



## **CONVENTION ON BIOLOGICAL DIVERSITY**

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CONFERENCE OF THE PARTIES TO THE  
CONVENTION ON BIOLOGICAL DIVERSITY  
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Item 12.1 of the provisional agenda\*

### **IMPLICATIONS OF THE OUTCOME OF THE SPECIAL SESSION OF THE GENERAL ASSEMBLY**

#### Note by the Executive Secretary

#### **I. INTRODUCTION**

1. This note has been prepared by the Executive Secretary to assist the Conference of the Parties in its consideration of a standing item on the agenda - the relationship of the Convention with the Commission on Sustainable Development and biodiversity-related conventions, other international agreements and processes of relevance. The Bureau of the Conference of the Parties, as part of its guidance to the Executive Secretary regarding the preparations for this meeting, recommended that the Conference of the Parties would wish to focus its consideration of continued cooperation through a focus on, first, the results of the special session of the General Assembly for the purpose of an overall review of appraisal of the implementation of Agenda 21, which form the subject of this note, and, second, conventions and other international agreements relevant to the implementation of Article 8, which is the subject of the cooperation with other agreements, institutions and processes relevant to in situ conservation, contained in document UNEP/CBD/COP/4/13.

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\* UNEP/CBD/COP/4/1.

2. The special session of the General Assembly was convened to review progress in the implementation of Agenda 21. Agenda 21 is a blueprint for sustainable development. It covers a broad range of topics and address, in one way or another, all the issues raised by the Convention on Biological Diversity. Given the broad scope of the topics considered by this special session, many decisions of the General Assembly are of direct relevance to other items on the provisional agenda of this meeting. As the Conference of the Parties will wish to consider the General Assembly's decisions within the framework of the Convention's own programme of work, this note concentrates on those decisions of the special session which are of direct relevance to the Convention, but which will not be considered in detail under the other items of the provisional agenda for this meeting. These include: making trade and environment mutually supportive; sustainable tourism; and the modalities of the institutional follow-up to the special session by the United Nations system.

3. Chapter II of this note outlines the preparations for and work of the special session of the General Assembly, describes the involvement of the Convention on those preparations and provides a brief account of the session itself. Chapter III summarizes the outcome of the special session and chapter IV discusses, in more detail, the results and conclusions of the special session that are directly relevant to the Convention and looks, in particular, at specific references to the Convention, at issues identified by the Conference of the Parties as future challenges, and at possible synergies between the Convention and the Commission on Sustainable Development. Chapter V contains recommendations for future work arising out of the special session.

## II. PREPARATIONS FOR AND WORK OF THE SPECIAL SESSION OF THE GENERAL ASSEMBLY

4. By its resolution 44/228 of 22 December 1989, the General Assembly decided to convene the United Nations Conference on Environment and Development (UNCED), which was held at Rio de Janeiro from 3 to 14 June 1992. The Conference resulted in the adoption of the Rio Declaration on Environment and Development, Agenda 21 and the Non-legally Binding Authoritative Statement of Principles for a Global Consensus on the Management, Conservation and Sustainable Development of All Types of Forests. These documents were subsequently endorsed by the General Assembly in its resolution 47/190 of 22 December 1992. By the same resolution, the Assembly decided to convene, not later than 1997, a special session for the purpose of an overall review and appraisal of the implementation of Agenda 21.

5. In its resolutions 50/113 of 20 December 1995 and 51/181 of 16 December 1996, the General Assembly decided that the special session, its nineteenth, should be at the highest possible level of participation and outlined organizational modalities for its preparation, including the role of the Commission on Sustainable Development, as well as of other relevant organizations and bodies of the United Nations system. The General Assembly recognized the important role played by major groups, including non-governmental organizations, in the implementation of the recommendations of UNCED and

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highlighted the need for their active involvement in the preparations for the special session, as well as the need to ensure appropriate arrangements for their contribution during the session itself.

6. In resolution 51/181, the General Assembly also decided to include in the provisional agenda of its fifty-second session the item entitled "Special session for the purpose of an overall review and appraisal of the implementation of Agenda 21", and requested the Secretary-General to submit a report on the special session to the General Assembly at its fifty-second session.

A. Contribution of the Convention on Biological Diversity

7. By resolution 50/113, the General Assembly invited the Conference of the Parties to the Convention on Biological Diversity to provide inputs to the special session. In decision III/19, the Conference of the Parties adopted a statement to the special session and requested the President of the Conference of the Parties to transmit the statement to the special session.

8. Decision III/19 also requested the Executive Secretary to provide to the special session and to the preparatory process such information related to activities and developments under the Convention as might be required, including the reports of the meetings of the Conference of the Parties. General Assembly resolution 51/182 of 16 December 1996 also invited the Executive Secretary to provide the special session with information on experience gained under the Convention to date and on effective arrangements for the coordination of activities related to the objects of the Convention. Accordingly, the Executive Secretary prepared that information, which was contained in document E/CN.17/1997/11.

