climate Change Convention, new terms were inculcated into environmental agreements, such as; (i) the common concern of mankind as a different concept from the common heritage of mankind, (ii) burden sharing among developed countries, (iii) common but differentiated responsibility and (iv) rights of indigenous communities – with reference to CBD, the benefits of using the biological resources that they have reared over the years.

14. From the time it has entered into force, eight sessions of the Conference of Parties (COP) and two Extraordinary sessions of the COP to the CBD have been held and a number of important decisions on different topics such as establishment of the Clearing-House Mechanism (CHM) and the Subsidiary Body for Scientific, Technical and Technological Advice (SBSTTA); designation of the Global Environment Facility (GEF) as the interim financial mechanism; designation of Montreal, Canada as the permanent location for the Secretariat; access and benefit sharing (ABS); programme of work on marine and coastal biodiversity; inland water ecosystems; agricultural and forest biodiversity national reports; access to genetic resources; alien species; biodiversity and tourism etc., have been adopted.

15. The Second Extraordinary Meeting of the COP in January 2000 adopted the Cartagena Protocol on Biosafety. The Protocol addresses the safe transfer, handling and use of living modified organisms (LMOs) that may have an adverse effect on biodiversity by establishing an advanced informed agreement (AIA) procedure for imports of LMOs for intentional introduction into the environment. It also incorporates the precautionary principle and mechanisms for risk assessment and management, and establishes a Biosafety Clearing House (BCH) to facilitate information exchange. The Protocol entered into force on 11 September 2003 and as on 25 December 2006 has 137 State Parties (103 signatures).⁴

16. The Sixth Meeting of the Conference of Parties (COP-6) to the CBD was held at The Hague, the Netherlands from 7 to 19 April 2002. The Conference inter alia adopted decisions on forest biodiversity; alien species that threaten ecosystems, habitats and

³ For Status of AALCO Member States participation in CBD see Table I in Annex. The status of ratification and signatures of the State Parties to the CBD and the Biosafety Protocol can be availed at <http://www.biodiv.org/world/parties.asp>.

⁴ Ibid.

species; the Global Taxonomy Initiative (GTI); the Global Strategy for Plant Conservation (GPSC); liability and redress; access and benefit-sharing (ABS); the strategic plan, national reporting, CBD operations, and the multi-year work programme; financial resources and mechanism; scientific and technical cooperation and the Clearing House Mechanism (CHM); and Article 8 (j) on traditional knowledge. The Ministerial Meeting adopted The Hague Ministerial Declaration which inter alia: acknowledges the importance of biodiversity for humans' well-being; notes a shift from policy development to implementation, the equal footing of the CBD's objectives, and the link between biodiversity and sustainable development; recognizes the need for timetables, review mechanisms and targets, including a year 2010 target for adoption of measures to halt biodiversity loss; urges States to ratify and implement the CBD, the Biosafety Protocol and other biodiversity-related international instruments; urges developed countries to increase financial efforts; and enable stakeholders to contribute to the implementation of the CBD, in particular youth, women and local communities.

17. The Seventh Meeting of the Conference of Parties to the Convention on Biological Diversity took place from 9-20 February 2004 at Kuala Lumpur, Malaysia. The COP adopted work programmes on protected areas, mountain biodiversity and technology transfer. Delegates also adopted decisions on: the Multi-Year Programme of Work up to 2010; the Strategic Plan; and access and benefit sharing. Decisions of relevance to the Biosafety Protocol include: the financial mechanism; application for CBD Secretariat observer status to the WTO SPS (Agreement on the Application of Sanitary and Phytosanitary Measures) and TBT (Agreement on Technical Barriers to Trade) Committees; and the budget. The Conference had the important task of translating the biodiversity-related WSSD commitments of the Summit into concrete measures. These commitments include the target of significantly reducing the current rate of biodiversity loss by 2010, the negotiation of an international regime on access to genetic resources and benefit sharing, and the establishment of ecological networks and corridors.

18. The First Meeting of the Conference of Parties serving as the Meeting of Parties to the Cartagena Protocol on Biosafety was held at Kuala Lumpur, Malaysia from 23 May to 27 February 2004. The meeting agreed on documentation of LMO-FFPs (living Modified Organisms-Feed, Food and Processing), pending a decision on detailed requirements, to use a commercial invoice or other document to accompany the LMO-FFP; to provide details of a contact point; and include the common, scientific and commercial names, and the transformation event code of the LMO or its unique identifier. An expert group was established to further elaborate specific identification requirements and it was also agreed upon to have an agreement on more detailed documentation requirements for LMOs destined for direct introduction into the environment. The meeting established a 15-member Compliance Committee, and launched an *Ad Hoc* Group on liability and redress.

B. Eighth Conference of Parties to the Convention on Biological Diversity, (20-31 March 2006, Curitiba, Brazil).⁵

19. The Eighth Conference of Parties (COP) to the Convention on Biological Diversity took place from 20-31 March 2006 at Curitiba, Brazil. Hon'ble Ms. Marina Silva, Minister for the Environment of the Federative Republic of Brazil, was elected as the President of the Eighth COP. 3900 delegates representing parties and other governments, UN agencies, intergovernmental, non-governmental, indigenous and local community organizations, academia and industry participated in the meeting.

20. At the Conference, the Executive Secretary of the CBD Secretariat along with the assistance of UNEP World Conservation Monitoring Centre and other relevant organizations submitted the Second Global Biodiversity Outlook (GBO-2). The final decision on the monitoring progress and reporting adopted at the Conference requests States to consider the process for revising the Strategic Plan at COP-9 with a view to adopting it at COP-10, and also consider, as part of that process, an in-depth review of the global framework of goals and targets and associated indicators, which is therefore to be considered provisional and be used until 2010 in its current form. The COP noted the progress in establishing the 2010 Biodiversity Indicators Partnership and its contribution to GBO-2; encourages parties, IGOs and other relevant bodies to support use of existing international data collection systems in relation to reporting the global outcome oriented indicators; and requested the Executive Secretary, together with the AHTEG on indicators, to develop indicators to measure progress in the implementation of the Strategic Plan and promote further development of global-outcome oriented indicators, especially those closely linked to the MDGs.

21. The COP-8 adopted 34 decisions on, *inter alia*: Island biodiversity, Biological diversity of dry and sub-humid lands, Global Taxonomy Initiative, Access and benefit-sharing, Article 8(j) and related provisions, Global Initiative on Communication, Education and Public Awareness, Global Biodiversity Outlook, Implementation of the Convention and its Strategic Plan and findings of the Millennium Ecosystem Assessment, Technology transfer and cooperation, Forest biological diversity, Biological diversity of inland water ecosystems, Marine and coastal biological diversity, Agricultural biodiversity, Protected areas, Alien species that threaten ecosystems, habitats or species (Article 8 (h)), liability and redress; and Biodiversity and climate change, etc..

22. The issues considered during an in-depth discussion, as mentioned earlier, like island biodiversity emphasised on the targets and timeframes that the State parties are supposed to follow, namely, conservation, sustainable use, addressing threats to island biodiversity, access and benefit sharing of island genetic resources, increasing the capacity and finances for the implementation of the work programme. On dry and sub-humid lands, the COP requested the Parties to strengthen the synergy between the CBD

⁵ In the preparation of this section of the Brief reference to the following documents have been made: "Summary of the Eighth Conference of the Parties to the Convention on Biological diversity: 20-31 March 2006", *Earth Negotiations Bulletin*, Vol. 9 No. 363 dated 3 April 2006 available online at: <http://www.iisd.ca/biodiv/cop8/>.

and CCD in implementing the joint work programme. It recognized the need for systematic collection of dry and sub-humid lands biodiversity data at genetic, species and ecosystem levels for the purpose of conservation and sustainable use of it. On Global Taxonomic Initiative (GTI), emphasis was laid on the need to build and retain capacity to address the taxonomic impediment and few organizations to set up a special fund for the accomplishment of this initiative.

23. Fourth Meeting of the Working Group on Access and Benefit Sharing of the Convention on Biological Diversity were convened from 30 January-3 February 2006 at Granada, Spain.⁶ The deliberations on access and benefit-sharing concentrated on the process of developing an international regime, establishing an expert group on the certificate of origin/source/legal provenance; and measures to support compliance with prior informed consent (PIC) and mutually agreed terms (MAT).⁷

24. The Working Group on Article 8(j) recommended for the establishment of a voluntary fund to enable indigenous participation in CBD negotiations. On the development of *sui generis* systems for the protection of traditional knowledge, the COP urged parties to develop, recognize, national and local *sui generis models* for the protection of traditional knowledge with the full and effective participation of indigenous and local communities. The Working Group on Review of Implementation (WGRI) was requested to prepare an in-depth review of the implementation of Goals 2 and 3 of the Strategic Plan, focusing on provision of financial resources, capacity building and transfer of technology.

25. The following decisions were taken in these substantive issues like -
Forest biodiversity: It invited parties to strengthen their efforts to promote sustainable forest management (SFM) to improve forest law enforcement and address related trade, and to provide information for the review of the expanded work programme; and requests the Executive Secretary to strengthen collaboration with Collaborative Partnership on Forests (CPF) member organizations and regional forest-related processes, to improve implementation, and to develop a toolkit on cross-sectoral, integrated approaches to reduce negative impacts of other sectoral policies.

Inland waters: The COP invited governments and relevant organizations to promote the recognition and implementation of the work programme by relevant stakeholders, and to contribute, on a voluntary basis and in accordance with identified needs, financial and other resources to continue assisting the work of the Executive Secretary and the Secretary-General of the Ramsar Convention on these matters. It further called upon parties to ensure the fullest cooperation and communication among national focal points and biodiversity related conventions.

⁶ "Summary of the Fourth Meeting of the Working Group on Access and Benefit-Sharing of the Convention on Biological Diversity: 30 January-3 February 2006", *Earth Negotiations Bulletin*, Vol. 9 No. 344 dated 6 February 2006 available online at: <http://www.iisd.ca/biodiv/abs-wg4/>.

⁷ The development of the relevance of this concept was aptly reported by the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA), the United Nations Conference on Trade and Development (UNCTAD), World Intellectual Property Organization (WIPO), the International Union for the Protection of New Varieties of Plant (UPOV) and the World Trade Organization (WTO).

Marine and Coastal Biodiversity: There were deliberations on marine genetic resources, integrated marine and coastal area management and subsequently decisions were adopted.

Agricultural biodiversity: It was discussed in the light of initiative on biodiversity for food and nutrition, soil biodiversity initiative, genetic restriction use technologies and there were decisions adopted on the same.

Protected Areas: Deliberations took place on review of implementation, High seas Protected Areas, options for mobilizing financial resources.

International Year of Biodiversity: The COP requested the General Assembly to declare 2010 as the International Year of Biodiversity and acting upon the recommendation of COP the General Assembly at its Sixty-First Session declared so.⁸

26. **Next COP/MOP Meeting:** The fourth Meeting of the Conference of Parties to the Cartagena Protocol on Biosafety and CBD COP-9 are expected to be held in 2008 in Germany.

