

# ENVIRONMENT AND SUSTAINABLE DEVELOPMENT

## I. INTRODUCTION

1. The year 2002 can be considered as an important year as regards the item Environment and Sustainable Development as three important meetings relating to the protection of environment, namely the World Summit on Sustainable Development (WSSD or the Johannesburg Summit); the Eighth Conference of Parties to the United Nations Framework Convention on Climate Change and the Sixth Session of the Conference of the Parties to the Convention on Biological Diversity took place. It also marked the tenth anniversary of the adoption of the Conventions on Climate Change and Biological Diversity.

2. The item entitled “United Nations Conference on Environment and Development: Follow-up” has been on the agenda of the AALCO since its 32<sup>nd</sup> Session held in Kampala, 1993. It had thereafter been considered at successive sessions of the AALCO. The main focus has been on the developments with regard to the implementation of Agenda 21 in general and the United Nations Framework Convention on Climate Change (UNFCCC), Convention on Biological Diversity (CBD) and the United Nations Convention to Combat Desertification (UNCCD), in particular.

3. The item was last considered at the 41<sup>st</sup> Session at Abuja, Nigeria wherein the Deputy Secretary-General Mrs. Toshiko Shimizu proposed that the title “The United Nations Conference on Environment and Development: Follow-up” would need to be changed taking in view the Johannesburg Summit and suggested that it could be reformulated as “Environment and Sustainable Development” as a broad topic under which legal developments including the implementation of environmental conventions could be considered. The suggestion was endorsed by the Session and the resolution RES/41/11 adopted on the agenda item reaffirmed that environmental protection constituted an integral part of sustainable development and directed the Secretariat to continue to monitor the progress in the implementation of the UNFCCC, CBD, and UNCCD as well as the outcome of the Johannesburg Summit.

4. Accordingly, this documents attempts to furnish an Overview of the outcome of the WSSD; the Eighth Conference of the Parties to the UNFCCC; the Sixth Conference of Parties to the CBD and Third Meeting of the Intergovernmental Committee for the Cartagena Protocol on Bio-safety; and First Meeting of the Committee to Review the Implementation of the UNCCD. Finally, it attempts to identify some issues for focused deliberations on the item under consideration for the 42<sup>nd</sup> Session of the Organization.

## II. THE WORLD SUMMIT ON SUSTAINABLE DEVELOPMENT

### A. Background

5. Pursuant to the UN General Assembly (UNGA) Resolution No. 56/226,<sup>1</sup> the World Summit on Sustainable Development was held in Johannesburg, South Africa, from 26 August to 4 September 2002. The Conference theme was “People, Planet and Prosperity”. Earlier, the UN Secretary-General had identified five key areas in which the World Summit could make a difference: water and sanitation; energy; health; agricultural productivity; and biodiversity. WSSD’s goal as mandated by the UN General Assembly *vide* its resolution 55/199, was to hold a ten year review of the 1992 UN Conference on Environment and Development (UNCED or the Earth or Rio Summit) at the Summit level to reinvigorate global commitment to sustainable development.<sup>2</sup> Hence the Johannesburg Summit was also called Rio + 10.

6. The principal outcome of the Earth Summit were the Rio Declaration on Environment and Development—a set of 27 universally-applicable principles to help guide international action on the basis of environmental and economic responsibility; and Agenda 21—a comprehensive blue print for action (spread over in 40 chapters) covering wide range of programme areas and institutional arrangements. The Rio Summit proclaimed the concept of sustainable development as a workable objective for everyone around the world, whether at the local, national, regional, or international level. The United Nations Framework Convention on Climate Change and the Convention on Biological Diversity Earth Summit were also opened for signature at the Earth Summit. In addition, it also adopted the non-legally binding set of forest principles. In order to ensure effective follow-up of UNCED, Agenda 21 called for the creation of Commission on Sustainable Development (CSD). The CSD, comprising of 53 members was accordingly constituted by the UNGA in 1992 which since then has been meeting annually.

7. The General Assembly also held a Special Session of the General Assembly in 1997 to review the implementation of Agenda 21 five years after the Earth Summit. That Session adopted the Programme for the Further Implementation of Agenda 21.

8. CSD-10 (30 April – 2 May 2001, New York) acted as the Preparatory Committee for the WSSD and before the Johannesburg Summit in all four meetings of the Preparatory Committee took place, to prepare for the substantive outcome of the Summit.

9. The Johannesburg Summit was the biggest-ever United Nations Conference and brought together 104 heads of states and governments. More than 21, 000 participants

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<sup>1</sup> Resolution entitled “World Summit on Sustainable Development”, adopted by the General Assembly on 24 December 2001.

<sup>2</sup> The term “sustainable development” came into vogue through the 1987 Report of the World Commission on Environment and Development—*Our Common Future*. It defines sustainable development as “development that meets the needs of the present generation without compromising the ability of future generations to meet their own needs.”

form 191 governments, inter-governmental and non-governmental organizations, private sector, civil society, academia and scientific community participated in the deliberations.<sup>3</sup>

10. The WSSD negotiated and adopted two main documents: the Johannesburg Declaration on Sustainable Development and the Plan of Implementation.

## **B. The Substantive Outcome of the Johannesburg Summit<sup>4</sup>**

### **i. The Johannesburg Declaration on Sustainable Development**

11. The political declaration of the Summit the “Johannesburg Declaration on Sustainable Development” was after much discussion, unanimously adopted by the Plenary on 4<sup>th</sup> September 2002. The Declaration reaffirms the commitment of world leaders to sustainable development and building up of a “humane, equitable and caring global society cognizant of the need for human dignity for all.” The Leaders assumed the “collective responsibility to advance and strengthen the interdependent and mutually reinforcing pillars of sustainable development—economic development, social development and environmental protection—at local, national, regional and global levels” in their “common resolve to make a determined effort to respond positively to the need to produce a practical and visible plan that should bring about poverty eradication and human development.”

12. After tracing the development from Stockholm to Rio de Janeiro to Johannesburg, it identifies the “deep fault line that divides human society between the rich and the poor and the ever-increasing gap between the developed and developing world” as “a major threat to global prosperity, security and stability”. The Declaration states that the global environment continues to suffer from the loss of biodiversity, depletion of fish stocks, advancing desertification, worsening climate change, more frequent and devastating natural disasters, air, water and marine pollution and increasingly vulnerable developing countries.

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<sup>3</sup> For details of the attendance, see UN, *Report of the World Summit on Sustainable Development*, Johannesburg, South Africa, 26 August-4 September 2002 (UN, New York, 2002), UN Doc. A/CONF. 199/20, pp. 74-6. Following AALCO Member States participated in the Johannesburg Summit: Bahrain, Bangladesh, Botswana, China, Cyprus, Democratic People’s Republic of Korea, Egypt, Gambia, Ghana, India, Indonesia, Iran (Islamic Republic of), Iraq, Japan, Jordan, Kenya, Kuwait, Libyan Arab Jamahiriya, Lebanon, Malaysia, Mauritius, Mongolia, Myanmar, Nepal, Nigeria, Oman, Pakistan, Qatar, Republic of Korea, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Syrian Arab Republic, Thailand, Turkey, Uganda, United Arab Emirates, United Republic of Tanzania, and Yemen. Palestine participated as an Observer. Thus, all forty-five AALCO Member States participated in the deliberations at the WSSD.

<sup>4</sup> This section of the brief is based upon UN, *Report of the World Summit on Sustainable Development*, note 3 and the Summary of the World Summit on Sustainable Development contained in *Earth Negotiations Bulletin*, vol. 22, no. 51 dated 6 September 2002, available online at <http://www.iisd.ca/linkages/2002/wssd/> and the website of the World Summit on Sustainable Development <http://www.johannesburgsummit.org>. The UN Report contains the Johannesburg Declaration and the Plan of Implementation.