9. The Executive Secretary attended the special session and its preparatory meetings: the meeting of the Ad Hoc Open-ended Intersessional Working Group of the Commission on Sustainable Development (24 February - 7 March 1997) and the fifth session of the Commission on Sustainable Development (7 - 25 April 1997). The secretariat also participated in other relevant preparatory meetings, including those of the Inter-Agency Committee for Sustainable Development (IACSD), the Subcommittee on Water Resources of the Administrative Committee on Coordination (ACC) and the Intergovernmental Panel on Forests (IPF).

B. Work of the special session

10. The nineteenth special session, held at United Nations Headquarters from 23 to 28 June 1997, saw the introduction of a number of new features into the work of the United Nations. It was the first session of the General Assembly to be organized for the purpose of a five-year review of progress achieved following a global conference held under the auspices of the United Nations. The nineteenth special session was the first summit-level global meeting held at United Nations premises at which a high-level debate was conducted in plenary meetings, in parallel to negotiations on the text of the final document, conducted in an ad hoc committee of the whole. It was also the first session of the General Assembly that provided an opportunity for the active involvement of

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non-governmental organizations, which were invited to contribute to the preparations and to address the special session. The session brought together a large number of participants from Governments, international organizations, non-governmental organizations and the media. It also included a large number of side-events, presentations and exhibitions. The Secretary-General described the scope of the meeting as "more of a major global conference than a session of the Assembly".

11. The high level of participation provided a valuable opportunity to promote and advance the work of the Convention. To that end, the Executive Secretary organized and participated in numerous activities, including a press conference with the Executive Secretaries of the United Nations Framework Convention on Climate Change and United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, particularly in Africa, on the relationships between the Rio Conventions and Agenda 21; outreach meetings with non-governmental organizations; and many bilateral meetings with delegates and international organizations. As requested by the Conference of the Parties, the Secretariat also took the opportunity afforded by the session to advance the work of the Convention. Consultations were conducted for the review of the financial mechanism; discussions were held to explore ways to develop the ecosystem approach; and consultations took place with the secretariats for the Framework Convention on Climate Change and the Convention to Combat Desertification on cooperation and the availability, cost and funding of suitable liaison arrangements in New York.

### III. OUTCOME OF THE SPECIAL SESSION

12. The special session resulted in the adoption of General Assembly resolution A/RES/S-19/2 of 28 June 1997, the annex to which contains the Programme for the Further Implementation of Agenda 21. The Programme includes:

(a) "Statement of commitment" to Agenda 21, to the goals of sustainable development (requiring the integration of economic, environmental and social components) and to global partnership aimed at achieving environment and development goals through a more efficient and equitable world economy meeting equitably the needs of present and future generations (section A of the Programme);

(b) "Assessment of progress made since UNCED" in all main areas of Agenda 21 and other outcomes and commitments made at the Conference (section B);

(c) "Implementation in areas requiring urgent action", covering a broad range of decisions and recommendations aimed at fostering progress in various sectoral and cross-sectoral areas of Agenda 21 and, in particular, in its means of implementation. The special session also identified actions needed in a number of relatively new areas for international cooperation, such as sustainable transportation and sustainable tourism (section C);

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(d) Recommendations concerning international institutional arrangements for achieving sustainable development (section D); and

(e) Recommendations on the methods of work of the Commission on Sustainable Development and the programme of work for the Commission for the period 1998-2002 (section D and the annex to the Programme).

13. The text of the decision adopted by the General Assembly is available on the homepage of the United Nations (www.un.org) and will be made available at the fourth meeting of the Conference of the Parties as document UNEP/CBD/COP/4/Inf.14.

#### IV. OUTCOME OF THE SPECIAL SESSION OF IMMEDIATE RELEVANCE TO THE CONVENTION

14. Issues of immediate relevance to the Convention contained in chapter III of the Programme are the following:

(a) Integration of economic, social and environmental objectives (chapter III.A), which include, inter alia: eradicating poverty, changing consumption and production pattern, and making trade and environment mutually supportive;

(b) Sectors and issues of Agenda 21 (chapter III.B), which include, inter alia: freshwater, oceans and seas, forests, land and sustainable agriculture, biodiversity, sustainable tourism and small island developing States; and

(c) Means of implementation (chapter III.C), which include: financial resources, transfer of environmentally sound technologies, capacity-building, science, education and awareness, international legal instruments, and information and tools to measure progress.

15. Issues of relevance to the Convention considered in chapter IV are the following:

(a) Greater coherence in various intergovernmental organizations and processes (chapter IV.A);

(b) Role of relevant organizations and institutions of the United Nations system (chapter IV.B); and

(c) Future role and programme of work of the Commission on Sustainable Development and Methods of Work of the Commission on Sustainable Development (chapter IV.C and IV.D).

16. The summary that follows seeks only to highlight specific components of the Programme of immediate relevance to the work of the Convention. The text adopted by the special session was the result of considerable negotiation and

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represents a delicate compromise amongst the Member States of the United Nations and it is not the intention of the Executive Secretary to seek to interpret these commitments.

A. Assessment of progress made since UNCED

17. The General Assembly, in its review of progress between 1992 and 1997, noted that the period had been characterized by the accelerated globalization of interactions among countries in the areas of world trade, foreign direct investment and capital markets. While this globalization presented new opportunities and challenges, its impact has been uneven.