C. Second Meeting of the *Ad hoc* Group on Liability and Redress under the Biosafety Protocol (20-24 February 2006, Montreal, Canada)

27. The *Ad Hoc* Working Group on liability and Redress was established under Article 27 (liability and redress) of the Cartagena Protocol on Biosafety by the COP/MOP-1 to the Convention on Biological Diversity held in 2004.⁹ It was mandated to review information relating to liability and redress for damage resulting from review information relating to liability and redress for damage resulting from transboundary movements of living modified organisms (LMOs); analyze general issues relating to the potential and/or actual damage scenarios of concern; and elaborate options for elements of rules and procedures on liability and redress. The Working Group will report its activities to the COP/MOP with a view to completing its work by 2007.

28. The main features of the report of the *Ad Hoc* Working Group¹⁰ highlighted the scope of damage. The focus under functional scope of damage was on two options for the study, namely, (i) damage resulting from transport of LMOs, including transit; and (ii) damage resulting from transport, transit, handling and/or use of LMOs that finds its origin in transboundary movements of LMOs, as well as unintentional transboundary movements of LMOs. The components for determining the geographical scope of damage were damage caused in areas within the limits of national jurisdiction or control of Parties as well as non-Parties and damage caused in areas beyond the limits of national jurisdiction or control of States. Under the definition of damage, the following concepts were accentuated and considered to be of high significance to determine 'damage caused due to LMOs'. They are damage to conservation and sustainable use of biodiversity;

⁸ A/RES/61/203 dated 20 December 2006.

⁹ Establishment of an Open-Ended *Ad Hoc* Working Group of Legal and Technical Experts on Liability and Redress in the Context of Cartagena Protocol (Decision BC-1/8).

¹⁰ "Summary of the Second Meeting of the *Ad hoc* Group on Liability and Redress under the Cartagena Protocol on Biosafety: 20-24 February 2006", *Earth Negotiations Bulletin*, Vol. 9 No. 345 dated 27 February 2006, available online at: <http://www.iisd.ca/biodiv/wglr2/>.

environment; human health; socioeconomic damage, in relation to indigenous and local communities; traditional damage and cost of response measures. International approaches to channeling of liability are state responsibility, primary state liability, residual state liability in combination with the operator or no state liability including civil liability or administrative approaches. The governments are requested to submit examples of national/domestic legislation and case studies relating to liability and redress for damage to biodiversity, including approaches to valuation and restoration.

D. Third Meeting of the Parties to the Cartagena Protocol on Biosafety (13 - 17 March 2006, Curitiba, Brazil)¹¹

29. COP/MOP-3 considered several reports on ongoing activities within the Protocol's mandate and adopted 18 decisions on: requirements for the handling, transport, packaging and identification (HTPI) of living modified organisms (LMOs) destined for contained use or for intentional introduction into the environment; documentation requirements of LMO shipments for food, feed and processing (LMO-FFPs); risk assessment and risk management; liability and redress; compliance; the need to establish subsidiary bodies; monitoring and reporting; and assessment and review of implementation.

30. The substantive issues dealt at the MOP-3 of the CPB were: (i) Handling, transport, packaging and identification (Article 18); (ii) Risk assessment and risk management (Articles 15 and 16); (iii) Liability and redress (Article 27); (iv) Subsidiary bodies (Article 30); (v) Monitoring and reporting (Article 33); (vi) Assessment and review (Article 35); (vii) Other scientific and technical issues that may be necessary for the effective implementation of the Protocol.

31. The main focus of MOP-3 was to reach an agreement on Article 18.2(a) of the Protocol, wherein it provides for documentation accompanying LMO-FFPs to state that the shipment 'may contain' LMOs and that these are not intended for intentional introduction into the environment. It became controversial since the importing countries see "contain" as a means of ensuring that they are provided accurate and actionable information regarding the content of LMO-FFP shipments, while exporting countries concerns revolve around the feasibility of identifying every LMO-FFP that is contained in a shipment, apprehensive that the presence of unintended LMOs in a shipment might trigger non-compliance procedures against them. Hence, a compromise package was agreed namely, "Curitiba Rules" which requested the parties to take measures to ensure that documentation accompanying LMO-FFPs in commercial production clearly states that the shipment contains LMO-FFPs in cases where the identity of the LMO is known through means such as identity preservation systems.

¹¹ "Summary of the Third Meeting of the Parties to the Cartagena Protocol on Biosafety: 13-17 March 2006", *Earth Negotiations Bulletin*, Vol. 9 No. 351 dated 20 March 2006 available online at: <http://www.iisd.ca/biodiv/bs-copmop3/>.

III. UNITED NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE, 1992 (UNFCCC) AND KYOTO PROTOCOL (KP)

A. Background

32. The UNFCCC was concluded on 9 May 1992 and opened for signature at the United Nations Conference on Environment and Development (UNCED) in June 1992. The Convention entered into force on 21 March 1994 and as of 22 November 2006, it has reached near universality with 190 Parties.¹²

33. At its first session in 1995, the Conference of Parties (COP-1) established an *Ad hoc* Group on the Berlin Mandate with a view to consider further measures to promote the objectives of the Convention. COP-3 (Kyoto, 1997) adopted the Kyoto Protocol to the UNFCCC. As provided in Article 3 of the Protocol, the countries listed in Annex I to the UNFCCC would commit themselves to reducing their overall emissions of six greenhouse gases by at least 5% below 1990 levels over the period between 2008 and 2012, with specific targets for each of those countries. In order to assist those countries in achieving their national targets, the Kyoto Protocol also provided for three mechanisms namely, Joint Implementation (Article 6); Clean Development Mechanism (CDM:Article 12); and Emission Trading (Article 17). While the Joint Implementation and Emission Trading Mechanisms could be availed of between Annex I Parties, the Clean Development Mechanism (CDM) could involve undertaking of Joint Projects between Annex I Parties and non-Annex I Parties, mainly the developing countries. With the meeting of the procedural requirements the Kyoto Protocol entered into force on 16 February 2005.

34. Subsequent to the adoption of the Kyoto Protocol, intensive efforts continued to negotiate its operational details, which facilitated wider ratification and entry into force of the Protocol.¹³ As of 13 December 2006, the Protocol has received 169 ratifications. The developed country ratifications now account for 61.6 % of 1990 CO₂ emissions.

35. At the COP-4 held in Buenos Aires, Argentina, in 1998, an action plan known as “The Buenos Aires Plan of Action” (BAPA), was adopted, which set out certain guidelines to develop the operational details concerning Kyoto Protocol and further measures to strengthen the implementation of the UNFCCC. It also set the schedule for completion of this work by COP-6 in 2000. During the next two years, intensive discussions were held in numerous meetings, workshops, and informal consultations. Unfortunately, while agreement was reached on some issues, some key issues remained

¹² For status of participation of AALCO Member States in the UNFCCC see Table III in Annex.

¹³ To enter into force, the Protocol required ratification by 55 Parties to the UNFCCC, including Annex I Parties representing at least 55% of the total carbon dioxide emissions for 1990. Annex I includes developed countries and countries making the transition to a market economy. These countries/regional groups and their share of carbon emissions at 1990 level are: USA- 36.1%; European Union –24.2%; Russia-17.4%; Japan 8.5%; Poland-3.0%; Other European Nations 5.2%; Canada-3.3%; Australia-2.1% and New Zealand-0.2%. USA and Australia still remain out of Kyoto regime and have refused to ratify the Protocol.

unresolved and COP-6, which met in The Hague in November 2000, failed to meet the deadline. Therefore, COP-6, Part II resumed its session in Bonn in July 2001.

36. At Bonn, discussions continued on unresolved key issues related to institutions and procedures for the implementation of Kyoto Protocol when it comes into force. The United States of America's reluctance to participate in the negotiations dampened the spirit but did not derail the negotiations. After hectic negotiations, agreement was reached on certain specific issues and on some others progress was made in narrowing the divergent views. The agreements, as a package deal, inter alia, included establishment of a climate change fund and a fund for least developing countries, identification of eligible sink activities, rules governing the flexibility mechanisms and the establishment of a compliance mechanism, with a facilitative branch and an enforcement branch. The issue of penalty for non-compliance was resolved to some extent with the understanding that additional compliance procedures and mechanisms would be developed after the Kyoto Protocol enters into force. The completed draft decisions along with others, which required further consideration, were forwarded for formal adoption at the COP-7.

37. COP-7 was held in Marrakesh, Morocco in 2001 and after protracted negotiations, Marrakesh Accord with key features including consideration of Land Use, Land Use Change and Forestry (LULUCF) principles and limited banking of sinks under the CDM was agreed. The Marrakesh Ministerial Declaration hoped for the timely entry into force of the Kyoto Protocol. It expressed its satisfaction over the decisions adopted by the COP-7, which would pave the way for timely entry into force of the Kyoto Protocol. Expressing its concern that all countries, particularly developing countries, including the least developed countries and small island States, face increased risk of negative impacts of Climate Change, and, in this context, the problems of poverty, land degradation, access to water and food and human health needed global attention. It called for synergies between the UNFCCC, the CBD and the UNCCD. It stressed the importance of capacity-building and dissemination of innovative technologies in key sectors of development, particularly energy and of investment in this regard including through private sector investment and market-oriented approaches. It emphasized that climate change and its adverse impacts have to be addressed through cooperation at all levels and welcomed the efforts of all parties to implement the Convention.

38. The Eighth Session of the Conference of Parties (COP-8) took place in New Delhi, India in 2002. The AALCO Secretariat enjoys Observer status with the UNFCCC and in that capacity participated in the COP meeting. The Secretary-General Amb. Dr. Wafik Z. Kamil delivered a statement in the High Level Segment of the Plenary on 30 October 2002, in which he inter alia emphasized that the principle of common but differentiated responsibility should remain as the basis for the UNFCCC process.

39. The adoption of Delhi Ministerial Declaration on Climate Change and Sustainable Development was the highlight of COP-8. It stresses that risks associated with climate change, with potentially most serious impacts on developing countries, need to be addressed by integrating appropriate action in national sustainable development strategies in such key areas as water, energy, health, agriculture and biodiversity. The Declaration

emphasizes that, along with mitigation measures, urgent action was required to adapt to climate change. It reaffirms that all Parties should continue to advance the implementation of their Convention commitments, that developed countries should demonstrate that they are taking the lead in modifying longer term trends, and that economic and social development and poverty eradication were the first and overriding priorities of developing countries. The Declaration recognizes the finding of the Third Assessment Report of the Intergovernmental Panel on Climate Change and underscores the need for significant cuts in global emissions to meet the Convention's ultimate objective. Parties that have ratified the Kyoto Protocol to the Convention strongly urged Parties that have not done so to ratify the Kyoto Protocol.

40. COP-9 took place in Milan, Italy from 1 to 12 December 2003. It resolved a number of outstanding issues on the implementation of the Kyoto Protocol and explored a wide range of options for limiting greenhouse gas emissions and adapting to the impacts of climate change. Among the important decisions arrived at COP-9 was the agreement on the modalities and procedures for afforestation and reforestation ("sinks") project activities under the CDM completed the Marrakesh Accords by expanding the mechanism to the forestry sector. The mechanism allows industrialized countries to implement projects that reduce GHG emissions in a developing country. The certified emission reduction units (CER) generated by such projects can be used by industrialized countries to help meet their emission targets under the Kyoto Protocol. Another important decision was on the Special Climate Change Fund and the Least Developed Country Fund that have enabled the Global Environment Facility, as an entity entrusted with the operation of the financial mechanism of the Convention, to mobilize the resources to 14.

