

ASIAN-AFRICAN LEGAL CONSULTATIVE ORGANIZATION



ENVIRONMENT AND SUSTAINABLE DEVELOPMENT

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ENVIRONMENT AND SUSTAINABLE DEVELOPMENT

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LIST OF ABBREVIATIONS

AALCO	Asian-African Legal Consultative Organization
ABS	Access and Benefit Sharing
AHTEG	Ad Hoc Technical Expert Group
AOSIS	Association of Small Island States
BCH	Biosafety Clearing House
CBD	Convention on Biological Diversity
CBDR	(Principle of) Common But Differentiated Responsibilities
CDM	Clean Development Mechanism (relevant to UNFCCC)
CHM	Clearing House Mechanism
COP	Conference of Parties
CMP	Conference of Parties serving as Meeting 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)
EEC	European Economic Community
ExCOP	Extraordinary Session of the Conference of Parties
G-77	Group of 77
GEF	Global Environment Facility
GM	Global Mechanism (relevant to UNCCD)
GMfree	Free of Genetically Modified Products
HTPI	Handling, Transport, Packaging and Identification of LMOs
IAS	Invasive Alien Species
KP	Kyoto Protocol
LDC	Least Developed Countries
LMO	Living Modified Organisms (relevant to CBD)
MDGs	Millennium Development Goals
NGOs	Non-Governmental Organizations
SBSTTA	Subsidiary Body for Scientific, Technical and Technological Advice (of CBD)
UN	United Nations
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
UNGA	United Nations General Assembly
WGRI	Ad Hoc Open-Ended Working Group on Review of Implementation
WSSD	World Summit on Sustainable Development (or the Johannesburg Summit)

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 being on the implementation of the three Rio Conventions namely: United Nations Framework Convention on Climate Change (UNFCCC), Convention on Biological Diversity (CBD); and the 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 (WSSD).

2. The present Secretariat Report attempts to furnish an overview of the Fourteenth Session of the Conference of Parties to the UNFCCC; Seventh Session of the Committee for the Review of the Implementation of the UNCCD; Ninth Conference of Parties to the Convention on Biological Diversity (CBD) and Fourth Meeting of Parties of the Cartagena Protocol on Biosafety (CPB); and Sixteenth Session of the Commission on Sustainable Development (CSD). Finally, it offers some comments and observations on the agenda items under consideration for the Forty-Eighth Session of the Organization.

B. Consideration of the Issue at the Forty-Seventh Session of AALCO

3. Amb. S.R. Tabatabaei, the Deputy Secretary-General (DSG) of AALCO introduced the agenda item “Environment and Sustainable Development”. The DSG while introducing the item said that the emphasis was on importance of climate change concerns and the focus of the Secretariat Report was on Climate Change regime. In addition, it reported on pertinent developments as regards Biodiversity and Desertification Conventions, and WSSD implementation agenda.

4. In this regard, he observed that the “Bali Road Map” adopted by the UN Climate Change Conference at Bali, Republic of Indonesia in December 2007, unfurled the process for the elaboration of the most complex international agreement that the history would had ever seen. He stated that there was an emerging consensus that adaptation, mitigation, technology and financing would form the building blocks of the post-2012 emission control regime. He identified the following issues for focused deliberations (i) on-going negotiations for an International Agreement on stronger international action on climate change for the period beyond 2012, as laid down in the Bali Action Plan; (ii) identification of areas that need further clarification, i.e., to define, in a measurable, reportable and verifiable way and nationally appropriate, emission limitation commitments for developed countries and mitigation action for developing countries; (iii) emerging liability and redress legal regime for damage arising from the transboundary

movement of living modified organisms (LMOs); and (iv) raising awareness and commitment to the implementation of the UNCCD.

5. The following Delegations made statements: **Japan, Islamic Republic of Iran, State of Kuwait, Republic of Indonesia, Sultanate of Oman, Democratic People's Republic of Korea, People's Republic of China, India, Malaysia and Republic of Cameroon.** The Member States acknowledged that adoption of the Bali Roadmap was a major leap ahead in terms of framing a post-2012 commitment regime in accordance with principles of Common but Differentiated Responsibilities (CBDR). It was essential to negotiate them within the purview of the Convention and the Kyoto Protocol (KP).

6. On the topic of biodiversity, the several delegates were of the view that the Convention on Biological Diversity had provided the Asian and African nations with strong support for protecting biodiversity. However, the rich biodiversity resources of developing countries were now under severe threats with economic development and population growth. To ensure a more effective role played by the Convention in the protection of global biodiversity, it was necessary to enhance dialogue and cooperation in that regard, offer more financial and technical assistance to developing countries and encourage wide participation of all sides.

II. UNITED NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE, 1992 (UNFCCC) AND KYOTO PROTOCOL, 1997

A. Background

7. The United Nations Framework Convention on Climate Change (UNFCCC), 1992 and its Kyoto Protocol (KP) of 1997 contains the response of international community to meet the challenges posed by the threat of climate change. 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. It entered into force on 21 March 1994 and having attained ratification by 192 State Parties Convention, it has reached universality. The Kyoto Protocol (KP) entered into force on 16 February 2005 and as at 14 January 2009, there were 184 countries and 1 regional economic integration organization (the EEC) that have deposited instruments of ratification, accession, approval or acceptance. The total percentage of Annex I Parties emissions is 63.7 %. However, the largest contributor to the global greenhouse gas emissions, the United States of America, remains outside the Kyoto Protocol.¹

8. The international community is presently engaged in negotiations for elaborating on a framework of action after 2012, when the Kyoto Protocol's first commitment period expires. It may be recalled that in December 2007, negotiators meeting at the United Nations Climate Change Conference in Bali had approved the Bali Action Plan and Roadmap setting the Fifteenth meeting of Conference of Parties (COP 15) in December 2009 as the deadline for agreeing on a framework for action beyond 2012.