13. The Declaration welcomes decisions on targets, timetables, and partnerships to improve access to clean water, sanitation, energy, health care, food security, and protection of bio-diversity. At the same time, the leaders commit themselves to “work together to assist one another to have access to financial resources, benefit from the opening of markets, ensure capacity-building, use modern technology to bring about development, and make sure that there is technology transfer, human resource development, education and training to banish forever underdevelopment”.

14. The Declaration welcomes and supports the emergence of stronger regional groupings and alliances such as the New Partnership for Africa’s Development (NEPAD). Further, the world leaders will continue to pay special attention to the development needs of Small Island Developing States and the least developed countries. They recognized that sustainable development required a long-term perspective and broad based participation in policy formulation, decision-making and implementation at all levels.

15. The world leaders agreed that in pursuit of their legitimate activities, the private sector had a duty to contribute to the evolution of equitable and sustainable communities and societies.

16. The leaders recognized that “more effective, democratic and accountable international and multilateral institutions” were needed to attain the goal of sustainable development. They reaffirmed their commitment to the principles and purposes of the UN Charter and international law as well as the strengthening of multi-lateralism.

## **ii. The Plan of Implementation**

17. The ten chapter Johannesburg Plan of Implementation adopted by the World Summit commits participants to concrete actions and measures at all levels on a wide range of environmental and developmental issues, such as clean water, energy, agriculture, trade, health and biodiversity. Chapter-wise key elements of the Plan of Implementation are elaborated below.

### **1. Chapter I: Introduction<sup>5</sup>**

18. The Plan calls for the full implementation of Agenda 21 and internationally agreed development goals. It acknowledges that implementation of the plan should benefit all, and that good governance, peace, security, stability, respect for human rights and fundamental freedoms, respect for cultural diversity were essential for sustainable development. In taking concrete actions and measures at all levels and in enhancing international co-operation, the Plans calls for taking into account the Rio principles, including, inter alia, the principle of common but differentiated responsibilities (CBDR).

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<sup>5</sup> Ibid., paragraphs 1-5.

## **2. Chapter II: Poverty Eradication<sup>6</sup>**

19. The Plan recognizes “eradicating poverty” as the greatest challenge facing the world today and it was an indispensable requirement for sustainable development, particularly for developing countries. It calls for action at all levels to halve by 2015 the proportion of the world’s people living on less than US \$1 a day and who suffer from hunger. To achieve this, it calls for establishing a World Solidarity Fund.

20. On the provision of clean drinking water and sanitation, the Plan agrees to halve by the year 2015 the proportion of the world’s people unable to reach or afford safe drinking water and who do not have access to safe drinking water.

21. In relation to energy access, the Plan of Implementation inter alia calls for joint efforts to improve access to reliable and affordable energy services; promotion of sustainable use of biomass; and transition to cleaner use of fossil fuels.

22. In relation to industrial development, the Plan of Implementation contains the following key commitments:

- Provide assistance to increase income-generating employment opportunities;
- Promote micro, small and medium-sized enterprises; and
- Enable rural communities to benefit from small-scale mining ventures.

## **3. Chapter III: Changing unsustainable patterns of consumption and production<sup>7</sup>**

23. This chapter proposes action to be taken by governments, relevant international organizations, the private sector and all major groups, to fundamentally change the way societies produce and consume resources with the goal of achieving global sustainable development. The key commitments as regards sustainable consumption and production include:

- Adoption and implementation of policies and measures aimed at promoting sustainable patterns of production and consumption, applying inter alia, the polluter-pays principle described in principle 16 of the Rio Declaration;
- Increase eco-efficiency, with financial support for capacity-building, technology transfer and exchange of technologies with developing countries and countries with economies in transition;
- Increase investment in cleaner production and eco-efficiency in all countries through incentives and support schemes and policies directed at establishing appropriate regulatory financial and legal frameworks; and
- Integrate the issue of production and consumption patterns into sustainable development policies, programmes, and strategies, including into poverty reduction strategies.

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<sup>6</sup> Ibid., paragraphs 6-12.

<sup>7</sup> Ibid., paragraphs 13-22.

24. In relation to energy for sustainable development, the Plan seeks to:
- Promote the internalization of environmental costs and the use of economic instruments;
  - Establish domestic programmes for energy efficiency;
  - Accelerate the development, dissemination, and deployment of affordable and cleaner energy efficiency and energy conservation technologies.
25. For the sound management of chemicals and hazardous wastes, the Plan of Implementation *inter alia* calls for action at all levels to:
- Promote the ratification and implementation of relevant international instruments on chemicals and hazardous wastes, including the Rotterdam Convention on Prior Informed Consent Procedures for Certain Hazardous Chemicals and Pesticides in International Trade so that it can enter into force by 2003 and the Stockholm Convention on Persistent Organic Pollutants so that it can enter into force by 2004;
  - Develop a strategic approach to international chemicals management based on the Bahia Declaration and Priorities for Action beyond 2000 of the Intergovernmental Forum on Chemical Safety; and
  - Promote efforts to prevent international illegal trafficking of hazardous chemicals and hazardous wastes and to prevent damage resulting from the transboundary movement of hazardous wastes in a manner consistent with obligations under relevant international instruments such as the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal.

#### **4. Chapter IV: Protecting and managing the natural resource base of economic and social development<sup>8</sup>**

26. The Plan of Implementation recognizes that human activities were causing an increasing impact on the integrity of the ecosystems that provided essential resources and services for human well-being and economic activities. In this regard, to reverse the trend in natural resource degradation, the Plan contains the following key commitments:

- Launch a programme of actions to achieve safe drinking water and sanitation goals;
- Mobilize international and domestic financial resources, transfer technology, promote best practices and support capacity building;
- Develop integrated water resource management and water efficiency plan by 2005.

27. The Plan recognizes that oceans, seas, islands, and coastal areas formed an integrated and essential component of the earth's ecosystem and were critical for global food security and well being of many economies. Among others it calls for ratification or accession to and effective implementation of the relevant United Nations and, where appropriate associated regional fisheries agreements or arrangements, in particular, the

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<sup>8</sup> Ibid., paragraphs 23-44.

Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks and 1993 Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas and the Implementation of the Ramsar Convention.

28. In order to enhance maritime safety and protection of marine environment from pollution, the Plan calls upon:

- States to Ratify or accede to and implement the conventions and protocols and other relevant instruments of the International Maritime Organization (IMO) relating to the enhancement of maritime safety and protection of the marine environment from marine pollution and environment damage caused by ships;
- Urges IMO to consider stronger mechanisms to secure the implementation of IMO instruments by flag states;
- Urges IMO to finalize the IMO International Convention on the Control and Management of Ships' Ballast Water and Sediments; and
- Urges Governments to make efforts to examine and further improve measures and internationally agreed mechanisms regarding safety from radioactive wastes.

29. The Plan of Implementation states that the "Change in the Earth's climate and its adverse effects are a common concern of humankind". In order to attain the ultimate objective of the UNFCCC of stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system, the Plan calls for:

- Meeting all the commitments and obligations under the UNFCCC and work effectively towards achieving its objectives;
- Ensuring adequate ratification by States for the entry into force of the Kyoto Protocol to the UNFCCC.

30. In order to reduce air pollution, it agrees to improve access by developing countries to alternative to ozone depleting substances (ODS) by 2010 and calls for measures to address illegal traffic in ODS. Further, it calls upon the States to replenish the funds of the Montreal Protocol on Substances that Deplete the Ozone Layer, by 2003/2005 in order to facilitate its implementation.

31. It calls for strengthening of the implementation of the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, particularly in Africa. Further, it calls on the Global Environment Facility to designate land degradation as a focal area of the GEF and to consider making GEF a financial mechanism for the UNCCD.

