

# Decisions adopted by the first meeting of the Conference of the Parties

NASSAU, BAHAMAS, 28 NOVEMBER–9 DECEMBER 1994

## DECISION I/1 | Rules of procedure for the Conference of the Parties

*The Conference of the Parties*

*Decides* to adopt the rules of procedures of the Conference contained in the annex\* to this decision, with the exception of paragraph 1 of rule 40.

## DECISION I/2 | Financial resources and mechanism

*The Conference of the Parties*

1. *Decides* to adopt the policy, strategy, programme priorities and eligibility criteria for access to and utilization of financial resources contained in annex I to this decision, and the list of developed country Parties and other Parties which voluntarily assume the obligations of developed country Parties contained in annex II to this decision;
2. *Decides* also that the restructured Global Environment Facility (GEF) shall continue to serve as the institutional structure to operate the financial mechanism under the Convention on an interim basis, in accordance with Article 39 of the Convention;
3. *Decides* to instruct the restructured Global Environment Facility to take prompt measures to support programmes, projects and activities consistent with the policy, strategy, programme priorities and eligibility criteria for access to and utilization of financial resources contained in annex I to this decision;
- 4–8. [RETIRED as per decision VI/27, paragraph 3].

## ANNEX I

### POLICY, STRATEGY, PROGRAMME PRIORITIES AND ELIGIBILITY CRITERIA FOR ACCESS TO AND UTILIZATION OF FINANCIAL RESOURCES

#### I. Policy and Strategy

Financial resources should be allocated to projects that fulfil the eligibility criteria and are endorsed and promoted by the Parties concerned. Projects should contribute to

\* The rules of procedure are contained in annex III to the report of the meeting (Document UNEP/CBD/COP/1/17) and are reproduced in chapter III of this Handbook.

the extent possible to build cooperation at the sub-regional, regional and international levels in the implementation of the Convention. Projects should promote utilization of local and regional expertise. The institutional structure should over time assist all eligible countries to fulfil their obligations under the Convention. Policy and strategy may be revised, as necessary, by the Conference of the Parties.

## II. Eligibility Criteria

Only developing countries that are Parties to the Convention are eligible to receive funding upon the entry into force of the Convention for them. In accordance with the provisions of the Convention, projects that seek to meet the objectives of conservation of biological diversity and sustainable use of its components are eligible for financial support from the institutional structure.

## III. Programme Priorities

1. The conservation of biological diversity and sustainable use of its components is one of the key elements in achieving sustainable development and therefore contribute to combating poverty.
2. All the actions contemplated in the Convention will have to be carried out at the national and international level, as appropriate. However, for the purpose of giving direction to the interim structure operating the financial mechanism, a list of programme priorities is given in paragraph 4 below. The list may be revised by the Conference of the Parties, as necessary.
3. Programme priorities should promote utilization of regional and local expertise and be flexible to accommodate national priorities and regional needs within the aims of the Convention.
4. The programme priorities are as follows:
  - (a) Projects and programmes that have national priority status and that fulfil the obligations of the Convention;
  - (b) Development of integrated national strategies, plans or programmes for the conservation of biological diversity and sustainable use of its components in accordance with article 6 of the Convention;
  - (c) Strengthening conservation, management and sustainable use of ecosystems and habitats identified by national Governments in accordance with article 7 of the Convention;
  - (d) Identification and monitoring of wild and domesticated biodiversity components, in particular those under threat, and implementation of measures for their conservation and sustainable use;
  - (e) Capacity-building, including human resources development and institutional development and/or strengthening, to facilitate the preparation and/or implementation of national strategies, plans for priority programmes and activities for conservation of biological diversity and sustainable use of its components;

