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INCD HIGHLIGHTS FRIDAY, 9 FEBRUARY 1996

The Working Groups met all day with Working Group I considering the designation of a permanent secretariat and financial rules of the COP, while Working Group II dealt with the Committee on Science and Technology (CST).

WORKING GROUP I

DESIGNATION OF A PERMANENT SECRETARIAT:

The Secretariat introduced the Designation of a Permanent Secretariat (PS) and Arrangements for Its Functioning (A/AC.241/44) explaining that the issue has two tracks: location, which will be addressed through written submissions for INCD-9, and administrative arrangements for the PS. Most of the document is a response by the UN Secretary General (SG) to a request from INCD-7 regarding possible support for the PS without fully integrating it into the work programme or management structure of any programme. Paragraph 21(a), paying for core staff from the UN regular budget, should be disregarded because of the UN's current financial uncertainty.

Greece on behalf of **OECD countries** said input is needed from capitols before discussing details. He suggested renewing the invitation to potential host organizations, and offered to submit a draft decision. **Bangladesh** said formal offers from potential hosts were missing, but the Secretariat said there had been no formal offers. **Argentina** suggested following the example of the Climate Convention; to be institutionally linked to, but not integrated into, any UN department.

Senegal said the decision could be a middle ground between attaching the PS to the UN Secretariat or to one of two institutions being mentioned. He favored attaching the PS to the UN with support from specialized agencies.

Morocco said delegates need to understand the institutional link while maintaining the sovereignty of COP. **Benin** suggested that the Secretariat should encourage a rapid development of an understanding specifying possible support from specialized agencies. The Secretariat said INCD can decide an appropriate time to request inputs.

France said discussion of a PS linked to the UN but not integrated fully precludes consideration of other organizations such as UNEP, which satisfactorily supports the Vienna Convention and Montreal Protocol. The Climate Convention could be a model but it is unclear how a small machinery will function within the UN Secretariat. Integrating the PS with UNEP or UNDP would support it with funds the UN SG cannot supply. **Morocco** said paragraph 23 provides an opportunity to obtain additional information from the SG. Although options with other organizations should be maintained, an SG proposal

on support for the PS is needed. **Argentina** said difficulties and successes of secretariats supported by UNEP should be considered.

Cameroon, on behalf of the **African Group**, and **Cuba** supported Benin's and Morocco's requests for additional information. **Djibouti** said paragraph 21(a) impacts others promising support for core PS staff.

The Chair summarized, suggesting that delegations submit written comments to the Secretariat. The Secretariat would prepare a summary document with Parties' submissions as well as responses from institutions to information requests, including a new report from the SG. France said international organizations should also be requested to report how they could replace the SG's support.

FINANCIAL RULES OF THE COP, ITS SUBSIDIARY BODIES AND THE PERMANENT SECRETARIAT:

The Secretariat introduced the subject as contained in document A/AC.241/45. Financial experts say the cost of administering three trust funds or one trust fund with three supplementary accounts is comparable, and processing a financial contribution of any amount costs US\$500. The Secretariat has prepared models on percentage rates for the scales of contribution, but because these vary depending on the number of Parties to the Convention, presentations are best done to individual delegations so as to address their interests. The models demonstrate that the effect of large or small contributions is insignificant. The issue is whether to do away with small contributions.

The Group only considered paragraphs 1 through 4 and was unable to agree on bracketed text.

Paragraph 1 limits the scope of the financial rules to either the institution hosting the permanent secretariat or the UN. There was no debate because the decision depends on the selected institution. Austria, supported by Canada and Switzerland, suggested deleting the provision that these rules apply "unless the COP decides otherwise" because this is addressed in paragraph 24. Cameroon, on behalf of Africa, said he prefers to retain the provision because it is not in the current rules. Otherwise, Senegal added, the SG would always require a COP decision to operate. France suggested to retain the bracketed phrase but add that the COP can only do so "by consensus."

Paragraph 2 provides for a biennium financial period with an even-numbered first calendar year. Although no text was bracketed, the Netherlands, supported by Switzerland and others, pointed out that a crisis would arise during the third biennium if the COP-1 is held in 1997. Morocco suggested harmonizing the budget year to those of recent conventions.

Paragraph 3 focused on the currency to be used in the preparation of the budget, either a convertible currency or US dollars. Cuba, supported by Chile, Bangladesh and the UK, suggested deferring the discussion until the location of the

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permanent secretariat is determined. Benin, supported by Senegal, said US dollars should be retained because the reference to convertible currencies discriminates against some countries that may wish to host the permanent secretariat. Uganda prefers US dollars because the secretariat should be administratively linked to the UN and for cost-effectiveness.

Paragraph 4 suggests whether the budget is considered at an ordinary or extraordinary session. Australia, supported by Switzerland, suggested deleting "ordinary or extraordinary." Lesotho proposed "the COP shall at its session consider..." Several delegations preferred retaining "ordinary." Cameroon said UN rules do not permit the adoption of budgets at extraordinary sessions. Bangladesh said extraordinary sessions are cumbersome to convene. Panama said not all states would be able to attend extraordinary sessions. France noted that the crisis identified in paragraph 2 for the third biennium would result in annual meetings of the COP at which budgets are approved in extraordinary sessions.

Cuba's proposed amendment was: "The COP shall consider and adopt at an ordinary session, prior to commencement of the financial period it covers..."

