



CBD



**CONVENTION ON
BIOLOGICAL DIVERSITY**

Distr.
GENERAL

UNEP/CBD/COP/2/Inf.4
26 October 1995

ENGLISH ONLY

CONFERENCE OF THE PARTIES TO THE
CONVENTION ON BIOLOGICAL DIVERSITY
Second meeting
Jakarta, 6-17 November 1995
Item 8.1 of the provisional agenda

INFORMATION NOTE

**Outcome of the third session of the Commission on Sustainable Development
on the review of Chapters of Agenda 21 related to biological diversity**

The present note contains, in its annex, the outcome of the third session of the Commission on Sustainable Development, held in New-York from 11 to 28 April 1995, on the review of the implementation of Chapters 15 and 16 of Agenda 21 on the conservation of biological diversity and the environmentally sound management of biotechnology.

ANNEX

Chapter 15

Conservation of biological diversity

1. The Commission reaffirms the importance of the conservation of biological diversity and the sustainable use of its components, including marine and coastal ecosystems. It recognizes that the Convention on Biological Diversity provides the principal mechanism for advancing these objectives and notes with appreciation the statement presented by the President of the Conference of the Parties.
2. The Commission notes the successful outcome of the first meeting of the Parties to the Convention on Biological Diversity, in Nassau, the Bahamas, in 1994. It welcomes the adoption by the Parties of a Medium Term Programme of Work that reflects a balance among the Convention's three objectives: conservation of biological diversity, sustainable use of its components, and fair and equitable sharing of the benefits arising out of the utilization of genetic resources. The Commission also welcomes the prompt establishment under the COP of the Subsidiary Body for Scientific, Technical and Technological Advice and the rapid action toward the development of a clearing-house to promote and facilitate technical and scientific cooperation.
3. Furthermore, the Commission welcomes the invitation by the Conference of the Parties to the Convention on Biological Diversity to a dialogue on biodiversity and forests and recognizes the crucial role of conservation and sustainable management of all types of forests for maintaining the biological diversity of the whole planet, as well as the role of biological diversity for the integrity and functioning of forests ecosystems. The Commission emphasizes that biological diversity is of essential importance for the ecosystem functions of forests and further recognizes the role of conservation, management and sustainable use of forests for achieving the objectives of the Convention and welcomes future contributions of the Conference of the Parties to this end.
4. The Commission welcomes the activities to date undertaken within the United Nations system as well as the active participation of non-governmental organizations in the post-UNCED process.
5. The Commission stresses that the conservation of biological diversity and the sustainable use of its components cut across a wide spectrum of sectoral and cross-sectoral issues addressed in Agenda 21. The underlying motivation for conserving biological diversity and using its components sustainably is based on its significance for the integrity and functioning of the life supporting ecosystems and this is deeply rooted in concerns for the well-being and sustainable development of human kind, embracing such issues as ecosystem services, food security, poverty and the traditional knowledge, innovations and practices of indigenous people and local communities.
6. The Commission recognizes that, as provided for in Article 20.4 of the Convention, the extent to which developing country Parties will effectively implement their commitments under the Convention will depend on the effective implementation by developed country Parties of their commitments under this Convention related to financial resources and transfer of technology.
7. The Commission notes the decision of the Conference of Parties to the Convention on Biodiversity to include in their Medium Term Programme *inter alia* consideration of the knowledge, innovations and practices of indigenous and local communities.

8. The Commission notes that the restructured and replenished Global Environment Facility (GEF) will continue on the interim basis as the entity entrusted with the operation of the financial mechanisms of the Convention on Biological Diversity and Climate Change. The Commission emphasizes the importance of a speedy implementation of these commitments and the other responsibilities of the GEF and recalls its 1994 decision stating that the first replenishment of the restructured GEF was a first step at a minimum level and that there will be a need for further replenishment of its funds as the implementation of commitments under the various agreements and objectives envisaged for the Facility proceeds.