- (f) In accordance with Article 16 of the Convention, and to meet the objectives of conservation of biological diversity and sustainable use of its components, projects which promote access to, transfer of and cooperation for joint development of technology;
- (g) Projects that promote the sustainability of project benefits; that offer a potential contribution to experience in the conservation of biological diversity and sustainable use of its components which may have application elsewhere; and that encourage scientific excellence;
- (h) Activities that provide access to other international, national and/or private sector funds and scientific and technical cooperation;
- (i) Innovative measures, including in the field of economic incentives, aiming at conservation of biological diversity and/or sustainable use of its components, including those which assist developing countries to address situations where opportunity costs are incurred by local communities and to identify ways and means by which these can be compensated, in accordance with article 11 of the Convention;
- (j) Projects that strengthen the involvement of local and indigenous people in the conservation of biological diversity and sustainable use of its components;
- (k) Projects that promote the conservation and sustainable use of biological diversity of coastal and marine resources under threat. Also, projects which promote the conservation of biological diversity and sustainable use of its components in other environmentally vulnerable areas such as arid and semi-arid and mountainous areas;
- (l) Projects that promote the conservation and/or sustainable use of endemic species;
- (m) Projects aimed at the conservation of biological diversity and sustainable use of its components which integrate social dimensions including those related to poverty.

## ANNEX II

### LIST OF DEVELOPED COUNTRY PARTIES AND OTHER PARTIES WHICH VOLUNTARILY ASSUME THE OBLIGATIONS OF DEVELOPED COUNTRY PARTIES

#### A. List of developed country Parties

Australia	Germany	Monaco	Sweden
Austria	Greece	Netherlands	Switzerland
Canada	Iceland	New Zealand	United Kingdom
Denmark	Italy	Norway	of Great Britain
Finland	Japan	Portugal	& Northern Ireland
France	Luxembourg	Spain	

#### B. List of Parties which voluntarily assume the obligations of developed country Parties

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**ANNEX III****INTERIM GUIDELINES FOR MONITORING AND EVALUATION OF UTILIZATION OF FINANCIAL RESOURCES BY THE RESTRUCTURED GEF**

1. The Conference of the Parties (COP) to the Convention on Biological Diversity decides to instruct the restructured GEF to prepare and submit through the Convention Secretariat an annual report on its operations in support of the Convention.
2. The report should include specific information on how it has applied the guidance and decisions of the COP in its work related to the Convention. This report should be of a substantive nature and incorporate the programme of future activities of the restructured GEF in the areas covered by the Convention and an analysis of how the restructured GEF, in its operations, implemented the policy, strategy, programme priorities and eligibility criteria related to the Convention which have been adopted by the COP.
3. In particular, the report should provide information on the following:
  - (a) A synthesis of the different projects under implementation;
  - (b) A list of project proposals submitted by eligible Parties, for funding, reporting on their approval status;
  - (c) A review of the project activities approved by the restructured GEF and their outcomes, including information on funding and progress in implementation.
4. In order to meet the requirements of accountability to the COP, reports submitted by the restructured GEF should cover all its activities carried out in implementing the Convention, whether decisions on such activities are made by the GEF Council or by the implementing agencies. To this end, it shall make arrangements with such bodies as might be necessary regarding disclosure of information.

**DECISION I/3** | **Clearing-house mechanism for technical and scientific cooperation**
*The Conference of the Parties*

1. *Decides* to implement the provisions of Article 18, paragraph 3, of the Convention on the establishment of a clearing-house mechanism to promote and facilitate technical and scientific cooperation, operating under the authority of the Conference of the Parties;
- 2–4. [RETIRED as per decision VI/27, paragraph 3].

## **DECISION I/4 | Selection of a competent international organization to carry out the functions of the Secretariat of the Convention**

### *The Conference of the Parties*

1. *Designates* the United Nations Environment Programme to carry out the functions of the Secretariat of the Convention while ensuring its autonomy to discharge the functions referred to in Article 24;
- 2–3. [RETIRED as per decision VI/27, paragraph 3].

## **DECISION I/5 | Support to the Secretariat by international organizations**

### *The Conference of the Parties*

1. [RETIRED as per decision VI/27, paragraph 3];
2. *Requests* the Executive Secretary to coordinate with those organizations with a view to entering into such administrative and contractual arrangements as may be required to make effective those offers, as provided for in Article 24.1 (d) of the Convention;
3. *Invites* other competent organizations which wish to do so to make further proposals to the Secretariat in this regard;
4. *Requests* the Executive Secretary to contact the Secretariats of conventions dealing with matters covered by this Convention with a view to establishing appropriate forms of cooperation between this Convention and those conventions and report to the Conference of the Parties on this issue, as provided for in Article 23.4(h) of the Convention.