41. The tenth Conference of Parties to the UNFCCC (COP-10) held its session at Buenos Aires from 6 to 17 December 2004. The expectation of the imminent entry into force of the Kyoto Protocol, which occurred on 16 February 2005, gave the Conference a political momentum. With the entry into force of the Kyoto Protocol, international cooperation for the protection of the global climate has entered a new phase, because for the first time, industrialized countries who have ratified the Protocol have assumed quantified commitments to reduce their greenhouse gas emissions. The Conference further mainstreamed adaptation into climate change negotiations by adopting the Buenos Aires Programme of work on Adaptation and Response Measures. It also completed unfinished business from the Marrakech Accords, relating to land-use, land-use change and forestry issues.

42. COP-11 and the first Conference of Parties serving as the Meeting of Parties to the Kyoto Protocol to the Kyoto Protocol took place from 28 November-9 December 2005 in Montreal, Canada. In view of the significant political momentum built up after the entry into force of the Kyoto Protocol, the meeting received much political attention and over 120 ministers attended the high-level segment.

43. One of the major outcome of the Conference was the opening of a two-track approach to determine the future directions of global action on climate change. Under the Kyoto Protocol, an open-ended ad hoc working group had been established to discuss

further commitments by industrialized countries. Further, a dialogue process was initiated with the aim of exchanging experiences and analyzing strategic approaches for long-term cooperative action to address climate change. It addressed action on adaptation and ways and means of realizing the full potential of technology and market-based opportunities, all in the context of advancing development goals in a sustainable way. A series of decisions, prepared at the earlier Conference were adopted, to making the Kyoto Protocol fully operational. Once such important decision pertaining to adopting the compliance procedure was adopted. In addition, the Parties also elected members of the Compliance Committee, which would oversee operation of the compliance regime of the Kyoto Protocol. The Committee began its work in March 2006 and is developing its rules of procedure and operating practices.

B. Twelfth Conference of Parties to the UNFCCC and the Second Conference of Parties serving as the Meeting of Parties to the Kyoto Protocol (6-17 November 2006, Nairobi, Kenya)

44. The twelfth Conference of the Parties (COP-12) to the United Nations Framework Convention on Climate Change and the Second Conference of Parties serving as the Meeting of Parties to the Kyoto Protocol (COP/MOP-2) took place in Nairobi, Kenya from 6-17 November 2007. It was the first UN climate summit in sub-Saharan Africa. Parties also met for the twenty-fifth sessions of the Subsidiary Body for Implementation (SBI 25) and the Subsidiary Body for Scientific and Technological Advice (SBSTA 25), and for the second session of the Kyoto Protocol's Ad hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol. A joint COP and COP/MOP High-Level Segment took place on 15-17 November 2006.¹⁴

45. Hon'ble Mr. Moody Awori, Vice-President of Kenya, in his opening statement noted that sub-Saharan Africa would be among the regions hardest hit by climate change. He called for an environmentally sound and equitable global strategy to provide a post-2012 response to climate change. Mr. Kivutha Kibwana, Kenya's Minister of Environment and Natural Resources was elected as the President of the Conference. He stated that climate change was rapidly emerging as one of the most serious threats that humanity may ever face. Global warming threatened the development goals for billions of the world's poorest people. Mr. Yvo de Boer the Executive Secretary of the Climate Change Secretariat highlighted moving from assessment to action on adaptation, strengthening and making the Clean Development Mechanism (CDM) more accessible, Joint Implementation (JI), technology transfer, and maintaining momentum in talks on the future.

¹⁴ This section of the Secretariat Report is based upon the information contained in "Summary of the Twelfth Conference of Parties to the UN Framework Convention on Climate Change and Second Meeting of the Parties to the Kyoto Protocol", *Earth Negotiations Bulletin*, vol. 12, no. 318, available online at <http://www.iisd.ca/climate/cop12/> and *UNFCCC Secretariat Press Releases*: "Nairobi United Nations Conference opens with warning that climate change may be most serious threat ever to face humankind", 6 November 2006, "UN Secretary-General announces "Nairobi Framework" to help developing countries participate in the Kyoto Protocol", 15 November 2006, and "Spirit of Nairobi" prevails as United Nations Climate Change Conference successfully concludes with decisions to support developing countries", 17 November 2006.

46. **Decisions Adopted by COP-12:** The meeting adopted the following decisions: Further guidance to an entity entrusted with the operation of the financial mechanism for the Convention, for the operation of the Special Climate Change Fund; Review of the financial mechanism; Additional guidance to the Global Environment Facility; Capacity-building under the Convention; Development and transfer of technology; Continuation of activities implemented jointly under the Pilot phase; Levels of emissions for the base year of Croatia; Administrative, financial and institutional matters.

47. **Dialogue on the Long-term Cooperative Action under the Convention:** The Dialogue launched at COP-11 held its second round as part of the Nairobi Conference. Presentations on latest findings on economic challenges posed by global warming were made, along with economic solutions. These included presentations on Stern Review on the Economics of Climate Change, World Bank Investment Framework on Clean Energy and Development, China's 11th Five-Year Plan, impacts of hurricanes on Small-Island Developing Countries (SIDS), Brazil's proposal to provide positive incentives to reduce emissions from deforestation in developing countries, integrating climate change into development strategies and the relationship between the Millennium Development Goals (MDGs) and climate risks. Discussions showed a clear shift in the debate, from looking at climate change policies as cost factor for development to seeing them as opportunities to enhance growth in a sustainable way. The COP decided that the third workshop will focus on the themes addressing action on the themes addressing action on adaptation and realizing the full potential of technology, and that the fourth workshop will be held intersessionally

48. **Nairobi Work Programme on Impacts, Vulnerability and Adaptation:** The meeting agreed upon the five-year "Nairobi Work Programme on Impacts, Vulnerability and Adaptation" which would help enhance decision-making on adaptation and improved assessment of vulnerability and adaptation to climate change. The Parties affirmed that activities under the work programme are to be undertaken to assist all Parties, in particular developing countries, including the LDCs, and SIDS, to improve their understanding of Impacts, Vulnerability and Adaptation to Climate Change.

49. **Special Climate Change Fund:** Rules were finalized for the Special Climate Change Fund. The fund is designed to finance projects in developing countries relating to adaptation, technology transfer, climate change mitigation and economic diversification for countries highly depended on income from fossil fuels.

50. **Decisions Adopted by COP/MOP 2:** Following decisions were adopted by the Meeting: Further guidance relating to the clean development mechanism; Implementation of Article 6 of the Kyoto Protocol; Guidance on the implementation of Article 6 of the Kyoto Protocol; Compliance Committee; Adaptation Fund; Capacity-building under the Kyoto Protocol; Review of the Kyoto Protocol pursuant to its Article 9; Forest management under Article 3, paragraph 4, of the Kyoto Protocol: Italy; Privileges and Immunities for individual serving on constituted bodies under the Kyoto Protocol; Proposal from Belarus to amend Annex B of the Kyoto Protocol; and Administrative, financial and institutional matters.

51. **Ad hoc Working Group on Annex I Commitments:** It may be recalled that the Ad hoc Working Group on Further Commitments for Annex I Parties (AWG) was established by COP/MOP-1 to, *inter alia*, ensure that there is no gap between the first (2008-2012) and the second (post-2012) commitments periods in accordance with Protocol Article 3.9 on future commitments. AWG agreed on a detailed work plan laying down the steps needed to complete its mandate and decided to base its efforts on a shared vision of the challenge set by the ultimate objective of the Convention.

52. **Adaptation Fund:** The meeting agreed on the management of the Adaptation Fund. The Fund draws on proceed generated by the clean development mechanism and are designed to support concrete adaptation activities in developing countries. COP/MOP decision contains the principles and modalities of the Fund. G-77/China has described the Fund as an “innovative solidarity fund”, and the European Union has called it as building a “new trust among Parties.

53. **Compliance Committee:** Parties also adopted rules of procedures for the Kyoto Protocol’s Compliance Committee making it fully operational. The Compliance Committee, with its enforcement and facilitative branch, ensures that the Parties to the Kyoto Protocol have a clear accountability regime in meeting their emission reductions targets.

C. High-Level Segment of COP-12/COP-MOP-2

54. The high-level segment of the Climate Change Conference, attended by approximately 100 Ministers and more than six thousand participants, was opened by the Kenyan President Mr. Mwai Kibaki, Mr. Mortiz Leuenberger, President of the Swiss Confederation and the UN Secretary-General Mr. Kofi Annan.

55. The Kenyan President warned that in the light of new findings by the scientific community on rising greenhouse gas emissions, all Africans were “in danger of missing out the opportunities for sustainable development of their individual countries”. He further added that climate change was threatening to frustrate poverty eradication efforts and making the prospect of meeting the Millennium Development Goals less certain.

56. In his opening speech, Mr. Annan placed climate change alongside other global threats such as armed conflict, poverty, weapons proliferation. As there were calls to provide a wider geographic spread of projects under the clean development mechanism (CDM), which has become a significant source of funding for sustainable development, the Secretary-General announced the “Nairobi Framework”, designed to provide additional support to developing countries to successfully develop projects for the CDM. Five United Nations agencies are involved in the partnership: the United Nations Development Programme (UNDP), the United Nations Environment Programme (UNEP), the World Bank Group, the African Development Bank a, and UNFCCC. The framework would facilitate the development of projects on the ground and build capacity through bottom-up approaches in partnership with local institutions.

57. The country statements made during the high-level segment reflected on wide range of issues, including various “long-term” issues relevant to what happens after the Protocol’s first commitment period ends in 2012, as well as adaptation, CDM issues, forestry and financial matters.

58. **Venue of COP 13 and COP/MOP 3:** The meeting accepted the offer of Republic of Indonesia to host the COP and COP/MOP on 3-14 December 2007 in Bali.

IV. UNITED NATIONS CONVENTION TO COMBAT DESERTIFICATION IN THOSE COUNTRIES EXPERIENCING SERIOUS DROUGHT AND/OR DESERTIFICATION, PARTICULARLY IN AFRICA, 1994 (UNCCD)

A. Background

59. The United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and Desertification, Particularly in Africa (UNCCD or CCD) was adopted on 17 June 1994 and opened for signature at Paris in October 1994. The Convention entered into force on 26 December 1996 and with 191 Parties, as on 17 March 2004, has attained universal membership.¹⁵

60. The Convention provides for an integrated approach to combat desertification and mitigate the effects of drought in the countries, especially in Africa, by advocating effective action at all levels supported by regional and international co-operation. The Convention also contains “Regional Implementation Annexes” for Africa, Asia, Latin America and the Caribbean, and the Northern Mediterranean. A fifth annex for Central and Eastern Europe was adopted at COP-4 in December 2000.

61. The Conference of Parties (COP) is the supreme body of the Convention. A Committee on Science and Technology (CST), established under the Convention as a subsidiary body of the COP is entrusted with the task of providing information and advice on scientific and technological matters relating to combating desertification and mitigating the effects of drought. At its first session held in 1997, the COP-1 decided to locate its Permanent Secretariat in Bonn. After the conclusion of the Headquarters Agreement with the German Government, the Secretariat moved to Bonn in early 1999. With a view to mobilization and channeling of financial resources for the implementation of the Convention, a Global Mechanism functions under the authority of the COP.

