A DAILY REPORT ON THE EIGHTH SESSION OF THE INC FOR THE CONVENTION TO COMBAT DESERTIFICATION

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INCD HIGHLIGHTS TUESDAY, 13 FEBRUARY 1996

Plenary met for 15 minutes at the end of the morning session to elect a Chair for Working Group I. After a morning of regional consultations on the Global Mechanism (GM), Working Group I met for an hour in the afternoon and discussed the GM. Working Group II met all day and considered the Committee on Science and Technology and Rules of Procedure.

PLENARY

The Chair explained that Working Group I Chair Mourad Ahmia was no longer an official of Algeria's delegation, requiring the selection of a new Chair. Costa Rica, on behalf of the **G-77 and China**, nominated Mahmoud Ould El Gaouth (Mauritania), which was accepted.

WORKING GROUP I

The Vice-Chair Erwin Ortiz (Bolivia) asked regional groups to report on their consultations on the Global Mechanism (GM) as contained in document A/AC.241/45.

Costa Rica, on behalf of the **G-77 and China**, said the group is not in a position to submit a detailed paper defining its position. He suggested that delegates consider procedure rather than substance. He recommended that the subject be referred to INCD-9 for substantive debate.

Greece, on behalf of the **OECD**, said a subgroup under France could present its work. **France** said provisional conclusions of the OECD deliberations focus on defining GM functions. These should include information, analysis and advice, facilitating and coordination, and reporting on the GM's work. The GM should: compile a database of bilateral, multilateral and private sector finance; encourage co-financing and other mechanisms; advise NGOs or private entities on a desertification fund; and possibly advise on mechanisms for channeling resources. It is up to the GM to stimulate participation of new actors. The Vice Chair said a draft decision will be prepared for consideration Wednesday. The draft decision will note that the Group has considered the subject of the GM and request delegations to submit written presentations by 1 May on GM functions and possible criteria for the institution hosting the GM. It will request that the Interim Secretariat should submit to INCD-9 a compilation of views on the institutional host for the GM as well as a revised paper on the GM from the written submissions.

The Vice-Chair then proposed the consideration of financial rules but this could not be done to avoid a clash with the discussion of rules of procedure in Working Group II.

WORKING GROUP II

The Group, chaired by Takao Shibata (Japan), spent the morning considering the draft terms of reference of the Committee on Science and Technology (CST) and roster of independent experts as contained in document A/AC.241/47. The afternoon session started with the consideration of procedures to resolve questions on implementation and procedures for conciliation and arbitration, as contained in documents A/AC.241/50 and A/AC.241/51, respectively. The Group then went on to consider rules 10 to 22 of the procedures for the COP, as contained in document A/AC.241/48.

TERMS OF REFERENCE OF THE COMMITTEE ON SCIENCE AND TECHNOLOGY: The Group concluded its discussions on the negotiating text by agreeing to adopt **paragraphs 8** and **9**, on programme of work and reports, with minor amendments. With reference to paragraph 9, France suggested language for a proposed **paragraph 9 bis**, which provides that the Chair shall be responsible for work between sessions. This document will be included in the Secretariat's revised text. **Paragraph 10** on the sessions of the CST was deleted because it is identical to rule 30 in the rules of procedure.

On the CST's liaison with the scientific community and cooperation with international organizations, the US proposed an addition to **paragraph 11** so that it corresponds with Article 22, paragraph 2(h) of the CCD. The last sentence now includes competent bodies or agencies, whether national, international, intergovernmental or non-governmental. After lengthy debate, **paragraph 12** was agreed to and reads: "The Committee shall keep itself informed of the activities of the scientific advisory bodies of other Conventions and of relevant international organizations, and shall coordinate its activities and cooperate closely with them to avoid duplication of work and optimize results." **Paragraph 13** on transparency and availability of work triggered a debate on the accessibility of the result of the Committee. Senegal emphasized the need to retain language on the availability of the results in the most efficient and least expensive means of communication. However, it was agreed to retain only the first sentence of that paragraph, that reads: "The results of the work of the Committee shall be in the public domain." **Paragraph 14**, stipulating that by the Permanent Secretariat shall make arrangements for the sessions of the CST, was deleted.

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The Chair said the second section was a compilation of views on the roster of experts and requested comments to develop a negotiating text for INCD-9.

France said Parties could recommend any expert, especially those from NGOs. The question of removing experts from the roster should be addressed. **Argentina,** supported by the UK, Cuba, India and Kenya, said nominations for the roster should be decided by COP, not subjected to examination by the CST. The **UK** said a detailed list of disciplines is unnecessary and premature.