9. The Commission, stressing that these activities have to be implemented through the Convention:

(a) urges the Governments, which have not yet done so, to ratify, accede to and begin implementing the Convention on Biological Diversity;

(b) urges the international community to support efforts aimed at capacity building as well as human resource development, and at the transfer of technology to developing countries for the conservation of biodiversity, including through in situ and ex situ conservation, and the sustainable use of its components, and also urges each country to take legislative, administrative or policy measures, as appropriate, with the aim that the private sector facilitate access to joint development of technology, in accordance with Article 16.4 of the Convention;

(c) encourages the Conference of the Parties to the Convention on Biological Diversity, in collaboration with relevant organizations, to explore means for coordinating relevant global and regional agreements related to the Convention on Biological Diversity and establishing effective cooperation mechanisms;

(d) urges Governments to integrate actions geared to conserving biodiversity and the sustainable utilization of its components and to promote sustainable development, *inter alia*, through integrated action plans and sectoral strategies, particularly in forests, agriculture, living marine resources, rural development and land use, and to monitor the implementation and reporting of progress made;

(e) urges Governments to promote the fair and equitable sharing of the benefits accruing from the utilization of biological resources, in accordance with the provisions of the Convention on Biological Diversity;

(f) calls upon multilateral organizations, other intergovernmental organizations and non-governmental organizations to cooperate with the Convention on Biological Diversity and Governments in developing coordinating mechanisms based on national plans and programmes in accordance with the provisions of the Convention to ensure the effective implementation of the Convention and other related agreements;

(g) welcomes the decision of the COP to establish the clearing-house mechanism of the Convention, and urges Governments and intergovernmental, as well as non-governmental organizations, to collect, analyze and disseminate more reliable and adequate data for measuring achievements at the national, regional and global levels;

(h) calls upon Governments, multilateral and other intergovernmental organizations to make full use of existing knowledge and to further improve understanding of biodiversity in sustainable development;

(i) calls upon the international community to make efforts to develop economic mechanisms for determining the costs and benefits of the conservation of biological diversity and sustainable use of its components, and upon Governments in accordance with their national plans, policies and programmes to consider and undertake policies aimed at the effective implementation of the objectives of Chapter 15; and

(j) welcomes the decision of the Conference of the Parties to the Convention on Biological Diversity to include in their medium-term program *inter alia* consideration of the knowledge, innovations and practices of indigenous and local communities; take notes of the Statement of the Conference of Parties and that it would also be desirable that future work on the protection of traditional knowledge and practices of indigenous and local communities relevant to conservation and sustainable use should be coordinated with the relevant bodies; and welcomes the progress made in revising the International Undertaking on Plant Genetic Resources for Food and Agriculture which related to outstanding matters concerning plant genetic resources including access to *ex situ* collections and the question of farmer's rights.

Chapter 16

Environmentally sound management of biotechnology

1. The Commission on Sustainable Development takes note of the report of the Secretary-General on the subject of chapter 16 of Agenda 21, entitled "Environmentally sound management of biotechnology" (E/CN.17/1995/20) and its Proposals for action provided in section V of that report which identify areas for priority action by countries and international organizations, with a view enhancing the potential contribution of biotechnology in the attainment of sustainable development objectives at national, regional and international levels within a framework of biosafety. Future reports should place a stronger emphasis, including more information and proposals, on the ecological, safety, health, and socio-economic and ethical aspects of the application of biotechnology and the commercialization of biotechnology products, with particular reference to genetic engineering, including genetically modified organisms when human genetic material is involved. Such reports should take into account existing uncertainties and the most recent findings of the science of genetics. This would enable the Commission to take a balanced and objective approach to biotechnology.

2. The Commission recalls that chapter 16 of Agenda 21 states that the environmentally sound management of biotechnology has the potential to make a significant contribution to enabling the development of better health care, enhanced food security through sustainable agriculture practices, improved supplies of potable water, more efficient industrial development processes for transforming raw materials, support for sustainable methods of afforestation and reforestation, the removal of pollutants from the environment, and the conservation and use of natural resources, notably biological resources. The Commission urges United Nations bodies to continue to monitor and evaluate biotechnology experiments and projects.

3. The Commission recognizes, however, that concerns exist about biosafety in the application of biotechnology and the commercialization of biotechnology products, in particular with regard to genetically modified organisms. It notes the absence of a globally agreed framework for the safe handling and transfer of biotechnology, and the sustainable management of genetically modified organisms. It further notes the particular significance of this for developing countries. Taking into account the precautionary approach, the Commission attaches high priority to the safe handling of biotechnology. It therefore welcomes the decision of the first meeting of the Conference of the Parties

/...

to the Convention on Biological Diversity to establish a process for considering the need for and modalities of a protocol on biosafety in the field of the safe transfer, handling and use of any living modified organisms resulting from biotechnology that may adverse effect on the conservation and sustainable use of biological diversity. That decision involves the establishment of a panel of experts and an open-ended ad hoc working group of experts nominated by Governments. It also welcomes the decision of the Conference of the Parties to include consideration of the knowledge, innovations and practices of indigenous and local communities in its medium-term programme of work.

