

Decisions adopted by the third meeting of the Conference of the Parties

BUENOS AIRES, ARGENTINA, 4–15 NOVEMBER 1996

DECISION III/1 | Pending issues arising from the work of the second meeting of the Conference of the Parties

The Conference of the Parties,

Having considered paragraphs 4 and 16 of the financial rules for the administration of the Trust Fund for the Convention on Biological Diversity and paragraph 1 of rule 40 of the rules of procedure for meetings of the Conference of the Parties,

1. *Decides* to transmit to the fourth meeting of the Conference of the Parties, for further consideration, paragraph 4 of the financial rules as contained in the annex to the present decision;
2. *Also decides* to transmit to the fourth meeting of the Conference of the Parties, for further consideration, paragraph 16 of the financial rules as contained in annex II of decision II/20, entitled “Financing of and budget for the Convention”, contained in document UNEP/CBD/COP/2/19.
3. *Further decides* to transmit to its fourth meeting for further consideration paragraph 1 of rule 40 of the rules of procedure for meetings of the Conference of the Parties.

ANNEX

“It is for the Conference of the Parties to determine the scale referred to in paragraph 3(a) above. The scale is based on the United Nations scale of assessments for the apportionment of the expenses of the United Nations [adjusted to provide that no developing country Party shall be required to pay more than any developed country Party]. This scale of assessments shall apply unless amended by the Conference of the Parties. The contributions referred to in paragraph 3(a) shall be due on 1 January of each calendar year.”

Appendix

Financial Rules For The Administration Of The Trust Fund For The Convention On Biological Diversity⁶⁸

1. The Conference of the Parties to the Convention shall designate an organization (hereinafter referred to as the Trustee) which shall establish and manage the

68 As contained in Annex II of decision II/20 and amended by the present decision.

Trust Fund for the Convention on Biological Diversity (hereinafter referred to as the Trust Fund) in accordance with these rules.

2. The Trust Fund shall be used for funding the administration of the Convention, including the functions of the Secretariat.
3. The Trust Fund shall be financed from:
 - (a) Contributions made by Parties to the Convention based on the scale set forth in the appendix to the budget;
 - (b) Additional contributions made by such Parties;
 - (c) Contributions from States not Parties to the Convention, as well as governmental, intergovernmental and non-governmental organizations, and other sources.
4. It is for the Conference of the Parties to determine the scale referred to in paragraph 3(a) above. The scale is to be based on the United Nations scale of assessments for the apportionment of the expenses of the United Nations [adjusted to provide that no developing country Party shall be required to pay more than any developed country Party]. This scale of assessments shall apply unless amended by the Conference of the Parties. The contributions referred to in paragraph 3(a) shall be due on 1 January of each calendar year.
5. All contributions shall be paid in United States dollars or their equivalent in a convertible currency and into a bank account to be specified by the Trustee. In conversion of currencies into United States dollars, the United Nations operational rate of exchange shall be used.
6. Accounting records shall be kept in such currency or currencies as the Trustee deems necessary.
7.
 - (a) Budget proposals expressed in United States dollars covering the expenditure and income from contributions referred to in paragraph 3(a) above shall be prepared by the head of the Secretariat (hereinafter referred to as the Executive Secretary) for periods of two calendar years at the minimum. At least 90 days before the date fixed for the opening of each ordinary meeting of the Conference of the Parties, these budget proposals shall be dispatched by the Executive Secretary to all Parties to the Convention.
 - (b) The budget shall, in accordance with rule 16, be approved by the Conference of the Parties and, if necessary, be revised at an ordinary or extraordinary meeting of the Parties.
8. Contributions referred to in paragraphs 3(b) and (c) shall be used in accordance with any terms and conditions agreed between the Executive Secretary and the respective contributor. At each ordinary meeting of the Conference of the Parties, the Executive Secretary shall present a report on contributions received and expected as well as their sources, amounts, purposes and conditions.
9. The Executive Secretary may commit resources against the Trust Fund only if such commitments are covered by contributions already received. In the event that the Trustee anticipates that there might be a shortfall in resources over the financial

period as a whole, it shall notify the Executive Secretary, who shall adjust the budget so that expenditures are at all times fully covered by contributions received.

10. The Trustee, on the advice of the Executive Secretary, may make transfers from one budget line to another within the budget in accordance with the Financial Regulations and Rules of the United Nations.

11. Contributions referred to in paragraph 3(a) above from States and regional economic integration organizations that become Parties to the Convention after the beginning of a financial period shall be made *pro rata temporis* for the balance of that financial period. Consequent adjustments shall be made at the end of each financial period for other Parties.

12. Contributions not immediately required for the purposes of the Trust Fund shall be invested, and any interest so earned shall be credited to the Trust Fund.

13. It is for the Conference of the Parties and the Trustee to agree on an administrative support charge to be paid to the Trustee.

14. At the end of each calendar year, the Trustee shall transfer any balance to the following calendar year and submit to the Conference of the Parties, through the Executive Secretary, the certified and audited accounts for that year as soon as practicable. The Trust Fund shall be subjected to the internal and external auditing procedure of the United Nations as laid down in the Financial Regulations and Rules of the United Nations.

15. In the event that the Conference of the Parties decides to terminate the Trust Fund, a notification to that effect shall be presented to the Trustee at least six months before the date of termination selected by the Conference of the Parties. The Conference of the Parties shall decide, in consultation with the Trustee, on the distribution of any unspent balance after all liquidation expenses have been met.

[16A. The Parties shall reach agreement by consensus on:

- (a) The scale and any subsequent revision to it;
- (b) The budget.]

[16B. The Parties shall make every effort to reach agreement on the budget by consensus. If all efforts to reach consensus on the budget have been exhausted and no agreement has been reached, the budget shall, as a last resort, be adopted by a [two-thirds] [four-fifths] majority vote of the Parties present and voting representing a [two-thirds] [four-fifths] majority vote of the developing country Parties present and voting and a [two-thirds] [four-fifths] majority vote of the other Parties present and voting.]

17. Any amendments to these rules shall be adopted by the Conference of the Parties by consensus.

DECISION III/2 | Report and recommendations of the second meeting of the Subsidiary Body on Scientific, Technical and Technological Advice

[RETIRED as per decision VII/33, paragraph 1]

DECISION III/3 | Use of languages in the meetings of the Subsidiary Body on Scientific, Technical and Technological Advice

The Conference of the Parties,

Recalling the recommendations of the Subsidiary Body on Scientific, Technical and Technological Advice contained in document UNEP/CBD/COP/3/3,

1–2. [RETIRED as per decision VII/33, paragraph 1]

3. *Decides* that the meetings of the Subsidiary Body on Scientific, Technical and Technological Advice will be held in the six official languages of the United Nations and that the *modus operandi* of the Subsidiary Body on Scientific, Technical and Technological Advice will be modified accordingly;

4. [RETIRED as per decision VII/33, paragraph 1].

DECISION III/4 | Clearing-house mechanism to promote and facilitate technical and scientific cooperation

The Conference of the Parties,

Recalling decision I/3 of the Conference of Parties, that a clearing-house mechanism should be established, in accordance with Article 18, paragraph 3 of the Convention, to promote and facilitate technical and scientific cooperation,

Recalling also decision II/3 of the Conference of Parties on the development of the clearing-house mechanism through the establishment of a pilot phase for 1996–1997 and related activities to promote technical and scientific cooperation,

Having examined the note by the Executive Secretary, contained in document UNEP/CBD/COP/3/4, which emphasizes the main features of the operational framework of the pilot phase of the clearing-house mechanism, namely, information linking and organization, visualization and the decision support function,

Noting that progress made to date in the implementation of the pilot phase has produced valuable insights as to the future development of the clearing-house mechanism and *concerned* that it is now time for these initial experiences to be brought together and advanced in a systematic manner so as to ensure that the clearing-house mechanism is expeditiously implemented in accordance with the expectations of the Parties,

Noting also:

- (a) The crucial part played by technical and scientific cooperation on all aspects of biological diversity, including taxonomy and transfer of technology, in ensuring the capacity of the clearing-house mechanism to play an important role in the implementation of the Convention;
 - (b) The need for the clearing-house mechanism to be clearly focused on the implementation of the Convention;
 - (c) The need for the clearing-house mechanism activities to include information exchange modalities additional to the Internet to ensure the participation of Parties without Internet access;
 - (d) The need for capacity-building for the purposes of the clearing-house mechanism in developing countries, including training on information systems technologies that will allow developing countries to take advantage of the recent developments in electronic communication, including the Internet;
 - (e) The advantages of country-driven pilot projects focused on priority areas identified by the Conference of Parties which would enable developing countries to begin to implement the main features of the pilot phase of the clearing-house mechanism,
1. [RETIRED as per decision VII/33, paragraph 1]
 2. *Requests* the Global Environment Facility to support the activities referred to in paragraphs (d) and (e) above as critical components in the implementation of the clearing-house mechanism at the national, subregional and regional levels, including in the pilot phase;
 3. [RETIRED as per decision VII/33, paragraph 1]
 4. *Also requests* Governments and other bilateral and multilateral funding institutions, as far as possible and as appropriate, to provide funding for capacity-building related to the implementation of the clearing-house mechanism;
 5. [RETIRED as per decision VII/33, paragraph 1]
 6. *Emphasizes* that the key characteristics of the clearing-house mechanism are, *inter alia*, that it should be compatible with national capacities, needs-driven and decentralized in nature, should provide access to meta-data, should provide support to the decision-making process, and should to the extent possible involve the private sector;
 7. *Recommends* that the clearing-house mechanism should disseminate, in addition to scientific and technical information, information on policy and management issues relevant to the implementation of the Convention;
 8. [RETIRED as per decision VII/33, paragraph 1]
 9. *Recognizes* that ownership of all information made available through the clearing-house mechanism shall remain with the provider of the information;
 10. [RETIRED as per decision VII/33, paragraph 1]

11. *Recommends* that one important role of the clearing-house mechanism at the national level should be to provide relevant information linkages to the national focal points and relevant thematic focal points, in order to facilitate the fair and equitable sharing of the benefits arising out of the utilization of genetic resources. Linkages to patent offices in each country for up-to-date information on new patent registrations and patents in the public domain provide an example of one mechanism;
12. *Recommends* that the work of the clearing-house mechanism at the international level focus on providing thematic focal points for linking to the activities at the national and regional level;
13. *Recognizes* that close cooperation is needed with other conventions and agreements, and requests the Secretariat to identify those activities and organizations which could support the clearing-house mechanism, and to provide appropriate advice to the Subsidiary Body on Scientific, Technical and Technological Advice at its next meeting;
14. [RETIRED as per decision VII/33, paragraph 1]
15. *Requests* all Parties to designate their clearing-house mechanism national focal points and make them operational as soon as possible;
16. *Requests* those Parties with access to the Internet to connect their national clearing-house mechanism homepage to the Secretariat's clearing-house mechanism homepage on the Internet, where possible, and further requests the Executive Secretary and partners to collaborate on the provision of advice to Parties and others on, *inter alia*, the necessary layout and system specifications.