## **DECISION I/6 | Financing of and budget for the Convention**

### **Part I**

### *The Conference of the Parties*

1. *Adopts* the Financial Rules for the Administration of the Trust Fund for the Convention on Biological Diversity, which are attached as annex I to this decision, to apply in conjunction with the general procedures governing the operations of the Fund of the United Nations Environment Programme and the Financial Regulations and Rules of the United Nations;
2. *Designates* the United Nations Environment Programme as the Trustee of the Trust Fund for the Convention on Biological Diversity;
- 3–9. [RETIRED as per decision VI/27, paragraph 3].

## Part II

[RETIRED as per decision VI/27, paragraph 3]

### ANNEX I

#### **FINANCIAL RULES FOR THE ADMINISTRATION OF THE TRUST FUND FOR THE CONVENTION ON BIOLOGICAL DIVERSITY<sup>67</sup>**

### ANNEX II

#### **PROPOSED BUDGET FOR 1995 AND INDICATIVE BUDGET FOR 1996**

[RETIRED as per decision VI/27, paragraph 3]

## **DECISION I/7 | Subsidiary Body on Scientific, Technical and Technological Advice**

*The Conference of the Parties*

### 1. *Decides:*

- (a) That the Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA) shall operate in accordance with the terms of reference as given in Article 25, paragraphs 1 and 2, until further elaborated by the Conference of the Parties;
  - (b) That SBSTTA shall report to the Conference of the Parties at each of its ordinary meetings;
  - (c) That SBSTTA shall meet sufficiently in advance of each meeting of the Conference of the Parties to enable its report to be considered by Parties in their preparation for the meeting of the Conference of the Parties;
  - (d) [RETIRED as per decision VI/27, paragraph 3];
2. [RETIRED as per decision VI/27, paragraph 3];
3. *Decides also* that it will decide, at each of its meetings, on which topics advice is required for the implementation of the Convention, taking into account its medium-term work programme and SBSTTA's remit as outlined in Article 25;
4. [RETIRED as per decision VI/27, paragraph 3].

## **DECISION I/8 | Preparation of the participation of the Convention on Biological Diversity in the third session of the Commission on Sustainable Development**

*The Conference of the Parties*

*Decides* to invite its President to transmit the statement contained in the annex to this decision to the high-level segment of the Commission on Sustainable Development at its third session.

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<sup>67</sup> The Financial Rules for the Administration of the Trust Fund for the Convention on Biological Diversity and are reproduced in Section V of this Handbook.

**ANNEX****STATEMENT FROM THE CONFERENCE OF THE PARTIES TO THE CONVENTION ON BIOLOGICAL DIVERSITY TO THE COMMISSION ON SUSTAINABLE DEVELOPMENT AT ITS THIRD SESSION**