18. The Programme notes that, five years after UNCED:

"The state of the global environment has continued to deteriorate, as noted in the Global Environment Outlook of the United Nations Environment Programme, and significant environmental problems remain deeply embedded in the socio-economic fabric of countries in all regions... persistent poverty is contributing to accelerated degradation of natural resources and desertification has spread. In countries seriously affected by drought and/or desertification, especially those in Africa, their agricultural productivity, among other things, is uncertain and continues to decline, thereby hampering their efforts to achieve sustainable development... Conditions in natural habitats and fragile ecosystems, including mountain ecosystems, are still deteriorating in all regions of the world, resulting in diminishing biological diversity. At the global level, renewable resources, in particular fresh water, forests, topsoil and marine fish stocks, continue to be used at rates beyond their viable rates of regeneration; without improved management, this situation is clearly unsustainable..."

19. One of the achievements noted by the Programme is the entry into force of the Convention on Biological Diversity and of the other Rio Conventions. The Programme goes on to state:

"Implementation of these important commitments and of others adopted before the United Nations Conference on Environment and Development by all the parties to them, remains however, to be carried out, and in many cases further strengthening of their provisions is required as well as the mechanisms for putting them into effect. The establishment, restructuring, funding and replenishment of the Global Environment Facility were a major achievement. However, its levels of funding and replenishment have not been sufficient fully to meet its objectives."

20. The Programme notes that, even though provision of adequate and predictable financial resources and the transfer of environmentally sound technologies to developing countries are critical elements for the implementation of Agenda 21, "much remains to be done to activate the means of

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implementation set out in Agenda 21, in particular in the areas of finance and technology transfer, technical assistance and capacity-building." Declining levels of official development assistance (ODA) are identified as an example of this problem.

B. Implementation in areas requiring urgent action

21. In decision III/19, the Conference of the Parties noted that, in spite of the progress made to date in implementing the objectives of the Convention, Parties remain aware that biological diversity is being destroyed at unprecedented rates by human activities. The Conference of the Parties noted that a significant amount of work remains to be undertaken, in collaboration with relevant conventions, institutions and processes, in order fully to implement the Convention. It therefore called upon the special session to recognize the urgency of this work and to support it. The Conference of the Parties noted that particular attention needs to be paid to a number of priorities, which it listed in paragraph 24 of its statement to the special session, contained in the annex to decision III/19. All these issues were considered by the special session and reference is made to them in the Programme. The central elements of the Programme regarding biodiversity are contained in paragraph 66 of the Programme, which states:

"There remains an urgent need for the conservation and sustainable use of biological diversity and the fair and equitable sharing of benefits arising from the utilization of components of genetic resources. The threat to biodiversity stems mainly from habitat destruction, over-harvesting, pollution and the inappropriate introduction of foreign plants and animals. There is an urgent need for Governments and the international community, with the support of relevant international institutions, as appropriate:

"(a) To take decisive action to conserve and maintain genes, species and ecosystems with a view to promoting the sustainable management of biological diversity;

"(b) To ratify the Convention on Biological Diversity and implement it fully and effectively together with the decisions of the Conference of the Parties, including recommendations on agricultural biological diversity and the Jakarta Mandate on Marine and Coastal Biological Diversity, and pursue urgently other tasks identified by the Conference of the Parties at its third meeting under the work programme on terrestrial biological diversity, within the context of the ecosystems approach adopted in the Convention;

"(c) To undertake concrete actions for the fair and equitable sharing of the benefits arising from the utilization of genetic resources, consistent with the provisions of the Convention and the decisions of the Conference of the Parties on, inter alia, access to genetic resources and the handling of biotechnology and its benefits;

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"(d) To pay further attention to the provision of new and additional financial resources for the implementation of the Convention;

"(e) To facilitate the transfer of technologies, including biotechnology, to developing countries, consistent with the provisions of the Convention;

"(f) To respect, preserve and maintain knowledge, innovations and practices of indigenous and local communities embodying traditional lifestyles, and encourage the equitable sharing of the benefits arising from traditional knowledge so that those communities are adequately protected and rewarded, consistent with the provisions of the Convention on Biological Diversity and in accordance with the decisions of the Conference of the Parties;

"(g) To complete rapidly the biosafety protocol under the Convention on Biological Diversity, on the understanding that the United Nations Environment Programme International Technical Guidelines for Safety in Biotechnology may be used as an interim mechanism during its development, and to complement it after its conclusion, including the recommendations on capacity-building related to biosafety;

"(h) To stress the importance of the establishment of a clearing-house mechanism by Parties to the Convention, consistent with the provisions of the Convention;

"(i) To recognize the role of women in the conservation of biological diversity and the sustainable use of biological resources;

"(j) To provide the necessary support to integrate the conservation of biological diversity and the sustainable use of biological resources into national development plans;

"(k) To promote international cooperation to develop and strengthen national capacity-building, including human resource development and institution-building;

"(l) To provide incentive measures at the national, regional and international levels to promote the conservation and sustainable use of biological diversity, and to consider means to enhance developing countries' capabilities to compete in the emerging market for biological resources, while improving the functioning of that market."