DECISION III/5 | Additional guidance to the financial mechanism

The Conference of the Parties,

Bearing in mind Articles 20 and 21 of the Convention,

Underlining the importance of paragraphs 1 and 4 of Article 20 of the Convention,

Taking into account, in particular, paragraph 6 of decision II/6,

Recalling paragraph 6 of decision II/7, which emphasizes the importance of capacity-building and requests the interim financial mechanism under the convention to facilitate the urgent implementation of Articles 6 and 8 of the Convention by making available to developing country Parties financial resources for projects in a flexible and expeditious manner,

Recognizing that the Global Environment Facility, as stated in its Operational Principles for Development and Implementation of its Work Programme will maintain sufficient flexibility to respond to changing circumstances, including evolving guidance of the Conference of the Parties and experience gained from monitoring and evaluation activities,

Recognizing further that the Global Environment Facility, in its operational criteria for enabling activities for biodiversity, anticipates that these criteria will need to be reviewed and revised on the basis of early implementation experience, as necessary,

Recognizing progress made by the Global Environment Facility, in particular, concerning the Global Environment Facility decisions on medium-sized projects and enabling activities,

Recognizing also difficulties encountered with the application of the Operational Strategy of the Global Environment Facility, the project appraisal process, the application of the criteria for determining incremental costs and the procedures applied by the Implementing Agencies,

Recognizing further the need for a balanced implementation of the provisions of the Convention,

Taking note of the report of the Global Environment Facility to the third meeting of the Conference of the Parties, in which information was provided on the efforts to ensure that funding of its activities is in conformity with the policy, strategy, eligibility criteria and programme priorities of the Conference of the Parties, and in particular, the expedited procedures adopted for enabling activities in the biodiversity focal area,

1. *Urges* the Implementing Agencies of the Global Environment Facility to enhance cooperation to increase efforts to improve the processing and delivery systems of the Global Environment Facility;
2. *Decides* to provide the following additional guidance to the Global Environment Facility in the provision of financial resources in conformity with decisions I/2 and II/6 of the first and second meetings of the Conference of the Parties. In this regard, the Global Environment Facility shall provide financial resources to developing countries for country-driven activities and programmes, consistent with national priorities and objectives, recognizing that economic and social development and poverty eradication are the first and overriding priorities of developing countries:
 - (a) For capacity-building in biosafety, including for the implementation by developing countries of the UNEP International Technical Guidelines on Safety in Biotechnology;
 - (b) For capacity-building, including taxonomy, to enable developing countries to develop and carry out an initial assessment for designing, implementing and monitoring programmes in accordance with Article 7, taking into account the special need of small island States (*Note: The Conference of the Parties endorsed recommendation II/2 of the Subsidiary Body on Scientific, Technical and Technological Advice, concerning capacity-building for taxonomy*);
 - (c) For supporting, as a priority, efforts for the conservation and sustainable use of biological diversity important to agriculture, in accordance with decision 3/11;
 - (d) For supporting the following activities as critical components in the implementation of the clearing-house mechanism at the national, subregional and regional levels, including in the pilot phase, to which critical components the Global Environment Facility shall give effect by implementing its revised

operational criteria for enabling activities in relation to the clearing-house mechanism as quickly as possible:

- (i) capacity-building for the purpose of the clearing-house mechanism, including training in information systems technologies that will allow developing countries to take advantage of the recent developments in electronic communication, including the Internet;
 - (ii) country-driven pilot projects, focused on priority areas identified by the Conference of the Parties which would enable developing countries to begin to implement the main features of the pilot-phase of the clearing-house mechanism;
3. *Reconfirms* the importance of the Global Environment Facility's support for incentive measures, guidance for which was contained in Annex I to decision I/2, paragraph 4(i), taking note of decision III/18;
 4. *Urges* the Global Environment Facility, along with Governments, regional economic integration organizations, and competent international, regional and national organizations, to support human and institutional capacity-building programmes for Governments, non-governmental organizations and local and indigenous communities, as appropriate, to promote the successful development and implementation of legislative, administrative and policy measures and guidelines on access to genetic resources, including scientific, technical, business, legal and management skills and capacities;
 5. *Requests* the Global Environment Facility to examine the support of capacity-building projects for indigenous and local communities embodying traditional lifestyles related to the preservation and maintenance of their knowledge, innovations and practices relevant for the conservation and sustainable use of biological diversity with their prior informed consent and their participation;
 6. *Requests* the Global Environment Facility, in preparing projects in conformity with the Conference of the Parties guidance on policy, strategy, programme priorities and eligibility criteria, to include in such projects, when relevant to the project's objectives and consistent with national priorities, project components addressing:
 - (a) Targeted research which contributes to conservation of biological diversity and the sustainable use of its components including research for reversing current trends of biodiversity loss and species extinction;
 - (b) Promotion of the understanding of the importance of, and measures required for, the conservation and sustainable use of biological diversity;
 7. [RETIRED as per decision VII/33, paragraph 1].

DECISION III/6 | Additional financial resources

The Conference of the Parties,

Recalling Article 21, paragraph 4, of the Convention, which states that “the Contracting Parties shall consider strengthening existing financial institutions to pro-

vide financial resources for the conservation and sustainable use of biological diversity”, as well as Article 20, paragraph 2,

Recalling also decision II/6, by which it requested the Executive Secretary to explore possibilities to identify additional financial resources, to continue to monitor the availability of additional financial resources, and to study characteristics specific to biological diversity activities to allow the Conference of the Parties to make suggestions to funding institutions on how to make their activities in the area of biological diversity more supportive of the Convention,

Recognizing the importance of identifying alternative sources of funding in support of the Convention,

Taking note of elements contained in documents UNEP/CBD/COP/3/7 and UNEP/CBD/COP/3/37,

1. *Urges* all funding institutions, including bilateral and multilateral donors as well as regional funding institutions and non-governmental organizations, to strive to make their activities more supportive of the Convention, taking into account, *inter alia*, relevant elements contained in document UNEP/CBD/COP/3/7;
2. *Requests* the Executive Secretary:
 - (a) To explore as soon as possible ways of collaborating with funding institutions to facilitate these efforts to achieve greater support for the Convention;
 - (b) [RETIRED as per decision VII/33, paragraph 1]
3. *Requests* the Executive Secretary to explore further possibilities for encouraging the involvement of the private sector in supporting the Convention’s objectives;
4. *Urges* developed country Parties to cooperate in the development, where possible, of standardized information on their financial support for the objectives of the Convention on Biological Diversity. Where possible, these Parties should submit this information to the Secretariat of the Convention on Biological Diversity in their national reports;
5. *Invites* other funding institutions, including bilateral and multilateral donors as well as regional funding institutions and non-governmental organizations, to compile information on their financial support for the Convention and to provide the Secretariat with such information;
6. [RETIRED as per decision VII/33, paragraph 1].

DECISION III/7 | Guidelines for the review of the effectiveness of the financial mechanism

[RETIRED as per decision VII/33, paragraph 1]

DECISION III/8 | Memorandum of understanding between the Conference of the Parties to the Convention on Biological Diversity and the Council of the Global Environment Facility

The Conference of the Parties,

Recalling Articles 20 and 21 of the Convention on Biological Diversity,

Recalling further decision 11/6 on financial resources and mechanism,

1. *Adopts* the Memorandum of Understanding contained in the annex to the present decision;
2. [RETIRED as per decision VII/33, paragraph 1].

ANNEX

MEMORANDUM OF UNDERSTANDING BETWEEN THE CONFERENCE OF THE PARTIES TO THE CONVENTION ON BIOLOGICAL DIVERSITY AND THE COUNCIL OF THE GLOBAL ENVIRONMENT FACILITY

Preamble

The Conference of the Parties to the Convention on Biological Diversity (hereinafter the Conference of the Parties) and the Council of the Global Environment Facility (hereinafter the Council),

Recognizing the characteristics of the financial mechanism for the provision of financial resources for the purposes of the Convention on Biological Diversity (hereinafter the Convention) outlined in Article 21, paragraph 1, of the Convention, and the provisions of Article 21, paragraph 2, of the Convention, which call upon the Conference of the Parties to decide on the arrangements to give effect to Article 21, paragraph 1, after consultation with the institutional structure entrusted with the operation of the financial mechanism,

Recognizing further the willingness of the Global Environment Facility (hereinafter GEF) to serve for the purposes of the financial mechanism for the implementation of the Convention,

Recognizing that the financial mechanism shall function under the authority and guidance of and be accountable to the Conference of the Parties for the purposes of the Convention and that GEF as decided by the Conference of the Parties will operate the financial mechanism of the Convention on an interim basis in accordance with Article 39 of the Convention,

Having consulted with each other and taking into account the relevant aspects of their governance structures as reflected in their constituent instruments,

Have reached the following understanding:

1. Purpose

1.1 The purpose of the present Memorandum of Understanding is to make provision for the relationship between the Conference of the Parties and the Council in order to give effect to the provisions of Article 21, paragraph 1, of the Convention and paragraph 26 of the GEF Instrument and, on an interim basis, in accordance with Article 39 of the Convention.

2. Guidance from the Conference of the Parties

2.1 In accordance with Article 21 of the Convention, the Conference of the Parties will determine the policy, strategy, programme priorities and eligibility criteria for access to and utilization of financial resources available through the financial mechanism, including monitoring and evaluation on a regular basis of such utilization. GEF, in operating the financial mechanism under the Convention, will finance activities that are in full conformity with the guidance provided to it by the Conference of the Parties. For this purpose, the Conference of the Parties will communicate its guidance, and any revisions to such guidance as it may adopt, on the following matters:

- (a) Policy and strategy;
- (b) Programme priorities;
- (c) Eligibility criteria;
- (d) An indicative list of incremental costs;
- (e) A list of developed country Parties and other Parties which voluntarily assume the obligations of developed country Parties;
- (f) Any other matter relating to Article 21, including periodic determination of the amount of resources needed as detailed in paragraph 5 of this Memorandum.

2.2 The Council will communicate to the Conference of the Parties all relevant information, including information on the projects in the area of biological diversity funded by GEF outside the framework of the financial mechanism of the Convention.