B. Fourteenth Conference of Parties to the UN Framework Convention on Climate Change and Fourth Meeting of Parties to the Kyoto Protocol (1 to 12 December 2008, Poznań, Poland)

9. The Conference of Parties (COP) to the UNFCCC and the Meeting of Parties to the Kyoto Protocol (CMP), the supreme decision-making bodies of the Climate Change Convention and the Kyoto Protocol, since the entry into force of these legal instruments have been meeting on an annual basis. As such, until December 2008, fourteen COP meetings and four CMP meetings have taken place. This section of the Secretariat Report seeks to present a brief overview of the COP-14 and CMP-4.²

10. The Fourteenth Conference of Parties to the UN Framework Convention on Climate Change (COP-14) and Fourth Meeting of Parties to the Kyoto Protocol (CMP-4) to the Kyoto Protocol was held at Poznań, Poland from 1 to 12 December 2008. The

¹ The status of ratification of these instruments is drawn from the website: <http://unfccc.int>. Amongst AALCO Member States Palestine, Republic of Iraq, and Somalia are non-Parties to the UNFCCC and Kyoto Protocol, while Brunei Darussalam and Turkey are non-Parties to the Protocol.

² This section of the Report is based upon information drawn from the "Summary of the Fourteenth Conference of Parties to the UN Framework Convention on Climate Change and Fourth Meeting of Parties to the Kyoto Protocol: 1-12 December 2008", *Earth Negotiations Bulletin*, vol. 12, no. 295, dated 15 December 2008, available online at <http://www.iisd.ca/climate/cop14/> and UNFCCC Secretariat Press Releases available on website of the Climate Change Convention at: <http://unfccc.int>.

conference was attended by over 11,600 people including 145 Ministers and high-level government representatives. COP-14 marked the halfway mark towards the December 2009 deadline, although the negotiations did result in some progress, there were no significant breakthroughs, and negotiators face an arduous task in meeting the critical deadline of December 2009 in Copenhagen, Denmark.

11. The Conference elected Mr. Maciej Nowicki, Minister of Environment of Poland as COP 14 President. In his opening address, he stated that the key goal in Poznan was to articulate a “shared vision”.

12. **High-Level Segment:** The joint high-level segment of COP-14 and COP/MOP-4 took place from 11 to 12 December on the theme – “Long-term cooperative action on climate change”. During the segment, four heads of state or government delivered statements, along with more than 100 ministers and other high-level government officials, senior representatives of intergovernmental and nongovernmental organizations, UN bodies and specialized agencies, and a range of stakeholders. Speakers reflected on a wide range of issues relating to climate change, the UNFCCC and the Kyoto Protocol.

13. Many parties spoke about the Bali Action Plan and Roadmap leading towards the Copenhagen Conference in late 2009. Many also reaffirmed their commitment to an equitable and comprehensive post-2012 framework, and said the global financial crisis should be viewed as an opportunity rather than an impediment to action. A number of speakers addressed mid and long-term targets and shifting to a low-carbon economy. Some outlined domestic mitigation and adaptation actions, and highlighted the need for technology transfer and financial support.

14. Antigua and Barbuda, speaking for the G-77/China, expressed regret that expectations for Poznań had not been met, calling for a radical change in approach. France, for the European Union, reaffirmed the EU’s emission target for 2020, urged a reaffirmation of multilateral will in Poznań, and highlighted linkages between climate change, biodiversity, poverty and inequality. Maldives, for the Least Developed Countries (LDCs), said a 2°C temperature rise would take the world into the “danger zone.” Both Association of Small Island States (AOSIS) and LDCs urged a limit of 1.5°C temperature rise and greenhouse gas concentrations of no more than 350 ppm, as well as 40% emission reductions by developed countries by 2020 compared with 1990 levels.

15. Australia, for the Umbrella Group, said Copenhagen should produce a robust and resilient foundation to steer collective efforts, and welcomed discussions on a shared vision. Algeria, for the African Group, said two decades of negotiations had not produced the expected results, and developed countries were not meeting even the modest goals agreed in Kyoto.

16. Egypt said sectoral actions should be country-driven and rejected any attempt to impose developing country commitments. India underscored government-led action on technology and finance and a mechanism that procures the required technologies for developing countries. The delegate also proposed a regional technology innovation

center. Islamic Republic of Iran discouraged differentiation among developing countries through the creation of new country categories.

17. **Decisions Adopted by COP-14:** The meeting adopted the following decisions: Advancing the Bali Action Plan; Development and transfer of technologies; Financial mechanism of the Convention: fourth review of the Financial Mechanism; Additional guidance to the Global Environment Facility; Further guidance for the operation of the Least Developed Countries Fund; Capacity-building for developing countries under the Convention; Continuation of activities implemented jointly under the Pilot phase; Administrative, financial and institutional matters; and Dates and venues of future sessions.