32. In relation to biodiversity, the Plan contains the following key commitments:

- Achieve by 2010 a significant rate in the current rate of biodiversity loss;

- Negotiate an international regime to promote and safeguard the fair and equitable sharing of benefits arising from the utilization of genetic resources;
- Asks States that have not ratified the Convention on Biological Diversity and Cartagena Protocol on Biosafety to ratify these instruments.

33. On forests, the Plan of Implementation commits to take immediate action on domestic forest law enforcement and illegal international trade in forest production.

34. As regards mining, the Plan supports efforts to address the environmental, economic, health and social impacts of mining, minerals and metals and calls for fostering sustainable mining practices.

## **5. Chapter V: Sustainable Development in a Globalizing World<sup>9</sup>**

35. The Plan recognizes that globalization offered opportunities and challenges for sustainable development. In order to ensure the full and effective participation of developing nations and countries with economies in transition, so as to enable them to respond effectively to those challenges and opportunities, the Plan adopts the following key commitments:

- Promote open, equitable, rules-based, predictable and non-discriminatory multilateral trading and financial systems that benefit all countries in the pursuit of sustainable development;
- Implement the outcomes of Doha Ministerial Conference by WTO members;
- Strengthen regional trade and co-operation agreements.

## **6. Chapter VI: Health and Sustainable Development<sup>10</sup>**

36. The Rio Declaration states that human beings are at the center of concerns for sustainable development, and that they are entitled to a healthy and productive life in harmony with nature. To ensure a healthy and productive life, the Plan calls for strengthening the basic health services to all, in an efficient, accessible, and affordable manner. The key commitments adopted in this regard are:

- Reduce by the year 2015, mortality rates for infants and children under 5 by two thirds and children and maternal mortality rates by three quarters, of the prevailing rate in 2000;
- Promote the preservation, development and use of effective traditional medicine knowledge and practices;
- Provide resources to support the Global Fund to Fight AIDS, Tuberculosis, and Malaria.

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<sup>9</sup> Ibid., paragraphs 45 to 45sexties.

<sup>10</sup> Ibid., paragraphs 46-50.



## **7. Chapter VII: Sustainable development of small-island developing States<sup>11</sup>**

37. The Plan of Implementation recognizes that small island states were a special case both for environment and development. It inter alia calls for action in the following areas:

- Technology transfer and assistance for capacity building;
- Sustainable fisheries management and strengthening regional fisheries management organizations;
- Development of community-based initiatives on sustainable tourism.

## **8. Chapter VIII: Sustainable development for Africa<sup>12</sup>**

38. The chapter recognizes that since the UNCED, sustainable development had remained elusive for many African countries and calls for concrete action for implementation of Agenda 21 within the framework of New Partnership for Africa's Development (NEPAD).

## **9. Chapter VIIIbis: Other regional initiatives<sup>13</sup>**

39. This chapter recognizes initiatives at regional, sub-regional, and trans-regional level to promote sustainable development. It provides for further initiatives for sustainable development in Latin America and the Caribbean; Asia and the Pacific; West Asia region; and Economic Commission for Europe region.

## **10. Chapter IX: Means of Implementation<sup>14</sup>**

40. This chapter contains sections on finance, trade, technology transfer, capacity building, and education. The chapter recognizes that implementation of internationally agreed development goals would require significant increase in the flow of financial resources, in particular to developing countries, as agreed at the International Conference on Financing for Development, earlier this year. The chapter inter alia calls for:

- Greater flows of foreign direct investment, export credits, debt-relief measures and official development assistance (ODA);
- Developed countries to make concrete efforts to achieve the target of devoting 0.7 per cent of their GNP to ODA to developing countries and implement their commitment to the least developed countries;
- Facilitating the accession of developing countries to the membership of WTO; and
- Implementation of substantial trade-related technical assistance and capacity-building measures.

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<sup>11</sup> Ibid., paragraphs 52-55.

<sup>12</sup> Ibid., paragraphs 56-65.

<sup>13</sup> Ibid., paragraphs 66-74.

<sup>14</sup> Ibid., paragraphs 75-119undeciens.

## **11. Chapter X: Institutional framework for sustainable development<sup>15</sup>**

41. The Chapter recognizes that an effective institutional framework for sustainable development at all levels was the key to the full implementation of Agenda 21, the follow-up to the outcomes of the World Summit on Sustainable Development and the meeting of the emerging challenges of sustainable development. It recognizes that good governance was essential for sustainable development and calls for strengthening coherence, coordination, monitoring, and increasing effectiveness, and efficiency within and outside the UN system.

In the section on international level, the Plan of Implementation calls for:

- Strengthening collaboration within and between the United Nations system, international financial institutions, the Global Environment Facility and World Trade Organization (WTO);
- Implementation of United Nations Environment Programme (UNEP) Governing Council Resolution relating to International Environmental Governance and establishing universal membership for UNEP;
- Negotiate and Finalize the United Nations Convention Against Corruption.

42. The chapter calls for the UN General Assembly to adopt sustainable development as the key element of the overarching framework for UN activities and reaffirms the role of the Economic and Social Council in over-seeing system-wide coordination and integration of the three pillars of sustainable development in the UN. It also calls for enhancing the role of the Commission on Sustainable Development (CSD) and it should review and evaluate progress and promote further implementation of Agenda 21. The CSD should serve as a focal point for discussions of partnerships, consider more effective use of national reports and regional experiences, and exchange, and promote best practices.

43. Further, it calls for strengthening of institutions at international, regional and national level for the promotion of strategies for sustainable development, as well as enhancing partnerships between governmental and non-governmental actors, including all major groups, on programmes and activities for the achievement of sustainable development at all levels.

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<sup>15</sup> Ibid., pp. 47-54 (paragraphs 120-153)

## **II. THE UNITED NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE (UNFCCC)**

### **A. Background**

44. The UNFCCC was concluded on 9 May 1992 and opened for signature at the UNCED in June 1992. The Convention entered into force on 21<sup>st</sup> March 1994 and as at 17<sup>th</sup> February 2003 it has 188 Parties.<sup>16</sup>

45. 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. The Protocol would enter into force on the ninetieth day after the date on which it has been ratified by at least 55 States Parties to the UNFCCC, including States Parties listed in Annex I which accounted for in total, for at least 55 per cent of the total carbon and dioxide emissions for 1990.

46. Subsequent to the adoption of the Kyoto Protocol, intensive efforts continued to negotiate its operational details, which would facilitate wider ratification and entry into force of the Protocol.<sup>17</sup> As at 20 March 2003, there were 106 Parties to the Kyoto Protocol.<sup>18</sup>

47. 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

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<sup>16</sup> For status of participation of AALCO Member in the UNFCCC see Table in Annex I.

<sup>17</sup> In order to enter into force, the Protocol must be ratified 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%. Till 18 December 2002, the Protocol has received 100 ratifications. The developed country ratifications now account for 43.7% of 1990 CO<sub>2</sub> emissions. Russia’s 17.4% will be essential for pushing the tally over the required 55% limit. For details see UNFCCC-Secretariat, “Kyoto Protocol receives 100<sup>th</sup> ratification: Widespread support suggest Protocol may enter into force in early 2003”, *UNFCCC Press Release*, dated 18 December 2002.

<sup>18</sup> For status of participation of AALCO Member in the Kyoto Protocol see Table in Annex I.

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 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.

48. 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 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.

49. 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.

## B. Eighth Conference of Parties to the UNFCCC<sup>19</sup>

50. The Eighth Conference of Parties to the UNFCCC and the seventeenth session of the COP's Subsidiary Body for Implementation (SBI) and Subsidiary Body for Scientific and Technological Advice (SBSTA) took place in New Delhi from 23 October to 1 November 2002. The meeting was attended by 5000 participants from 167 Parties, 3 observer states, 213 intergovernmental, non-governmental, and other observer organizations.