3. Reporting

3.1 The Council will prepare and submit a report for each ordinary meeting of the Conference of the Parties.

3.2 The reports will include specific information on how the GEF Council, its Secretariat and its Implementing and Executing Agencies have applied the guidance and implemented the policy, strategies, programme priorities and eligibility criteria determined by the Conference of the Parties, as well as any other decision of the Conference of the Parties communicated to GEF, under Article 21 of the Convention. The Council should also report on its monitoring and evaluation activities concerning projects in the biodiversity focal area.

3.3. In particular, the reports will provide detailed information on the GEF biodiversity focal area, including:

- (a) Information on how GEF has responded to the guidance provided by the Conference of the Parties as described by paragraph 2, including, where appropriate, through its incorporation in the GEF operational strategy and operational programmes;
- (b) The conformity of the approved work programmes with guidance of the Conference of the Parties;
- (c) A synthesis of the different projects under implementation and a listing of the projects approved by the Council in the biodiversity focal area, as well as a financial report with an indication of the financial resources allocated to these projects;
- (d) A list of project proposals submitted for approval to the Council, through the GEF Implementing Agencies, by eligible Parties, including reporting on their approval status and, in cases of projects not approved, the reasons therefore;
- (e) A review of the project activities approved by GEF and their outcomes, including information on funding and progress in implementation; and
- (f) Additional financial resources leveraged by GEF for the implementation of the Convention.

3.4 In order to meet the requirements of accountability to the Conference of the Parties, reports submitted by the Council will cover all GEF-financed activities carried out for the purpose of the Convention, whether decisions on such activities are made by the Council or by the GEF Implementing and/or Executing Agencies. To this end, the Council will make arrangements as might be necessary with the Implementing Agencies regarding disclosure of information.

3.5 The Council will also provide information on other matters concerning the discharge of its functions under Article 21, paragraph 1, as may be requested by the Conference of the Parties. If the Council has difficulties in responding to any such request, it will explain its concerns to the Conference of the Parties and the Conference of the Parties and the Council will find a mutually agreed solution.

4. Monitoring and evaluation

4.1 The Conference of the Parties may raise with the Council any matter arising from the reports received.

4.2 The funding decisions for specific projects should be agreed between the developing country Party concerned and GEF in accordance with policy, strategy, programme priorities and eligibility criteria established by the Conference of the Parties. The GEF Council is responsible for approving the GEF work programmes. If a Party considers that a decision of the Council regarding a specific project was not made in compliance with the policies, programme priorities and eligibility criteria established by the Conference of the Parties in the context of the Convention, the Conference of the Parties should analyse the observations presented to it by the

Party and take decisions on the basis of compliance with such policy, strategy, programme priorities and eligibility criteria. In the event that the Conference of the Parties considers that this specific project decision does not comply with the policy, strategy, programme priorities and eligibility criteria established by the Conference of the Parties, it may ask the GEF Council for further clarification on the specific project decision.

4.3 As provided for in Article 21, paragraph 3, of the Convention, the Conference of the Parties will periodically review the effectiveness of the financial mechanism in implementing the Convention and communicate to the Council relevant decisions taken by the Conference of the Parties as the result of such review, to improve the effectiveness of the financial mechanism in assisting developing country Parties to implement the Convention.

5. Determination of funding requirements

5.1 In anticipation of the replenishment of GEF, the Conference of the Parties will make an assessment of the amount of funds that are necessary to assist developing countries, in accordance with the guidance provided by the Conference of the Parties, in fulfilling their commitments under the Convention over the next GEF replenishment cycle, taking into account:

- (a) Article 20, paragraph 2, and Article 21, paragraph 1, of the Convention;
- (b) Guidance to the financial mechanism from the Conference of the Parties which calls for future financial resources;
- (c) The information communicated to the Conference of the Parties in the national reports submitted in accordance with Article 26 of the Convention;
- (d) National strategies, plans or programs developed in accordance with Article 6 of the Convention;
- (e) Information communicated to the Conference of the Parties from GEF on the number of eligible programmes and projects that were submitted to GEF, the number that were approved for funding, and the number that were turned down owing to lack of resources;
- (f) Experience gained by those concerned in the implementation of projects.

5.2 On the occasion of each replenishment, GEF will, in its regular report to the Conference of the Parties as provided for in paragraph 3 of this Memorandum of Understanding, indicate how it has responded during the replenishment cycle to the previous assessment by the Conference of the Parties prepared in accordance with paragraph 5.1 and inform the Conference of the Parties of the conclusion of replenishment negotiations.

5.3 On the basis of the report referred to in paragraph 5.2 of this Memorandum of Understanding the Conference of the Parties will review the amount of funding necessary for the implementation of the Convention, on the occasion of each replenishment of the financial mechanism.

6. Reciprocal representation

On a reciprocal basis, representatives of GEF will be invited to attend meetings of the Conference of the Parties and representatives of the Convention will be invited to attend meetings of GEF.

7. Inter-secretariat cooperation

The Secretariat of the Convention and the Secretariat of GEF will communicate and cooperate with each other and consult on a regular basis to facilitate the effectiveness of the financial mechanism in assisting developing country Parties to implement the Convention. In particular, the two secretariats will consult on the project proposals under consideration for inclusion in a proposed work programme, especially with regard to the consistency of the project proposals with the guidance of the Conference of the Parties. Official documentation of GEF will be made available to the Secretariat of the Convention on Biological Diversity.

8. Amendments

Any amendments to the present Memorandum of Understanding will be decided upon by the Conference of the Parties and the Council in writing.

9. Interpretation

If differences arise in the interpretation of the present Memorandum of Understanding, the Conference of the Parties and the Council will reach a mutually acceptable solution.

10. Entry into effect

10.1 The present Memorandum of Understanding will come into effect upon approval by the Conference of the Parties and by the Council. Either participant may withdraw this Memorandum of Understanding at any time by written notification addressed to the other. The withdrawal will take effect six months after its notification.

10.2 The withdrawal of this Memorandum of Understanding by either Party to this Memorandum of Understanding shall not affect any projects considered and/or approved in accordance with the Memorandum of Understanding prior to the withdrawal.

DECISION III/9 | Implementation of Articles 6 and 8 of the Convention

The Conference of the Parties,

Reaffirming the great importance of the development and implementation by all Parties of national strategies, plans and programmes in accordance with Article 6 of the Convention,

Welcoming the work already undertaken by the Parties in implementing Article 6,

Recalling paragraph 5 of decision II/6, in which the Conference of the Parties requested the interim institutional structure operating the financial mechanism to facilitate urgent implementation of Article 6 of the Convention by making available to developing country Parties financial resources for projects in a flexible and expeditious manner,

Recalling also that in decision II/17 the Conference of the Parties decided that the first national reports by Parties would focus insofar as possible on measures taken for the implementation of Article 6,

Reaffirming that Article 8 of the Convention sets out a clear framework of the necessary elements for *in situ* conservation, which should be addressed in a coherent manner,

Noting that the reduction in the number of species and the fragmentation and degradation of ecosystems and habitats call not only for conservation but also for *inter alia* sustainable use and restoration of habitats, including their biological diversity components, together with other measures provided for by Article 8 of the Convention,

Noting the conclusions and recommendations of the United Nations-Norway Conference on Alien Species, Trondheim, Norway, 1-5 July 1996, and suggesting that Parties may wish to use these results in their implementation of Article 8(h) of the Convention,

Believing that a central role of the clearing-house mechanism should be the sharing of experiences and dissemination of information relevant to Articles 6 and 8,

Emphasizing that the compilation and dissemination under the Convention of information relevant to the implementation of Articles 6 and 8 should complement and enhance existing efforts, rather than duplicate them,

1. *Stresses* the need for Parties to ensure the cross-border coordination of their respective strategies, on a bilateral as well as on a regional basis;
2. *Urges* Parties to include in their national plans or strategies and legislation measures for:
 - (a) The conservation of biological diversity both *in situ* and *ex situ*;
 - (b) The integration of biological diversity objectives in relevant sectoral policies in order to achieve conservation and sustainable use of biological diversity;
 - (c) The equitable sharing of benefits arising out of the use of genetic resources;
3. *Further urges* Parties to submit their first national reports on time;

4. *Requests* the interim financial mechanism under the Convention to make available to developing country Parties resources to enable them to facilitate urgent implementation of paragraphs 2 and 3 above;
5. *Encourages* all Parties to set measurable targets in order to achieve biological diversity conservation and sustainable use objectives;
6. *Requests* Parties to take action to achieve the restoration of habitats, including their biological diversity components;
7. *Requests* the Executive Secretary to explore ways of enhancing the collection and dissemination to Parties of information on the implementation of Articles 6 and 8 by involving in a more regular and systematic fashion organizations already concerned with the collection and dissemination of such information;
8. [RETIRED as per decision VII/33, paragraph 1]
9. *Recommends* the development of a thematic approach in the further compilation and dissemination of information on the implementation of Articles 6 and 8 and commends the inclusion of the following work areas within this approach:
 - (a) Methodologies to evaluate and mitigate threats to biological diversity;
 - (b) Ways to suppress or mitigate perverse or negative incentives having a deleterious effect on biological diversity;
 - (c) Alien species; and
 - (d) Protected areas;
10. *Encourages* the Scientific Committee on Problems of the Environment and the Invasive Species Specialist Group of the World Conservation Union to continue their efforts to develop a global strategy and action plan to deal with the problem of alien invasive species;
11. [RETIRED as per decision VII/33, paragraph 1].