18. **Decisions adopted by CMP-4:** The meeting adopted the following decisions: Report of the Adaptation Fund Board; Further guidance relating to the clean development mechanism; Advancing the work of Ad Hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol; Compliance Committee; Guidance on the implementation of Article 6 of the Kyoto Protocol; Capacity-building for developing countries under the Kyoto Protocol; Privileges and Immunities for individuals serving on constituted bodies established under the Kyoto Protocol; and Administrative, financial and institutional matters.

19. The Conference ended with a clear commitment from governments to shift into full negotiating mode next year in order to shape an ambitious and effective international response to climate change, to be agreed in Copenhagen at the end of 2009. Parties agreed that a first draft of the text would be available at a UNFCCC gathering in Bonn in June of 2009.

20. Progress was made in the area of technology with the endorsement of the Global Environment Facility's "Poznań Strategic Programme on Technology Transfer". The aim of this programme is to scale up the level of investment by leveraging private investments that developing countries require both for mitigation and adaptation technologies.

21. Finishing touches were put to the Kyoto Protocol's adaptation fund, thereby enabling the fund to receive projects in the course of 2009. Parties agreed that the fund, fed by a share of proceeds from the Kyoto Protocol's clean development mechanism (CDM) and voluntary contributions, would have a legal capacity granting direct access to developing countries. However, Parties were unable to reach consensus on scaling up funding for adaptation by agreeing to put a levy on the other two Kyoto mechanisms, Joint Implementation and Emissions Trading.

22. Parties also asked the CDM Executive Board to explore procedures and methodologies that would enhance regional and sub-regional distribution of projects. Parties also asked the Board to assess the implications of including carbon capture and storage projects and extending the eligibility criteria for afforestation and reforestation projects.

23. Countries meeting in Poznań made progress on a number of issues that are important in the short run - up to 2012 - particularly for developing countries, including adaptation, finance, technology and reducing emissions from deforestation and forest degradation.

24. In addition, the conference discussed in detail the issue of disaster management, risk assessment and insurance, essential to help developing countries cope with the inevitable effects of climate change.

25. Governments meeting under the Kyoto Protocol agreed that commitments of industrialized countries post-2012 should principally take the form of quantified emission limitation and reduction objectives, in line with the type of emission reduction targets they have assumed for the first commitment period of the protocol.

26. COP-15 and CMP-5 would take place from 7 to 18 December 2009 in Copenhagen, Denmark. The Government of South Africa has offered to host COP-17 and CMP-7 in 2011 in South Africa, while there are yet no offers for hosting the COP-16 and CMP-6 in 2010.

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

A. Background

27. 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 as at 20 April 2009, there were 193 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.

28. 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.

29. 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. The Seventh Session of the Committee for the Review of the Implementation of the Convention (CRIC-7) have taken place till date and the following parts presents an overview of the Seventh Session of the CRIC to the UNCCD.

B. Seventh Session of the Committee for the Review of the Implementation of the Convention (CRIC 7), (Istanbul, Turkey, 3 to 14 November 2008)

30. The Seventh Session of the Committee for the Review of the Implementation of the Convention (CRIC-7) and the First Session of the Committee on Science and Technology (CST S -1) was held in Turkey from 3 to 14 November 2008.³ The session was attended by 650 delegates from government, NGOs and Inter-governmental organizations. 145 State Parties participated at the session. Two contact groups were created to address items on the CRIC Agenda, namely; the work plans of the convention’s bodies and future CRIC formats; and indicators and national reporting

³ This section of the Report is based upon information drawn from the “Summary of the First Special Session of the Committee on Science and Technology and the Seventh Session of the Committee for the Review of the Implementation of the Convention to Combat Desertification: 3-14 November 2008”, *Earth Negotiations Bulletin*, vol. 4, no. 218, dated 17 November 2008, available online at <http://www.iisd.ca/desert/cric7/> and See ICCD/CRIC(7)/5 on “Report of the seventh session of the Committee for the Review of the Implementation of the Convention, held in Istanbul from 3 to 14 November 2008”, dated 15 January 2009.

principles. The Strategic Objectives discussed were on: the work plans and programmes for the convention's bodies; the format of future meetings of the CRIC; and indicators and monitoring of the strategy and principles for improving the procedures for communication of information as well as the quality and format of reports submitted to the COP.

31. In addition to the CRIC 7 and CST S-1 agenda items, delegates also engaged in three interactive dialogues addressing: UNCCD strategic orientations; the terms of reference (TOR) and programme of work of the Joint Inspection Unit (JIU) on the assessment of the Global Mechanism (GM); and the national reporting process. The 10-year strategic plan and framework to enhance the implementation of the Convention was also discussed. The final outcome of the 10-year strategic plan was to identify the set of indicators that should initially be limited, with flexibility to expand where necessary; that the indicators should be measurable, implementable and clear to the stakeholders using them; and special emphasis should be given to indicators dealing with financial issues.

32. The session adopted the: multi-year work plan for the Secretariat and the Joint Work Programme of the Secretariat and the Global Mechanism; work plans for the CST; and two-year work programme for the Committee for the Review of the Implementation of the Convention. Regarding the role of science in the UNCCD, delegates highlighted the linkages between soil, water and carbon sequestration. They compared the UNCCD to its sister Rio Conventions and called for a Stern-type study on the economics of desertification stressing to ensure regional representation in fostering the UNCCD's role as a global authority in scientific knowledge. The delegates also reiterated on the varied concerns about regional coordination, including the need to strengthen cooperation and coordination among countries and regions; and to reinforce coordination at global, regional and national levels.