62. During its first to fourth sessions, the COP had discussed, apart from the administrative matters, including program and budget, other institutional arrangements such as establishment of an *Ad hoc* panel to survey benchmarks and indicators and linkages between traditional and modern knowledge. COP-3 held in 1999 approved the Memorandum of Understanding between COP and the International Fund for Agriculture Development (IFAD) as the Organization to administer the Global Mechanism (GM), as envisaged in the Convention. At that session, it was also decided to establish an *Ad hoc* Working Group (AHWG) to review and analyze the reports on national, sub-regional, and regional action programs and makes recommendations for their implementation.

63. The two important initiatives taken at COP-4 held in 2000, were the initiation of the consideration of modalities for the establishment of a Committee to Review the Implementation of the Convention (CRIC) and the adoption of a decision on the Global Environment Facility (GEF) Council initiative to explore the best options for GEF support for CCD implementation. In addition, the *Ad hoc* Working Group (AHWG)

¹⁵ For Status of AALCO Member State’s participation in the UNCCD see table III in Annex.

continued its review of various national, sub-regional, and regional reports and discusses strategies and policy frameworks to enhance the implementation of the Convention.

64. The Fifth Conference of Parties (COP-5) was held in Geneva from 1 to 13 October 2001. The meeting focused on setting the modalities of work for the two-year interval before the next COP, scheduled for September 2003. Significant decisions adopted by the meeting include the establishment of the CRIC, the identification of modalities to improve the efficiency and effectiveness of the CST, and the enhancement of the CCD's financial base following strong support for a proposal by the GEF to designate land degradation as another focal area for funding.

65. The first session of the CRIC (CRIC-1) took place from 11 to 22 November 2002 in Rome. The meeting deliberated upon the following seven thematic issues, identified by COP-5: participatory process involving civil society, non-governmental organizations (NGOs) and community-based organizations (CBOs); legislative and institutional frameworks or arrangements; linkages and synergies with other environmental conventions and, as appropriate, with national development strategies; measures for rehabilitation of degraded land, drought and desertification monitoring and assessment; early warning systems for mitigating effects of drought; access by affected country Parties, particularly affected developing country Parties, to appropriate technology, knowledge and know-how; and resource mobilization and coordination, both domestic and international, including conclusions and partnership agreements.

66. The Sixth Conference of the Parties (COP-6) to the UNCCD met from 25 August to 6 September 2003, in Havana, Cuba. Amongst the significant decision adopted by COP-6 the decision to accept the GEF as a financial mechanism of the Convention was important one. Progress was made on a number of other issues as well, including: activities for the promotion and strengthening of relationships with other relevant conventions and international organizations, institutions and agencies; enhancing the effectiveness of the CST; and follow-up to the WSSD. The Havana Declaration of Heads of States and Government on the implementation of the UNCCD adopted by COP-7 commits governments to pursue peace, sustainable development, multilateralism, and comply with international law. It noted that people living in affected areas need to be at the center of all programmes to combat desertification, and urges the improvement of economic, social and environmental conditions of the poor. It calls on the WTO to note the impacts that agriculture and trade subsidies have on rural development and desertification, and to consider phasing them out. It invites all affected Parties to integrate the CCD in national strategies for sustainable development, and include programmes to combat desertification in policies on land, water, rural development, forests, energy, and education and culture.

B. Seventh Session of the Conference of the Parties to the United Nations Convention to Combat Desertification (17-28 October 2005, Nairobi, Republic of Kenya)

67. The seventh session of the Conference of the Parties (COP-7) to the United Nations Convention to Combat Desertification in Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa (CCD) took place at the UN Office at Nairobi, Kenya, on 17-28 October 2005. Hon. Stephen Kalonzo Musyoka, Minister of Environment and Natural Resources of Kenya was elected COP-7 President by acclamation. The COP was attended by nearly 1000 participants with 33 ministers, 182 parties, 17 UN agencies, 21 intergovernmental organizations, 4 observers, as well as 125 non-governmental organizations (NGOs) from 65 countries.¹⁶

68. During the COP, parties also convened the eighth session of the Committee on Science and Technology (CST), and the fourth session of the Committee for the Review of the Implementation of the Convention (CRIC-4). The COP also included a high-level special segment and two open dialogue sessions with NGOs and governments. Progress was made on a number of issues, including: review of the implementation of the Convention; inclusion of NGO activities in COP's official programme of work; development of the Memorandum of Understanding (MoU) between the CCD and the Global Environment Facility (GEF); and review and implementation of the recommendations in the report of the Joint Inspection Unit (JIU) of the United Nations as well as development of a long-term strategic plan for the implementation of the Convention.

69. **Decisions taken by the Conference of Parties:** Following decisions were taken by COP-7: Strengthening the implementation of the Convention in Africa; Follow-up on the outcome of the WSSD relevant to the UNCCD; Follow-up to the Joint Inspection Unit report and strategy development to foster the implementation of the Convention; Necessary adjustments to the elaboration process and the implementation of action programmes, including review of the enhanced implementation of the obligations of the Convention; Mobilization of resources for the implementation of the Convention; Collaboration with the Global Environment Facility; Additional Procedures or institutional mechanisms to assist the COP in regularly reviewing the implementation of the Convention; Improving the procedures for communication of information, as well as the quality and format of reports to be submitted to the COP; Programme of the work of the fifth session of the CRIC; date and venue of the fifth session of the CRIC; Rationale for, modalities for, costs involved in, feasibility of, possible terms of reference of, and institutional and collaborative arrangements for the regional coordination units; Activities for the promotion and strengthening of relationships with other relevant conventions and

¹⁶ Reference to following documents have been made in the preparation of this section of the Report: "Summary of the Seventh Conference of Parties to the Convention to Combat Desertification: 17-28 October 2005", *Earth Negotiations Bulletin*, vol. 4, no. 186 available online at: <http://www.iisd.ca/desert/cop7/>; UNCCD Secretariat Press Releases: "191 Countries meet in Nairobi as the UNCCD is expected to move towards full implementation", 17 October 2005; "Launch of new alliance to combat land degradation in Africa", 24 October 2005; and "The Executive Heads of the three Rio Conventions call for substantial GEF replenishment", 26 October 2005.

relevant international organizations, institutions and agencies; Roster of independent experts; The Millennium Ecosystem Assessment; Improving the efficiency and effectiveness of the Committee on Science and Technology; Traditional Knowledge; Benchmarks and Indicators; Early warning systems; Land Degradation Assessment in Drylands; Programme of work of the Committee on Science and Technology; Consideration of rule 47 of the rules of procedure; Consideration of procedures and institutional mechanisms for the resolution of questions of implementation; consideration of annexes containing arbitration and conciliation procedures; Programme and budget for the biennium 2006-2007; Credentials of representatives of Parties attending the COP-& to the UNCCD; Nairobi Declaration on the implementation of the UNCCD; Designation of a convention secretariat and arrangements for its functioning: administrative and support arrangements; Report of the sixth Round Table of Members of Parliament; Celebration of the 2006 International Year of Deserts and Desertification; Relations between the Secretariat and host country; Programme of work of the Conference of Parties; Date and venue of the eighth session of the COP; and Expression of gratitude to the Government and people of Kenya.

70. **Launching of TerrAfrica:** It may be noted that 65% of Africa's population is affected by land degradation, and over 3 % of agricultural GDP is lost annually to soil and nutrient loss in Sub-Saharan Africa. To combat this, COP-7 launched a new initiative entitled "The New Alliance to Combat Land Degradation in Africa"(TerrAfrica) to address land degradation and increase sustainable land management throughout the region. *TerrAfrica* has been developed in partnership with and based on the calls for action from the UNCCD, as well as from the New Partnership for Africa's Development (NEPAD), Comprehensive Africa Agriculture Development Programme and the NEPAD Environmental Action Plan and the G8 Gleneagles Summit Africa statement.

71. *TerrAfrica* is an initiative that aims to unlock financial and institutional resources and enable countries with the support of regional institutions and the international community to address land degradation along this integrated approach. Its target is to reach an investment of at least \$4 billion over a twelve year period. *TerrAfrica* operates at both the country and regional levels. *TerrAfrica* is built around three activity lines – 1) coalition-building, 2) knowledge generation and management, and 3) investments – to implement a strategic approach that improves the efficiency and effectiveness of collective effort in support of SLM and increases the scope and scale of financing.

72. **Review of Implementation of the CCD and its Institutional Arrangements:** COP-7 decided to renew the CRIC's mandate until COP-8, at which point its terms will be reviewed and modalities reconsidered. It also invited parties and relevant stakeholders, including civil society to submit responses to the questionnaire prepared by the Secretariat.

73. **International Year of Deserts and Desertification, 2006:** The General Assembly, concerned over the exacerbation of desertification, particularly in Africa, and its far-reaching implications for the achievement of the Millennium Development Goals, in particular on poverty eradication, adopted at its fifty-eighth session resolution 58/211,

which declared 2006 the International Year of Deserts and Desertification. The resolution was adopted as a means of raising public awareness of the issue of desertification and of protecting the biological diversity, knowledge and traditions of those communities affected by desertification.

74. The COP reiterated the call by the General Assembly to all relevant international organizations and member states to support the activities related to desertification; encouraged parties to contribute, as they are able, to the Convention, and to undertake special initiatives in observance of the year,¹⁷ with the goal of enhancing the implementation of the Convention; requested the Secretariat to make a list all activities envisaged, prepare an interim report to CRIC-5 and a report to COP-8; and encouraged parties to make voluntary contributions to the CCD Special Fund for IYDD observance.

75. **Date and venue of COP-8:** COP-8 would take place in the autumn of 2007 in Spain.

C. International Year of Deserts and Desertification, 2006

76. The International Year of Deserts and Desertification provided a major opportunity both to strengthen the visibility and importance of the dryland issue on the international environmental agenda and to highlight the truly global nature of the problem. All countries and civil society organizations have been encouraged to undertake special initiatives to mark the year. It helped both to strengthen the visibility and importance of the dryland issue on the international environmental agenda and to highlight the truly global nature of the problem. All countries and civil society organizations have been encouraged to undertake special initiatives to mark the year. The Year also celebrated deserts as unique ecosystems, millennia old natural habitats and home to some of the world's most vibrant civilizations.

77. To raise public awareness about desertification, following persons were appointed as Ambassador and Honorary Spokespersons for the IYDD: H. E. Mr. Cherif Rahmani, Minister of Environment, Algeria, H.E. Prof. Waangari Maathai, Nobel Peace laureate and Deputy Minister of Environment, Kenya, H. E. Mr. Ryutaro Hashimoto, former Japanese Prime Minister and Mr. Hristo Stoitchkov Bulgarian international football star. Unfortunately, Mr. Hashimoto passed away on 1st July 2006.

78. In support of the International Year for Deserts and Desertification, United Nations Environment Programme chose the theme 'Don't Desert Drylands' for World Environment Day 2006. The host city for World Environment Day 2006 was Algiers, capital of Algeria. With its geography, history and culture inextricably bound with the world's greatest and best-known desert, the Sahara, Algeria is considered to be ideally suited to highlight every facet of this complex issue.

¹⁷ See "Status of preparations for the International Year of Deserts and Desertification, 2006: Report of the Secretary-General", UN Doc. A/60/169 dated 27 July 2005.