DECISION III/10 | Identification, monitoring and assessment

The Conference of the Parties,

Reaffirming the central importance of the implementation of Article 7 in ensuring that the objectives of the Convention are met,

Stressing the fundamental role of taxonomy in identifying the components of biological diversity,

Recognizing the lack of taxonomic capacity in many countries,

Recognizing also the necessity of capacity-building to enable Parties to carry out identification, monitoring and assessment within the remit of the Convention,

Noting the review of methodologies for assessment of biological diversity contained in Annex I of document UNEP/CBD/COP/3/13 and the discussion of indicators contained in Annex II of that document,

1. *Urges* Parties to identify indicators of biological diversity and to develop innovative methods of implementing Article 7 as a high priority, in particular commending the value of rapid biological diversity assessment approaches as an efficient and cost-effective way of assessing biological diversity and identifying priorities for action, and recognizing also the role of remote sensing as a useful tool for monitoring;
2. *Endorses* the recommendation II/1 of the Subsidiary Body on Scientific, Technical and Technological Advice concerning indicators, monitoring and assessment of biological diversity;
3. *Endorses* the recommendation II/2 of the Subsidiary Body on Scientific, Technical and Technological Advice concerning capacity-building for taxonomy;
4. *Recommends* that Parties consider a step-by-step approach to the implementation of Article 7, paying attention to the indicative list of categories of important components of biological diversity set out in Annex I of the Convention, beginning with the rapid implementation of Article 7(a) and the first part of Article 7(c), concerning identification of important components of biological diversity and the processes and categories of activities which have or are likely to have significant adverse impacts on biological diversity;
5. *Stresses*, however, that such an approach should not preclude the timely implementation of other Articles of the Convention, particularly Articles 6 and 8, with respect to those components of biological diversity that have been identified;
6. *Calls* on Parties to cooperate on a voluntary pilot project to demonstrate the use of successful assessment and indicator methodologies;
7. *Also calls* on Parties to prepare, where appropriate, reports on experiences on the application of assessment methodologies and results from assessments and to disseminate these reports by appropriate mechanisms such as the clearing-house mechanism;
8. *Recommends* to Parties that they explore ways to make taxonomic information housed in collections world-wide readily available, in particular to countries of origin;
9. *Instructs* the Subsidiary Body on Scientific, Technical and Technological Advice:
 - (a) To provide scientific advice and further guidance, through its thematic work on ecosystems, to the fourth meeting of the Conference of the Parties, to assist in the national elaboration of Annex I of the Convention, using as guidance the elaboration of the terms as set out in paragraphs 12–29 of document UNEP/CBD/COP/3/12;
 - (b) Further to review methodologies for assessment of biological diversity and make recommendations for their application to the fourth meeting of the Conference of the Parties;
10. *Requests* the institutional structure of the interim financial mechanism of the Convention to provide financial resources to developing countries in order to address the need for capacity-building, including taxonomy, to enable them to

develop and carry out an initial assessment for designing, implementing and monitoring programmes in accordance with Article 7, taking into account the special need of small island States.

SBSTTA RECOMMENDATION II/1:

AGENDA ITEM 3.1: Assessment of Biological Diversity and Methodologies for Future Assessments

AGENDA ITEM 3.2: Identification, Monitoring and Assessment of Components of Biological Diversity and of Processes that Have Adverse Impacts

AGENDA ITEM 3.3: Review and Promotion of Indicators of Biological Diversity

1. General advice

1. There was broad agreement that agenda items 3.1, 3.2 and 3.3 were inextricably interlinked and should therefore be considered together. It was acknowledged that the subject matter dealt with was highly complex and central to the Convention, particularly with respect to Article 7 but also to other Articles such as 6, 8, 16, 25 and 26. The background documents prepared by the Secretariat (documents UNEP/CBD/SBSTTA/2/2, UNEP/CBD/SBSTTA/2/3, UNEP/CBD/SBSTTA/2/4) were generally considered to contain useful approaches to dealing with these issues.
2. The importance of capacity-building, development and enhancement of institutions (and concomitant financial support) in assisting developing countries in all aspect of their assessments was repeatedly emphasized.
3. The role the clearing-house mechanism should have in improving the flow of information was stressed. The possible need to develop interim measures within the clearing-house mechanism was raised.
4. It was noted that improvement of taxonomic knowledge was fundamental to the development of indicators and assessments.
5. It was emphasized that the assessment of biological diversity was ultimately the responsibility of each Party, so that national reporting should be the focus of assessment efforts. When necessary, regional bodies should be called upon to provide information to facilitate the assessment of biological diversity beyond national jurisdictions. The question of how the Secretariat and the SBSTTA would deal with national reports when they began to arrive was raised.
6. There was wide agreement that assessments should be: transparent; based on scientific principles; based initially on existing knowledge; focused; pragmatic; cost-effective; within a socio-economic context; management- or policy-oriented. Indicators were recognized as being a vital aspect of such assessments with the pressure-state-response framework being particularly useful. A distinction was made between assessments of biological diversity itself and the assessment of the

state of knowledge of biological diversity. The former was relevant principally at the national level, the latter principally at regional and global levels.

7. Calls were made for development and refinement of guidelines for national reporting. The UNEP country studies guidelines were mentioned in this context. The desirability of harmonization was emphasized as this would allow comparisons with similar ecosystems in different countries to be made, and also facilitate the development of overviews such as the Global Biodiversity Outlook. The need to develop a core set of indicators for national reporting which should be easily and widely measurable and policy-relevant was raised. Initially, emphasis should be laid on indicators already known to be successful. Traditional knowledge could play a valuable role in the development of indicators, as well as in monitoring and assessment.

8. However, the need for flexibility in approach to assessment, national reporting and indicator development in response to widely varying ecological conditions and national capacities was repeatedly raised. Regional or ecosystem approaches to the development of guidelines and indicators were widely advocated and it was noted that there was unlikely ever to be any one optimum method for assessment. The annex to the document prepared by the Secretariat (UNEP/CBD/SBSTTA/2/2) may be useful in this regard as it sets out a series of methodologies, allowing choice of the most appropriate for a given set of circumstances.

9. A two-track approach to assessment and indicator development was suggested. In the short term actual assessments should be carried out of sectors and components of biological diversity which were already reasonably well-known and understood; longer-term programmes involving research and capacity-building should be developed in areas needing advances in knowledge.

10. The distinction was made between inventorying and assessment or monitoring of biological diversity. The latter must be related to human impacts. It was also noted that, although in themselves costly and difficult processes, inventories of biological diversity were more straightforward than assessment of impacts on and changes to biological diversity. The latter required both improved knowledge and long-term monitoring. Biosphere reserves were noted as being potentially extremely valuable in the latter regard.

11. Coordination with related international conventions and processes was considered of great importance. This should serve to minimize duplication of effort. In addition, experience gained in reporting to these could be used to develop guidelines for reporting and indicator development within the remit of the Convention on Biological Diversity.

12. The desirability of preparing thematic assessments in line with the major themes and specific needs of the Convention was underlined. In particular, freshwater ecosystems were widely recognized as being in urgent need of global assessment. Calls for assessment of coastal and marine, grassland and wetland ecosystems, in addition to those others mentioned in the Secretariat document (UNEP/CBD/SBSTTA/2/2), were also made.

13. The importance of assessing biological diversity in agricultural systems was widely acknowledged. It was stressed that such an assessment should take into

account the work of the FAO. It was noted that there exists an interdependence between sustaining biological diversity and sustaining agriculture. It was also recognized that agricultural practices may affect biological diversity in agricultural ecosystems in both negative and positive ways and that when individual activities of many producers are considered in aggregate, the potential for significant offsite impacts on biological diversity exists. Because agriculture takes place across landscapes that often include other types of land-use, an improved understanding of the role of agriculture in the overall context of a region is needed.

14. It was also stressed that assessments of the status of biological diversity should, as a matter of priority, be incorporated into regional and global resource assessments as the basis for management decisions in sectors which had serious impacts on the status of biological diversity, particularly those concerning marine, agricultural and forest ecosystems. This would entail cooperation with agencies and organizations responsible for regional and global resource assessments, such as the FAO, and should operate with relevant conventions such as that covering straddling and highly migratory fish stocks.

15. It was noted that coordinated thematic assessments by countries would allow development of thematic overviews within the Global Biodiversity Outlook.

16. The proposed framework of processes and categories of activities that are or are likely to have significant adverse impacts on biological diversity (paragraphs 39-41 of document UNEP/CBD/SBSTTA/2/3) received general support. A number of specific recommendations for amendment or modification were made. Radioactive contaminants were identified as an additional proximate threat, improper land management was identified as an activity having adverse effects on biological diversity, and national policy failure was considered an additional ultimate cause of threats. In addition, it was noted that consumptive use of wild species could be a contribution to conservation. It was suggested that assessments should be carried out using this framework to set priorities, it being acknowledged that these priorities would differ in different countries.

17. Some form of intersessional activity (for example a liaison group or informal working group) was considered appropriate to examine issues such as development of guidelines for national reporting and a review of indicator initiatives. It was also suggested that indicators and monitoring should be considered together as a standing item on the agenda of the SBSTTA.

2. Conclusions and recommendations

18. The SBSTTA recognizes the vital importance of monitoring and assessment of biological diversity, particularly with regard to Article 7 of the Convention, and further recognizes that the primary responsibility for undertaken monitoring and assessment of biological diversity lies with individual Parties.

19. The SBSTTA advocates a two-track approach to assessment and indicator development. In the short term, actual assessment should be carried out of sectors and components of biological diversity which were already reasonably well-known and understood. Use should, in particular, be made of indicators known to

be operational. Longer-term programmes involving research and capacity-building should be developed in areas needing advances in knowledge.

2.1. PRIORITY TASKS

20. The SBSTTA considered that the following tasks should be accorded a high priority:

- (i) Enhancing capacity-building, strengthening of institutions and funding in developing countries to carry out identification, monitoring and assessment within the remit of the Convention;
- (ii) Development of the clearing-house mechanism to improve the flow of information both from national reporting and from the international scientific community;
- (iii) Development and refinement of national guidelines to include: assessment and monitoring methodologies; indicators; thematic approaches; definition and clarification of terms; recommendations for harmonization;
- (iv) Provision of a critical review of methodologies for inventory and assessment along the lines of that provided in Annex 1 of document UNEP/CBD/SBSTTA/2/2;
- (v) Development of a core set of indicators for national reports. Such indicators should in the first instance be based on those which are known to be operational;
- (vi) Development of indicators in thematic areas important to the Convention, particularly coastal and marine ecosystems (including mangroves), agricultural biological diversity, forests and freshwater ecosystems;
- (vii) Development of an indicative framework of processes and categories of activities that are or are likely to have significant adverse impacts on biological diversity;
- (viii) Development of methods to strengthen links between natural resource assessments and assessments of biological diversity by introducing biological diversity dimensions into resource assessments, including assessments of forests, land resources, soils and marine living resources.

21. The SBSTTA noted that development of a core set of indicators would entail a review of current approaches to indicator development and development of indicators in thematic areas important to the Convention.

22. The SBSTTA considered that the following tasks were also important:

- (i) Development of regional- or ecosystem-based guidelines for assessments;
- (ii) Preparation of thematic assessments of knowledge and status of biological diversity on one or more of the following ecosystems: freshwater; coastal and marine; forests and woodlands; montane systems; rangelands, arid and semi-arid lands; grasslands; wetlands; agricultural systems;

- (iii) Establishment of the costs and benefits of the conservation of biological diversity and its sustainable use;
- (iv) Assistance in preparation of the Global Biodiversity Outlook;
- (v) Elaboration and further interpretation of the terms in Annex I of the Convention, as discussed in detail in document UNEP/CBD/SBSTTA/2/3;
- (vi) Development of a review of methods for monitoring activities which have or may have adverse impacts on biological diversity, particularly with regard to pressure indicators and to the socio-economic context of the use of biological diversity as well as the impact from technology including biotechnology. Such a review should include options for mitigating the effects of these activities.