33. The Parties to the UNCCD recognized the linkages between sustainable land management and food security, and adaptation to and mitigation of climate change and water management; as well as the relevance of the Convention to addressing emerging challenges such as preventing forced migration. Some parties underlined that the focus of the Convention was on drylands, targeting combating desertification and land degradation, while noting that land degradation and soil conservation in ecosystems other than arid, semi-arid and dry sub-humid are related to and influence processes in drylands and therefore cannot be ignored. Parties took note of the importance of promoting the participation of scientific experts in the work of the CST, bearing in mind geographical balance. They highlighted the importance of synergies among the Rio Conventions, the promotion of joint activities among the experts of each Convention and the participation of civil society. Parties had recommend that proposals on the scope of the review, and the frequency of submission of reports by all reporting entities as well as appropriate intervals between reporting cycles be linked with the proposed terms of reference and operational modalities of the CRIC, and reflected in the 2010–2011 work programme and the 2010–2013 work plan of the CRIC.

34. The Ninth session of the Conference of the Parties (COP) to the UNCCD will be held in Buenos Aires, Argentina, from 21 September to 2 October 2009.

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

A. Background

35. 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 20 April 2009, the Convention has 191 State Parties. Alongside promoting the conservation of biological diversity, the sustainable uses of its components and the fair and equitable sharing of benefits arising out of the utilization of the genetic resources are the main goals of the CBD. 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. It could be termed as the first ever Convention which addresses the issue of modern biotechnology in terms of having potential for human well being and has possible adverse effects on man and environment. The CBD takes a two-fold approach, wherein apart from providing for access to and transfer of technologies that are relevant to the conservation and sustainable use of biological diversity; it also intends to ensure the development of appropriate procedures to enhance safety of biotechnology in the context of its objective to eliminate potential threat to biological diversity.

36. Since its entry into force, nine sessions of the Conference of Parties (COP) and two Extraordinary sessions of the COP (ExCOP) 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.

37. The Second Extraordinary Meeting of the COP (ExCOP) in January 2000 adopted the Cartagena Protocol on Biosafety (CPB). The Protocol was designed to deal with safe transfer, handling and use of living modified organisms (LMOs) that may have an adverse effect on biodiversity, taking into account human health, with a specific focus on transboundary movements, by establishing an advanced informed agreement (AIA) procedure for imports of LMOs for intentional introduction into the environment. The CBD is inclusive of precautionary approach and mechanisms for risk assessment and management, and establishes a Biosafety Clearing House (BCH) to facilitate information exchange. The Protocol has been regarded as a historic step towards the sustainable use of modern biotechnology. The Protocol entered into force on 11 September 2003 and as on 20 April 2009 has 153 State Parties and 103 signatories.

B. Ninth Conference of the Parties to the Convention on Biological Diversity, (Bonn, Germany, 19-30 May 2008)

38. The ninth Conference of Parties to the Convention on Biological Diversity was held from 19 to 30 May 2008 in Bonn, Germany.⁴ The meeting was attended by approximately 4000 delegates representing governments, UN agencies, intergovernmental organizations, nongovernmental entities, indigenous and local community, industry and academia. 37 decisions were adopted at the COP-9. The major achievements of the COP-9 was the adoption of the roadmap for the negotiation of an international Access and Benefit Sharing (ABS) regime, that would ensure that three ABS Working Group and three expert group meetings would be conducted before the 2010 biodiversity deadline. The main focus was on the issues related to climate change, including reference to mitigation and adaptation activities, ocean fertilization and biofuels. It was requested that Parties should support implementation of joint action under the Rio Conventions, highlighting links between drought, land degradation and biodiversity loss. The COP meeting reaffirmed the need for a precautionary approach and called on Parties to authorize the release of genetically modified (GM) trees only after completion of studies in containment as well as science-based and transparent risk assessments.

39. The adoption of scientific criteria and guidance for marine areas in need of protection, and of the first-ever Resource Mobilization Strategy for the Convention were also hailed as major achievements and tools towards reaching the 2010 biodiversity target. While strong language was agreed cautioning against ocean fertilization, there was no agreement on adopting sustainability criteria for biofuel production and consumption. The issues for in-depth consideration were held on the following areas and final decisions were also adopted, namely; (i) Agricultural Biodiversity and Biofuels⁵, (ii) Global strategy for Plant Conservation, (iii) Invasive Alien Species, (iv) Forest Biodiversity, (iv) Incentive Measures, and (v) Ecosystem Approach.

40. On Agricultural biodiversity and biofuels issues, a work programme was introduced and decision was adopted in that respect. The work programme included sections on implementation of activities related to assessment, adaptive management and capacity-building, and mainstreaming; the international initiatives on pollinators, soil biodiversity, and biodiversity for food and nutrition; climate change; integration of biofuels into the work programme; sustainable use; and research issues. The Global strategy for plant conservation draft⁶ urged members to extend the strategy beyond 2010. The decision stated that parties nominate focal points and develop national and regional strategies for plant conservation. Further, Parties and others were urged to further

⁴ This section of the Report is based upon information drawn from the “Summary of the Fourteenth Conference of Parties to the UN Framework Convention on Climate Change and Fourth Meeting of Parties to the Kyoto Protocol: 1-12 December 2008”, *Earth Negotiations Bulletin*, vol. 12, no. 295, dated 15 December 2008, available online at <http://www.iisd.ca/climate/cop14/> and See UNEP/CBD/COP/9/29* on “Report of the Conference of the Parties to the Convention on Biological Diversity on the Work of its Ninth Meeting” dated 9 October 2008.