51. 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<sup>th</sup> October 2002.

52. The meeting was noteworthy for the adoption of Delhi Ministerial Declaration on Climate Change and Sustainable Development. The other important decisions adopted by the meeting relate to procedures for reporting and reviewing emission data from developed countries; improved guidelines for national communications from developing countries; guidance to Global Environment Facility on the priorities for the Special Climate Change Fund and a least developed country fund. Another accomplishment of the Conference was making the Kyoto Protocol's Clean Development Mechanism (CDM) fully operational. Some of these decisions are elaborated below.

53. **Kyoto Protocol: The Dominant Theme:** The matter relating to the ratification of Kyoto Protocol and adequacy of commitments/developing country commitments dominated the two-week proceedings. The debate centered on how to ensure the entry into force of the Kyoto Protocol in view of the US position<sup>20</sup> as well as difference in opinion on this issue amongst the other developed and developing countries. Since 1997, when the Protocol was signed, developing countries had taken the view that negotiations tended to focus exclusively on protocol-related matters. On the one hand, some of the developed countries raised the contentious issue of future commitments to reduce greenhouse gases, with the rationale that existing commitments were not sufficient and that it would take a long time to negotiate the basis for developing country commitments, just as it had on Kyoto commitments. On the other hand, the developing countries were categorical that they wanted to limit the negotiation process to the existing commitments,

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<sup>19</sup> This section of the brief is based upon advance unedited version of the decisions of COP-8 available on the website of UNFCCC: <http://unfccc.int>; UNFCCC Secretariat, "Ministers call for effective action to limit emissions and reduce vulnerability to climate change", *UNFCCC Press Release* dated 1 November 2002; Summary of the Eighth Conference of Parties to the United Nations Framework Convention on Climate Change: 23 October – 1 November 2002", *Earth Negotiations Bulletin*, vol. 12, no. 209 dated 4 November 2002 available online at <http://www.iisd.ca/linkages/climate/cop8/>; and Anju Sharma, et al, "Ethics: What was Missing at Climate Change talks", *Down to Earth*, vol. 11, no. 13 (30 November 2002, New Delhi), pp. 30-37.

<sup>20</sup> On 11 June 2001, President George Bush of the USA declared that the "Kyoto Protocol was fatally flawed in fundamental ways", hence the USA would not ratify it. He believed that complying with Kyoto mandated would have a "negative economic impact" for America. For the text of speech see website: <http://www.whitehouse.gov/news/releases/2001/06/20010611-2.html>.

as there was no evidence yet that the developed countries had met with their commitments. The “key developing nations”, namely Brazil, China, India and Indonesia were opposed to any negotiations on the issue of taking on commitments or of future commitments. Further, the Oil Producing Exporting Countries (OPEC) sub-group within the Group of 77 (G-77) nations opposed any attempt to introduce reduction in fossil fuel use, as it would be affecting their economies. However, a group of developing countries mainly consisting of small island states wanted to initiate a process to include developing countries. Finally, the Delhi Declaration reiterates the importance of carrying out all existing international commitments under the UNFCCC and calls for an early ratification of the Kyoto Protocol.

**54. Procedures for reporting and reviewing emissions data from developed countries:** The conference concluded three years of work on the procedures for reporting and reviewing emission data from developed countries. The guidelines were revised to improve the transparency, consistency, comparability, completeness, and accuracy of the reported national greenhouse gas inventories and other information. The Annex I Parties are required to submit their Report using these “Guidelines for the preparation of national communications by Parties included in Annex I to the Convention”. The revised guidelines provide for an international system for ensuring national data on GHG emissions and the Annex I parties are required to submit their national reports by 15<sup>th</sup> April each year beginning in the year 2004. This would, it is hoped, safeguard the integrity of the Kyoto agreement and promote compliance with Kyoto targets.

**55. National Communication from Non-Annex parties:** This issue also saw divergence in opinion between developed and developing countries. On the one hand, the developing countries were of the view that stringent guidelines would force them to provide data on GHG emissions, which could then be used to force commitments on them. The developed countries, on the other hand, wanted guidelines that are more detailed. Finally, the Parties agreed upon “Guidelines for the preparation of national communication from Parties not included in Annex I to the Convention”. The guidelines provide: (a) non-Annex I Parties should use the guidelines for the preparation of second and, where appropriate, third national communications, except where Parties have initiated the process of preparing the second national communications; (b) the guidelines should be used to provide guidance to an operating entity of the financial mechanism for funding the preparation of national communication; and (c) COP-9 shall determine the frequency of submissions.

**56. Guidance to Global Environment Facility and Priorities for Special Funds:** The meeting carried out a review of the financial mechanisms and provided guidance to the GEF-an entity operating the financial mechanism of the Convention-on priorities for two new Funds-the Special Climate Change Fund and a Least Developed Country Fund (LDC Fund). The purpose of these funds is to help developing countries adapt to climate change impacts, obtain clean technologies, and limit growth in their emissions. The GEF was requested to enhance its strategic business plan for the allocation of scarce GEF resources, and to include in its report to COP-9 detailed information on how it has applied the guidance on funding activities related to decisions of the COP. The COP

decision on guidance to an entity entrusted with the operation of the UNFCCC financial mechanism for the LDC Fund requested the financial mechanism to ensure the speedy release and disbursement of funds and timely assistance for the preparation of National Adaptation Programme of Action (NAPA) and the organization of four regional workshops on advancement of the preparation of NAPAs.

**57. Clean Development Mechanism:** At COP-8 the Protocol's Clean Development Mechanism became fully operational. The CDM executive board set up at COP-7 presented its report to the Conference, which formed the basis for further deliberations. CDM seeks to channel private-sector investment into emissions-reduction projects in developing countries, while offering industrialized governments credits against their Kyoto targets. The board simplified rules to implement small-scale projects, with the aim to reduce the transaction cost involved in such projects. Detailed definitions of small-scale projects under different categories-such as renewable energy, energy efficiency improvement-were evolved. It also set different registration fees for different projects depending on the amounts of reduction achieved. The first projects are now likely to be approved during the first quarter of 2003. COP-8 adopted a decision on "Guidance to the Executive Board of the clean development mechanism", which inter alia adopts the rule of procedure of the Executive Board; adopts simplified modalities and procedures for small-scale clean development mechanism projects activities and authorizes Executive Board to accredit operational entities and designate them on a provisional basis.

**58. The Delhi Ministerial Declaration on Climate Change and Sustainable Development:** The Delhi Declaration recalls the UNFCCC ultimate objective; reaffirms development and poverty eradication as overriding priorities in developing countries; recognized with concern the findings of the Third Assessment Report and its ongoing consideration in the SBSTA, notes the need for both mitigation and adaptation measures; expresses concern at the vulnerability of developing countries, especially LDCs and small island developing states; and recognizes Africa as the region suffering most from the combined impacts of climate change and poverty. The Declaration calls upon Parties that have ratified the Kyoto Protocol to urge others to ratify the Kyoto Protocol in a timely manner. It calls for policies and measures specific to each country's conditions, integration of climate change objectives into national sustainable development strategies, and implementation of UNFCCC commitments according to Parties common but differentiated responsibilities, development priorities and circumstances. Its stresses adaptation, the exchange of information, and consideration of developing country concerns arising from the adverse effects of climate change and implementation of response measures.

The Declaration further calls for development, dissemination, and investments in innovative technologies, the strengthening of technology transfer, as well as improved energy access, diversification of energy supplies and an increase in the use of renewable energy. It also stresses the need for Annex I Parties to take the lead and further implement their commitments under the UNFCCC, including with regard to the provision of financial resources, technology transfer, and capacity-building.

59. The Conference also decided that COP-9 would take place from 1-12 December 2003 in Italy.



### **III. CONVENTION ON BIOLOGICAL DIVERSITY**

#### **A. Background**

60. 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 at 13 December 2002, 187 States have ratified the Convention.<sup>21</sup> 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.