79. The UN Secretary-General Kofi Annan in his message on the occasion *inter alia* observed: “Desertification is hard to reverse, but it can be prevented. Protecting and restoring drylands will not only relieve the growing burden on the world’s urban areas, it will contribute to a more peaceful and secure world. It will also help to preserve landscapes and cultures that date back to dawn of civilization and are an essential part of our cultural heritage.” He urged governments and communities to focus on the challenges of life on the desert margins so the people who live there can look forward to future of peace, health and social happiness.

80. His Excellency Abdelaziz Bouteflika, President of the Democratic and Popular Republic of Algeria in his message on the occasion *inter alia* noted that large sections of African continent was covered by deserts and dryland, making it the most affected by and most vulnerable to the devastating consequences of the alarming degradation of fertile soils. Persistent and cyclical droughts, frequent natural disasters, poverty, migration, and other dramatic aspects of underdevelopment had numerous consequences that cannot be confined to narrow national and regional contexts and spaces because they go beyond the political and natural boundaries of the state. The President emphasized that “Combating desertification, conservation and the integrated and rational development of arid, semiarid, mountainous and forest areas, preserving water-resources and reducing poverty are therefore key objectives that must be quickly addressed, in order to put an end to the devastating impacts of underdevelopment on the continent.”

81. H. E. Mr. Cherif Rahmani, Minister of Environment of Algeria and Honorary Spokesperson of the UN International Year of Deserts and Desertification *inter alia* observed “Hope alone, however, cannot satisfy expectations when survival is often the prime issue. We not only feel concern at the often-chronic material poverty in which entire communities are sinking in desert and semi-desert regions. Their poverty is, in our view, the supreme issue. And it is there we draw on that reasons for our actions and our commitment”.

82. The UNEP on this occasion brought out the Global Deserts Outlook, which is the first thematic report in the Global Environment Outlook (GEO) series of environmental assessments by UNEP. The Report has been prepared by experts from across the globe, traces the history and astonishing biology of the deserts and assesses likely future changes in deserts.¹⁸ 17 June, the day on which the UNCCD was adopted is observed as World day to Combat Desertification.

83. Other major international events for the year included the Beijing Conference on Women and Desertification (29 May-1 June 2006, Beijing) organized jointly by the Governments of Algeria, China and Italy and the Secretariat of the UNCCD; Conference on Civil Society and Desertification (September, 2006, Montpellier, France), Bamako Conference on Youth and Desertification, and Symposium on Desertification and migration (25-27 October 2006, Almeria, Spain).

¹⁸ UNEP Press Release, “Future of World’s Arid Regions Chronicled in Landmark UN Environment Report”, 5 June 2006, available on www.unep.org.

V. FOLLOW-UP ON THE PROGRESS IN THE IMPLEMENTATION OF THE OUTCOME OF THE WORLD SUMMIT ON SUSTAINABLE DEVELOPMENT

A. Background

84. The debate on the linkages between the environment protection and development, paved the way for recognition of the concept of ‘sustainable development’. The 1972 Stockholm Conference on Human Environment recognized the need of protecting environment and adopted an Action Plan for Human Environment and Stockholm Declaration consisting of 26 principles as a guide for the development of environmental law. United Nations Environment Programme (UNEP) was established as a follow-up to coordinate the environment activities of the UN agencies. In 1992, United Nations Conference on Environment and Development was held in Rio de Janeiro. The Conference adopted Rio Declaration and Agenda 21, a comprehensive programme of action. The Conference also established the Commission on Sustainable Development (CSD). An evaluation of the implementation of the Agenda 21 was carried out at the Special Session of the General Assembly in 1997.

85. The 2002 World Summit on Sustainable Development, held at Johannesburg provided another opportunity to make an appraisal of the implementation of the Agenda 21. *Johannesburg Declaration on Sustainable Development* and the *Johannesburg Plan of Implementation* (JPOI) were the substantive outcome of the Summit. The Plan of Implementation had dealt with poverty eradication; changing unsustainable patterns of consumption and production; protecting and managing the natural resource base for economic and social development; sustainable development in a globalising world; health and sustainable development; sustainable development of small island developing states; sustainable development for Africa; means of implementation; and institutional framework for sustainable development.

86. The Sixty-first session of the General Assembly, while discussing the agenda item “Implementation of Agenda 21, the Programme for the Further Implementation of Agenda 21 and the Outcomes of the World Summit on Sustainable Development”, inter alia called on Governments, international financial institutions, the Global Environment Facility and intergovernmental organizations and major groups to ensure follow-up to time bound targets adopted at the World Summit on Sustainable Development.¹⁹

B. Ninth Session of the Governing Council of the United Nations Environment Programme/Global Ministerial Environment Forum (7-9 February 2006, Dubai, United Arab Emirates)

87. The ninth session of the UNEP Governing Council and the Global Ministerial Environment Forum²⁰ took place at Dubai, United Arab Emirates from 7 to 9 February

¹⁹ A/RES/61/195 dated 20 December 2006.

²⁰ The Global Ministerial Environment Forum was constituted by the UNEP Governing Council as envisaged in UN General Assembly resolution 53/242. The purpose of the GMEF is to institute a process

2006. The session began with a ceremonial opening on 6 February 2006. On this occasion, the third Zayed International Prize for the Environment was awarded to UN Secretary-General Kofi Annan. His Excellency Mr. Rachmat Witoelar, Minister of Environment of the Republic of Indonesia was elected as the President of the Governing Council.

88. The President of the ninth session said that the 2005 World Summit had reaffirmed that sustainable development was a key element of the overarching framework of UN activities and recognized that key environmental issues such as chemicals management and energy were international priority issues. He said that States must work together to achieve the Millennium Development Goals (MDGs) and the World Summit on Sustainable Development (WSSD) targets, and emphasized the importance of implementing the Bali Strategic Plan for Technology Support and Capacity-building, and promoting South-South cooperation in this area. The ninth session had ministerial consultations which addressed a variety of issues, including energy, tourism, and recommendations for UNEP and the fourteenth session of the Commission on Sustainable Development (CSD-14).

89. The agenda item for discussion included (i) Assessment, monitoring and early warning: state of environment; (ii) Policy issues on energy and environment, chemicals management, tourism and environment; (iii) Follow-up to the World Summit on Sustainable development; and (iv) International environmental governance. On 'Assessment, monitoring and early warning: State of the environment', the reports highlighted the warning set out by the assessments that humankind was living on borrowed time and stressed the need to implement their findings, including by reducing the ecological footprint of developed country. It was observed that the environmental problems identified impeded attainment of the Millennium Development Goals and given that the issues were so closely intertwined, called for a holistic approach to solving them. Further, conservation of natural resources was key to the attainment of all the goals of the MDGs and not just Goal 7.²¹

90. The most significant policy mooted at the UNEP Governing Council Meeting was on 'chemicals management'. It *inter alia* endorsed the Strategic Approach to International Chemicals Management (SAICM) containing the "Dubai Declaration on International Chemicals Management" and the Global Policy Strategy adopted by the International Conference on Chemicals Management (ICCM) that was held from 4-6 February 2006, in Dubai, United Arab Emirates.

91. **President's Summary:** The President's Summary is divided into two parts, an introduction and the two substantive sections on: Energy and environment; and Tourism

for ensuring policy coherence in the environment field, as proposed in the 1998 report of the UN Secretary-General on environment and human settlements.

²¹ The report elaborated from these assessment report-substantive environmental challenges (contained in document UNEP/GCSS.IX/10), The Global Environment Outlook Year Book 2006 is before the Council/Forum in document UNEP/GCSS-IX/INF/2, while the major findings of the Millennium Ecosystem Assessment and the Global International Waters Assessment are provided in documents UNEP/GCSS.IX/INF/8 and UNEP/GCSS.IX/INF/9

and environment.²² Both the section contains recommendations an overview of the issues involved in goal, and recommendations for countries, the international community and UNEP.

92. ***Energy and Environment***: some of the key features/points of the President's Summary are highlighted hereunder:

- The importance to change existing patterns of energy provision and use for climate and energy security reasons, along with stressing the simultaneous need to expand the availability of energy services to developing countries and countries with economies in transition.
- Improvising the role of good government policies in providing the conditions under which investment decisions favouring cleaner technologies should be made. The need for stable long-term policies was underlined as a prerequisite for a real transition towards more sustainable energy systems and as crucial to ensuring private sector investment.
- It recognized that climate change was a serious challenge with the potential to affect every part of the globe and that the energy sector was the largest contributor of greenhouse gas emissions.
- It directed the Governments to take steps to promote energy efficiency on both the supply and demand sides, including by adopting energy efficiency codes and standards for key end uses such as buildings, lighting, appliances, agriculture, industry and transportation equipment, as appropriate. The importance of improving energy efficiency in the buildings sector was highlighted, as was the market-making power of Governments as purchasers of energy efficient goods, equipment and services.
- It recalled the International Conference on Renewable Energies held in Bonn in 2004 and the subsequent Beijing International Renewable Energy Conference in 2005, which had increased the impetus to the use of renewable energy sources. The progress achieved by the major energy initiatives established at the World Summit on Sustainable Development, such as the Global Network on Energy for Sustainable Development, the Global Village Energy Partnership, the Johannesburg Renewable Energy Coalition and the Renewable Energy and Energy Efficiency Partnership, was specifically highlighted in that context.
- It recommended that the Commission on Sustainable Development should put in place a monitoring and review process to assess progress achieved on the recommendations embedded in the Johannesburg Plan of Implementation.
- It addressed the need to promote investment in energy sector and market oriented incentive and requested the parties to revise their energy tax and pricing frameworks to ensure that they reflected the full costs of energy production, consumption and use, and phase out environmentally harmful subsidies in favour of other energy sources.

²² The details are drawn from UNEP/GCSS.IX/11 and also "Summary of the international conference on chemicals management and ninth special session of the UNEP governing Council/Global Ministerial Environment Forum: 4-9 February 2006" *Earth Negotiations Bulletin*, vol. 16, no. 54, available online at <http://www.iisd.ca/unepge/23gc/>

93. ***Tourism and the Environment:*** The policies, strategies, tools, poverty alleviation and multilateral environmental agreements, as well as on the potential role of UNEP in promoting environmentally sound tourism in the framework of sustainable development, etc were discussed and were structured around the following issues: Governments' role in promoting sustainable tourism; tourism as a tool for environmental conservation; promoting sustainable consumption and production in the tourism sector; and the required assistance from United Nations agencies to promote sustainable tourism.

94. The importance of the role-played by UNEP in promoting sustainable consumption and production patterns and engaging business and industry in the tourism sector was emphasized, stating that the UNEP should play a stronger role and should perform the following functions such as:

- (a) Cooperating with all relevant national and international partners to provide support in developing national level sustainable tourism strategies, and to identify ways effectively to engage the relevant organizations, including the United Nations World Tourism Organization, the United Nations Educational, Scientific and Cultural Organization, the United Nations Development Programme, other concerned United Nations bodies and multilateral environmental agreement secretariats, and to maximize synergies among programmes and activities;
- (b) Promoting regional cooperation, networking and exchange of knowledge and experience;
- (c) Providing assistance, as appropriate, to establish policies based on sustainable tourism goals and principles;
- (d) Strengthening its Awareness and Preparedness for Emergencies at Local Level programme, adapting it, where appropriate, to support tourism destinations in developing countries, enabling them to be better prepared to deal with natural and man-made disasters.

