



CONVENTION ON BIOLOGICAL DIVERSITY

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CONFERENCE OF THE PARTIES TO THE CONVENTION ON BIOLOGICAL DIVERSITY SERVING AS THE MEETING OF THE PARTIES TO THE CARTAGENA PROTOCOL ON BIOSAFETY

First meeting

Kuala Lumpur, 23-27 February 2004

Agenda item 6.9 of the provisional agenda *

GUIDANCE TO THE FINANCIAL MECHANISM

Note by the Executive Secretary

I. INTRODUCTION

1. The Cartagena Protocol on Biosafety provides, in paragraph 2 of Article 28, that “the financial mechanism established in Article 21 of the Convention on Biological Diversity shall, through the institutional structure entrusted with its operation, be the financial mechanism for this Protocol”. Paragraph 5 of the same article provides that the guidance to the financial mechanism in relevant decisions of the Conference of the Parties, including those agreed before the adoption of the Protocol, shall apply, *mutatis mutandis*.

2. Paragraph 3 of Article 28 stipulates, with regard to the capacity-building referred to in Article 22 of the Protocol, that “the Conference of the Parties serving as the meeting of the Parties to this Protocol, in providing guidance with respect to the financial mechanism ... for consideration by the Conference of the Parties, shall take into account the need for financial resources by developing country Parties, in particular the least developed and the small island developing States among them”.

3. At its second meeting, the Intergovernmental Committee to the Cartagena Protocol on Biosafety (ICCP) considered a note prepared by the Executive Secretary (UNEP/CBD/ICCP/2/5) concerning guidance for the financial mechanism and adopted a recommendation 2/4, on guidance to the financial mechanism for consideration by the Conference of the Parties at its first meeting serving as the meeting of the Parties to the Protocol. In recommendation 2/9 A, adopted at the same meeting, ICCP also endorsed the Action Plan for Building Capacities for the Effective Implementation of the Cartagena Protocol on Biosafety and recommended that the Conference of the Parties serving as the meeting of the Parties to the Protocol urge the Conference of the Parties to request the Global Environment Facility and

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other donors to take the Action Plan into account in providing assistance to developing countries, in particular the least developed and the small island developing States among them, and Parties with economies in transition.

4. At its sixth meeting, held in The Hague in April 2002, the Conference of the Parties, in paragraph 10 (b) of its decision VI/17, took up some elements of the above-mentioned recommendations by the ICCP and requested the Global Environment Facility as the institutional structure operating the financial mechanism to provide financial resources “[f]or national capacity-building in biosafety, in particular for enabling effective participation in the Biosafety Clearing-House and in the implementation of the Action Plan for Building Capacities for the Effective Implementation of the Cartagena Protocol on Biosafety proposed by the Intergovernmental Committee on Cartagena Protocol at its second meeting, and for other needs identified in the recommendations of the Intergovernmental Committee at its second meeting for assisting developing countries to prepare for the entry into force of the Protocol”.

5. The Conference of the Parties serving as the meeting of Parties to the Protocol is invited to consider recommendation 2/4 of the ICCP as annexed to the present note and prepare additional guidance to the financial mechanism for consideration and transmission to the financial mechanism by the Conference of the Parties to the Convention.

Annex

**RECOMMENDATION 2/4 OF THE INTERGOVERNMENTAL COMMITTEE FOR THE
CARTAGENA PROTOCOL**

2/4. *Guidance to the financial mechanism* *

The Intergovernmental Committee for the Cartagena Protocol on Biosafety

1. *Takes note* of the note by the Executive Secretary (UNEP/CBD/ICCP/2/5) concerning guidance for the financial mechanism;
2. *Acknowledges* the biosafety capacity-building initiatives currently being undertaken by UNDP/GEF and UNEP/GEF;
3. *Recognizes* the need to ensure that guidance to the financial mechanism will support in a balanced manner the objectives of the Convention and its Protocol;
4. *Stresses* the need for mutual information, coordination and regular monitoring in order to avoid duplications and to identify gaps and possible synergies because of the multitude of different actors undertaking various capacity-building initiatives, and for an active role the Executive Secretary should play in the process.
5. *Considers* that guidance with respect to the financial mechanism for the Protocol can formally only be adopted by the Conference of the Parties to the Convention;
6. *Considers* the need to facilitate the process and therefore *invites* the Conference of the Parties to the Convention at its sixth meeting to consider the practical arrangements, outlined in the present guidance to the financial mechanism for the Protocol, to be implemented by the Global Environment Facility in a timely manner;
7. *Recommends* that the first meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol consider the following eligibility criteria for funding under the financial mechanism:

“All developing countries, in particular the least developed and small island developing States among them, and countries with economies in transition, which are Parties to the Protocol, are eligible for funding under the financial mechanism for the Protocol.

* Note: The recommendations contained in paragraphs 8 and 10 were taken up already by the Conference of the Parties to the Convention at its sixth meeting and are addressed in decision VI/17 paragraph 10 (b).

“All developing countries, in particular the least developed and small island developing States among them, and countries with economies in transition, which are Parties to the Convention and provide a clear political commitment towards becoming Parties to the Protocol, are also eligible for funding under the financial mechanism for the Protocol.”

8. *Recommends* that the first meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol consider guidance to the financial mechanism in the field of capacity-building, including full participation in the Biosafety Clearing-House, and drawing upon the key elements requiring concrete action contained in section 2 of the Action Plan for Building Capacities for the Effective Implementation of the Cartagena Protocol on Biosafety (annex I of recommendation 2/9 A of the Intergovernmental Committee for the Cartagena Protocol on Biosafety) and any other issues identified by the Intergovernmental Committee for the Cartagena Protocol on Biosafety;

9. *Takes into account* Article 28, paragraph 5, of the Protocol, and *recommends* that first meeting of the Conference of the Parties serving as the meeting of the Parties to this Protocol requests the Conference of the Parties to the Convention and the Council of the Global Environment Facility to confirm that the arrangements between them provided for in the Memorandum of Understanding adopted by the Conference of the Parties at its third meeting will apply, *mutatis mutandis*, for purposes of the Cartagena Protocol;

10. *Wishes* to provide the Council of the Global Environment Facility, so that it can take them into account at its first possible meeting, the key elements requiring concrete action contained in the Action Plan for Building Capacities for the Effective Implementation of the Cartagena Protocol on Biosafety, in accordance with recommendation 2/9 A adopted by the Intergovernmental Committee for the Cartagena Protocol on Biosafety at its second meeting.