2.2. PROPOSED SPECIFIC RECOMMENDATIONS

23. In response to these priorities, the SBSTTA recommends to the Conference of the Parties that the Executive Secretary be requested to produce in consultation with a liaison or expert group, and for consideration by the next SBSTTA:

- (i) A guideline report to assist Parties in addressing these issues. Such a report should contain an elaboration of assessment methodologies for meeting the requirements of the Convention, taking into account the contents of those national reports already prepared and reports to other conventions and international processes. Such a report should also contain: information on indicators and monitoring techniques; definitions and clarification of terms and recommendations for harmonization. Preparation of the guidelines should not delay production of national reports already in progress;
- (ii) A list of options for consideration by the SBSTTA for capacity-building in developing countries in the application of guidelines and indicators for subsequent national reports;
- (iii) A listing of current approaches to indicator development to be tabled at the next meeting of the SBSTTA and recommendations for a preliminary core set of indicators of biological diversity, particularly those related to threats.

24. The SBSTTA recommends that the Conference of the Parties request that any guidelines or other products so produced be peer-reviewed by a roster of experts and competent institutions.

25. The SBSTTA also recommends to the Conference of the Parties that the Executive Secretary be requested to initiate consultation with other regional and global organizations, particularly the FAO, involved in assessments of biological resources within relevant economic sectors, to attempt to ensure that biological diversity is included in resource assessments undertaken by these regional and global organizations with the aim of influencing management decisions.

26. In view of the complexity of these issues and their central importance in the implementation of the Convention, the SBSTTA recommends that indicators, assess-

ment and monitoring should be considered together as a standing item on the agenda of the SBSTTA.

RECOMMENDATION II/2

AGENDA ITEM 3.4: Practical Approaches for Capacity-Building for Taxonomy

The SBSTTA,

Recalling paragraph 7 of decision II/8, which requested the second meeting of the SBSTTA to address the issue of the lack of taxonomists that are required for Parties to implement the Convention and to advise the Conference of the Parties at its third meeting on ways and means to overcome this problem, taking into account existing studies and ongoing initiatives while adopting more practical direction of taxonomy linked to bio-prospecting and ecological research on conservation and sustainable use of biological diversity and its components,

Recognizing that biological collections are the basis of taxonomy and are also sources of genetic resources,

Having examined the note by the Secretariat (UNEP/CBD/SBSTTA/2/5) and finding an extraordinary level of agreement that enhanced taxonomic capacity is a *sine qua non* for the implementation of the Convention,

Recommends that the Conference of the Parties consider the following:

1. There is a scarcity of taxonomists, taxonomic collections, and institutional facilities, and there is a need to take measures to alleviate this situation worldwide, to facilitate and assist countries in implementing the Convention on Biological Diversity. In particular, national institutions and regional and subregional networks should be established or strengthened and linkages enhanced with taxonomic institutions in developing and developed countries. In strengthening the taxonomic base, consideration must be given to the information needs for bio-prospecting, habitat conservation, sustainable agriculture and the sustainable utilization of biological resources.
2. Capacity-building for taxonomy should be linked to the effective implementation of the Convention on Biological Diversity, particularly the national identification of areas of high diversity; improving the understanding of ecosystem functioning; giving priority to threatened taxa, taxa that are or may be of value to humanity, and those with potential use as biological indicators for conservation and sustainable use of biological diversity.
3. Development of guidelines and programme priorities for funding, including for the financial mechanism under the Convention, should take account of the specific needs for capacity-building in taxonomy to serve areas such as bio-prospecting, habitat conservation and the sustainable use of biological diversity. Such support should recognize the need for adequate, long-term housing of collections and records and long-term research.

4. For new taxonomists to be recruited, there is a need to provide employment opportunities. It is urgent that Parties take this need into consideration and integrate it into the programme of capacity-building.

5. Where appropriate, national taxonomic needs assessment and action plans should be developed by setting national priorities, mobilizing available institutional resources, and identifying available funds. Countries could benefit from regional and subregional collaboration.

6. The importance of establishing regional and subregional training programmes was recognized. Attention should also be given to the training of specialists, parataxonomists, and technicians in this field. The field of taxonomy must be integrated with training activities such as biological monitoring and assessments. Maximum use should be made of existing institutions and those organizations active in these fields.

7. There is an urgent need to make the information on existing taxonomic knowledge, including information about the taxa in worldwide collections, available to countries of origin.

8. Taxonomic information to assist capacity-building in taxonomy should be included within the clearing-house mechanism. The taxonomic work embodied in existing archives and inventories, field guides and publications needs to be updated and readily accessible through worldwide services and the duplication of work already conducted should be avoided. The dissemination of information should further the objectives of the Convention and be linked to user needs. This sharing of information will require greater international collaboration. It should also be recognized that traditional taxonomic systems offer a valuable perspective on biological diversity and should be considered part of the total taxonomic knowledge base at national, regional and subregional levels.

9. Since taxonomy generally involves the use of biological collections, those concerned should consider the adoption of mutually agreed upon material transfer agreements or equivalent instruments in accordance with the provisions of the Convention on Biological Diversity for exchange of biological specimens and information relating to them.

10. The Conference of the Parties should consider instructing the Global Environment Facility to support a Global Taxonomy Initiative, providing the necessary funds for the following actions related to capacity-building in taxonomy:

- (a) developing national, regional and subregional training programmes;
- (b) strengthening reference collections in countries of origin including, where appropriate, the exchange of paratypes on mutually agreed upon terms;
- (c) making information housed in collections worldwide and the taxonomy based on them available to the countries of origin;
- (d) producing and distributing regional taxonomic guides;
- (e) strengthening infrastructure for biological collections in countries of origin, and the transfer of modern technologies for taxonomic research and capacity-building; and

- (f) disseminating taxonomic information worldwide, *inter alia*, by the clearing-house mechanism.

DECISION III/11 | Conservation and sustainable use of agricultural biological diversity

The Conference of the Parties,

Recalling resolution 3 of the Nairobi Final Act,

Also recalling decisions II/15 and II/16 of the second meeting of the Conference of the Parties,

Further recalling recommendation II/7 of the second meeting of the Subsidiary Body on Scientific, Technical and Technological Advice related to agricultural biological diversity,

Welcoming the outcome of the fourth International Technical Conference on the Conservation and Sustainable Utilization of Plant Genetic Resources for Food and Agriculture, held in June 1996 in Leipzig, and taking note of the follow-up process agreed in Leipzig and of the periodic updating of the report on the State of the World's Plant Genetic Resources for Food and Agriculture and the Global Plan of Action for the Conservation and Sustainable Utilization of Plant Genetic Resources for Food and Agriculture by the Food and Agriculture Organization of the United Nations, as well as the implementation of the Global Plan of Action,

Considering the importance of biological diversity for agriculture and taking note of the interrelationship of agriculture with biological diversity as detailed in the basis for action attached hereto as Annex 1,

Believing that the field of agriculture offers a unique opportunity for the Convention on Biological Diversity to link concerns regarding biological diversity conservation and sharing of benefits arising from the use of genetic resources with the mainstream economy, taking into account the need for a balanced development of the three objectives of the Convention,

Recognizing the close relationship between agriculture and biological and cultural diversity and that the Conference of the Parties has a clear role and mandate to address issues relating to agricultural biological diversity within the framework of the Convention on Biological Diversity,

Further recognizing agricultural biological diversity as a focal area in view of its social and economic relevance and the prospects offered by sustainable agriculture for reducing the negative impacts on biological diversity, enhancing the value of biological diversity and linking conservation efforts with social and economic benefits,

Urging the expeditious provision of funds from appropriate sources necessary for the implementation of this decision,

Recognizing that traditional farming communities and their agricultural practices have made a significant contribution to the conservation and enhancement of bio-

diversity and that these can make an important contribution to the development of environmentally sound agricultural production systems,

Recognizing also that the inappropriate use of and excessive dependence on agrochemicals has produced substantial negative effects on terrestrial systems, including soil, coastal and aquatic organisms, thus affecting biological diversity in different ecosystems,

Reaffirming the sovereign rights of States over their own genetic resources, including their genetic resources for food and agriculture,

Urging Parties to establish or maintain means to regulate, manage or control the risks associated with the use and release of living modified organisms resulting from biotechnology which are likely to have adverse environmental impacts that could affect the conservation and sustainable use of biological diversity, taking also into account the risks to human health,

Considering that its activities in this field relating to the implementation of Article 6(b) of the Convention should focus on the interface between agricultural sustainability and environmental issues and should promote the integration of social, economic and environmental objectives and facilitate the development of solutions to problems relating to agricultural biological diversity in the context of the Convention's provisions,

Further considering that the contributions of conservation and sustainable use of agricultural biological diversity to sustainable agriculture should be a key focal area within the context of terrestrial, freshwater and marine biological diversity, to be pursued in collaboration with, and with the cooperation and initiative of, relevant international organizations thus avoiding duplication,

1–12. [RETIRED as per decision VII/33, paragraph 1]

13. *Recognizes* that the successful implementation of policies aiming at the sustainable use of agrobiodiversity components largely depends on the degree of public awareness and understanding of its basic importance for society, and recommends Parties to establish or enhance mechanisms for information and education, including the use of the clearing-house mechanism, specific to groups of concern at national, regional and international levels;

14. *Endorses* the conclusions of the relevant sections of the 1995 Commission on Sustainable Development sectoral review of Agenda 21, which, *inter alia*, recognized the need for an integrated and multidisciplinary approach to the planning, development and management of land resources, and that the achievement of the multiple objectives related to sustainable agriculture and rural development requires a whole system approach that recognizes that it is not possible to focus on agricultural activities alone;

15. *Encourages* Parties to develop national strategies, programmes and plans which, *inter alia*:

- (a) Identify key components of biological diversity in agricultural production systems responsible for maintaining natural processes and cycles, monitoring and evaluating the effects of different agricultural practices and technologies on

those components and encouraging the adoption of repairing practices to attain appropriate levels of biological diversity;