⁵ UNEP/CBD/COP/9/L.34

⁶ UNEP/CBD/COP/9/INF/25.

enhance implementation, and to consider the development and implementation of the Strategy beyond 2010, taking into account current and emerging environmental challenges on plant diversity, including an update of the current targets.

41. On the Invasive Alien Species (IAS) discussions centred around inclusion of (i) sections on gaps and inconsistencies in the international regulatory framework; (ii) follow-up to the in-depth review of the work programme, which contains sub-sections on national, regional and sub-regional activities and capacity building; (iii) exchange of information on best practices and lessons learned, and development of tools; (iv) management of pathways and assessments; (v) communication, education and public awareness; and (vi) provision of resources. The COP-9 encouraged parties to use the risk assessment guidance and other procedures to close identified gaps on IAS. It also sought measures to invite the International Plant Protection Convention, the Committee on Sanitary and Phytosanitary Measures of the World Trade Organization, the FAO Committee on Fisheries, the World Organization for Animal Health and others to note the lack of international standards covering IAS and to consider whether and how to contribute to addressing such gap.

42. The crucial decisions taken at the COP-9 on Forest biodiversity stressed on the urgent need to strengthen implementation of the work programme to reach the 2010 target, among other activities, such as to (a) address obstacles to sustainable forest management and to resolve land tenure and resource rights and responsibilities; (b) promote scientific research to better understand the impacts of climate change, including mitigation and adaptation activities, and environmental degradation on forest biodiversity and on the livelihoods of indigenous and local communities; (c) promote and implement sustainable forest management and the ecosystem approach in all types of forests; (d) strengthen forest law and governance at all levels; and (e) recognize the potential role of voluntary market-based certification schemes, tracking and chain-of-custody systems, and public and private procurement policies, which promote the use of timber and non-timber forest products originating from sustainably managed forests and that are produced in accordance with relevant national legislation and applicable standards consistent and in harmony with the Convention and other relevant international obligations.

43. On Incentive Measures, the COP-9 observed that Parties shall ensure possible actions for reducing emissions from deforestation and forest degradation in developing countries provide benefits for forest biodiversity and, where possible, to indigenous and local communities. The COP directed the Executive Secretary to convene an international workshop on the removal and mitigation of perverse incentives, and the promotion of positive ones; compile and analyze information on their impacts; and examine how monitoring can support the implementation of valuation tools and positive incentive measures. The decision on Ecosystem Approach took note of the application of the ecosystem approach in achieving the Millennium Development Goals (MDGs) and climate change adaptation and mitigation activities; develop effective cooperation at all levels for the application and monitoring of the approach; and provide financial and technical support for indigenous and local communities to carry out case studies and

projects applying the approach consistent with national laws and traditional sustainable use and resource management systems.

44. The “Progress in the Implementation of the Strategic Plan and towards the 2010 target” requested that the *Ad Hoc* Open-ended Working Group on Review of Implementation (WGRI) at its third session to undertake an in-depth review of progress towards goals 1 and 4 of the Strategic Plan. It also decided to consider at COP-10 the Multi-Year Programme of Work 2011-2022 and laid down an indicative timetable for inter-sessional work to revise and update the Strategic Plan.

45. The tenth Conference of the Parties (COP-10) to the Convention on Biological Diversity has been scheduled to be held at Nagoya, Japan during October 2010.

C. Fourth Meeting of the Parties to the Cartagena Protocol on Biosafety (Bonn, Germany, 12-16 May 2008)

46. The Fourth meeting of the Parties to the Cartagena Protocol on Biosafety (CPB) was held from 12 to 16 May 2008 at Bonn, Germany⁷. Three major substantive issues that was discussed relates to (i) Handling, Transport, Packaging and Identification (HTPI) of LMOs, (ii) Risk Assessment and Risk Management; and (iii) Liability and Redress. Under the HTPI of LMOs, two issues were addressed such as standards, and sampling and detection.

47. The COP/MOP encouraged parties to participate in an ongoing work on standards on HTPI of LMOs in other relevant organizations⁸ and decided to consider the need for and modalities of developing necessary standards if gaps are identified, in particular by referring such gaps to other relevant international organizations. Under Article 8 (2) (a) the importance of reference materials for the purpose of detection of LMOs, especially for those that are placed on the market were highlighted. In the decision, Parties were requested that along with the Governments, relevant international organizations as well as the Global Environment Facility (GEF), to cooperate with and support developing country Parties, in particular the least developed and small island developing States among them, and Parties with economies in transition, in their efforts to build their capacities in the area of sampling and detection of LMOs, including the setting up of laboratory facilities and training of local regulatory and scientific personnel. It also underlined the importance of accreditation of laboratories involved in sampling and detection of LMOs and encouraged those in possession of reference materials to provide access for those agencies that may need such materials for the purpose of detection of living modified organisms. Article 18.2 of the Cartagena Protocol sets out measures that Parties are obliged to take to identify LMOs in the accompanying documentation. The

⁷ This section of the Report is based upon information drawn from the “Summary of the Fourth Meeting of Parties to the Cartagena Protocol on Biosafety: 12-16 May 2008”, *Earth Negotiations Bulletin*, vol. 9, no. 441, dated 19 May 2008, available online at <http://www.iisd.ca/biodiv/bs-copmop4/> and “Report of the Fourth Meeting of the Conference of the Parties to the Convention on Biological Diversity serving as the Meeting of the Parties to the Cartagena Protocol on Biosafety” UNEP/CBD/BS/COP-MOP/4/18 dated on 25 June 2008.