22. Many of these recommendations are further addressed in other parts of the Programme. For example, the call to pay further attention to the provision of new and additional financial resources for the implementation of the Convention is supplemented by the comprehensive consideration of the provision of financial resources for the implementation of Agenda 21 in paragraphs 76-87 of the

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Programme. Consideration of the priorities identified in decision III/19 and the relevant recommendations of the special session can be found in the other documents prepared by the Executive Secretary to assist consideration of other items on the agenda of this meeting, in particular:

(a) Ways to increase public awareness and an understanding of the importance of biological diversity through educational programmes and information, considered in the note on public education and awareness: consideration of measures for the implementation of Article 13 (UNEP/CBD/COP/4/19);

(b) The rapid development and implementation of national strategies, plans or programmes for the conservation and sustainable use of biological diversity, considered in the report on the synthesis of information contained in national reports on the implementation of the Convention (UNEP/CBD/COP/4/11) and the report on the activities of GEF (UNEP/CBD/COP/4/15);

(c) Appropriate arrangements for access to genetic resources, and for the fair and equitable sharing of benefits arising out of the utilization of such resources, considered in the notes on measures to promote and advance the distribution of benefits from biotechnology in accordance with Article 19 (UNEP/CBD/COP/4/21); on means to address the fair and equitable sharing of benefits (UNEP/CBD/COP/4/22); and on the review of national, regional and sectoral measures and guidelines on access to genetic resources (UNEP/CBD/COP/4/23);

(d) Ways and means to respect, preserve and maintain the knowledge, innovations and practices of indigenous and local communities and to encourage the equitable sharing of the benefits arising from traditional knowledge are considered in the report on the implementation of Article 8 (j) and related provisions (UNEP/CBD/COP/4/10);

(e) The transfer of and access to technologies relevant to the Convention, also considered in document UNEP/CBD/COP/4/21 (see above); and

(f) The provision of new and additional financial resources for the implementation of the Convention, considered in document UNEP/CBD/COP/4/15 (see above) and in the report on additional financial resources ((UNEP/CBD/COP/4/17).

23. Other issues relevant to this meeting of the Conference of the Parties were considered by the General Assembly. The relevant recommendations of the special session are similarly considered in other documents before this meeting, namely:

(a) Status and trends of the biological diversity of inland water ecosystems and options for conservation and sustainable use (UNEP/CBD/COP/4/4):

(b) Implementation of the programme of work on marine and coastal biological diversity (UNEP/CBD/COP/4/5);

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(c) Ongoing instruments and activities on agricultural biodiversity (UNEP/CBD/COP/4/6);

(d) Draft programme of work on forest biological diversity (UNEP/CBD/COP/4/7);

(e) Additional financial resources (UNEP/CBD/COP/4/17); and

(f) Review of the operations of the Convention (UNEP/CBD/COP/4/14), which considers future cooperation between the work of the Commission on Sustainable Development and the Convention.

24. The Programme also contains a number of recommendations relevant to the work of the Convention that are not covered in the documents prepared for other items on the agenda of this meeting of the Conference of the Parties. These are considered below.

C. Making trade and environment mutually supportive

25. In paragraph 29, the Programme makes the following observations about the need to make trade and environment mutually supportive:

"In order to accelerate economic growth, poverty eradication and environmental protection, particularly in developing countries, there is a need to establish macroeconomic conditions in both developed and developing countries that favour the development of instruments and structures enabling all countries, in particular developing countries, to benefit from globalization. International cooperation and support for capacity-building in trade, environment and development should be strengthened through renewed system-wide efforts, and with greater responsiveness to sustainable development objectives, by the United Nations, the World Trade Organization and the Bretton Woods institutions, as well as by national Governments. There should be a balanced and integrated approach to trade and sustainable development, based on a combination of trade liberalization, economic development and environmental protection. Trade obstacles should be removed with a view to contributing to the achieving of more efficient use of the earth's natural resources in both economic and environmental terms. Trade liberalization should be accompanied by environmental and resource management policies in order to realize its full potential contribution to improved environmental protection and the promotion of sustainable development through the more efficient allocation and use of resources. The multilateral trading system should have the capacity to further integrate environmental considerations and enhance its contribution to sustainable development, without undermining its open, equitable and non-discriminatory character. The special and differential treatment for developing countries, especially the least developed countries, and the other commitments of the Uruguay Round of multilateral trade negotiations should be fully implemented in order to enable those countries to benefit from the international trading system, while conserving the environment.

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There is a need for continuing the elimination of discriminatory and protectionist practices in international trade relations, which will have the effect of improving access for the exports of developing countries. this will also facilitate the full integration of economies in transition into the world economy. In order to make trade, environment and development mutually supportive, measures need to be taken to ensure transparency in the use of trade measures related to the environment, and should address the root causes of environmental degradation so as not to result in disguised barriers to trade. Account should be taken of the fact that environmental standards valid for developed countries may have unwarranted social and economic costs in other countries, in particular developing countries. International cooperation is needed and unilateralism should be avoided."