95. The twenty-fourth Session of the Governing Council/Global Ministerial Environment Forum held on 5-9 February 2007 at Nairobi, Kenya.

C. Fourteenth Session of the Commission on Sustainable Development (1-12 May 2006, UN Headquarters, New York)

96. The Fourteenth session of the United Nations Commission on Sustainable Development (CSD-14) took place from 1-12 May 2006, at UN headquarters in New York.²³ The new work programme restructured CSD's work on the basis of two-year Implementation Cycles, with each cycle comprised of a Review Year and a Policy Year focused on a thematic cluster of issues. Building on the outcomes of CSD-12 (the Review Year of the first cycle), CSD-13 focused on policies and options to expedite the implementation of commitments in the areas of water, sanitation and human settlements,

²³ "Implementation of Agenda 21, the Programme for the Further Implementation of Agenda 21 and the Outcomes of the World Summit on Sustainable Development."; Report of the Secretary-General, UN Doc. A/61//258; and "Summary of the Fourteenth Session of the Commission on Sustainable Development: 1-12 May 2006", *Earth Negotiations Bulletin*, vol. 5, no. 238, available online at <http://www.iisd.ca/csd/csd14/>.

as contained in Agenda 21, the Programme for the Further Implementation of Agenda 21, the Johannesburg Plan of Implementation (JPOI) and the Millennium Declaration. This was CSD's first policy session following the WSSD refocused international attention on the UN Millennium Declaration, which contains two development targets that relate directly to water and human settlements—namely to halve by 2015 the proportion of people unable to reach or afford safe drinking water, and by 2020, to have significantly improved the lives of at least 100 million slum dwellers.

97. The high-level segment within the United Nations on sustainable development, the Commission on Sustainable Development focused its work for this year on the thematic cluster of energy for sustainable development, industrial development, air pollution/atmosphere and climate change. During its substantive session, the Economic and Social Council at its high-level segment focused on full and productive employment and decent work for all as a foundation for sustainable development. To achieve the MDGs for the poor though critical could be attained through improving energy access. Gender was highlighted, as it is necessary in order to access modern energy services for cooking and heating, thereby reducing indoor air pollution and bring health and economic benefit to women and children. The transport sector was also cited as particularly important for reducing air pollution. Energy efficiency was highlighted as a critical factor for lowering energy consumption, reducing emissions of greenhouse gases and increasing industrial competitiveness. Gas flaring remains a problem in some regions, but some oil and gas producers are taking initiatives addressing the problem.

98. The Commission held an interactive ministerial dialogue with a panel of Ministers, business leaders and representatives of international financial institutions on the topic “Making a difference”. Delegations welcomed the review session as an opportunity to further identify new, dynamic ways to promote the integration of the three components of sustainable development—economic development, social development and environmental protection — as interdependent and mutually reinforcing pillars. Some delegations noted the need for a long-term integrated approach to achieving sustainable development goals. The developing countries stressed the need to have a proper mechanism for transfer of advanced clean energy technologies, including fossil fuel technologies.

99. Another cross-cutting issue of special concern to the Commission at its current session was the sustainable development of small island developing States. The representatives from small island developing States welcomed the decision of the Commission at its thirteenth session to devote one day of every review session to a review of the implementation of the Mauritius Strategy for the Further Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States, focusing on that year's thematic cluster, as well as on any new developments regarding the sustainable development efforts of small island developing States. They stressed that mitigation and adaptation must proceed in tandem, as doing one without the other made little sense.

100. At the financing and investment level it was noted that environmental performance is emerging as a possible competitive factor. Though small-and medium-sized enterprises are engines of growth in developing countries, they face particular challenges in accessing finance for investing in more competitive and cleaner production methods. Emphasis was on the need for the development of industry networks, benchmarking of performance and dissemination of results, as well as outreach programmes from large to small firms to support the adoption of cleaner production technologies.

101. The fifteenth session of the Commission on Sustainable Development will take place at UN headquarters in New York from 30 April to 11 May 2007. It shall be considered as a “policy year” to frame measures to speed up implementation.

ANNEX
STATUS OF AALCO MEMBER STATES PARTICIPATION IN CBD, UNCCD & UNFCCC

Table I: Status of the participation of AALCO Member States in the Convention on Biological Diversity and Cartagena Protocol on Biosafety

S. NO	MEMBER STATE	CONVENTION ON BIOLOGICAL DIVERSITY		CARTAGENA PROTOCOL ON BIOSAFETY	
		SIGNATURE	RATIFICATION ACCESSION (a) ACCEPTANCE (A) APPROVAL (AA)	SIGNATURE	RATIFICATION ACCESSION (a) ACCEPTANCE (A) APPROVAL (AA)
1.	Arab Republic of Egypt	9 June 1992	2 June 1994	20 December 2000	23 December 2003
2.	Bahrain	9 June 1992	30 August 1996	—	—
3.	Bangladesh	5 June 1992	3 May 1994	24 May 2000	5 February 2004
4.	Botswana	8 June 1992	12 October 1995	1 June 2001	11 June 2002
5	Brunei Darussalam	—	—	—	—
6.	Cameroon	14 June 1992	19 October 1994	9 February 2001	20 February 2003
7	Cyprus	12 June 1992	10 July 1996	—	5 December 2003a
8.	Democratic Peoples' Republic of Korea	11 June 1992	26 October 1994 (AA)	20 April 2001	29 July 2003
9.	Federal Republic of Nigeria	13 June 1992	29 August 1994	24 May 2000	15 July 2003
10.	Gambia	12 June 1992	10 June 1994	24 May 2000	9 June 2004
11.	Ghana	12 June 1992	29 August 1994	—	30 May 2003
12.	Hashemite Kingdom of Jordan	11 June 1992	12 November 1993	11 October 2000	11 November 2003
13.	India	5 June 1992	18 February 1994	23 January 2001	17 January 2003
14.	Indonesia	5 June 1992	23 August 1994	24 May 2000	3 December 2004
15.	Islamic Republic of Iran	14 June 1992	6 August 1996	23 April 2001	20 November 2003
16.	Japan	13 June 1992	28 May 1993 A	—	21 November 2003a
17.	Kenya	11 June 1992	26 July 1994	15 May 2000	24 January 2002
18.	Lebanon	12 June 1992	15 December 1994	—	
19.	Libyan Arab	29 June 1992	12 July 2001	—	14 June 2005

	Jamahriya				
20.	Malaysia	12 June 1992	24 June 1994	24 May 2000	3 September 2003
21.	Mauritius	10 June 1992	4 September 1992	—	11 April 2002 (a)
22.	Mongolian Peoples' Republic	12 June 1992	30 September 1993	—	22 July 2003 a
23.	Myanmar	11 June 1992	25 November 1994	11 May 2001	—
24.	Nepal	12 June 1992	23 November 1993	2 March 2001	—
25.	Pakistan	5 June 1992	26 July 1994	4 June 2001	—
26.	Palestine	—	—	—	—
27.	People's Republic of China	11 June 1992	5 January 1993	8 August 2000	8 June 2005
28.	Philippines	12 June 1992	8 October 1993	24 May 2000	5 October 2006
29.	Republic of Iraq	—	—	—	—
30.	Republic of Korea	13 June 1992	3 October 1994	6 September 2000	—
31.	Republic of Singapore	12 June 1992	21 December 1995	—	—
32.	Republic of Uganda	12 June 1992	8 September 1993	24 May 2000	30 November 2001
33.	Republic of Yemen	12 June 1992	21 February 1996	—	01 December 2005
34.	Saudi Arabia	—	3 October 2001 a	—	—
35.	Senegal	13 June 1992	17 October 1994	31 October 2000	8 October 2003
36.	Sierra Leone	—	12 December 1994 a	—	—
37.	Somalia	—	—	—	—
38.	South Africa	4 June 1993	2 November 1995	—	14 August 2003
39.	Sri Lanka	10 June 1992	23 March 1994	24 May 2000	28 April 2004
40.	State of Kuwait	9 June 1992	2 August 2002	—	—
41.	State of Qatar	11 June 1992	21 August 1996	—	—
42.	Sudan	9 June 1992	30 October 1995	—	13 June 2005
43.	Sultanate of Oman	10 June 1992	8 February 1995	—	11 April 2003a
44.	Syrian Arab Republic	3 May 1993	4 January 1996	—	1 April 2004
45.	Thailand	12 June 1992	29 January 2004	—	10 November 2005
46.	Turkey	11 June 1992	14 February 1997	24 May 2000	24 October 2003
47.	United Arab Emirates	11 June 1992	10 February 2000	—	—

48.	United Republic of Tanzania	12 June 1992	8 March 1996	—	24 April 2003
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Note

1. Information stated in the above table has been compiled from Status of Ratification to the Convention on Biological Diversity and Cartagena Protocol available on the website of the CBD. The information on the website of the Convention regarding Parties to the CBD and Cartagena Protocol <http://www.biodiv.org/world/parties.asp> was accessed on 21 December 2005.

2. Sudan and Syrian Arab Republic have made Declarations while ratifying the Convention.

Inferences

Following inferences as to the participation of AALCO Member States in the CBD and its Cartagena Protocol may be made from the above Table:

Convention on Biological Diversity

(i) As at 21 December 2006, there were 190 Parties to the CBD. It has been ratified/acceded/accepted/approved to by 44 AALCO Member States. Amongst AALCO Member States, Brunei Darussalam, Palestine, Republic of Iraq and Somalia are non-Parties to the CBD.

Cartagena Protocol on Biosafety

(i) *As at 21 December 2006 there were 137 Parties to the Biosafety Protocol. It has been ratified/acceded/accepted/approved to by thirty-two AALCO Member States.*

Table II: Status of the participation of AALCO Member States in the United Nations Convention to Combat Desertification

S. NO	MEMBER STATE	UNCCD	
		SIGNATURE	RATIFICATION ACCESSION (a) ACCEPTANCE (A) APPROVAL (AA)
1.	Arab Republic of Egypt	14 October 1994	7 July 1995
2.	Bahrain	—	14 July 1997 a
3.	Bangladesh	14 October 1994	26 January 1996
4.	Botswana	12 October 1995	11 September 1996
5.	Brunei Darussalam		4 December 2002a
6.	Cameroon	14 October 1994	29 May 1997
7.	Cyprus	—	29 March 2000 a
8.	Democratic Peoples' Republic of Korea	—	29 December 2003a
9.	Federal Republic of Nigeria	31 October 1994	8 July 1997
10.	Gambia	14 October 1994	11 June 1996
11.	Ghana	15 October 1994	27 December 1996
12.	Hashemite Kingdom of Jordan	13 April 1995	21 October 1996
13.	India	14 October 1994	17 December 1996
14.	Indonesia	15 October 1994	31 August 1998
15.	Islamic Republic of Iran	14 October 1994	29 April 1997
16.	Japan	14 October 1994	11 September 1998 A
17.	Kenya	14 October 1994	24 June 1997
18.	Lebanon	14 October 1994	16 May 1996
19.	Libyan Arab Jamahriya	15 October 1994	22 July 1996
20.	Malaysia	6 October 1995	25 June 1997
21.	Mauritius	17 March 1995	23 January 1996
22.	Mongolian Peoples' Republic	15 October 1994	3 September 1996
23.	Myanmar	—	2 January 1997 a
24.	Nepal	12 October 1995	15 October 1996
25.	Pakistan	15 October 1994	24 February 1997
26.	Palestine	—	—
27.	People's Republic of China	14 October 1994	18 February 1997
28.	Philippines	8 December 1994	10 February 2000
29.	Republic of Iraq	—	—
30.	Republic of Korea	14 October 1994	17 August 1999
31.	Republic of Singapore	—	26 April 1999a
32.	Republic of Uganda	21 November 1994	25 June 1997
33.	Republic of Yemen	—	14 January 1997 a
34.	Saudi Arabia	—	25 June 1997 a
35.	Senegal	14 October 1994	26 July 1995
36.	Sierra Leone	11 November 1994	25 September 1997
37.	Somalia	—	24 July 2002 a
38.	South Africa	9 January 1995	30 September 1997
39.	Sri Lanka	—	9 December 1998 a

40.	State of Kuwait	22 September 1995	27 June 1997
41.	State of Qatar	—	15 September 1999a
42.	Sudan	15 October 1994	9 November 1995
43.	Sultanate of Oman	—	23 July 1996 a
44.	Syrian Arab Republic	15 October 1994	10 June 1997
45.	Thailand	—	7 March 2001 a
46.	Turkey	14 October 1994	31 March 1998
47.	United Arab Emirates	—	21 October 1998 a
48.	United Republic of Tanzania	14 October 1994	19 June 1997

Note

Information stated in the above table has been compiled from Status of Ratification and Entry into force of the UNCCD available on the website of the UN Convention to Combat Desertification: <http://unccd.int/convention/ratif/doiif.php>; (accessed on 2 January 2007).