61. From the time it has entered into force, six 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.

62. 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 currently as at 20 March 2003 has 45 Parties.<sup>22</sup>

63. 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. 2,100 participants from 176 countries, intergovernmental and non-governmental organizations attended COP-6.

64. The Third Meeting of the Intergovernmental Committee for the Cartagena Protocol on Biosafety (ICCP-3) took place from 22 to 26 April 2002 at The Hague, the Netherlands.

65. Herein an attempt is made to analyze some of the important decisions arrived at these two meetings.

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<sup>21</sup> For Status of AALCO Member States participation in CBD see Table in Annex.

<sup>22</sup> For Status of AALCO Member States participation in Caratgena Protocol see Table in Annex.

## **B. Sixth Meeting of the Conference of Parties to the Convention on Biological Diversity<sup>23</sup>**

66. Delegates to COP-6 considered and adopted 36 decisions on the following substantive topics: forest biodiversity; alien species that threaten ecosystems, habitats and species; the Global Taxonomy Initiative (GTI); the Global Strategy for Plant Conservation (GPSC); the ecosystem approach; sustainable use; incentive measures; liability and redress; progress on ecosystems themes; 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); education and public awareness; cooperation with other conventions and international initiatives; a contribution to the ten-year review of Agenda 21; and Article 8 (j) on traditional knowledge. The Ministerial Meeting adopted The Hague Ministerial Declaration. Among the decisions arrived the decisions on “priority issues” include decisions on: Forest biological diversity; Alien Species that threaten Ecosystems, Habitats or Species; Access and Benefit-Sharing as related to Genetic Resources; and Strategic Plan.

67. **Revised work programme on forest biological diversity:** In arriving at decision on this item, the COP considered the work programme recommended by SBSTTA-7 (Montreal, November 2001). During deliberations, many delegates emphasized upon the ecosystem approach, underscored the need for balance between Convention’s objectives, and called for collaboration and synergies with the UN Forum on Forests (UNFF). International v. national priority setting was keenly debated. Many developing countries called for financing, technology transfer, and capacity-building and emphasized the link between poverty alleviation and forest conservation. Some delegates stressed the work programme’s applicability to all types of forests, while others prioritized primary forests. Several delegates prioritized combating illegal logging and trade, while some developing countries preferred addressing “irresponsible” or “unsustainable logging”. Finally, after long and difficult discussions the work programme recommended by SBSTTA was adopted.

68. Decision VI/22 on Forest biological diversity expands the work programme on forest biological diversity from research to practical action. The main source for many elements in the expanded work programme is the detailed review on the status and trends of, and major threats to Forest biological diversity. The COP expressed the need for action to ensure conservation and sustainable use of biological diversity of all types of forests considering that urgent action is needed for forests that are ecologically significant and/or most important for biological diversity on national and regional scales and according to national priorities, where forest biodiversity loss is significant or of great

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<sup>23</sup> In the preparation of this section of the Brief reference to the following documents have been made: UNEP, *Report of the Sixth Meeting of the Conference of Parties to the Convention on Biological Diversity*, UNEP/CBD/COP/6/20, dated 27 May 2002; Secretariat of the Convention on Biological Diversity, *CBD News*, vol. 2, no. 1 (January/July 2002) and *Earth Negotiations Bulletin*, vol. 9, no. 239 dated 22 April 2002 available online at: <http://www.iisd.ca/linkages/biodiv/cop6/> and also in general other information available at the website: <http://www.biodiv.org>.

concern, and in areas with greatest potential for conservation, sustainable use and benefit-sharing.

69. The expanded work programme has three programme elements: (1) conservation, sustainable use and benefit-sharing, (2) institutional and socio-economic enabling environment, and (3) knowledge, assessment and monitoring. The programme has altogether 130 activities and most of these activities are required to be implemented on national level, with Parties selecting their priorities according to their needs and circumstances. The role of the international community is to support the implementation of the work programme. The decision also includes action on developing criteria and indicators for the assessment of the status and trends of biological diversity, on non-timber forest resources, on forest fires, climate change and research and monitoring activities.

70. **Alien Species that threaten Ecosystems, Habitats or Species:** The meeting considered the important issue of invasive alien species with the aim to provide a common basis for efforts at the international, regional and national level to address this major environmental problem. The adoption of the “Guiding Principles for the Prevention, Introduction and Mitigation of Impacts of Alien Species that Threaten Ecosystems, Habitats or Species” faced opposition from Australia as it believed that there was ambiguity in the language on the precautionary approach in principles 1 (precautionary approach) and 10 (intentional introduction) and they could allow countries to avoid obligations under trade agreements. Ultimately, the meeting noted Australian and European Union reservations on the issue and adopted decision VI/23.

71. The decision recognized invasive alien species as a primary threat to biodiversity and requested the SBSTTA, the Global Invasive Species Programme and others to identify gaps and inconsistencies in the international regulatory framework and to evaluate introduction pathways. It urged the International Maritime Organization (IMO) to complete preparation of an international instrument on ballast water. The Annex to the decision contains fifteen guiding principles. Its introduction defines use of terms on alien species, invasive alien species, introduction, intentional introduction, and unintentional introduction; establishes that the principles are non-binding, and that implementation depends upon available resources. The principle addresses: the precautionary approach; the three-stage hierarchical approach (prevention, eradication, control); the ecosystem approach; the role of States; research and monitoring; education and public awareness; border control and quarantine measures; exchange of information; cooperation, including capacity-building; intentional introduction; unintentional introductions; mitigation of impacts eradication; containments; and control.

72. **Access and Benefit-Sharing as related to Genetic Resources:** The adoption of the Bonn Guidelines on access to genetic resources and the fair and equitable sharing of the benefits arising out of their utilization was one of the highlights of COP-6. Decision VI/24 inter alia addresses sections on: the Bonn Guidelines on ABS; other approaches, including capacity-building; and the role of IPRs in the implementation of ABS arrangements.

73. The Bonn Guidelines are meant to assist Governments in developing an overall access and benefit sharing strategy and in the establishment of appropriate procedures and measures for the implementation of this strategy. In turn, stakeholders such as foreign companies, researchers, and collectors wishing to obtain access to genetic resources may identify the steps involved in the process of obtaining access to genetic resources. The guidelines provides for elements for consideration when establishing the terms under which access to genetic resources will take place in return for an equitable share of the benefits arising from their utilization with the country of origin or the providing country.

74. The need to build capacities for the effective implementation of the Convention's ABS provisions at all levels from the local to the international was recognized. It was agreed that an Expert Workshop on ABS capacity-building would be held to develop an action plan to meet the needs and priorities of developing countries in a coordinated manner and to identify mechanisms of implementation and sources of funding.

75. On the issue of intellectual property rights and their relationship with ABS arrangements, the COP invited Parties and Governments to encourage the disclosure of the country of origin of genetic resources and of related traditional knowledge, innovations and practices relevant to the conservation and sustainable use of biological diversity in applications for intellectual property rights, where the subject matter of the application concerns or makes use of genetic resources and/or traditional knowledge in its development. It was also recognized that further work was needed to access the implications and efficacy of such measures. World Intellectual Property Organization (WIPO) and other relevant international organizations have been invited to assist with this work.

76. **Strategic Plan:** Decision VI/26 adopts the "Strategic Plan for the Convention on Biological Diversity". The Plan commits Parties to achieve by 2010 a significant reduction of the current rate of biodiversity loss. It urges States to review their activities, especially National Biodiversity Strategic Action Plans (NBSAP) in the light of the Strategic Plan and aims at the improvement of the financial, human, scientific, technical, and technological capacity of Parties to implement the Convention.