1. The planet's essential goods, ecological functions and services depend on the variety and variability of genes, species, populations and ecosystems. If humanity is to have a future on this earth, biological diversity must be conserved so that these functions and services are maintained. The current decline in biodiversity is largely the result of human activity and represents a serious threat to human development. Despite efforts to conserve the world's biological diversity, its depletion has continued. The entry into force of the Convention provides an international framework through which to address this depletion which causes threats to ecosystems that are vital for the sustenance of human societies in all countries. By becoming Parties to the Convention, Governments have committed themselves to the conservation of biological diversity, the sustainable use of its components, and the fair and equitable sharing of the benefits arising out of the utilization of genetic resources.
2. The Convention on Biological Diversity is the primary international legal instrument for advancing the conservation of biological diversity, the sustainable use of its components and the fair and equitable sharing of benefits arising out of the use of genetic resources while recognizing the important role of other conventions to the objectives of the Convention.
3. The Convention was opened for signature during the United Nations Conference on Environment and Development in Rio de Janeiro. Since then the Convention has received 168 signatures. It entered into force on 29 December 1993, and has been ratified or acceded to by 105 States and the European Community at the time of the first meeting of the Conference of the Parties.
4. The Conference of the Parties to the Convention on Biological Diversity held its first meeting at Nassau, from 28 November to 9 December 1994, at which it took a number of decisions and adopted a medium-term programme of work for the period 1995 to 1997. These are attached to this statement for the information of the Commission on Sustainable Development.
5. The above information is conveyed to the Commission on Sustainable Development in the light of the recommendation contained in paragraph 38.13(f) of Agenda 21.
6. The Conference of the Parties is vested with the responsibility of implementing the provisions of the Convention on Biological Diversity, of reviewing the further development of matters relating to the conservation of biological diversity, the sustainable use of its components, and the fair and equitable sharing of benefits arising from the use of genetic resources and where appropriate, of bringing these within the purview of the Convention. In this context, the Conference of the Parties seeks to establish links with other bodies and processes relevant to biodiversity issues with a view to promoting coherent and urgent attention to these issues.
7. The Conference of the Parties attaches importance to the development of a substantive relationship with the Commission on Sustainable Development, given the

Commission's responsibilities in respect of Agenda 21 and the complementarity of its mandate with that of the Conference of the Parties to the Convention on Biological Diversity.

8. At its first meeting, the Conference of the Parties was pervaded by a sense of urgency and an awareness of the magnitude of the task before it. The Conference of the Parties appeals to the Commission on Sustainable Development to make all efforts in its own right to advance the concerns of the Convention on Biological Diversity.

9. The Convention leaves no doubt that biological diversity is a cross-cutting issue. The provisions of the Convention are of the utmost relevance to the issues to be reviewed by the Commission at its third session; to the planning and management of land resources, combating deforestation, managing fragile ecosystems and promoting sustainable agriculture and rural development. Many aspects of the programme areas to be considered by the Commission, their bases for action, objectives, activities, and means of implementation correspond to the objectives and provisions of the Convention.

10. The Convention ushers in a new era concerning access to genetic resources which is subject to the provisions of Article 15 of the Convention and is characterized by a fair and equitable sharing of the benefits arising out of the use of such resources.

11. The Conference of the Parties was informed of the ongoing negotiations under the auspices of the FAO to bring the International Undertaking on Plant Genetic Resources for Food and Agriculture in harmony with the Convention on Biological Diversity. The Conference of the Parties recognizes this process and hopes that these negotiations will come to a meaningful conclusion. The Commission on Sustainable Development may wish to convey this message to the FAO and to advise it on the intention of the Conference of the Parties to consider the issue of access to genetic resources at its second and third meetings. In this regard, it would be desirable to coordinate efforts carried out in both fora in order to collaborate and to avoid overlapping in the respective fields of competence of the FAO and the Convention on Biological Diversity.

12. The provisions of the Convention are also relevant to the cross-sectoral cluster and should be considered by the Commission on Sustainable Development when it reviews critical elements of sustainability as indicated in Agenda 21. The Conference of the Parties notes in particular the relevance of the following cross-sectoral issues on the agenda of the third session of the Commission on Sustainable Development: Chapters 3 Combating poverty; 5 Demographic dynamics and sustainability; 8 Integrating environment and development in decision-making; 16 Environmentally sound management of biotechnology; 23–32 Roles of major groups; 33 Financial resources and mechanisms; 34 Transfer of technology; 35 Science for sustainable development; and 40 Information for decision-making.

13. The Conference of the Parties wishes to inform the Commission on Sustainable Development of its intention take immediate action to: 1) undertake work on biosafety, establishing an ad hoc working group to consider the needs for and modalities of a protocol to the Convention on this issue; 2) establish a clearing-

house mechanism to promote technical and scientific cooperation; 3) facilitate the establishment of the subsidiary body on scientific, technical and technological advice and 4) undertake work relevant to biodiversity related Conventions, other institutional agreements and processes of relevance. The Conference of the Parties would be willing to coordinate and collaborate with other United Nations bodies on further work in these four areas. It would also be desirable that future work on the protection of traditional knowledge and practices of indigenous and local communities relevant to conservation and sustainable use should be coordinated with the relevant bodies.