Inference

As at 1 January 2007, there were 191 State Parties to the UNCCD. All the Member States of AALCO, have ratified/acceded/accepted/approved the United Nations Convention to Combat Desertification, except for the State of Palestine and Republic of Iraq.

Table III: Status of participation of AALCO Member States in the United Nations Framework Convention on Climate Change and its Kyoto Protocol

S. NO	MEMBER STATE	UNFCCC		KYOTO PROTOCOL	
		SIGNATURE	RATIFICATION ACCESSION (a) ACCEPTANCE (A) APPROVAL (AA)	SIGNATURE	RATIFICATION ACCESSION (a) ACCEPTANCE (A) APPROVAL (AA)
1.	Arab Republic of Egypt	9 June 1992	5 December 1994	15 March 1999	12 January 2005
2.	Bahrain	8 June 1992	28 December 1994	—	31 January 2006
3.	Bangladesh	9 June 1992	15 April 1994	—	22 October 2001 a
4.	Botswana	12 June 1992	27 January 1994	—	8 August 2003 a
5.	Brunei Darussalam	—	—	—	—
6.	Cameroon	14 June 1992	19 October 1994 (R)	—	28 August 2002 (Ac)
7.	Cyprus	12 June 1992	15 October 1997	—	16 July 1999 a
8.	Democratic Peoples' Republic of Korea	11 June 1992	5 December 1994 (AA)	—	27 April 2005 Ac
9.	Federal Republic of Nigeria	13 June 1992	29 August 1994	—	10 December 2004
10.	Gambia	12 June 1992	10 June 1994	—	1 June 2001 a
11.	Ghana	12 June 1992	6 September 1995	—	30 May 2003 a
12.	Hashemite Kingdom of Jordan	11 June 1992	12 November 1993	—	17 January 2003 a
13.	India	10 June 1992	1 November 1993	—	26 August 2002 a
14.	Indonesia	5 June 1992	23 August 1994	13 July 1998	3 December 2004
15.	Islamic Republic of Iran	14 June 1992	18 July 1996	—	22 August 2005 Ac
16.	Japan	13 June 1992	28 May 1993 (A)	28 April 1998	4 June 2002 A
17.	Kenya	12 June 1992	30 August 1994	—	25 February 2005
18.	Lebanon	12 June 1992	15 December 1994	—	13 November 2006 (Ac)
19.	Libyan Arab Jamahriya	29 June 1992	14 June 1999	—	24 August 2006 (Ac)
20.	Malaysia	9 June 1993	13 July 1994	12 March 1999	4 September 2002
21.	Mauritius	10 June 1992	4 September 1992	—	9 May 2001 a
22.	Mongolian Peoples'	12 June 1992	30 September 1993	—	15 December 1999 a

	Republic				
23.	Myanmar	11 June 1992	25 November 1994	—	13 August 2003 a
24.	Nepal	12 June 1992	2 May 1994	—	16 September 2005
25.	Pakistan	13 June 1992	1 June 1994	—	11 January 2005
26.	Palestine	—	—	—	—
27.	People's Republic of China	11 June 1992	5 January 1993	29 May 1998	30 August 2002 AA
28.	Philippines	12 June 1992	2 August 1994	15 April 1998	20 November 2003
29.	Republic of Iraq	—	—	—	—
30.	Republic of Korea	13 June 1992	14 December 1993	25 September 1998	8 November 2002
31.	Republic of Singapore	13 June 1992	29 May 1997	—	12 April 2006 (Ac)
32.	Republic of Uganda	13 June 1992	8 September 1993	—	25 March 2002 a
33.	Republic of Yemen	12 June 1992	21 February 1996	—	15 September 2004
34.	Saudi Arabia	—	28 December 1994 a	—	31 January 2005 Ac
35.	Senegal	13 June 1992	17 October 1994	—	20 July 2001 a
36.	Sierra Leone	11 February 1993	22 June 1995	—	10 November 2006 (Ac)
37.	Somalia	—	—	—	—
38.	South Africa	15 June 1993	29 August 1997	—	31 July 2002
39.	Sri Lanka	10 June 1992	23 November 1993	—	3 September 2002 a
40.	State of Kuwait	—	28 December 1994 a	—	11 March 2005 Ac
41.	State of Qatar	—	18 April 1996 a	—	11 January 2005
42.	Sudan	9 June 1992	19 November 1993	—	2 November 2004
43.	Sultanate of Oman	11 June 1992	8 February 1995	—	19 January 2005 Ac
44.	Syrian Arab Republic	—	4 January 1996 a	—	27 January 2006 (Ac)
45.	Thailand	12 June 1992	28 December 1994	2 February 1999	28 August 2002
46.	Turkey	—	24 February 2004 a	—	—
47.	United Arab Emirates	—	29 December 1995 a	—	26 January 2005
48.	United Republic of	12 June 1992	17 April 1996	—	26 August 2002 a

	Tanzania				
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Note

1. Information stated in the above table has been compiled from Status of Ratification of the United Nations Framework Convention on Climate Change and its Kyoto Protocol available on the website of the UNFCCC. The information on website for UNFCCC is updated till 6 October 2006, whereas for the Kyoto Protocol it is updated till 13 December 2006: <http://unfccc.international/resource/convention/ratlist.pdf>. (website accessed on 28 December 2006).

2. The AALCO Member States have not made any Reservation/Declaration to either of these instruments.

Inferences

Following inferences as to the participation of AALCO Member States in the UNFCCC and its Kyoto Protocol may be made from the above Table:

United Nations Framework Convention on Climate Change

(i) *As at 6 October 2006, there were 189 Parties to the UNFCCC. It has been ratified/acceded/accepted/approved by 44 AALCO Member States. Amongst AALCO Member States Brunei Darussalam, Palestine, Republic of Iraq, and Somalia are non-Parties to the Convention.*

Kyoto Protocol

(i) *As at 13 December 2006, there were 169 Parties to the Kyoto Protocol. It has been ratified/acceded/accepted/approved to by 43 AALCO Member States.*

ADDENDUM

A. Twenty-fourth Session of the Governing Council of the United Nations Environment Programme/Global Ministerial Environment Forum (5-9 February 2007, Nairobi, Republic of Kenya)

1. The twenty-fourth Session of the United Nations Environment Programme (UNEP) Governing Council and Global Ministerial Environment Forum (GC-24/GMEF) took place from 5-9 February 2007, at the UN Office in Nairobi, Kenya. Mr. Robertor Dobles Mora, Costa Rica's Minister of Environment and Energy was elected as the President, while it was the first meeting of Mr. Achim Steiner (Germany) as the fifth Executive Director of the UNEP.²⁴ In addition, to 57 Members of the Governing Council, several Ministers of Environment of UN Member States, a significant number of heads of United Nations bodies, such as United Nations Development Programme (UNDP), UN World Tourism Organization (UNWTO), World Trade Organization (WTO), UN-Habitat, and United Nations Industrial Development Organization (UNIDO) also attended the meeting.

2. Ministers and heads of Delegation from 140 United Nations Member States held ministerial consultations to discuss themes of globalization and environment and United Nations reform. The Meeting was marked by a new momentum, which was partly driven by growing global concern over the impacts of globalization and climate change and partly by a new understanding of the economic importance of natural or nature-based assets. Ministers brought forward creative and constructive ideas and proposals on how to maximize the benefits and minimize the environmental risks of globalization and booming international trade onto a more sustainable and intelligent path which was vital if the Earth's resources and life support systems were to survive and thrive.²⁵

3. **President's Summary:** The President's Summary of ministerial discussions outlines the outcomes of the ministerial consultations. The key findings of this Report are as follows:

4. **Globalization and environment:** On globalization and environment, ministers identified:

- opportunities, including: poverty reduction and greater means for environmental protection through contributing to economic development; harnessing market

²⁴ It may be recalled that acting on the nomination of the then UN Secretary-General Kofi Annan, the UN General Assembly unanimously elected Achim Steiner as the Executive Director of UNEP on 16 March 2006 for a four-year term, effective 15 June 2006.

²⁵ Details stated herein are largely drawn from UNEP, *President's summary of the discussions by ministers and heads of delegations at the twenty-fourth session of the Governing Council/Global Ministerial Environment Forum of the United Nations Environment Programme*, available on UNEP website: <http://www.unep.org/gc/gc24/> and "Summary of the 24th Session of the UNEP Governing Council /Global Ministerial Environment Forum: 5-9 February 2007, *Earth Negotiations Bulletin*, vol. 16, no. 60, dated 12 February 2007, available on website: <http://www.iisd.ca/unepgc/24unepgc/>

- power; environmental technology transfer; and enhancing communication possibilities;
- challenges, including: uncontrolled growth in the context of inadequate governance; competitiveness problems; rising energy demand and climate change; the spread of invasive alien species; the spread of consumerism and cultural diversity loss; and concentration of power, information and financial resources; and,
 - options for action, including: actions by governments in policy coherence, national governance, environmentally friendly technologies, economic instruments and valuation, as well as impact assessment, encouraging public-private partnerships and ensuring full Multi-lateral Environmental Agreement (MEA) implementation; actions by UNEP, including: exploring linkages between globalization, ecosystem services and human well-being, trade and environment; providing guidance and support to governments on valuation of and payment for ecosystem services; capacity building and technology transfer; policy guidance; promoting coordination and collaboration between MEAs; developing a range of clear and specific policy options to be presented to the Governing Council Special Session and Global Ministerial Environment Forum (GCSS-10/GMEF); and actions by the international community, including: international coordination among international governmental organizations; strengthening International Environmental Governance (IEG) to respond to globalization processes; and developing technologies, technology transfer mechanisms, and capacity building relevant to least developed countries.
5. **United Nations Reform:** On UN reform, Ministers identified:
- challenges, including the need to: coordinate global, regional and national level approaches to natural resources management; link environmental issues with development, trade, agriculture, health, peace and security; provide sufficient and predictable UNEP funding and resources to address climate change, biodiversity loss and ecosystem degradation; mainstream gender and environment issues; and discuss restructuring UNEP to strengthen IEG; and
 - opportunities, including: strengthening UN environment activities within the context of UN reform to link environmental sustainability with sustainable development and economic growth; more effective knowledge dissemination; full implementation of the Bali Strategic Plan; increased cooperation between UNEP and UNDP; and ensuring integration of the environmental dimension in project activities.
6. **International Environmental Governance:** On International Environmental Governance, Ministers highlighted on:
- enhancing UNEP's political authority to coordinate global responses to environmental threats and regional and national implementation, including: UNEP coordination of MEA national-level implementation; strengthening UNEP regional offices; and establishing regional centers for capacity building and technology transfer;

- ideas on MEA clustering, with discussions on UNEP ensuring programmatic linkages and synergies among MEAs;
- improving institutional structures, noting that any new entity should be based in Nairobi, with some favoring strengthening UNEP within its current mandate, and significant support for upgrading UNEP to a specialized agency;
- that while opinions differ on the establishment of a United Nations Environment Organization (UNEO) discussions should continue without distracting from the need to strengthen UNEP;
- growing consensus on options for progressing IEG discussions; and
- the need for regional and other mechanisms to assist countries in engaging meaningfully in efforts to strengthen UNEP.