26. The Programme then identifies a number of specific actions necessary to promote this mutuality. Actions of particular relevance to the Convention are:

(a) There should be timely and full implementation of the results of the Uruguay Round of multilateral trade negotiations and full use of the Comprehensive and Integrated World Trade Organization Plan of Action for the Least Developed Countries;

(b) The relationship between multilateral environmental agreements and the World Trade Organization (WTO) rules should be clarified;

(c) Cooperation and coordination between the United Nations Conference on Trade and Development (UNCTAD), the United Nations Industrial Development Organization (UNIDO), WTO, UNEP and other relevant institutions should be strengthened on various issues, including the role of positive measures in multilateral environmental agreements, as part of a package of measures including, in certain cases, trade measures;

(d) There is a need for WTO, UNEP and UNCTAD to consider ways to make trade and environment mutually supportive, including through due respect for the objectives and principles of the multilateral trading system and for the provisions of multilateral environmental agreements. Such considerations should be consistent with an open, rule-based, non-discriminatory, equitable, secure and transparent multilateral trading system.

27. As the Convention addresses all aspects of living resources, trade is an inherent part of its area of concern. Provisions of the Convention which require consideration of trade issue include, for example, Article 11 on incentive measures and Article 10 on the sustainable use of components of biological diversity, including its subparagraph (e), which encourages cooperation between governmental authorities and the private sector in developing methods for sustainable use of biological resources. Article 6 also requires Parties not only to develop national conservation plans, programmes or strategies for conservation and sustainable use of biodiversity, but also to integrate the conservation of biodiversity and its sustainable use into relevant sectoral and cross-sectoral plans and policies. Obviously, such efforts will

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need to address the role of trade in general, as well as those trade sectors that have an impact on biological diversity. Article 7 of the Convention specifies that processes and categories of activities which have, or are likely to have, significant adverse impacts on the conservation and sustainable use of biological diversity must be identified and monitored. In this case, trade and trade-related activities are again relevant. Paragraph 5 of Article 16 recognizes that patents and other intellectual property rights may have an influence on the implementation of this Convention, and requires Parties to cooperate to ensure that such rights are supportive of and do not run counter to its objectives. Accordingly, the Convention will need to cooperate with WTO and others to ensure compliance with those requirements.

28. Although there is a wide range of topics which fall within the scope of both processes, and which therefore will require some degree of cooperation and coordination, decisions of the last meeting of the Conference of the Parties identify a number of priorities for cooperation between the Convention and WTO. Decisions III/11 on the conservation and sustainable use of agricultural biological diversity, III/14 on the implementation of Article 8 (j), III/15 on access to genetic resources, and III/17 on intellectual property rights all made specific reference to the need to cooperate with WTO. Decisions III/4 on the clearing-house mechanism to promote and facilitate technical and scientific cooperation and III/20 on issues related to biosafety raise issues which require the cooperation of WTO.

29. The wide variety and importance of the issues which require cooperation with WTO have been recognized by the Conference of the Parties, which requested the Executive Secretary to apply for observer status in the WTO Committee on Trade and Environment (decision III/17). At the September 1997 session of that Committee, the Executive Secretary presented an extensive submission on common issues, which was welcomed by the Committee. The Executive Secretary is exploring ways to deepen the involvement of the Convention in activities of WTO, through participation in other WTO bodies including the Trade-Related Aspects of Intellectual Property Rights (TRIPS) Council, the Council for the Agreement on Agriculture, the Committee on Sanitary and Phytosanitary Measures, and the Committee on Rules of Origin.

30. The recommendations of the special session regarding trade and environment thus reinforce these decisions of the Conference of the Parties and provide support for further cooperation on trade and biodiversity issues between the Executive Secretary and WTO. Further development of this cooperation is reflected in the proposed budget of the Trust Fund, contained in document UNEP/CBD/COP/4/25.

#### D. Sustainable tourism

31. As previously noted, a emerging issue considered by the special session was sustainable tourism. This is addressed in paragraphs 67-70 of the Programme, immediately following the section on biodiversity. The Programme notes that tourism is now one of the world's largest industries and one of its fastest growing economic sectors. It refers to the increasing reliance of many

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developing countries on this sector as a major employer and contributor to the economy, and highlights the need to pay special attention to the relationship between environmental conservation and protection and sustainable tourism. In this regard, the Programme notes that "the efforts of developing countries to broaden the traditional concept of tourism to include cultural and eco-tourism merit special consideration as well as the assistance of the international community, including the international financial institutions."

32. The Programme notes:

"Tourism, like other sectors, uses resources, generates wastes and creates environmental, cultural and social costs and benefits in the process. For sustainable patterns of consumption and production in the tourism sector, it is essential to strengthen national policy development and enhance capacity in the areas of physical planning, impact assessment, and the use of economic and regulatory instruments, as well as in the areas of information, education and marketing. A particular concern is the degradation of biodiversity and fragile ecosystems, such as coral reefs, mountains, coastal areas and wetlands."

33. The Programme recommends that the Commission on Sustainable Development "should develop an action-oriented international programme of work on sustainable tourism, to be defined in cooperation with the World Tourism Organization, the United Nations Conference on Trade and Development, the United Nations Environment Programme, the Conference of the Parties to the Convention on Biological Diversity and other relevant bodies."