77. **The Hague Ministerial Declaration:** The Ministerial Round Table took place on 17-18 April 2002 in which approximately 130 ministers and heads of delegations participated. The Declaration 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.

### C. **Third Meeting of the Intergovernmental Committee for the Cartagena Protocol on Bio-safety:**<sup>24</sup>

78. The third meeting of the Intergovernmental Committee for the Cartagena Protocol on Bio-safety (ICCP-3) was held at The Hague, the Netherlands from 22 to 26 April 2002. The need for a third meeting of the ICCP resulted from the fact that the Protocol had not entered into force in time to convene the First Meeting of Parties (MOP-I). The meeting adopted thirteen recommendations, which will be considered by the first Conference of the Parties serving as the MOP.

79. The most contentious areas of discussion at ICCP-3 concerned compliance, liability and redress, and handling, transport, packaging and identification, particularly regarding provisions in Article 18.2 on documentation for living modified organisms (LMOs) for food, feed or processing, contained use and intentional introduction.

80. **Liability and Redress:** The need for a liability regime under the Protocol and its independence from the process under the CBD was keenly discussed. In this regard suggestion such as: intermediary mechanism for countries without liability regime; mix of civil and state liability; creation of a compensation fund with contributions from the biotechnology industry; and a broad and comprehensive definition of damage based upon the principle of strict liability.

81. The recommendation invites Parties and others to submit information on national, regional and international agreements in the field of liability and redress, and requests the CBD Executive Secretary to continue gathering information on issues under international law and make it available at MOP-1. A questionnaire that addresses activities most likely to cause damage, criteria for assessing damage, types of activities to be covered, and definition of damage resulting from transboundary movements of LMOs in comparison with damage under CBD Article 14.2. It also covers channeling and standards of liability, exemptions and limitations, jurisdiction and enforcement of judgments, relevance of arbitration, State liability, and responsibility, and issues of legal interests to make claims.

82. **Compliance:** The deliberations on this issue saw difference in opinion between the developing and developed countries. While the developing countries stressed for retaining language on common but differentiated responsibilities and reference to Rio Principle 7, some developed countries opposed reference to either the concept or Rio Principle 7. The recommendation contains sections on: objective, nature and underlying principles; institutional mechanisms; functions of the compliance committee; procedures; information and consultation; measures to promote compliance and address non-compliance; and review of the procedures and mechanisms.

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<sup>24</sup> This part of the Brief is based upon Summary of the Meeting contained in *Earth Negotiations Bulletin*, vol. 9, no. 244 available online at: <http://www.iisd.ca/linkages/biodiv/iccp3/> dated 29 April 2002.

83. **Handling, Transport, Packaging, and Identification:** The need for having documentation on LMOs for contained use or intentional introduction was keenly discussed. However, there remained a lack of consensus within the Working Groups on this crucial issue and the final recommendation adopted by the plenary notes that lack of consensus does not set aside obligations to implement Article 18.2. The recommendation calls for more detailed guidance for consideration by MOP-1.

84. On Article 18.2 (b) pertaining to LMOs for contained use, it recommends information to be provided should include: clear identification as “LMOs”, with brackets around specific reference to the organism’s name and “as destined for contained use”; specification of requirements for the safe, handling, transfer, packaging and use; a contact point for further information; and contact information for the individual or the institution where the LMOs are consigned.

85. Regarding Article 18.2 (c) pertaining to LMOs for intentional introduction the text recommends providing information on: clear identification as “LMOs”; specification of identity and relevant traits/characteristics as identified through a brief description of the organism, and, in brackets, where available and applicable, a reference to a system of identification and other requirements in accordance with the LMOs regulatory status in the importing party; any requirements for safe handling, storage, transport and use; a contact point for further information; contact information for the exporter and importer; and a declaration that the transboundary movement is in conformity with the Protocol’s requirement applicable to the exporter.

86. The Plenary called upon the Parties to the CBD to ratify the Biosafety Protocol so that it may enter into force at an early date.

## **IV. UNITED NATIONS CONVENTION TO COMBAT DESERTIFICATION**

### **A. Background**

87. The United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and Desertification, Particularly in Africa (CCD) was adopted on 17 June 1994 and opened for signature in Paris in October 1994. The Convention entered into force on 26 December 1996. As at 20 March 2003, there are 186 Parties to the Convention.<sup>25</sup>

88. 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.

89. 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 Conference of the Parties.

90. 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, 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 make recommendations for their implementation.

91. 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’s (GEF) Council initiative to explore the best options for GEF support for CCD implementation. In addition, the Ad hoc Working Group (AHWG) continued its review of various national, sub-regional, and regional reports and discusses strategies and policy frameworks to enhance the implementation of the Convention.

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<sup>25</sup> For Status of AALCO Member States participation in the UNCCD see table in Annex.

92. The Fifth Conference of Parties (COP-5) was held in Geneva from 1<sup>st</sup> to 13<sup>th</sup> 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.

93. The first session of the CRIC 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.

## **B. First Meeting of the Committee to Review the Implementation of the Convention<sup>26</sup>**

94. The Committee to Review the Implementation of the Convention (CRIC), established by the COP-5 is mandated to assist the COP in regularly reviewing the implementation of the Convention, in the light of experience gained at the national, subregional, regional and international levels, and to facilitate the exchange of information on measures adopted by the Parties, pursuant to article 26 of the Convention, in order to draw conclusions and to propose to the COP concrete recommendations on further steps in the implementation of the Convention.

95. During the two week session, the CRIC held eighteen meetings, and considered the reports on implementation of the Convention, submitted by African, Asian, Latin American and Caribbean, Northern Mediterranean, Central and Eastern European and other affected country Parties, as well as relevant subregional and regional reports. It also considered the reports by developed country Parties on measures taken to assist in the preparation and implementation of the action programmes of all regions, including information on financial resources they have provided, or are providing, under the Convention, as well as information provided by relevant organs, funds and programmes of the UN system, as well as other intergovernmental and non-governmental

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<sup>26</sup> This part of the brief is based upon: UNCCD, *Report of the Committee on its First Session, held in Rome from 11 to 22 November 2002*, ICCD/CRIC (1)/10 dated 17 January 2003; and the Summary of the Meeting contained in the *Earth Negotiations Bulletin*, vol. 4, no. 162 dated 25 November 2002 available online at website: <http://www.iisd.ca/linkages/desert/cric1/>.



organizations, on their activities in support of the preparation and implementation of action programmes under the Convention.

96. The meeting, formulated its “Conclusions and Concrete Recommendations on Further Steps in the Implementation of the Convention” for the consideration of COP-6, which would decide upon the action on CRIC-1 recommendations at the national, subregional, regional and international levels. These measures inter alia include: developing capacity-building measures and incentives to improve the involvement of a wide range of stake holders; addressing the mainstreaming of National Action Plans into appropriate planning frameworks through consultative processes; strengthening the institutional capacity of national focal points; encouraging cooperation between national focal points and the local representatives of development agencies and GEF national focal points; undertaking a comprehensive study to provide a perspective on the financial requirements of the CCD in response to public interests concerns in the environmental, economic, social, and political areas in relation to the costs of inaction; ensuring that NAP implementation creates linkages to initiatives under other MEAs; and strengthening the linkages between planned financial and technical support in affected areas and CCD initiatives, and pursuing inter-ministerial cooperation.

97. The CRIC-1 was a step in the movement of the CCD process from the planning phase to actual implementation. At the meeting, the delegates reviewed the implementation of the Convention and submitted their recommendations to the COP on the progress made to combat desertification. However, issues such as what was actually the mandate of the CRIC; the directions in which its work should proceed; and how should the outcomes of WTO’s Fourth Ministerial Meeting, the International Conference on Financing of Development, World Food Summit + 5, the G-8 Summit, the WSSD and the Second GEF Assembly etc., also figured prominently during the course of the meeting.