⁸ UNEP/CBD/BS/COPMOP/4/L.4

measures depend on the intended use of the LMO. Article 18.2 paragraph (a) addresses LMO-FFPs, while paragraph (b) addresses LMOs for contained use, and paragraph (c) addresses LMOs that are intended for intentional introduction into the environment and any other LMOs within the scope of the Cartagena Protocol. Clear identification in the documentation that accompanies shipments of LMO-FFPs implies that a system of detection, segregation and identity preservation would need to be set up in exporting countries, that could help avoid and identify contamination, prior to export.

48. On Risk Assessment and Risk Management, decision was adopted⁹ wherein the Executive Secretary was requested to convene, prior to COP/MOP 5, two meetings of the Ad Hoc Technical Expert Group (AHTEG) on risk assessment and management. During the first meeting the Group shall highlight the identified need for further guidance on specific aspects of risk assessment, including particular types of (i) LMOs (for example, fish, invertebrates, trees, pharmaplants and algae); (ii) introduced traits; and (iii) receiving environments, as well as monitoring of the long-term effects of LMOs released in the environment, prioritize the need for further guidance on specific aspects of risk assessment and define which such aspects should be addressed first, taking also into account the need for and relevance of such guidance, and availability of scientific information.

49. On Liability and Redress, it was reiterated that, while COP/MOP 4 did not complete its mandate to adopt an international regime on liability and redress in the context of the Protocol, it achieved a political compromise that would pave the way towards adopting a legally binding regime, which was hailed by most participants as a major step forward. The decision adopted on this issue of deliberation advocated for a legally binding provision on civil liability in the legally binding regime setting out minimum core elements and referencing non-legally binding guidelines on liability and redress. It also requested for a legally binding provision on enforcement of judgments on damage from transboundary movement of LMOs that meet the minimum standards in the guidelines and the provisions on enforcement of foreign judgments under domestic law; and a review process, with the possibility of making other elements of civil liability legally binding on the basis of experience gained.

50. On civil liability issues, rules and procedures were to apply to damage resulting from the transboundary movement of LMOs as provided for by domestic law. Also for the purposes of those rules and procedures, damage resulting from the transboundary movement of LMOs as provided for by domestic law may, inter alia, include: (a) Damage to the conservation and sustainable use of biological diversity not redressed through the administrative approach; (b) Damage to human health, including loss of life and personal injury; (c) Damage to or impaired use of or loss of property; (d) Loss of income and other economic loss resulting from damage to the conservation or sustainable use of biological diversity; and (e) Loss of or damage to cultural, social and spiritual values, or other loss or damage to indigenous or local communities, or loss of or reduction of food security. Damage resulting from the transboundary movement of LMOs

⁹ UNEP/CBD/BS/COP-MOP/4/10

shall be valued in accordance with domestic laws and procedures, including factors such as: (a) The costs of response measures in accordance with domestic law and procedures/regulations; (b) The costs of loss of income related to the damage during the restoration period or until the compensation is provided; (c) The costs and expenses arising from damage to human health including appropriate medical treatment and compensation for impairment, disability and loss of life; and (d) The costs and expenses arising from damage to cultural, social and spiritual values, including compensation for damage to the lifestyles of indigenous and/or local communities.

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

A. Background

51. 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. It 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.

52. 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.

B. Sixteenth Session of the Commission on Sustainable Development (5 May - 16 May 2008, UN Headquarters, New York)

53. The Sixteenth Session of the United Nations Commission of Sustainable Development (CSD-15) was held at UN Headquarters, New York, from 5 May to 16 May 2008. The session considered the thematic cluster of agriculture, rural development, land, drought, desertification and Africa. In addition to this review, CSD-16 delegates participated in dialogues with Major Groups, reviewed implementation of the Mauritius Strategy for Implementation and the Barbados Programme of Action for the Sustainable Development of Small Island Developing States (SIDS), and the CSD-13 decisions on water and sanitation.¹⁰

¹⁰ The information here is based upon the “Summary of the Sixteenth session of the Commission on Sustainable Development: 5 May - 16 May 2008”, *Earth Negotiations Bulletin*, vol. 5, no. 265 dated 19 May 2008 available online at: <http://www.iisd.ca/csd/csd16/> and the unedited version of the Chairman’s Summary of the Meeting available on the website of the Commission at: http://www.un.org/esa/sustdev/csd/csd16/documents/chairs_summary.pdf.

54. The Commission examined the obstacles and barriers that have prevented sustainable development in the areas of agriculture, land use, rural development, drought, desertification and Africa. Countries were requested to follow-up on these issues with firm policy recommendations at next year's meeting of the Commission. In one of the most far reaching international discussions on many of the problems that lie at the root of the current global food crisis, countries emphasized the need for ramping up investment in research and development in innovative and sustainable agricultural technologies and infrastructure in developing countries.