34. The proposal contained in the Programme represents an important opportunity for the Convention to be involved in the development of an issues which will reinforce many of the goals of the Convention. This was recognised in the Berlin Ministerial Declaration on Tourism and Biodiversity. Sustainable tourism will be a focus of the ministerial roundtable to be held alongside the current meeting of the Conference of the Parties. An international workshop on biological diversity and sustainable tourism will be held in March 1998 to discuss the development of guidelines under the Convention.

35. Moreover, in implementing other decision of the Conference of the Parties, the Executive Secretary is already cooperating with the organizations referred to by the Programme. For example, in accordance with paragraph 4 of decision III/6, which requested the Executive Secretary to explore further possibilities for encouraging the involvement of the private sector in providing financial resources to assist developing country Parties to implement the Convention, the Executive Secretary is exploring the possibility of using the data on international tourism held by the World Tourism Organization. Consultations with the Director-General of the World Tourism Organization have taken place to discuss ways that such information might be used.

36. The importance of the private sector for the implementation of the Convention is recognized in the note on additional financial resources prepared by the Executive Secretary for this meeting (UNEP/CBD/COP/4/17).

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37. Another area which has been explored on a preliminary basis, in conjunction with UNEP, WTO and the World Conservation Union (IUCN), concerns the development of guidelines on tourism and protected areas. Proposals to carry forward this work are contained in the note prepared by the Executive Secretary on the implementation of Article 8 through cooperation with other instruments and processes (UNEP/CBD/COP/4/13). Similar possibilities for future synergy exist in the areas of benefit sharing, incentive measures, and the various ecosystems to be considered at this meeting.

38. The active involvement of the Convention in this proposal of the special session would therefore not only capture numerous synergies, but would also provide an opportunity to use the political support and momentum of the Commission on Sustainable Development to contribute directly to the work of the Convention.

#### E. International institutional arrangements

39. Chapter IV of the Programme contains a comprehensive review of the institutional requirements to implement the commitments contained in Chapter IV and contains a number of recommendations aimed at strengthening global and regional institutional arrangements for achieving sustainable development.

#### F. Follow-up action by the United Nations system

40. The Programme emphasizes that achievement of sustainable development will require continued support from international institutions. The special session felt that the institutional framework outlined in chapter 38 of Agenda 21 and determined by the Assembly in its resolution 47/191 and other relevant resolutions, including the specific functions and roles of various organs, organizations and programmes within and outside the United Nations system, would continue to be fully relevant in the period after the special session. The special session also stressed that, in the light of the ongoing discussions on reform within the United Nations, international institutional arrangements in the area of sustainable development were intended to contribute to the goal of strengthening the entire United Nations system. In that context, the Assembly stressed the particular importance of strengthening institutions for sustainable development.

41. In particular, the special session noted that it was necessary to strengthen ACC and IACSD, with its system of task managers, with a view to further enhancing system-wide intersectoral cooperation and coordination for the implementation of Agenda 21 and for the promotion of coordinated follow-up to the major United Nations conferences in the area of sustainable development.

42. The special session also stressed that, in order to facilitate the national implementation of Agenda 21, all organizations and programmes of the United Nations system, within their respective areas of expertise and mandates, should strengthen, individually and jointly, the support for national efforts to implement Agenda 21 and make their efforts and actions consistent with national plans, policies and priorities of member States. The special session also

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emphasized that coordination of United Nations activities at the field level should be further enhanced through the resident coordinator system in full consultation with national Governments.

G. Future work of the Commission on Sustainable Development

43. The programme of work of the Commission is contained in the Appendix to the Programme (Multi-year programme of work for the Commission on Sustainable Development 1998-2002) and is reproduced as an annex to the present note. Many of the issues which the Commission will consider over this period are of direct relevance to the Convention, as indicated in the relevant sections of the Programme itself. As indicated in the introduction to this note, suggestions by which the Conference of the Parties may coordinate with and contribute to the work of the Commission on these issues are outlined in the proposed longer-term programme of work for the Convention, which will be addressed under item 13 of the agenda for this meeting. The proposal of the Executive Secretary is contained in document UNEP/CBD/COP/4/14.

H. Role of the Convention on Biological Diversity

44. There are a number of far-reaching implications in this section of the Programme for the work of the Convention. The most immediate of these are to be found in the following paragraphs of the Programme:

"117. Given the increasing number of decision-making bodies concerned with various aspects of sustainable development, including international conventions, there is an ever greater need for better policy coordination at the intergovernmental level, as well as for continued and more concerted efforts to enhance collaboration among the secretariats of those decision-making bodies. Under the guidance of the General Assembly, the Economic and Social Council should play a strengthened role in coordinating the activities of the United Nations system in the economic, social and related fields.

"118. The conferences of the parties to conventions signed at the United Nations Conference on Environment and Development or as a result of it, as well as other conventions related to sustainable development, should cooperate in exploring ways and means of collaborating in their work to advance the effective implementation of the conventions. There is also a need for environmental conventions to continue to pursue sustainable development objectives consistent with their provisions and be fully responsive to Agenda 21. To this end, inter alia, the conferences of the parties to or governing bodies of the conventions signed at the United Nations Conference on Environment and Development, or as a result of it, and of other relevant conventions and agreements should, if appropriate, give consideration to the co-location of secretariats, to improving the scheduling of meetings, to integrating national reporting

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requirements, to improving the balance between sessions of the conferences of the parties and sessions of their subsidiary bodies, and to encouraging and facilitating the participation of Governments in those sessions, at an appropriate level."