Paragraph 6 provides for the permanent secretariat to make transfers across budget lines. Due to time constraints Canada's suggested amendment permitting "transfers between such appropriation lines which the Conference of Parties may authorize from time to time" was not considered.

WORKING GROUP II

ORGANIZATION OF SCIENTIFIC AND TECHNOLOGICAL COOPERATION: The Secretariat noted that Section I (Terms of reference of the CST) is a negotiating text but Part II, on the roster of independent experts and *ad hoc* panels and is not. The Chair said a completed roster and terms of reference are needed for COP-1.

Paragraph 1(CST a subsidiary body): Although the League of Arab States objected to the generality of the paragraph it was adopted.

Paragraph 2(Functions of the CST): Sub-paragraphs: (a) on functions; (b) on data and information functions; and (c) dealing with research and review functions, attracted protracted debate. Half way through the discussion India suggested deleting the sub-headings. Other delegates wanted to keep a minimum of text and refer to relevant articles of the CCD. The Chair proposed that the Secretariat should prepare another text but after some debate, it was decided to retain the sub-headings and that the existing Secretariat document was acceptable. With some amendments all paragraphs were adopted except 2(a)(ii).

In the **chapeau of paragraph 2**, the US suggested inserting "and as requested by the COP" in order to avoid repetition in some of the sub-paragraphs. After a lengthy debate over whether the sub-paragraphs restrict CST action, the Chair's proposal to replace "are as follows" with "includes the following," was adopted.

Paragraph 2(a): Australia recommended that **sub-paragraph (i)**, which suggests that COP requests for information needed to implement the CCD, should specify that bodies such as IGOs and NGOs can provide information to the CST. It was agreed to delete most of the paragraph which now reads, "Provide scientific and technological information needed to implement the Convention."

Sub-paragraph (ii) deals with monitoring developments in science and technology. There was discussion about whether "monitoring" implied "assessment" and if the latter could be kept out of the text, but "assessment" was retained. South Africa, supported by Uganda and the UK, suggested adding "and give advice on the possible utilization of the required information" at the end of the sentence. It was finally agreed to bracket the phrase "Monitor and assess the impact of developments in science and technology, and give advice on possible utilization of such developments for the implementation of the Convention."

Sub-paragraph (iii) providing for advice to COP on the evolution of scientific and technological knowledge was adopted, as was **sub-paragraph (iv)** on advice on research priorities, with minor amendments.

Sub-paragraph (v) deals with the establishment of *ad hoc* panels. It was emphasized that the COP establishes *ad hoc* panels, however, in practice, the CST will see needs and seek the COP's support for panels. The phrase "Make recommendations to the establishment of *ad hoc* panels including general guidelines and recommendations on the terms of reference, composition and duration of the panels" was adopted.

Sub-paragraph (vi) addresses the issue of advice on the roster of independent experts. South Africa, supported by Sudan, Uganda, Canada and Morocco, suggested amending language about local knowledge to read: "Advise on the structure, membership and maintenance of the roster of independent experts, bearing in mind the recognition the Convention gives to the local knowledge and expertise." It was adopted.

Paragraph 2b: Sub-paragraph (i), recommendations on collection of data, and **sub-paragraph (ii)**, recommended indicators, were adopted with minor amendments.

Paragraph 2(c): Extensive discussion followed Belgium's proposal to replace all the sub-paragraphs with one sentence referring to Article 17 in the CCD. It was agreed to retain **sub-paragraph (i)** that provides for making recommendations regarding specialized research, **sub-paragraph (ii)** on new scientific approaches and **sub-paragraph (iii)** on promoting comparative research, with minor amendments.

South Africa, supported by Chile, Korea, Zimbabwe, India, the UK and others, suggested an additional **sub-paragraph (iv)**, which after amendment states: "make recommendations for promoting participative research relevant traditional and local technology, knowledge, know-how and practices," using information and services from various groups.

IN THE CORRIDORS

Dissatisfied by the pace at which the Global Mechanism, financial rules and other items are inching toward decisions, a number of delegates say INCD can do its work in shorter meetings, saving money that could in turn be dedicated to interim activities and implementation. Some delegates say the slow pace cannot be avoided because the INCD can only prepare for decisions the COP is only likely to take in 1997. Others say the procedural issues cannot be resolved prior to decisions on similar matters still under debate in other conventions that are already in force. And observers caution that regardless of costs or other efficiencies, shortening sessions could be politically risky by giving the impression that CCD is not on a par with other conventions. Notwithstanding, others charge that the meetings are doing too little in too much time at too great a cost. Look for proposals to reorganize future sessions.

THINGS TO LOOK FOR TODAY

PLENARY: The Plenary reconvenes at 10:00 am to: review the progress of the session; continue discussion on the interim activities in the Latin American and Caribbean and Northern Mediterranean regions, as well as hear statements by WMO, UNEP and UNDP; and to discuss the situation as regards extrabudgetary funds.

WORKING GROUP I: The Group meets at 3:00 pm to consider Programme and Budget (A/AC.241/46) and continue discussion on financial rules.

WORKING GROUP II: In the afternoon, the Group will briefly deal with communication of information and review of implementation (A/AC.241/49), procedures to resolve questions of implementation (A/AC.241/50), and conciliation and arbitration (A/AC.241/51) and then resume discussions on rules of procedure of the COP (A/AC.241/48).