55. UN Secretary-General Ban Ki-Moon, in his address to the CSD, observed that after a quarter century of relative neglect, agriculture was back on the international agenda, sadly with a vengeance. The onset of the current food crisis had highlighted the fragility of our success in feeding the world's growing population with the technologies of the first green revolution and subsequent agricultural improvements." The Secretary-General stressed that agriculture needed invigoration. There was a need to work together to develop a new generation of technologies and farming methods which would make possible a second green revolution, one that permitted sustainable yield improvements with minimal environmental damage and contributed to sustainable development goals.

56. Many countries expressed concern during the Session that a number of factors had contributed to the present situation, including climate change, unfair trade policies, poor land management, and a lack of roads and access to markets in rural agricultural areas. Countries voiced concerns about the use of biofuels, but many delegations said biofuels could help overcome fossil fuel dependency and mitigate greenhouse gases and provide employment opportunities if it was done properly. Some countries indicated that they were undertaking further study to explore ways to ensure that its use contributes to sustainable development. Many countries emphasized that extreme and wide-spread rural poverty continued to be a main barrier to combating desertification and expressed concern that implementation of the UNCCD, the only legally binding, universal agreement on land issues that systematically addressed land degradation and desertification, was seriously underfunded, but that its new 10-year strategic plan opened a way for renewed commitment confronting land degradation issues.

57. Almost 60 ministers attended the Commission along with 680 representatives from 126 nongovernmental organizations. Representatives from civil society, including women, farmers, science, business, children and youth, local authorities, workers and trade unions, indigenous peoples and nongovernmental organizations also participated in the two week Session.

VI. COMMENTS AND OBSERVATIONS OF AALCO SECRETARIAT

58. The Parties to the Climate Change Convention agreed at Bali in 2007 to jointly step up international efforts to combat climate change and get to an agreed outcome in Copenhagen in 2009. Thus, an ambitious climate change deal will be clinched to follow on the first phase of the UN's Kyoto Protocol, which expires in 2012. Although, it is not expected that the Copenhagen agreed outcome would resolve all details, however, it must provide clarity on four key issues. The first is clarity on the emission reduction targets that industrialised countries will commit to. Second, there must be clarity on the nationally appropriate mitigation actions that developing countries could undertake. Third, it must define stable and predictable financing to help the developing world reduce greenhouse gas emissions and adapt to the inevitable effects of climate. And finally, it must identify institutions that will allow technology and finance to be deployed in a way that treats the developing countries as equal partners in the decision-making process.

59. On Desertification issue, it is necessary to take a preventive action which would be more effective than costlier emergency relief and rescue missions. The current droughts in Argentina and Australia which was some of the severest in decades in both countries, required the attention and long-term action of the international community. The two countries belong to the largest agricultural producers in the world yet current climatic patterns are subjecting their farmers to extremely dry conditions unlike any in recent memory. The erratic rainfall, extreme drought in Sub-Saharan African continent that is affecting agricultural producing countries leads to food crisis. In addition, many of the food importing countries witness extreme drought is indeed alarming. Full-fledged early warning systems are the key factors and such systems could be a precious tool for governments, institutions and farmers to anticipate and better prepare for longer and recurrent dry spells or deluge of rains. It is necessary to coordinate more now than ever the successful sustainable farm practices on a global basis as climate change presents a greater threat to food production.

60. The Cartagena Protocol on Biosafety aims at reducing potential adverse effects of biotechnology on biodiversity. A strict segregation and identity preservation system mentioned under Article 18 would help ensure that contamination does not occur while exporting and importing. In addition, testing shipments for LMO content prior to export will help ensure that the system is working, and identify problems, if it is not. This would rightfully place the burden and costs on exporting countries to ensure that contaminated shipments do not enter other countries. This would assist importing countries, particularly those that want to remain free of genetically modified products (GMfree), to ensure that they are not receiving unapproved or illegal LMOs, and to know more precisely what is coming into their countries. Devoid of all these elaborate provisions, many of the developing countries do not have operational national biosafety laws, which lead to their doubtful status when these LMOs are in transit. Moreover, when both exporting parties and importing parties are developing countries which have accepted certain products for shipment; may not have met the standards as required by the transit country and this could lead to major issues.

61. In terms of sustainable development, the use of biofuels could help overcome fossil fuel dependency and mitigate greenhouse gases and provide employment opportunities if it were to be done properly. However, countries shall agree to such use only after a thorough undertaking to further study to explore ways to ensure that its use contributes to sustainable development. Considering ongoing financial crisis and food crisis, countries must be extremely cautious in adhering to any new forms of use under the guise of sustainable development because of the involvement of financial resources.

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

Table I: 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	—	7 August 2007(A)	—	—
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' Republic	12 June 1992	30 September 1993	—	15 December 1999 a
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.	Republic of Iraq	—	—	—	—
29.	Republic of Korea	13 June 1992	14 December 1993	25 September 1998	8 November 2002
30.	Republic of Singapore	13 June 1992	29 May 1997	—	12 April 2006 (Ac)
31.	Republic of Uganda	13 June 1992	8 September 1993	—	25 March 2002 a
32.	Republic of Yemen	12 June 1992	21 February 1996	—	15 September 2004
33.	Saudi Arabia	—	28 December 1994 a	—	31 January 2005 Ac
34.	Senegal	13 June 1992	17 October 1994	—	20 July 2001 a
35.	Sierra Leone	11 February 1993	22 June 1995	—	10 November 2006 (Ac)
36.	Somalia	—	—	—	—
37.	South Africa	15 June 1993	29 August 1997	—	31 July 2002
38.	Sri Lanka	10 June 1992	23 November 1993	—	3 September 2002 a
39.	State of Kuwait	—	28 December 1994 a	—	11 March 2005 Ac
40.	State of Qatar	—	18 April 1996 a	—	11 January 2005
41.	Sudan	9 June 1992	19 November 1993	—	2 November 2004
42.	Sultanate of Oman	11 June 1992	8 February 1995	—	19 January 2005 Ac
43.	Syrian Arab Republic	—	4 January 1996 a	—	27 January 2006 (Ac)
44.	Thailand	12 June 1992	28 December 1994	2 February 1999	28 August 2002
45.	Turkey	—	24 February 2004 a	—	—
46.	United Arab Emirates	—	29 December 1995 a	—	26 January 2005
47.	United	12 June 1992	17 April 1996	—	26 August 2002 a