14. Given the complementarity of their respective mandates, the Conference of the Parties is convinced it can make a major contribution to the implementation of Agenda 21. Article 23.4(i) calls upon the Conference of the Parties to consider and undertake any additional action that may be required for the achievement of the purposes of the Convention. Implementation of the Convention will be facilitated by the Conference of the Parties and the Commission on Sustainable Development jointly exploring ways in which any additional issues identified can be further developed within the organizing framework of the Convention.

15. Biological diversity is of great importance for the ecosystem function of forests. The Conference of the Parties emphasizes the importance of conservation, management and sustainable use of forests for achieving the objectives of the Convention and encourages further consideration by the Commission on Sustainable Development on the implementation of the Non-Legally Binding Authoritative Statement of Principles for a Global Consensus on the Management, Conservation and Sustainable Development of all Types of Forests. The Conference of the Parties to the Convention on Biological Diversity stands ready to make its own contribution to that process consistent with its role in developing measures to achieve the objectives of the Convention with respect to forests. The Conference of the Parties would welcome a dialogue with the Commission on Sustainable Development and seek dialogue and cooperation with other relevant international organizations on the issue of forests.

16. Desertification is associated with land degradation and entails the loss of biological diversity. The Conference of the Parties to the Convention on Biological Diversity will explore the ways in which it can cooperate with the Conference of the Parties to the Convention to Combat Desertification to the extent that their mandates are complementary.

17. The Conference of the Parties invites the Commission on Sustainable Development to:

- (a) Urge States that have not yet done so to become Parties to the Convention;
- (b) Consider the biodiversity issue in the light of the three interrelated objectives of the Convention;
- (c) Approach the subject of biodiversity as a multisectoral issue which is relevant to virtually all of its concerns;
- (d) Urge Governments to recognize the mutually supportive relationship between biodiversity and sustainable development;

- (e) Encourage Governments to improve coordination among departments at the national level in order to more effectively implement measures for the conservation of biological diversity and the sustainable use of its components, given the cross-cutting nature of these issues;
- (f) Consider the sectoral issues to be addressed at its 1995 session in the context of their close interrelationship with biodiversity;
- (g) Urge States to work cooperatively to address the subject of poverty in the context of its close interrelationship with biodiversity;
- (h) Stress to Governments the advantages deriving from coordination between its work, that of the Convention on Biological Diversity, and that of other conventions, intergovernmental bodies and fora concerned with the conservation of biological diversity and the sustainable use of its components.

18. Given the views and proposals outlined above, the Conference of the Parties believes that the Commission on Sustainable Development and the Convention on Biological Diversity should establish links, through their respective organs and mechanisms, to facilitate a collaborative approach to issues of mutual concern. To this end, the Conference of the Parties will regularly consider the issues to be addressed by the Commission at its future meetings.

19. The Conference of the Parties to the Convention on Biological Diversity hopes that this statement will be helpful to the Commission on Sustainable Development.

20. The Conference of the Parties to the Convention on Biological Diversity reaffirms its commitment to caring for the earth and its people.

## **DECISION I/9 | Medium-term programme of work of the Conference of the Parties**

[RETIRED as per decision VI/27, paragraph 3]

## **DECISION I/10 | Location of the Secretariat**

[RETIRED as per decision VI/27, paragraph 3]

## **DECISION I/11 | Preparation for the second meeting of the Conference of the Parties**

[RETIRED as per decision VI/27, paragraph 3]

**DECISION I/12 | International Day for Biological Diversity**

*The Conference of the Parties*

*Decides* to recommend to the United Nations General Assembly at its forty-ninth session to consider 29 December, the date of entry into force of the Convention on Biological Diversity, International Day for Biological Diversity.

**DECISION I/13 | Tribute to the Government of the Commonwealth of the Bahamas**

[RETIRED as per decision VI/27, paragraph 3]