## **V. Issues for focused deliberations at the 42<sup>nd</sup> Session of AALCO**

### **A. World Summit on Sustainable Development**

98. The attainment of the objective of sustainable development *inter alia* requires also the strengthening of the international environmental governance Chapter X of the Plan provides for an “Institutional Framework for Sustainable Development” and declares “good governance” as essential for sustainable development”. The Plan delineates how the institutional framework for sustainable development could be strengthened at the international, regional, and national levels. Deliberations on the commitments made in this chapter may form an issue for focused deliberation at the 42<sup>nd</sup> Session of AALCO, as these commitments would determine the structure for any future international environmental governance.

99. Wider participation in multilateral environmental agreements (MEAs) by States is *inter alia* required to attain the goal of sustainable development and is called for by the Plan of Implementation. What steps could be taken to promote wider ratification of legal instruments in the AALCO Member States? This is an area, which could be taken up for discussion.

100. The attainment of targets set by the Johannesburg Summit in the prescribed timeframe would require necessary capacity-building particularly in the developing countries. Capacity-building requires raising of adequate financial resources as well as it is linked with the transfer of technology issue also. Therefore, it may be useful to deliberate upon how the key issues of capacity building, financial mechanisms, and technology transfer could be addressed to achieve the targets in the Plan of Implementation within the stipulated timeframe.

### **B. United Nations Framework Convention on Climate Change**

101. As regards the UNFCCC, the entry into force of the 1997 Kyoto Protocol is the key issue. The Millennium Declaration adopted by the General Assembly in December 2000 had urged States to ratify the Kyoto Protocol. Later on, it was hoped that either before the Johannesburg Summit or COP-8, the Protocol would enter into force. However, it did not happen.

102. Thus, the key challenge before the Parties to this Protocol is to ensure its entry into force, without the largest emitter of Carbon emissions-the United States of America, which had in March 2001 refused to become a Party to the Protocol. In addition, after its entry into force the developed countries are required to undertake necessary and immediate steps to implement the legally binding commitments contained in the Protocol, particularly through domestic action. Furthermore, the funding provisions adopted by the COP-6 (Part II at Bonn, July, 2001) are required to be implemented by the developed countries. In addition, the principles and modalities of the Kyoto mechanisms, namely emission trading, joint implementation and clean development mechanism are adhered to once the Protocol enters into force. How to achieve the attainment of these mechanisms

without diluting the principle of common but differentiated responsibility is an issue for consideration.

### **C. Convention on Biological Diversity**

103. The entry into force of the Cartagena Protocol on Biosafety remains a key issue. In this regard, developing countries are required to understand the complex issues involved in the handling and use of living modified organisms. This entails better access to information gathering techniques, training, and research facilities. The decisions arrived at ICCP-3 on some of these issues needs to be carefully analyzed with a view to attain maximum benefits out of genetic engineering. Member States may deliberate upon how to promote its ratification as well as the reasons, which are preventing many of AALCO Member States from ratifying the Protocol.

104. Although the issue relating to the Alien Species is now being addressed through Guidelines. However, the international community may also examine the need for having a Protocol on the prevention, control, and eradication of those alien species that threaten the ecosystems. The ways in which Plant and Animal Quarantine mechanism could be strengthened within the Member States may also be deliberated upon.

### **D. United Nations Convention to Combat Desertification**

105. Lack of funding had been the major barrier to the implementation of the Convention. In this regard, the Johannesburg Summit had stressed the need to mobilize adequate and predictable financial resources for the implementation of the UNCCD. To that end, the WSSD had called upon the GEF Assembly to take action on the recommendations of the GEF Council concerning the designation of land degradation (primarily desertification and deforestation) as one of its focal areas, as a means of GEF support for the successful implementation of the UNCCD. The GEF Assembly has decided to declare the Facility's availability to serve as a financial mechanism of the UNCCD, should the COP-6 so decide at its next session. In the light of this, the ways and means through which the GEF may serve as a better financial mechanism for the UNCCD may be deliberated upon.

106. For successful attainment of the UNCCD objectives, it is essential to have harmonization of existing legal frameworks. Despite the fact that progress has been made in some areas, an assessment of the impact in terms of enforcement is necessary to evaluate its effectiveness. The legislations relevant in this regard would inter alia include legislations relating to land use legislation, conservation codes and regulatory framework dealing with the environment, natural resource management. AALCO Member States may deliberate upon the need for review and harmonization of relevant legislation on natural resource management, land and water rights and decentralization and bring out the best practices. It would not be out of place to mention that the need for more coherent legislative codes; policy instruments and strategic frameworks dealing with sustainable land management has emerged as one of the main challenges and opportunities for the UNCCD process. The Secretariat may in this regard be entrusted with the task of

preparing a compendium of laws. However, it would be desirable to identify the specific areas.

## ANNEX

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

**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	—
2.	Bahrain	8 June 1992	28 December 1994	—	—
3.	Bangladesh	9 June 1992	15 April 1994	—	22 October 2001 a
4.	Botswana	12 June 1992	27 January 1994	—	—
5.	Cyprus	12 June 1992	15 October 1997	—	16 July 1999 a
6.	Democratic Peoples' Republic of Korea	11 June 1992	5 December 1994 (AA)	—	—
7.	Federal Republic of Nigeria	13 June 1992	29 August 1994	—	—
8.	Gambia	12 June 1992	10 June 1994	—	1 June 2001 a
9.	Ghana	12 June 1992	6 September 1995	—	—
10.	Hashemite Kingdom of Jordan	11 June 1992	12 November 1993	—	17 January 2003 A
11.	India	10 June 1992	1 November 1993	—	26 August 2002 a
12.	Indonesia	5 June 1992	23 August 1994	13 July 1998	—
13.	Islamic Republic of	14 June 1992	18 July 1996	—	—

	Iran				
14.	Japan	13 June 1992	28 May 1993 (A)	28 April 1998	4 June 2002 a
15.	Kenya	12 June 1992	30 August 1994	—	—
16.	Lebanon	12 June 1992	15 December 1994	—	—
17.	Libyan Arab Jamahriya	29 June 1992	14 June 1999	—	—
18.	Malaysia	9 June 1993	13 July 1994	12 March 1999	4 September 2002
19.	Mauritius	10 June 1992	4 September 1992	—	9 May 2001 a
20.	Mongolian Peoples' Republic	12 June 1992	30 September 1993	—	15 December 1999 a
21.	Myanmar	11 June 1992	25 November 1994	—	—
22.	Nepal	12 June 1992	2 May 1994	—	—
23.	Pakistan	13 June 1992	1 June 1994	—	—
24.	Palestine	—	—	—	—
25.	People's Republic of China	11 June 1992	5 January 1993	29 May 1998	30 August 2002 AA
26.	Philippines	12 June 1992	2 August 1994	15 April 1998	—
27.	Republic of Iraq	—	—	—	—
28.	Republic of Korea	13 June 1992	14 December 1993	25 September 1998	8 November 2002
29.	Republic of Singapore	13 June 1992	29 May 1997	—	—
30.	Republic of Uganda	13 June 1992	8 September 1993	—	25 March 2002 a
31.	Republic of Yemen	12 June 1992	21 February 1996	—	—
32.	Saudi Arabia	—	28 December 1994 a	—	—
33.	Senegal	13 June 1992	17 October 1994	—	20 July 2001 a
34.	Sierra Leone	11 February 1993	22 June 1995	—	—
35.	Somalia	—	—	—	—
36.	Sri Lanka	10 June 1992	23 November 1993	—	3 September 2002 a
37.	State of Kuwait	—	28 December 1994 a	—	—
38.	State of Qatar	—	18 April 1996 a	—	—
39.	Sudan	9 June 1992	19 November 1993	—	—
40.	Sultanate of Oman	11 June 1992	8 February 1995	—	—
41.	Syrian Arab Republic	—	4 January 1996 a	—	—
42.	Thailand	12 June 1992	28 December 1994	2 February 1999	28 August 2002

43.	Turkey	—	—	—	—
44.	United Arab Emirates	—	29 December 1995 a	—	—
45.	United Republic of Tanzania	12 June 1992	17 April 1996	—	26 August 2002 a

### 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 and *Multilateral Treaties Deposited with the Secretary-General: Status as at 31 December 2001*, (UN, New York, 2002), vol. II, pp. 392-97. The information on website for UNFCCC is updated till 17 February 2003, whereas for the Kyoto Protocol it is updated till 20 March 2003: <http://unfccc.international/resource/convention/ratlist.pdf>. (website accessed on 22 March 2003).