45. In this context, it should be noted that a subsequent resolution of the General Assembly at its fifty-second session called on the conventions not to hold their meetings while the General Assembly was sitting, in other words, from September to December.

46. With respect to the role of UNEP, the special session decided as follows:

"119. Institutional arrangements for the convention secretariats should provide effective support and efficient services, while ensuring the appropriate autonomy necessary for them to be efficient at their respective locations. At the international and national levels there is a need for, inter alia, better scientific assessment of ecological linkages between the conventions; identification of programmes that have multiple benefits; and enhanced public awareness-raising with respect to the conventions. Such tasks should be undertaken by the United Nations Environment Programme in accordance with the relevant decisions of its Governing Council and in full cooperation with the conferences of the parties to and governing bodies of relevant conventions. Efforts of convention secretariats, in response to requests from the respective conferences of the parties, to explore, where appropriate, modalities for suitable liaison arrangements in Geneva and/or New York for the purpose of enhancing linkages with delegations and organizations at those United Nations centres are welcomed and fully supported."

47. Further recommendations relating to UNEP are made in paragraphs 124 and 125 of the Programme:

"123. The role of the United Nations Environment Programme, as the principal United Nations body in the field of the environment, should be further enhanced. Taking into account its catalytic role, and in conformity with Agenda 21 and the Nairobi Declaration on the Role and Mandate of the United Nations Environment Programme, adopted on 7 February 1997, the Programme is to be the leading global environmental authority that sets the global environmental agenda, promotes the coherent implementation of the environmental dimension of sustainable development within the United Nations system, and serves as an authoritative advocate for the global environment. In this context, decision 19/32 of 4 April 1997 of the United Nations Environment Programme Governing Council on governance of the Programme and other related Governing Council decisions are relevant. The role of the United Nations Environment Programme in the further development of international environmental law should be strengthened, including the development of coherent interlinkages among relevant environmental conventions in cooperation with their respective conferences of the parties or governing bodies. In performing its functions related to the conventions signed at the United Nations

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Conference on Environment and Development or as a result of it, and other relevant conventions, the United Nations Environment Programme should strive to promote the effective implementation of those conventions in a manner consistent with the provisions of the conventions and the decisions of the conferences of the parties.

"124. The United Nations Environment Programme, in the performance of its role, should focus on environmental issues, taking into account the development perspective. A revitalized Programme should be supported by adequate, stable and predictable funding. The Programme should continue providing effective support to the Commission on Sustainable Development, inter alia, in the form of scientific, technical and policy information and analysis of and advice on global environmental issues."

48. These recommendations raise considerations of a fundamental nature for the Convention. Many of these are reflected in the submissions received for the review of the operations of the Convention and it is expected that the Conference of the Parties will consider these issues under item 13 of the provisional agenda.

49. As noted in the other documents prepared for this meeting, the participation of the Secretariat in the work of the Commission, of IACSD, and of the subcommittees of ACC has proved effective and useful. The Executive Secretary therefore plans to maintain this participation, and this is reflected in the proposed budget of the Trust Fund (document UNEP/CBD/COP/4/25).

#### I. Review in 2002

50. The special session decided that the next comprehensive review of progress achieved in the implementation of Agenda 21 by the General Assembly would take place in 2002. The Secretary-General will present his suggestions on the modalities of this review to the General Assembly at its fifty-fifth session, in 2000.

#### V. CONCLUSIONS

51. The review of the implementation of Agenda 21 by the nineteenth special session of the General Assembly has clear significance and relevance for the work of the Convention.

52. As noted in the statement of the Conference of the Parties to the special session, and reaffirmed by the information provided by the Executive Secretary to the session, the Convention, as the principal global instrument for achieving the goals set out in chapter 15 of Agenda 21, has an important role to play in turning the political commitments of Agenda 21 and of the Commission, where appropriate, into binding legal commitments. Given the importance of national level activities for many of the goals of Agenda 21, the implementing role of

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the Convention is also central to the implementation of the commitments of Agenda 21 and to achieving the goal of sustainable development. This was acknowledged by the special session, which referred to the role of international environmental treaties in general and the Convention in particular.

53. In light of these outcomes of the special session, the Conference of the Parties is invited to consider, as possible elements of a decision that supports the work of the Commission and the implementation of Agenda 21, that it might:

(a) Consider the results of the nineteenth special session of the United Nations General Assembly and the Programme for Further Implementation of Agenda 21 adopted by the General Assembly;

(b) Consider the recommendations of the special session concerning the need to make trade and environment mutually supportive;

(c) Take note of the recommendations of the special session concerning synergies between the Convention and the United Nations Framework Convention on Climate Change and the United Nations Convention to Combat Desertification under agenda items 8 (Clearing-house mechanism), 11 (National reporting), 13 (Review of the operations of the Convention) and 17 (Administrative and budgetary matters);

(d) Consider options for synergies between its longer-term programme of work, to be considered under item 13 of the agenda, and the programme of work of the Commission for the period 1998-2002;