4. The Commission also notes recent initiatives for the implementation of the objectives of chapter 16, such as the WHO Conference on Biotechnology and World Health, the recent launch of the Biosafety Network and Advisory Service (BINAS) within the United Nations system under auspices of UNIDO, and the ongoing work in UNEP, as well as the work taking place within the European Union and OECD and the rapid streamlining and rationalization of the regulation of biotechnology products in the United States.

5. The Commission, therefore:

(a) Urges Governments to take specific actions, within the framework of articles 16 and 19 of the Convention on Biological Diversity, aimed at enhancing the potential contribution of the private sector, financial, academic and research institutions, non-governmental organizations and other major groups, to the implementation of the objectives of chapter 16, particularly in view of their significant role in research and the development, application, and financing of biotechnology, and in capacity-building for biosafety, risk management and assessments, and to:

- (i) Increase where appropriate the involvement of business and industry, and financial, academic and research institutions, non-governmental organizations and other major groups in national, regional and international consultations on biotechnology development trends and on impact assessments;
- (ii) Encourage the conducting of case-studies on "best practice" in the environmentally sound and safe development, application and management of biotechnology, and to make the results available, especially to developing countries at national and regional levels;
- (iii) Support as appropriate the establishment of biotechnology associations, particularly in developing countries, with a view to facilitating the safe commercialization and application of biotechnology products and processes, in accordance with the provisions of articles 16 and 19 of the Convention on Biological Diversity;
- (iv) Also support as appropriate the establishment and strengthening of research facilities in universities, research institutes and Governments in connection with scientific aspects of biosafety and risk management and assessments;
- (v) Mobilize financial resources from both the public and the private sector for biotechnology research, development and work on safety and for its sustainable use and management, especially in developing countries;

(b) Urges countries and international organizations to accord high priority to measures aimed at integrating biotechnology, including biosafety concerns, effectively into national and regional sustainable development policies and programmes. In this regard, support should be provided to:

- (i) Enhance the contribution of business and industry, local authorities, scientific and technological communities, non-governmental organizations and other major groups to the identification of problems (and appropriate solutions) related to the environmentally sound use and management of biotechnology;
 - (ii) Promote a balanced and accurate understanding of biotechnology issues as they impinge upon sustainable development including those related to biosafety and progressive trends in biotechnology development, through, for example, training at national and regional levels;
 - (iii) Establish national databases on information related to biosafety where these do not currently exist and promote the exchange of information concerning biosafety in biotechnology;
 - (iv) Encourage the national and local scientific and technological communities to exercise ethical responsibility, through safe laboratory practices and effective and transparent interaction with the public at large;
 - (v) Assess the need for advice and assistance in promoting the development or re-enforcement of biotechnology and biosafety regulations, norms and standards, especially in the fields of agricultural, human and animal health, with a view to designing effective programmes for the environmentally sound management of biotechnology, building whenever possible upon existing activities and capacities;
 - (vi) Enhance efforts aimed at human resource development, transfer and development of technology and capacity-building in developing countries to regulate, manage and control risks associated with the use and release of living modified organisms resulting from biotechnology;
- (c) Invites the Conference of the Parties to the Convention on Biological Diversity to keep the Commission informed of developments concerning the work on the need for and modalities of a protocol on biosafety, with a view to identifying areas for further cooperation on this issue. Such areas might include work on capacity-building measures, especially in developing countries;
- (d) Invites countries, international organizations and the Conference of the Parties to the Convention on Biological Diversity to make their experiences gained in the environmentally sound application and management of biotechnology available in order to facilitate the Commission's work in keeping this issue under review;
- (e) Notes the work on the development of possible international voluntary technical guidelines on biosafety and stresses that such work should not be seen as overriding existing national and regional legislation or as prejudging the result of the ongoing discussions on the need for and modalities of a protocol on biosafety under the Convention on Biological Diversity.