- (b) Redirect support measures which run counter to the objectives of the Convention regarding agricultural biodiversity;
- (c) Internalize environmental costs;
- (d) Implement targeted incentive measures which have positive impacts on agrobiodiversity, in order to enhance sustainable agriculture, in accordance with Article 11 and consistent with Article 22, as well as to undertake impact assessments in order to minimize adverse impacts on agrobiodiversity, in accordance with Article 14;
- (e) Encourage the development of technologies and farming practices that not only increase productivity, but also arrest degradation as well as reclaim, rehabilitate, restore and enhance biological diversity and monitor adverse effects on sustainable agricultural biodiversity. These could include, *inter alia*, organic farming, integrated pest management, biological control, no-till agriculture, multi-cropping, inter-cropping, crop rotation and agricultural forestry;
- (f) Empower their indigenous and local communities and build their capacity for *in situ* conservation and sustainable use and management of agricultural biological diversity, building on the indigenous knowledge systems;
- (g) Encourage *ex ante* and/or *ex post* evaluation of impacts on biological diversity from agricultural development projects, to assure the use of best practices to promote the conservation and sustainable use of biological diversity;
- (h) Integrate with other plans, programmes and projects relating to the conservation and sustainable use of other terrestrial, freshwater, coastal and marine ecosystems, in accordance with Article 6(b) of the Convention on Biological Diversity;
- (i) Promote partnerships with researchers, extension workers and farmers in research and development programmes for biological diversity conservation and sustainable use of biological diversity in agriculture. To achieve this, countries should be encouraged to set up and maintain local level forums for farmers, researchers, extension workers and other stakeholders to evolve genuine partnerships;
- (j) Promote at national and regional levels adequate and appropriate services to farmers and responsiveness of public research and extension services and development of genuine partnerships;
- (k) Promote research into, and development and implementation of, integrated pest management strategies, in particular, methods and practices alternative to the use of agro-chemicals, that maintain biodiversity, enhance agro-ecosystem resilience, maintain soil and water quality and do not affect human health;
- (l) Encourage the consideration of introducing necessary measures and/or legislation, as appropriate, to encourage appropriate use of and discourage excessive dependence on agro-chemicals with a view to reducing negative impacts on biological diversity;

- (m) Study, use and/or develop, in accordance with decision I/2, methods and indicators to monitor the impacts of agricultural development projects on biological diversity, including intensification and extensification, of production systems on biological diversity, and to promote their application;
- (n) Study the positive and negative impacts on ecosystems and biomes of agricultural transformation resulting from intensification or extensification of production systems in their countries;

16. *Encourages* Parties to develop national strategies, programmes and plans, which should focus on, *inter alia*:

- (a) The key elements of the Global Plan of Action, such as broadening the genetic base of major crops; increasing the range of genetic diversity available to farmers; strengthening the capacity to develop new crops and varieties that are specifically adapted to local environments; exploring and promoting the use of underutilized crops; and deploying genetic diversity to reduce crop vulnerability;
- (b) The development of inventories which consider the status of farm animal genetic resources and measures for their conservation and sustainable utilization;
- (c) Micro-organisms of interest for agriculture;

17. *Encourages* Parties at the appropriate level, with the support of the relevant international and regional organizations, to promote:

- (a) The transformation of unsustainable agricultural practices into sustainable production practices adapted to local biotic and abiotic conditions, in conformity with the ecosystem or integrated land use approach;
- (b) The use of farming practices that not only increase productivity, but also arrest degradation as well as reclaim, rehabilitate, restore and enhance biological diversity;
- (c) Mobilization of farming communities including indigenous and local communities for the development, maintenance and use of their knowledge and practices in the conservation and sustainable use of biological diversity in the agricultural sector with specific reference to gender roles;

18. [RETIRED as per decision VII/33, paragraph 1]

19. *Welcomes* the contribution that the Global Plan of Action for the Conservation and Sustainable Utilization of Plant Genetic Resources, as adopted by the fourth International Technical Conference on Plant Genetic Resources, provides to the implementation of the Convention on Biological Diversity in the field of plant genetic resources for food and agriculture and encourages Parties actively to implement the Global Plan of Action, in accordance with their national capacities, and endorses its priorities and policy recommendations; recognizes that several issues require further work in the context of the FAO Global System for the Conservation and Utilization of Plant Genetic Resources for Food and Agriculture, in particular: financing; the realization of Farmers' Rights as discussed in the Global Plan of Action; as well as terms of technology transfer to developing countries and access and benefit-sharing arrangements, in accordance with relevant provisions of the Convention. In this regard, calls for effective and speedy

completion of the revision of the International Undertaking and strengthening of the FAO Global System;

20. *Appreciates* the importance of the country-based Global Strategy for the Management of Farm Animal Genetic Resources under the Food and Agriculture Organization of the United Nations and strongly supports its further development;

21. *Draws the attention* of Parties to Article 20.1 of the Convention, in the context of providing, in accordance with their capabilities, financial support and incentives for the conservation and sustainable use of biological diversity important to agriculture in accordance with national plans, priorities and programmes;

22. *Draws the attention* of international funding agencies to the urgent need to support the conservation and sustainable use of biological diversity important to agriculture and invites these agencies to provide information and feedback in this respect to the Conference of the Parties and in this context, requests the interim financial mechanism to give priority to supporting efforts for the conservation and sustainable use of biological diversity important to agriculture in accordance with this decision;

23–24. [RETIRED as per decision VII/33, paragraph 1].

ANNEX 1 BASIS FOR ACTION

A. Impact of biological diversity on agriculture

1. Biological diversity has enabled farming systems to evolve since agriculture was first developed some 12,000 years ago, and an understanding of the dynamic evolutionary and environmental processes which shape and influence agricultural biodiversity is fundamental to improving the sustainable management and conservation of agricultural ecosystems today. In recent years, as the world's population continues to grow and agricultural production must meet the rising demand for food, agricultural expansion into forests and marginal lands, combined with overgrazing and urban and industrial growth, has substantially reduced levels of biological diversity over significant areas. Current patterns of agricultural land use based on limited numbers of species and varieties have also diminished the biological diversity within agricultural ecosystems and are undermining the long-term sustainability of agricultural production itself.

2. Agricultural intensification has the potential to balance the world's need for increasing food supplies while reducing pressures to expand agricultural areas still further, but it is also harmful when accompanied by excessive dependence on agrochemicals and external energy and water inputs. Agro-ecological forms of intensification can, however, blend improved knowledge about agricultural ecosystems, intercropping, uses of diverse species, integrated pest management and the efficient use of resources. Beneficial mixes of land use also raise the overall level of biodiversity in agricultural landscapes. These approaches currently represent a small but growing portion of intensification efforts. Meeting the imperative of increasing agri-

cultural production in such sustainable ways while conserving and prudently using biological diversity is the major challenge which we must urgently address.

3. The importance of agrobiodiversity is of widespread and complex significance to society, encompassing socio-cultural, economic and environmental elements. It is essential to food security and poverty alleviation and much of the knowledge about agrobiodiversity is maintained by farmers themselves, many of whom are women. All domesticated crops and animals result from human management of biological diversity, which is constantly responding to new challenges to maintain and increase productivity. Biological diversity itself presents opportunities for naturally controlling pests and reducing the use of pesticides, while maintaining high yields, and a large proportion of crops depend on insect pollinators for good yields. Landraces and wild species of animals and plants are the essential source of genetic variability for responding to biotic and abiotic stress through genetic adaptation.
4. The biological diversity of the soil is responsible for nutrient circulation and fertility within agricultural ecosystems. Diversified agricultural production provides protection against uncertainties in the market, especially for less capitalized producers, and increases the opportunities to add value and exploit new markets. Farmers all over the world have also managed a variety of wild species and habitats which benefit the sustainability of both agricultural and natural ecosystems.
5. At the more fundamental level, the living organisms which constitute agricultural biodiversity play an important role in the resilience of all natural, life-support processes. They are essential agents for, *inter alia*, nitrogen, carbon, energy and water cycles. Moreover, the species composition and their relationships will affect the functioning and yields of agricultural ecosystems themselves. A diverse environment also offers a shield for agricultural ecosystems against perturbations, natural or man-made, contributing to their resilience and that of their surrounding ecosystems.
6. Agricultural production utilizes natural resources of diverse ecosystems world-wide and is the economic activity most representative as far as extensive land-use is concerned - nearly one third of the world's land area is used for food production. Serious adverse effects may occur on biological diversity at on and off-farm levels. Most of the world's biological diversity on land is harboured by areas under exploitation by humans; consequently, conserving biological diversity implies improving the ways in which agricultural ecosystems are managed.

B. Impacts of agriculture on biodiversity

7. Different agricultural practices lead to diverse impacts upon biological diversity. These impacts occur at the ecosystem, species and genetic levels.
 - (a) Unsustainable agricultural practices have caused negative impacts on biological diversity, world-wide, at all levels - ecosystem, species and genetic - on both natural and domestic diversity. They have resulted in the large-scale degradation of agrobiodiversity and habitats through the destruction of biotic and abiotic resources, as well as by threatening the natural resource base to agriculture and through socio-economic problems created by destruction of the local

resource base. Inappropriate reliance on monoculture, over-mechanization, and misuse of agricultural chemicals diminish the diversity of fauna, flora and micro-organisms, including beneficial organisms. These practices normally lead to a simplification of the components of the environment and to unstable production systems. Expansion of agriculture to frontier areas, including forests, savannahs, wetlands, mountains, and arid lands, combined with overgrazing, and inadequate crop management and pest control strategies contribute to degradation of biological diversity, as well as to the loss of the cultural diversity of traditional communities.

- (b) Agricultural practices have, however, also facilitated enhanced biodiversity as a result of both traditional and modern sustainable farming practices. Agricultural ecosystems can provide habitats for plants, birds and other animals. Many agriculturalists have made strong efforts to preserve biological diversity important to agriculture, both *in situ* and *ex situ*. Currently, progress is being made in many regions of the world in implementing biological diversity-friendly agricultural practices in soil conservation, withdrawing production from marginal areas, mastering chemical and nutrient runoff, and breeding crop varieties which are genetically resistant to diseases, pests and abiotic stresses.