Austria said there are no special requirements to qualify as an expert. **Brazil** said GRULAC countries had proposed not to include language on financial support only for developed country experts. **Cuba** said the CST could evaluate the composition of the roster and recommend changes, but it should not approve experts. Financial support should be provided in a joint fund.

The **League of Arab States** said the CST should prepare guidelines for choosing competent experts. **China** said Parties may decide who they nominate but should include experts with multidisciplinary backgrounds. Specific disciplines listed exclude many elements.

Uzbekistan said a Party should be able to consider experts who are not nationals of the nominating Party. Some orientation is needed regarding disciplines. Delegates should consider training developing country experts. **Turkmenistan** said paragraph 12, stating that Parties may nominate only their own nationals, and paragraph 14, permitting one expert per Party, should be deleted. **Kenya** said the document should retain references to equitable geographic representation. All experts should be funded regardless of their origin. NGO experts should be included.

Sudan said the roster of experts is wider than the CST and should emphasize geographic distribution. Richard Ledgar of the Australian Council For Overseas Aid, on behalf of **NGO**s, supported: nominations not being limited to Parties' nationals; circulating the roster to organizations; and permitting nominees from NGOs. Disciplines should emphasize implementing participative processes and local ecology and technologies. **South Africa** said Parties should nominate experts irrespective of nationality. Financing should not discriminate against countries that cannot support their own experts. The Chair said the Group will complete a reading of the document Wednesday, particularly to discuss views on funds.

PROCEDURES TO RESOLVE QUESTIONS ON IMPLEMENTATION AND PROCEDURES FOR CONCILIATION AND ARBITRATION: The Secretariat introduced the documents A/AC.241/50 and A/AC.241/51. The Group agreed to postpone discussions on them to INCD-9. The Chair noted that document A/AC.241/51 copies the language adopted in the Convention on Biological Diversity. It was agreed that written proposals can be submitted to the Secretariat during the intersessional period.

RULES OF PROCEDURE FOR THE COP: The bracketed text in **Rules 10** to **16**, that deal with the provisional agenda, was deleted and the paragraphs agreed to. On **Rule 12** it was agreed that the Permanent Secretariat should include items on the provisional agenda in agreement with the President.

In **Rule 16**, agreement was reached not to specify that the COP would have to agree "by consensus" whether to automatically include incomplete agenda items from an ordinary session in the agenda of the following session. **Rules 17** to **21**, which address various aspects of the officers, were adopted without changes.

One hour of debate on **Rule 22** on the election of officers to the Bureau resulted in the elimination of the footnote that describes how the rule is to be organized. The debate centered on three aspects: the size of the bureau; geographical representation; and participation and status of the Chair of the CST.

Most delegations supported ensuring equitable geographical distribution in the Bureau. Switzerland noted that members are primarily there to protect the interest of their regional groups. Thus, the composition preferred by South Africa, UK, Australia and others, would have multiples of five, plus one other member, thus either six or eleven Bureau members. A majority of the delegates supported having nine vice-presidents.

The UK and Benin also supported the proposal to have an additional member from Africa.

Delegates did not agree on whether the Chair of the CST should be an *ex-officio* member or a regional representative. Some argued that the CST Chair was a technical, not a political position and should therefore be an *ex-officio* member. Others do not want the Chair of the CST to be a member of the Bureau. The Bureaus of the Conventions on Biological Diversity and Climate Change are set differently, thus they could not provide precedent. Sweden, supported by Switzerland, suggested that a separate rule should be prepared on the election of the Chair of the CST.

Spain introduced language that would provide for "adequate distribution of annexed affected country parties." Australia and the US objected and said they are also affected Parties, but without a regional annex.

The document is unlikely to be discussed again until INCD-9.

IN THE CORRIDORS

Delegates say the prospect may be waning of COP-1 occurring before the June 1997 UN General Assembly Special Session on UN Sustainable Development work since Rio. Predictions since INCD-6 of rapid entry into force of the CCD have given way to occasional mention of a possible INCD-11 and a decision from the General Assembly that COP-1 should take place in August 1997. Some delegates, however, still hope a wave of ratifications will make an earlier COP-1 possible.

A NOS FIDELES LECTEURS FRANCOPHONES:

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THINGS TO LOOK FOR TODAY

WORKING GROUP I: The Group meets in the morning to consider Financial rules and draft decisions on the issues it has considered to date.

WORKING GROUP II: The Group meets in a morning session to complete rules on *ad hoc* panels of the CST and discuss draft decisions.

No sessions are scheduled for the afternoon.