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 17 February 2003, there were 188 Parties to the UNFCCC. It has been ratified/acceded to by 41 AALCO Member States. Amongst AALCO Member States Palestine, Republic of Iraq, Somalia and Turkey are non-Parties to the Convention. Turkey is an Observer State to the UNFCCC.

### **Kyoto Protocol**

(i) As at 20 March 2003, there were 106 Parties to the Kyoto Protocol. It has not yet entered into force, as the requirement relating to at least 55 % of emission from Annex I Parties has not been fulfilled. It has been ratified/acceded to by 16 AALCO Member States. AALCO Member States Parties to this Protocol are: Bangladesh, Cyprus, Gambia, Hashemite Kingdom of Jordan, India, Japan, Malaysia, Mauritius, Mongolian People's Republic, People's Republic of China, Republic of Korea, Republic of Uganda, Senegal, Sri Lanka, Thailand, and United Republic of Tanzania.

(ii) Indonesia, Philippines, and Arab Republic of Egypt are Signatory to the Kyoto Protocol.

**(ii) As out of forty-five AALCO Member States, only 16 Member States have ratified the Kyoto Protocol, the reasons for lesser participation of AALCO Member States may be deliberated upon.**

Table II: 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	
2.	Bahrain	9 June 1992	30 August 1996	—	—
3.	Bangladesh	5 June 1992	3 May 1994	24 May 2000	—
4.	Botswana	8 June 1992	12 October 1995	1 June 2001	11 June 2002
5.	Cyprus	12 June 1992	10 July 1996	—	—
6.	Democratic Peoples' Republic of Korea	11 June 1992	26 October 1994 (AA)	20 April 2001	—
7.	Federal Republic of Nigeria	13 June 1992	29 August 1994	24 May 2000	—
8.	Gambia	12 June 1992	10 June 1994	24 May 2000	—
9.	Ghana	12 June 1992	29 August 1994	—	—
10.	Hashemite Kingdom of Jordan	11 June 1992	12 November 1993	11 October 2000	—
11.	India	5 June 1992	18 February 1994	23 January 2001	17 January 2003
12.	Indonesia	5 June 1992	23 August 1994	24 May 2000	—
13.	Islamic Republic of Iran	14 June 1992	6 August 1996	23 April 2001	—
14.	Japan	13 June 1992	28 May 1993 A	—	—
15.	Kenya	11 June 1992	26 July 1994	15 May 2000	24 January 2002
16.	Lebanon	12 June 1992	15 December 1994	—	—
17.	Libyan Arab Jamahriya	29 June 1992	12 July 2001	—	—
18.	Malaysia	12 June 1992	24 June 1994	24 May 2000	—
19.	Mauritius	10 June 1992	4 September 1992	—	11 April 2002 (a)
20.	Mongolian Peoples' Republic	12 June 1992	30 September 1993	—	—
21.	Myanmar	11 June 1992	25 November 1994	11 May 2001	—



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

## 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 and *Multilateral Treaties Deposited with the Secretary-General: Status as at 31 December 2001*, (UN, New York, 2002), vol. II, pp. 398-402.

The information on the website of the Convention regarding Parties to the CBD is updated till 13 December 2002: <http://www.biodiv.org/world/parties.asp>. (accessed on 21 March 2003).

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 13 December 2002, there were 187 Parties to the CBD. It has been ratified/acceded to by 42 AALCO Member States. Amongst AALCO Member States Palestine, Republic of Iraq, and Thailand are non-Parties to the CBD. Thailand is a signatory to the Convention.

### **Cartagena Protocol on Biosafety**

(i) As at 20 March 2003 there were 45 Parties to the Biosafety Protocol. It has been ratified/acceded to by only five AALCO Member States. AALCO Member States Parties to this Protocol are: Botswana, India, Kenya, Mauritius, and Republic of Uganda.

(ii) Bangladesh, Democratic People's Republic of Korea, Indonesia, Islamic Republic of Iran, Malaysia, Myanmar, Nepal, Pakistan, People's Republic of China, Philippines, Republic of Korea, Sri Lanka, Turkey, Arab Republic of Egypt, Federal Republic of Nigeria, Gambia, and Senegal are Signatory States to this Protocol.

**(iii) As out of forty-five AALCO Member States, only five Member States have ratified the Catragena Protocol, the reasons for lesser participation of AALCO Member States may be deliberated upon.**

Table III: 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.	Cyprus	—	29 March 2000 a
6.	Democratic Peoples' Republic of Korea	—	—
7.	Federal Republic of Nigeria	31 October 1994	8 July 1997
8.	Gambia	14 October 1994	11 June 1996
9.	Ghana	15 October 1994	27 December 1996
10.	Hashemite Kingdom of Jordan	13 April 1995	21 October 1996
11.	India	14 October 1994	17 December 1996
12.	Indonesia	15 October 1994	31 August 1998
13.	Islamic Republic of Iran	14 October 1994	29 April 1997
14.	Japan	14 October 1994	11 September 1998 a
15.	Kenya	14 October 1994	24 June 1997
16.	Lebanon	14 October 1994	16 May 1996
17.	Libyan Arab Jamahriya	15 October 1994	22 July 1996
18.	Malaysia	6 October 1995	25 June 1997
19.	Mauritius	17 March 1995	23 January 1996
20.	Mongolian Peoples' Republic	15 October 1994	3 September 1996
21.	Myanmar	—	2 January 1997 a
22.	Nepal	12 October 1995	15 October 1996
23.	Pakistan	15 October 1994	24 February 1997
24.	Palestine	—	—
25.	People's Republic of China	14 October 1994	18 February 1997
26.	Philippines	8 December 1994	10 February 2000
27.	Republic of Iraq	—	—
28.	Republic of Korea	14 October 1994	17 August 1999
29.	Republic of Singapore	—	26 April 1999
30.	Republic of Uganda	21 November 1994	25 June 1997
31.	Republic of Yemen	—	14 January 1997 a
32.	Saudi Arabia	—	25 June 1997 a
33.	Senegal	14 October 1994	26 July 1995
34.	Sierra Leone	11 November 1994	25 September 1997
35.	Somalia	—	24 July 2002 a
36.	Sri Lanka	—	9 December 1998 a
37.	State of Kuwait	22 September 1995	27 June 1997
38.	State of Qatar	—	15 March 1999

39.	Sudan	15 October 1994	24 November 1995
40.	Sultanate of Oman	—	23 July 1996 a
41.	Syrian Arab Republic	15 October 1994	10 June 1997
42.	Thailand	—	7 March 2001 a
43.	Turkey	14 October 1994	31 March 1998
44.	United Arab Emirates	—	21 October 1998 a
45.	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 20 March 2003) and UN, *Multilateral Treaties Deposited with the Secretary-General: Status as at 31 December 2001*, (UN, New York, 2002), vol. II, pp. 406-09.

### Inference

As at 20 March 2003, there were 186 State Parties to the UNCCD. All the Member States of AALCO have ratified the United Nations Convention to Combat Desertification, except for the Democratic People's Republic of Korea, Palestine, and Republic of Iraq.