7. **Decisions Adopted:** The meeting adopted the following sixteen decisions: Implementation of decision SS.VII/1 on international environmental governance; World environmental situation; Chemicals management; Prevention of illegal international traffic; Waste management; Small island developing States; Committing resources towards implementation of decision 23/11; Support to Africa in environmental management and protection; Budget and programme of work for the biennium 2008-2009; Management of trust funds and earmarked contributions; Intensified environmental education for achieving policy goals and targets; South-South cooperation in achieving sustainable development; Amendment to the Instrument for the Establishment of the Restructured Global Environment Facility; Declaration of the Decade 2010-2020 as the United Nations Decade for Deserts and Fight Against Desertification; Provisional agendas, dates and venues of the tenth special session of the Governing Council/Global Ministerial Environment Forum and the twenty-fifth session of the Governing Council/Global Ministerial Environment Forum and Updated water policy and strategy of the United Nations Environment Programme.²⁶

8. Amongst other decisions, the decision on “Mercury” adopted, as part of a decision on Chemicals Management is one of the key decisions taken at the meeting. Recognizing that the current efforts to reduce risks from Mercury were not sufficient to address the global challenges posed by mercury, the Ministers agreed to an enhanced programme to reduce health and environmental threats from toxic Mercury pollution. The decision includes developing partnerships between governments, industry and other key groups to curb emissions of the heavy metal from power stations and mines to industrial and consumer products. After two years, governments would gauge its success and reflect on whether the voluntary initiative has worked or whether negotiations should commence on a new international legally binding treaty.

B. Third Meeting of the Open – Ended *Ad hoc* Working Group on Liability and Redress in the Context of the Cartagena Protocol on Biosafety (19-23 February 2007, Montreal, Canada)

²⁶ Decisions adopted by the Governing Council/Global Ministerial Environment Forum at its twenty-fourth session. Ibid.

9. The *Ad Hoc* Working Group on Liability and Redress was established under Article 27 (liability and redress) of the Cartagena Protocol on Biosafety by the Conference of Parties/Meeting of Parties (COP/MOP-1) to the Convention on Biological Diversity held in 2004.²⁷ The key aspects of this meeting were (i) primary compensation scheme, (ii) supplementary compensation scheme, (iii) settlement of claims, and (iv) complementary capacity building measures. An Outline of the Annex II was drafted which has substantive chapters on: Possible Approaches to Liability and Redress, Scope; Damage; Primary Compensation Scheme; Supplementary Compensation Scheme; Settlement of Claims; Complementary Capacity-Building Measures; and Choice of Instrument.²⁸

10. Under the primary compensation scheme, the possible factors to determine the standard of liability and the identification of the liable person were considered to be type of damage, places where damage occurs, degree of risk involved in a specific type of Living Modified Organisms (LMOs), unexpected adverse effects, and operational control of LMOs. The exemptions to or mitigation of strict liability were culled out to be through act of God/force majeure, act of war or civil unrest, intervention of third parties, compliance with compulsory measures imposed by a competent national authority, permission of an activity by means of applicable law, and the state of art defense.

11. In the chapter on Scope, there was a clear distinction made as to functional scope, geographical scope, limitation in time, limitation to the authorization at the time of the import of the LMOs, determination of the point of import and export of the LMOs, and non-parties, as discussed at the previous meeting of the Ad-Hoc Working Group on Liability and Redress in the context of the Cartagena Protocol on Biosafety. As regards, the chapter on Damage it includes sections on, definition of damage; damage to conservation and sustainable use of biological diversity or its components; valuation of damage to conservation of biological diversity/environment; special measures in case of damage to centers of origin and centers of genetic diversity to be determined; valuation of damage to sustainable use of biological diversity, human health, socio-economic damage and traditional damage; and causation.

C. Fifth Session of the Committee for the Review of Implementation of the UNCCD (12-21 March 2007, Buenos Aires, Argentina)

12. The Fifth Session of the Committee for the Review of the Implementation of the UN Convention to Combat Desertification (UNCCD) met in Buenos Aires, Argentina, from 12 to 21 March 2007. The main focus of the review was the implementation of the UNCCD by affected country Parties in implementing the Convention in Asia, Latin

²⁷ Establishment of an Open-Ended *Ad Hoc* Working Group of Legal and Technical Experts on Liability and Redress in the Context of Cartagena Protocol (Decision BC-1/8).

²⁸ "Summary of the Third Meeting of the Open-Ended *Ad hoc* Working Group on Liability and Redress in the context of the Cartagena Protocol on Biosafety: 19-23 February 2007", *Earth Negotiations Bulletin*, vol. 9, no. 370, dated 26 February 2007, available online at: <http://www.iisd.ca/biodiv/ltlr3>.

America and the Caribbean, Northern Mediterranean and Central and Eastern Europe. It also considered information regarding the mobilization and use of financial resources, ways and means of promoting know-how and technology transfer, as well as experience sharing. The Meeting also assessed the Report on the International Year for Deserts and Desertification (IYDD). The review input would provide direction to the Convention process which would take place at the eighth Conference of Parties (COP-8) in Madrid, Spain, later this year.

D. Meetings of the Intergovernmental Panel on Climate Change

i. Background

13. The Intergovernmental Panel on Climate Change (IPCC) was established in 1988 by the World Meteorological Organization (WMO) and the UNEP. It is open to all members of the UN and WMO. The role of the IPCC is to assess on a comprehensive, objective, open and transparent basis the scientific, technical and socio-economic information relevant to the understanding of the scientific basis of risk of human-induced climate change, its potential impacts and options for adaptation and mitigation. The IPCC does not carry out research nor does it monitor climate related data or other relevant parameters. It bases its assessments mainly on peer reviewed and published scientific/technical literature.

14. The IPCC has three Working Groups and a Task Force. Working Group I assesses the scientific aspects of the climate system and climate change. Working Group II assesses the vulnerability of socio-economic and natural systems of climate change, and options for adapting it. Working Group III assesses options for limiting greenhouse gas emissions and otherwise mitigating climate change. The Task Force on National Greenhouse Gas Inventories is responsible for the IPCC National Greenhouse Gas Inventories Programme.

15. The major activity of the IPCC is to prepare in regular intervals comprehensive and up-to-date assessments of policy-relevant scientific, technical and socio-economic information relevant for the understanding of human induced climate change, potential impacts of climate change and option for mitigation and adaptation. The First Assessment Report was completed in 1990, the Second Assessment Report in 1995, the Third Assessment Report in 2001. Presently, the IPCC is working on its Fourth Assessment Report which would be finalized during the last quarter of 2007.²⁹

ii. Tenth Session of Working Group I of the IPCC (29 January - 1 February 2007, UNESCO Headquarters, Paris, France)

16. The tenth Session of the IPCC Working Group I took place at UNESCO Headquarters, Paris from 29 January to 1 February 2007. The meeting resulted in the

²⁹ Details stated herein are drawn from information available on the IPCC website: <http://www.ipcc.ch>.

acceptance of Working Group contribution to the IPCC Fourth Assessment Report (AR 4) titled “Climate Change 2007: the Physical Science Basis”, including the Summary for Policy Maker and acceptance of the underlying report and Technical Summary.

17. The major conclusion of the Report is that changes in the atmosphere, the oceans and glaciers and ice-caps show unequivocally that the world is warming. It confirms that the marked increase in atmospheric concentrations of greenhouse gases Carbon dioxide (CO₂), Methane (CH₄) and Nitrous Oxide (N₂O) since 1750 is the result of human activities. An even greater degree of warming would likely have occurred if emissions of pollution particles and other aerosols had not offset some of the impact of greenhouse gases, mainly by reflecting sunlight back out of space. The Report describes an accelerating transition to a warmer world marked by more extreme temperatures including heat waves, new wind patterns, worsening drought in some regions, heavier precipitation in others, melting glaciers and Arctic ice and rising global average sea levels. For the first time, the report provides evidence that the ice sheets of Antarctica and Greenland are slowly losing mass and contribution to sea level rise.³⁰

**iii. Eighth Session of Working Group II of the IPCC
(2-6 April 2007, Brussels, Belgium)**

18. The eighth session of IPCC Working Group II took place at Brussels, Belgium, from 2 to 6 April 2007. The meeting resulted in the acceptance of Working Group II's contribution to the Fourth Assessment Report (AR4), titled “Climate Change 2007: Impacts, adaptation and vulnerability”, including approval of the Summary for Policy Makers and acceptance of the underlying report and Technical Summary.

19. The key findings of the Summary for Policy Makers emphasize that the observed and projected impacts of climate change, including accumulating evidence that changes in many physical and biological systems are linked to anthropogenic warming. The observed and projected impacts of climate change include various changes in the natural environment, flooding, and food and water shortages. Among other things, the Report states that 20-30% of plant and animal species are likely to face extinction with temperature rises exceeding 1.5-2.5 degree Celsius. It indicates that hundreds of millions of people will be exposed to increased water stress, many more millions of people are projected to be exposed to flooding every year, and access to food in many African countries is projected to be severely compromised. The Summary also highlights other vulnerabilities and potential negative impacts of climate change on sustainable development. It states that adaptation will be necessary to the already unavoidable warming, but many impacts can be avoided, reduced or delayed by mitigation.³¹

³⁰ Details stated herein are drawn from: *UNEP Press Release*, “Evidence of Human-caused Global Warming “Unequivocal”, says IPCC”, 2 February 2007; and Tenth Session of Working Group II of the IPCC”, *Earth Negotiations Bulletin*, vol. 12, no. 319, dated 4 February 2007, available on website: <http://www.iisd.ca/climate/ipwg1/>

³¹ Details stated herein are drawn from: *UNEP Press Release*, “IPCC outlines strategies for responding to the impacts of human-caused climate change”, 6 April 2007 and “Eighth Session of Working Group II of