(e) Note, when considering items 6 (inland water ecosystems) and 15.2 (public education and awareness) of the agenda, that the sixth session of the Commission on Sustainable Development (13 April-1 May 1998) will have considered, as its sectoral theme, "Strategic approaches to freshwater management" and, under its cross-sectoral theme, "Education and awareness-raising";

(f) Consider the recommendation of the special session that the Commission develop an action-oriented international programme of work on sustainable tourism, to be defined, *inter alia*, with the Conference of the Parties. This element of the Commission's programme of work will be considered at its seventh session in 1999 and the Conference of the Parties may wish to decide whether to contribute to the work of the Commission on Sustainable Development at that session, for example, by adopting a statement to be transmitted to the Commission, or to await the outcome of the seventh session;

(g) Note the recommendation by the special session that arrangements for the election of the Bureau of the Commission on Sustainable Development be changed in order to allow the same Bureau to provide guidance for and to lead work during the annual sessions of the Commission, and to consider whether similar arrangements would be appropriate for the election of its Bureau;

(h) Request SBSTTA further to elaborate the principles underlying the ecosystem approach into guidelines that would assist Parties to integrate the conservation and sustainable use of biological diversity into sectoral activities.

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Annex

MULTI-YEAR PROGRAMME OF WORK FOR THE COMMISSION ON  
SUSTAINABLE DEVELOPMENT, 1998-2002

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1998 session: Overriding issues: poverty/consumption and production  
patterns

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Sectoral theme: Cross-sectoral theme: Economic sector/major  
group:

STRATEGIC APPROACHES TO FRESHWATER MANAGEMENT TRANSFER OF TECHNOLOGY/CAPACITY-BUILDING/EDUCATION/SCIENCE/AWARENESS-RAISING INDUSTRY

Review of outstanding chapters of the Programme of Action for the Sustainable Development of Small Island Developing States a/

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Main issues for an integrated discussion under the above theme: Main issues for an integrated discussion under the above theme: Main issues for an integrated discussion under the above theme:

Agenda 21, chapters 2-8, 10-15, 18-21, 23-34, 36, 37 and 40 Agenda 21, chapters 2-4, 6, 16, 23-37 and 40 Agenda 21, chapters 4, 6, 9, 16, 17, 19-21, 23-35 and 40

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1999 session: Overriding issues: poverty/consumption and production  
patterns

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Comprehensive review of the Programme of Action for the Sustainable  
Development of Small Island Developing States

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Sectoral theme: Cross-sectoral theme: Economic sector/major  
group:

OCEANS AND SEAS CONSUMPTION AND PRODUCTION PATTERNS TOURISM

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Main issues for an integrated discussion under the above theme: Main issues for an integrated discussion under the above theme: Main issues for an integrated discussion under the above theme:

Agenda 21, chapters 5-7, 9, 15, 17, 19-32, 34-36, 39 and 40 Agenda 21, chapters 2-10, 14, 18-32, 34-36 and 40 Agenda 21, chapters 2-7, 13, 15, 17, 23-33 and 36

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 2000 session: Overriding issues: poverty/consumption and production patterns  
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|-----------------|-----------------------|------------------------------|
| Sectoral theme: | Cross-sectoral theme: | Economic sector/major group: |
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INTEGRATED PLANNING AND  
MANAGEMENT OF LAND  
RESOURCES

FINANCIAL RESOURCES/  
TRADE AND INVESTMENT/  
ECONOMIC GROWTH

AGRICULTURE b/  
Day of Indigenous  
People

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 Main issues for an  
integrated discussion  
under the above theme:

Main issues for an  
integrated discussion  
under the above theme:

Main issues for an  
integrated discussion  
under the above theme:

Agenda 21, chapters  
2-8, 10-37 and 40

Agenda 21, chapters  
2-4, 23-33, 36-38  
and 40

Agenda 21, chapters  
2-7, 10-16, 18-21,  
23-34, 37 and 40

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 2001 session: Overriding issues: poverty/consumption and production patterns  
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|-----------------|-----------------------|------------------------------|
| Sectoral theme: | Cross-sectoral theme: | Economic sector/major group: |
|-----------------|-----------------------|------------------------------|

ATMOSPHERE/ENERGY

INFORMATION FOR  
DECISION-MAKING AND  
PARTICIPATION  
INTERNATIONAL  
COOPERATION FOR AN  
ENABLING ENVIRONMENT

ENERGY/TRANSPORT

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 Main issues for an  
integrated discussion  
under the above theme:

Main issues for an  
integrated discussion  
under the above theme:

Main issues for an  
integrated discussion  
under the above  
theme:

Agenda 21, chapters 4,  
6-9, 11-14, 17, 23-37,  
39 and 40

Agenda 21, chapters 2,  
4, 6, 8, 23-36 and  
38-40

Agenda 21, chapters  
2-5, 8, 9, 20,  
23-37 and 40

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 2002 session

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 Comprehensive review  
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a/ Review to include those chapters of the Programme of Action for the Sustainable Development of Small Island Developing States not covered in the in-depth review carried out by the Commission on Sustainable Development at its fourth session.

b/ Including forestry.

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