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INCD-9 HIGHLIGHTS THURSDAY, 5 SEPTEMBER 1996

Delegates to the ninth session of the Intergovernmental Negotiating Committee on the Convention to Combat Desertification (INCD-9) met in two working groups during the morning and afternoon. Working Group I considered the Global Mechanism and heard presentations from Spain, Canada and Germany, the countries bidding to host the Permanent Secretariat, as well as the UN agencies bidding to provide administrative support. Working Group II considered the rules of procedure and scientific and technological cooperation.

WORKING GROUP I

GLOBAL MECHANISM: The Chair, Mahmoud Ould El Gaouth, reported that following regional consultations Wednesday, the Group would begin by discussing the functions of the Global Mechanism, as contained in A/AC.241/56.

Chapeau: France, on behalf of the OECD, proposed an additional introduction extracted from the first sentence of Article 21, paragraph 4. Costa Rica, on behalf of the G-77 and China, amended the chapeau to: "In accordance with the relevant provisions of the Convention, in particular articles 7, 20 and 21, and the financial provisions of the regional implementation annexes, the GM shall function under the authority and guidance of the COP, be accountable and make regular reports to it. According to the principles of transparency, neutrality and universality, the GM, in carrying out its mandate under Article 21, paragraph 4, should perform the following functions:". Both proposals were accepted.

Collecting and disseminating information: Sub-paragraph 1 (a) was re-phrased and reads: "identify potential sources of financing from...the UN system,...private sector entities, and establish relations and maintain contact with them."

Following inputs from France, Tunisia, Germany and Lesotho, sub-paragraph (b) was amended to: "Establish and update an inventory of the financial needs of affected developing country Parties for carrying out action programmes and other relevant activities related to the implementation of the Convention, on the basis of information provided by the Parties under relevant articles of the Convention." The US requested time to study the proposal.

There were no changes to subparagraph (c) that addresses a variety of financing mechanisms, except for (c) (iii), in which "details of" at the beginning of the sentence was deleted, while "and/or mitigate the effects of drought" was added at the end.

At the start of the discussion on paragraphs 2 and 3 (analyzing and facilitating cooperation, respectively), Costa Rica cautioned that because the G-77 and China had not discussed the sections, he will need to re-confirm with his group regarding the agreements reached in the Working Group.

Analyzing and advising on request: No changes were made.

Facilitating cooperation and coordination: France, on behalf of the OECD, proposed amending sub-paragraph (c) to read: "...facilitate coordination through provision of information and other measures concerning relevant multiple source financing approaches, mechanisms and arrangements..." Tunisia pointed out that Article 21, paragraph 4 goes beyond providing information. France also proposed amending sub-paragraph (e) (ii) so as to enable Parties to receive information on eligibility criteria and projects from "international financial instruments and mechanisms, including the GEF..."

Lesotho proposed amending the chapeau of sub-paragraph (e) to make "use of the COP, and other relevant existing fora..." in the provision of information.

As he adjourned the sixty minute session, the Chair said discussion on the Mechanism will be taken up again during the second week of the session.

DESIGNATION OF A PERMANENT SECRETARIAT: The Group considered both the physical location (A/AC.241/54 and Add. 1-3) as well as the administrative arrangements (A/AC.241/55 and Add 1-3) during the afternoon.

Physical location: In the well-attended session that exuded great expectation, Spain's Minister for the Environment, the Mayor of Montreal, Canada, and Germany's Director General for Development Cooperation, each explained what the cities of Murcia, Montreal and Bonn respectively, would offer if selected to host the Permanent Secretariat. In addition to presenting each location's cultural, economic, social and geographical benefits that included the infrastructure and cost-of-living and each country's past involvement in anti-desertification activities, they made financial offers. Spain will provide 1100 square meters of office

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space indefinitely, US\$1 million every year in technical assistance to the Secretariat, and nearly US\$8 million for desertification projects in developing countries. Canada's package totals US\$5.2 million, including office space, technical assistance and financing. Germany offered rent-free office space, US\$1.32 million every year for the Secretariat and costs for Convention events organized by the Secretariat, in addition to their assessed contribution as a Party to the Convention, relocation costs for all the Secretariat staff and costs for language courses. The floor was then opened for questions but the presentations did not attract any discussion.

Administrative arrangements: UNDP, UNEP and WMO made statements supplementing the contents of A/AC.241/55 Add.1, 2 and 3, respectively. In light of the mandates given to it during UNCED, by UNGA and its own Governing Council, to support anti-desertification activities, UNEP can provide administrative support, and if another institution is selected, to collaborate and support it within its financial capability. UNDP clarified that it had not offered to host the Permanent Secretariat but is willing to support the institution selected. WMO said that, as in the past, it would continue to offer its support to the Convention. These presentations did not attract any debate either.

WORKING GROUP II

Benin, on behalf of the G-77 and China, expressed concern about the rumor that his Group has been the cause of the slow pace of work, and stated that they met as a Group on Wednesday to facilitate the speed of work at INCD-9.