ANNEX 2

INDICATIVE LIST OF THEMATIC AREAS

[RETIRED as per decision VII/33, paragraph 1]

ANNEX 3

INITIAL ISSUES FOR CONDUCTING CASE STUDIES

[RETIRED as per decision VII/33, paragraph 1]

DECISION III/12 | Programme of work for terrestrial biological diversity: forest biological diversity

[RETIRED as per decision VII/33, paragraph 1]

DECISION III/13 | Future programme of work for terrestrial biological diversity: dryland, mountain and inland water ecosystems

[RETIRED as per decision VII/33, paragraph 1]

DECISION III/14 | Implementation of Article 8(j)

The Conference of the Parties,

Reaffirming the spirit and the intent of the Convention as expressed in Article 8(j),

Recognizing that Article 8(j) is closely linked with other articles of the Convention, in particular Articles 10(c), 17.2 and 18.4,

Taking note of relevant activities within the United Nations system, in particular under the Commission on Human Rights, and of relevant international instruments, such as Convention 169 of the International Labour Organization,

Stressing the need for Contracting Parties to implement Article 8(j) and related articles and to initiate a process toward this end,

Realizing the importance of biological diversity for indigenous and local communities embodying traditional lifestyles relevant for the conservation and sustainable use of biological diversity,

Emphasizing the need for dialogue with representatives of indigenous and local communities embodying traditional lifestyles relevant for the conservation and sustainable use of biological diversity within the framework of the Convention,

Recognizing rights under national legislation of indigenous and local communities to control access to their knowledge, innovations and practices relevant for the conservation and sustainable use of biological diversity,

Reaffirming the dynamic nature of traditional knowledge, innovations and practices,

Recognizing that traditional knowledge should be given the same respect as any other form of knowledge in the implementation of the Convention,

Emphasizing the need for Parties to initiate projects on capacity-building with indigenous and local communities to address concerns in the conservation and sustainable use of biological diversity and of equitable sharing of the benefits arising from the utilization of their knowledge, innovations and practices,

Recognizing that issues related to traditional knowledge, innovations and practices go beyond the scope of the Convention,

Expressing its sincere appreciation for the valuable contribution made by the participating representatives of the indigenous and local communities at the third meeting of the Conference of the Parties,

1. *Requests* those Parties that have not yet done so to develop national legislation and corresponding strategies for the implementation of Article 8(j) in consultation particularly with representatives of their indigenous and local communities;
2. *Urges* Parties to supply information about the implementation of Article 8(j) and related articles, for example, national legislation and administrative and incentive measures, and to include such information in national reports;
3. [RETIRED as per decision VII/33, paragraph 1]

4. *Requests* the Executive Secretary to remain informed as to relevant international processes and bodies, including, *inter alia*, those under the auspices of the Commission on Human Rights and the Commission on Sustainable Development, Convention 169 of the International Labour Organization, the World Intellectual Property Organization, the World Bank, the Food and Agriculture Organization of the United Nations, the United Nations Educational, Social and Cultural Organization, and the World Trade Organization, and to provide periodic reports related to Article 8(j) and related articles to the Conference of Parties;

5. *Requests* the interim financial mechanism to examine the support of capacity-building projects for indigenous and local communities embodying traditional lifestyles related to the preservation and maintenance of their knowledge, innovations and practices relevant for the conservation and sustainable use of biological diversity with their prior informed consent and their participation;

6. [RETIRED as per decision VII/33, paragraph 1]

7. *Decides* that an intersessional process should be established to advance further work on the implementation of Article 8(j) and related provisions with a view to producing a report for consideration at the fourth meeting of the Conference of the Parties;

8–12. [RETIRED as per decision VII/33, paragraph 1].

ANNEX

1. The workshop would seek:

- (a) To identify the extent to which the various organizations, individually or collectively, could address interests in Article 8(j), such as guidance to Governments on implementation;
- (b) To identify any gaps which would help set future priorities of the Conference of the Parties;
- (c) To consider the background document prepared by the Executive Secretary according to operative paragraph 9 to the present decision;
- (d) To consider the input provided by the indigenous and local communities embodying traditional lifestyles according to paragraph 10 to the present decision;
- (e) To consider the information provided by the Parties on national implementation under Article 8(j) and related articles and seek to draw conclusions which will be of assistance in an assessment of priorities for future work by Parties and by the Conference of the Parties relevant to Article 8(j) and related articles;
- (f) To provide advice to the Conference of the Parties on the possibility of developing a workplan on Article 8(j) and related articles including the modalities for such a workplan;
- (g) To examine the need to establish an open-ended intersessional working group or a subsidiary body to address the role of traditional knowledge, innovations

and practices of indigenous and local communities embodying traditional lifestyles relevant to the conservation and sustainable use of biological diversity.

2. In organizing the workshop,
 - (a) The Executive Secretary will consult with the Centre for Human Rights and other relevant bodies on organizational considerations in sessions of the United Nations Working Group on Indigenous Populations in order to inform the process of organizing this workshop;
 - (b) The Parties shall, as far as possible and as appropriate, promote consultations among indigenous and local communities embodying traditional lifestyles relevant for the conservation and sustainable use of biodiversity in order for them to choose their representatives to the workshop;
 - (c) A set number of funded participants will be determined according to the amount of voluntary contributions received and will be allocated taking into account regional and gender representations;
 - (d) A core figure of US\$ 350,000 will be allocated in the budget of the Convention on Biological Diversity to cover the administrative costs of the workshop;
 - (e) Consideration could be given to holding it back-to-back with the third meeting of the Subsidiary Body on Scientific, Technical and Technological Advice or at a venue offered by a voluntary host.

DECISION III/15 | Access to genetic resources

The Conference of the Parties,

Recognizing the importance of the implementation of Article 15 with all of its provisions,

Noting that the implementation of Article 15 is closely linked to that of other Articles, such as 8(j), 11, 16.2, 16.5, 17.2, 19.1 and 19.2,

Taking note of the importance of national and regional efforts, as set out in its decision II/11,

Recalling the support expressed in decision II/15 for the harmonization of the International Undertaking on Plant Genetic Resources for Food and Agriculture with the Convention on Biological Diversity, and noting the linkages of Article 15 with the further development and implementation of the work by the Food and Agriculture Organization of the United Nations on the Global System,

Recognizing that there is a variety of approaches to managing access to genetic resources based on their diversity and other considerations,

Recalling decision II/18, that placed the distribution of the benefits from technology, including biotechnology, on the agenda of the fourth meeting of the Conference of the Parties,

1–2. [retired as per decision VII/33, paragraph 1]

3. *Urges* Governments, regional economic integration organizations, the interim financial mechanism, and competent international, regional and national organizations to support and implement human and institutional capacity-building programmes for Governments, non-governmental organizations and local and indigenous communities, as appropriate, to promote the successful development and implementation of legislative, administrative and policy measures and guidelines on access, including scientific, technical, business, legal and management skills and capacities;

4. *Invites* Governments, regional economic integration organizations and competent international, regional and national organizations to conduct analyses of ongoing experiences of legislative, administrative and policy measures and guidelines on access, including regional efforts and initiatives, and to disseminate these widely to assist Parties and stakeholders involved in developing and implementing measures and guidelines on access;

5. *Encourages* Governments and regional economic integration organizations to explore and develop, in collaboration with relevant stakeholders, guidelines and practices to ensure mutual benefits to providers and users of access measures and to implement them effectively at the national, regional or international level, as appropriate;

6. *Encourages* Governments and regional economic integration organizations to identify and communicate to the Secretariat competent national authorities responsible for granting access to genetic resources and/or competent national authorities to provide information on the granting of access to genetic resources;

7. [RETIRED as per decision VII/33, paragraph 1]

8. *Requests* the Executive Secretary to cooperate closely with the World Trade Organization through the Committee on Trade and Environment to explore the extent to which there may be linkages between Article 15 and relevant articles of the Agreement on Trade-related Aspects of Intellectual Property Rights;

9. *Urges* the Executive Secretary to coordinate closely with the Food and Agriculture Organization of the United Nations, United Nations Conference on Trade and Development and other relevant organizations working on access to genetic resources to ensure complementary efforts.

DECISION III/16 | Ways to promote and facilitate access to and transfer and development of technology, as envisaged in Articles 16 and 8 of the Convention

[RETIRED as per decision VII/33, paragraph 1]

DECISION III/17 | Intellectual property rights

The Conference of the Parties,

Recognizing that intellectual property rights are relevant to and may have implications for the implementation of the Convention and the achievement of its objectives,

Noting that intellectual property rights are the focus of other international agreements and organizations,

Recalling Article 16, paragraph 5, of the Convention,

Recognizing the importance of implementing intellectual property rights-related provisions of the Convention on Biological Diversity and of international agreements relating to intellectual property rights in a mutually supportive way,

Recalling decision II/12 of the second meeting of the Conference of the Parties,

1. *Encourages* Governments, and relevant international and regional organizations, to conduct and communicate to the Executive Secretary, for dissemination through means such as the clearing-house mechanism, case studies of the impacts of intellectual property rights on the achievement of the Convention's objectives, including relationships between intellectual property rights and the knowledge, practices and innovations of indigenous and local communities embodying traditional lifestyles relevant for the conservation and sustainable use of biological diversity. Such studies could:

- (a) Take into account the information and options for future work contained in the preliminary study prepared by the Executive Secretary, contained in document UNEP/CBD/COP/3/22;
- (b) Take into consideration existing and potential interrelationships between intellectual property rights and other aspects of the Convention's implementation, including, for example, implementation of Articles 8(j), 15 and 16;
- (c) Involve, through consultation or cooperation, relevant international organizations, as well as relevant regional and national bodies, stakeholders, and others with relevant expertise, as appropriate;
- (d) Consider the role and the potential of existing intellectual property rights systems in achieving the objectives of the Convention, including, *inter alia*, in facilitating technology transfer and in arrangements by which interested parties including indigenous and local communities embodying traditional lifestyles relevant for the conservation and sustainable use of biological diversity and countries may determine access to and share equitably the benefits of genetic resources or knowledge, innovations and practices;
- (e) Consider the development of intellectual property rights, such as *sui generis* systems/approaches, or alternative forms of protection that could promote achievement of the Convention's objectives, consistent with the Parties' international obligations;

- (f) Reflect the importance of coordinating efficiently with work undertaken pursuant to other elements of the work programme of the Conference of the Parties and work programmes of other relevant organizations;
2. *Notes* that the possible establishment of a new international intellectual property rights regime for databases could have implications for scientific and technical cooperation related to conservation and sustainable use of biological diversity, and calls for an open and transparent evaluation of these implications;
- 3–6. [RETIRED as per decision VII/33, paragraph 1]
7. *Notes* the potential mutual benefits of exchanging information related to Article 16 of the Convention on Biological Diversity and the laws and regulations received by the Council on Trade-related Aspects of Intellectual Property Rights pursuant to the notification requirement of Article 63 of the Agreement on Trade-Related Aspects of Intellectual Property Rights;
8. *Recognizes* that further work is required to help develop a common appreciation of the relationship between intellectual property rights and the relevant provisions of the Agreement on Trade-related Aspects of Intellectual Property Rights and the Convention on Biological Diversity, in particular on issues relating to technology transfer and conservation and sustainable use of biological diversity and the fair and equitable sharing of benefits arising out of the use of genetic resources, including the protection of knowledge, innovations and practices of indigenous and local communities embodying traditional lifestyles relevant for the conservation and sustainable use of biological diversity.