	Republic of 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 22 August 2007, whereas for the Kyoto Protocol it is updated till 14 January 2009 from websites http://unfccc.int/files/essential_background/convention/status_of_ratification/application/pdf/unfccc_conv_rat.pdf and http://unfccc.int/files/kyoto_protocol/status_of_ratification/application/pdf/kp_ratification.pdf (website accessed on 6th May 2009).

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 May 2009, there were 192 Parties to the UNFCCC. It has been ratified/acceded/accepted/approved by 44 AALCO Member States. Amongst AALCO Member States Palestine, Republic of Iraq, and Somalia are non-Parties to the Convention.

Kyoto Protocol

(i) As at 6 May 2009, there were 184 Parties to the Kyoto Protocol. It has been ratified/acceded/accepted/approved to by 42 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.	Republic of Iraq	—	—
29.	Republic of Korea	14 October 1994	17 August 1999
30.	Republic of Singapore	—	26 April 1999a
31.	Republic of Uganda	21 November 1994	25 June 1997
32.	Republic of Yemen	—	14 January 1997 a
33.	Saudi Arabia	—	25 June 1997 a
34.	Senegal	14 October 1994	26 July 1995
35.	Sierra Leone	11 November 1994	25 September 1997
36.	Somalia	—	24 July 2002 a
37.	South Africa	9 January 1995	30 September 1997
38.	Sri Lanka	—	9 December 1998 a
39.	State of Kuwait	22 September 1995	27 June 1997

40.	State of Qatar	—	15 September 1999a
41.	Sudan	15 October 1994	9 November 1995
42.	Sultanate of Oman	—	23 July 1996 a
43.	Syrian Arab Republic	15 October 1994	10 June 1997
44.	Thailand	—	7 March 2001 a
45.	Turkey	14 October 1994	31 March 1998
46.	United Arab Emirates	—	21 October 1998 a
47.	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/doeif.php>; (accessed on 6 May 2009).

Inference

As at 6 May 2009, there were 193 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 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		27 July 2008	—	—
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 Jamahriya	29 June 1992	12 July 2001	—	14 June 2005
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'	12 June 1992	30 September 1993	—	22 July 2003 a

	Republic				
23.	Myanmar	11 June 1992	25 November 1994	11 May 2001	13 February 2008
24.	Nepal	12 June 1992	23 November 1993	2 March 2001	—
25.	Pakistan	5 June 1992	26 July 1994	4 June 2001	2 March 2009
26.	Palestine	—	—	—	—
27.	People's Republic of China	11 June 1992	5 January 1993	8 August 2000	8 June 2005
28.	Republic of Iraq	—	—	—	—
29.	Republic of Korea	13 June 1992	3 October 1994	6 September 2000	3 October 2007
30.	Republic of Singapore	12 June 1992	21 December 1995	—	—
31.	Republic of Uganda	12 June 1992	8 September 1993	24 May 2000	30 November 2001
32.	Republic of Yemen	12 June 1992	21 February 1996	—	01 December 2005
33.	Saudi Arabia	—	3 October 2001 a	9 August 2007	—
34.	Senegal	13 June 1992	17 October 1994	31 October 2000	8 October 2003
35.	Sierra Leone	—	12 December 1994 a	—	—
36.	Somalia	—	—	—	—
37.	South Africa	4 June 1993	2 November 1995	—	14 August 2003
38.	Sri Lanka	10 June 1992	23 March 1994	24 May 2000	28 April 2004
39.	State of Kuwait	9 June 1992	2 August 2002	—	—
40.	State of Qatar	11 June 1992	21 August 1996	—	14 March 2007
41.	Sudan	9 June 1992	30 October 1995	—	13 June 2005
42.	Sultanate of Oman	10 June 1992	8 February 1995	—	11 April 2003a
43.	Syrian Arab Republic	3 May 1993	4 January 1996	—	1 April 2004
44.	Thailand	12 June 1992	29 January 2004	—	10 November 2005
45.	Turkey	11 June 1992	14 February 1997	24 May 2000	24 October 2003
46.	United Arab Emirates	11 June 1992	10 February 2000	—	—
47.	United Republic of Tanzania	12 June 1992	8 March 1996	—	24 April 2003

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 6th May 2009.

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 6 May 2009, there were 191 Parties to the CBD. It has been ratified/acceded/accepted/approved to by 44 AALCO Member States. Amongst AALCO Member States, Palestine, Republic of Iraq and Somalia are non-Parties to the CBD.

Cartagena Protocol on Biosafety

(i) As at 6 May 2009 there were 153 Parties to the Biosafety Protocol. It has been ratified/acceded/accepted/approved to by thirty-six AALCO Member States.