RULES OF PROCEDURE: In **Rule 32** (matters for consideration), the G-77 and China proposed retaining the bracketed text noting that the allocation of work could be adjusted upon the request of a Party or group of Parties and added "or a member of the Bureau of a subsidiary body." The Russian Federation, the UK and the US supported deleting the bracketed text and objected to the G-77 and China's addition. Austria suggested replacing the bracketed text with "upon the request of the Chair of a subsidiary body." The G-77 and China changed Austria's proposal to "upon the request of a subsidiary body," which was agreed.

No substantive changes were made to **Rule 33** (duties of the head of the Permanent Secretariat).

The heading of **Rule 34** (functions of Secretariat) was changed to include the full name, "Permanent Secretariat." Subparagraph (b) was changed so that the Secretariat should "collect" and not "receive" the documents of the session. The issue whether the meetings of subsidiary bodies should be held in private or public, under **Rule 35** (meetings), paragraph 2, attracted lengthy debate. The G-77 and China supported "public" meetings, but the UK expressed concern that preparatory meetings then would be "open to the press and the man in the street." Austria proposed a break for consultations, during which delegates agreed that meetings of subsidiary bodies should be public, unless the subsidiary body concerned decides otherwise. As part of the solution, a **third paragraph** was added, which reads: "Meetings of *ad hoc* subsidiary bodies shall be private unless the body decides otherwise."

Rule 36 (quorum) was agreed as drafted. Delegates agreed to Canada's proposal to change "his" to "the speaker's" in **Rule 37** (procedures for speaking). **Rule 38** (precedence) was agreed as drafted.

ORGANIZATION OF SCIENTIFIC AND TECHNOLOGICAL COOPERATION: The Group went on to consider the organization of scientific and technological cooperation as contained in A/AC.241/57. In the Terms of Reference of the Committee on Science and Technology (CST),

only three bracketed parts remained and the Group was able to solve them all. In the bracketed text in **paragraph 2(ii)** (advisory functions of the CST), the G-77 and China had in earlier negotiations expressed concern with "monitor" and the UK with "assess." Upon the suggestion of the G-77 and China, the paragraph now reads "collect information, analyze, assess and report developments in science and technology...."

The discussion on **paragraph 6** (composition of the Bureau of the CST) elicited debate between the UK and the G-77 and China regarding the paragraph's link with Rules 22 and 31 (rules of procedure regarding the election of Bureau members of the COP and subsidiary bodies, respectively). It was finally agreed that there is no need to specify the number of Bureau members of the CST at the moment, thus the paragraph now reads: "The Committee shall elect its own Chairpersons, one of which shall act as Rapporteur. Together with the Chairperson, elected by the Conference of the Parties in accordance with rule 31 of the rules of procedure, they shall constitute the Bureau. The Chairperson and Vice-Chairpersons shall be elected with due regard to the need to ensure equitable geographical distribution and adequate representation of affected country Parties, particularly those in Africa, and shall not serve more than two consecutive terms."

In **paragraph 8 bis** (follow up), France noted that the paragraph was proposed at INCD-8 in recognition of the fact that the bulk of the work would be done outside the sessions, and someone should be responsible for follow up. The G-77 and China proposed that the Bureau, rather than the Chairperson, be responsible for follow up. Additional proposals included the "Chairperson together with the Bureau" (Uzbekistan) and "through its Chairperson the Bureau" (France). But delegates agreed that the Bureau should be responsible for follow up.

Section Two, Procedures for the Establishment and Maintenance of a roster of Independent Experts, Part I (Draft Recommendation to the COP) was agreed.

IN THE CORRIDORS

Delegates continued to discuss the options for the location of the Permanent Secretariat after the three presentations in Working Group I. Financial considerations were important to many, who noted that the location of the Secretariat would not matter if there were no funding for its work. Co-location with other international organizations and the related implications for staffing of embassies was also among the issues delegates were giving weight to as they evaluated the alternatives.

THINGS TO LOOK FOR TODAY

PLENARY: The Plenary is expected to meet from 3:00 to 4:30 pm in Conference Room 2 to take up unresolved issues from Monday's Plenary and to review the situation as regards extrabudgetary funds (A/AC.241/59).

WORKING GROUP I: The Working Group is expected to meet during the morning in Conference Room 1 to discuss the G-77 and China's proposal (A/AC.241/VIII/L.1 of 8 August 1995) that the UN Secretariat host the Permanent Secretariat, after which they will discuss the Financial Rules (A/AC.241/45/Rev.1).

WORKING GROUP II: The Working Group is expected to meet during the morning in Conference Room 2 to discuss communication of information and review of implementation (A/AC.241/49/Rev. 1 and 58).

PANEL: A panel discussion on Women and Desertification will meet at 4:30 pm in Conference Room 2. Presentations will be made on women and access to credit, women, land tenure and ownership, and pilot projects to inform rural women about CCD and assist them to prepare their input to national action programmes.