ANNEX

THE CONVENTION ON BIOLOGICAL DIVERSITY AND THE AGREEMENT ON TRADE-RELATED ASPECTS OF INTELLECTUAL PROPERTY RIGHTS

[RETIRED as per decision VII/33, paragraph 1]

DECISION III/18 | Incentive measures

The Conference of the Parties,

Affirming that the implementation of incentive measures, in a broad social, cultural and economic context, is of central importance to the realization of the three objectives of the Convention,

Recalling that economic and social development and poverty eradication are the first and overriding priorities of developing countries,

Recognizing that incentive measures are country-specific and need to take into account varying legal, political, economic and social conditions,

Noting that local and indigenous communities and the private sector have an important role in the design and implementation of incentive measures,

Taking note of document UNEP/CBD/COP/3/24,

1. [RETIRED as per decision VII/33, paragraph 1]
2. *Resolves* that incentive measures shall be included as appropriate on the agenda of the Conference of the Parties and be integrated into the sectoral and thematic items under the medium-term programme of work of the Conference of the Parties;
3. *Encourages* Parties to review their existing legislation and economic policies, to identify and promote incentive for the conservation and sustainable use of components of biological diversity, stressing the importance of taking appropriate action on incentives that threaten biological diversity;
4. *Encourages* Parties to ensure adequate incorporation of the market and non-market values of biological diversity into plans, policies and programmes and other relevant areas, *inter alia*, national accounting systems and investment strategies;
5. [RETIRED as per decision VII/33, paragraph 1]
6. *Encourages* Parties to incorporate biological diversity considerations into impact assessments, consistent with Article 14 of the Convention, as a step in the design and implementation of incentive measures;
- 7–8. [RETIRED as per decision VII/33, paragraph 1]
9. *Requests* the Executive Secretary to take into consideration relevant work under way in other forums, such as United Nations Conference on Trade and Development and the Organisation for Economic Cooperation and Development;
10. *Requests* the Subsidiary Body on Scientific, Technical and Technological Advice, as appropriate, to provide in its recommendations to the Conference of the Parties scientific, technical and technological advice on the implementation of Article 11 in relevant thematic areas.

DECISION III/19 | Special session of the General Assembly to review implementation of Agenda 21

[RETIRED as per decision VII/33, paragraph 1]

DECISION III/20 | Issues related to biosafety

[RETIRED as per decision VII/33, paragraph 1]

DECISION III/21 | Relationship of the Convention with the Commission on Sustainable Development and biodiversity-related conventions, other international agreements, institutions and processes of relevance

The Conference of the Parties,

Recalling decisions II/13 and II/14 adopted at its second meeting,

Reaffirming the need to make mutually supportive activities under the Convention on Biological Diversity and activities under other conventions, processes and institutions relevant to the achievement of the objectives of the Convention, while avoiding unnecessary duplication of activities and costs on the part of Parties and of the organs of the Convention,

Welcoming the progress made to date in the development of cooperative arrangements with relevant conventions, institutions and processes, as described in document UNEP/CBD/COP/3/29,

1. [RETIRED as per decision VII/33, paragraph 1]
2. *Endorses* the memoranda of cooperation entered into by the Executive Secretary with the secretariats of the Convention on Wetlands of International Importance, especially as Waterfowl Habitat, the Convention on International Trade in Endangered Species of Wild Fauna and Flora and the Convention on the Conservation of Migratory Species of Wild Animals, and encourages the development of further such arrangements with relevant international biological diversity-related bodies, including regional conventions;
3. *Requests* the Executive Secretary to continue to coordinate with the secretariats of relevant biological diversity-related conventions, institutions, and processes, with a view to: facilitating the exchange of information and experience; exploring the possibility of recommending procedures for harmonizing, to the extent desirable and practicable, the reporting requirements of Parties under those instruments and conventions; exploring the possibility of coordinating their respective programmes of work; and consulting on how such conventions and other international legal instruments can contribute to the implementation of the provisions of the Convention on Biological Diversity;
- 4–7. [RETIRED as per decision VII/33, paragraph 1]
8. *Urges* the Parties to ensure that the conservation and sustainable use of wetlands, and of migratory species and their habitats, are fully incorporated into national strategies, plan and programmes to preserve biological diversity;
9. [RETIRED as per decision VII/33, paragraph 1]
10. *Calls on* the national focal points of the Convention on Biological Diversity, and the competent authorities of the Convention on Wetlands of International Importance, the Convention on the Conservation of Migratory Species and the Convention on International Trade in Endangered Species of Wild Fauna and Flora to cooperate on the implementation of these conventions at the national level to avoid duplication of effort;

11. [RETIRED as per decision VII/33, paragraph 1]

12. *Invites* contracting parties to relevant biological diversity-related conventions to explore opportunities for accessing funding through the Global Environment Facility for relevant projects, including projects involving a number of countries, which fulfil the eligibility criteria and guidance provided by the Conference of the Parties to the Convention on Biological Diversity to the Global Environment Facility.

DECISION III/22 | Medium-term programme of work for 1996-1997

[RETIRED as per decision VII/33, paragraph 1]

DECISION III/23 | Administrative matters

The Conference of the Parties,

Recalling decision I/4 of the first meeting of the Conference of the Parties,

Reiterating its gratitude to the Government of Canada for the generous offer to host the Permanent Secretariat of the Convention on Biological Diversity,

Welcoming the speed with which the relocation of the Permanent Secretariat from Geneva to Montreal took place,

Expressing appreciation to the Executive Director of the United Nations Environment Programme for finalizing negotiations for the headquarters agreement between the Permanent Secretariat of the Convention and the Government of Canada,

Noting with concern the difficulties encountered by the Permanent Secretariat in making the transition, in particular the difficulties associated with the establishment of efficient and timely services and with recruitment of staff,

Taking note with appreciation of the efforts of the Executive Secretary to continue the functions of the Permanent Secretariat in these circumstances and urging him to continue his efforts to meet the needs of the Convention,

1. *Invites* the Executive Director of the United Nations Environment Programme and the Executive Secretary of the Convention on Biological Diversity to develop procedures, making an effort to conclude by 27 January 1997, with respect to the functioning of the Permanent Secretariat of the Convention on Biological Diversity, to clarify and make more effective their respective roles and responsibilities;

2. *Stresses* that these procedures must provide for the managerial autonomy and efficiency of the Permanent Secretariat and its responsiveness to the needs of the Convention, and must ensure the administrative accountability of the Executive Secretary to the Conference of the Parties;

3. *Stresses* also that the procedures must be in accordance with the United Nations financial and staff rules and regulations and with decision I/4 of the

Conference of the Parties and should as far as possible, and where appropriate, follow the Personnel, Financial and Common Services arrangements agreed to between the United Nations and the Framework Convention on Climate Change;

4. *Requests* the Executive Secretary to make available to the Parties copies of the agreed procedures on a timely basis and to report to the Conference of the Parties through its Bureau at its fourth meeting on the implementation of these arrangements.

DECISION III/24 | Budget of the Trust Fund for the Convention on Biological Diversity

The Conference of the Parties

1–4. [RETIRED as per decision VII/33, paragraph 1]

5. *Decides:*

- (a) That two special trust funds shall be established: (i) a special voluntary trust fund for additional voluntary contributions to the core budget for approved activities under the Convention on Biological Diversity (annex, part B), and (ii) a special voluntary trust fund for facilitating participation of Parties in the Convention process (annex, part C)⁶⁹;
- (b) That the Executive Director of the United Nations Environment Programme should be requested to establish the special trust funds referred to in paragraph 5(a) above, for which the Financial Rules for the Administration of the Trust Fund for the Convention on Biological Diversity and other arrangements for that Fund shall apply *mutatis mutandis*, with the exception of the modification in sub-paragraph 5(f) below;
- (c) That all the Parties and States not Parties to the Convention, as well as governmental, intergovernmental and non-governmental organizations and other sources should be invited to contribute to the special trust funds;
- (d) That the Trustee shall promptly advise the Executive Secretary of the receipt of all the contributions and acknowledge receipt of such contributions;
- (e) That on a monthly basis the Trustee shall provide the Executive Secretary with information on the status of allotments, expenditures, trial balances and unliquidated obligations;
- (f) That the Executive Secretary may make transfers from one budget line to another in accordance with the Financial Rules and Regulations of the United Nations;

6. *Requests* the Executive Secretary to explore in conjunction with the Executive Secretaries of the United Nations Framework Convention on Climate Change and

⁶⁹ Developing country Parties, in particular the least developed among them, and small island developing States.

the United Nations Convention to Combat Desertification in those Countries Experiencing Serious Drought and/or Desertification, particularly in Africa, the availability, cost and funding of suitable liaison arrangements in Geneva and/or New York and to report thereon to the Conference of the Parties at its next meeting;

7. *Urges* all those making financial contributions to a trust fund of the Convention to provide details promptly to the Executive Secretary regarding the amounts, date of payment, conditions and any other relevant information;

8. *Requests* the Executive Secretary to ensure that duplicates of all the information on financial matters and the relevant documents are kept in custody at the seat of the Permanent Secretariat according to the Financial Rules and Regulations of the United Nations;

9. *Directs* the Executive Secretary to consider carefully all offers of support from other organizations and to cooperate with them with a view to making the most effective use of the available competencies, resources and services and to enter into such administrative and contractual arrangements as may be necessary for the effective discharge of the functions of the Permanent Secretariat;

10. *Requests* the Executive Secretary to prepare and submit to Parties a quarterly report on the administration of the Convention including such matters as staff lists, status of contributions, progress on the implementation of the medium-term work programme and financial expenditures;

11. *Requests* the Executive Secretary to include in the documents circulated for consideration at future meetings of the Conference of the Parties estimates of the likely costs of the recommendations contained therein, where such recommendations would have significant implications for the budget of the Convention.

ANNEX

A. Budget of the Trust Fund for the Convention on Biological Diversity for the biennium 1997–1998

[RETIRED as per decision VII/33, paragraph 1]

APPENDIX TO PART A

[RETIRED as per decision VII/33, paragraph 1]

DECISION III/25 | Date and venue of the fourth meeting of the Conference of the Parties

[RETIRED as per decision VII/33, paragraph 1]

**DECISION III/26 | Convening of regional and subregional meetings for
Parties to the Convention**

[RETIRED as per decision VII/33, paragraph 1]

**DECISION III/27 | Tribute to the Government and people of the
Argentine Republic**

[RETIRED as per decision VII/33, paragraph 1]

