



**CONVENTION ON
BIOLOGICAL DIVERSITY**

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CONFERENCE OF THE PARTIES TO THE
CONVENTION ON BIOLOGICAL DIVERSITY
Second meeting
Jakarta, 6-17 November 1995
Item 3 of the provisional agenda

**PENDING ISSUES ARISING FROM THE WORK OF THE FIRST
MEETING OF THE CONFERENCE OF THE PARTIES**

1. At its first meeting held in Nassau, The Bahamas, the Conference of the Parties adopted the rules of procedures for meetings of the Conference of the Parties to the Convention on Biological Diversity with the exception of paragraph 1 of rule 40. The following text of paragraph 1 of rule 40, as contained in the annex of Decision I/1 adopted by the first meeting of the Conference of the Parties, was transmitted for further discussion to the second meeting of the Conference of the Parties: "The Parties shall make every effort to reach agreement on all matters of substance by consensus. If all efforts to reach consensus have been exhausted and no agreement reached, the decision [,except a decision under paragraph 1 or 2 of article 21 of the Convention] shall, as a last resort, be taken by a two-thirds majority vote of the Parties present and voting, unless otherwise provided by the Convention, the financial rules referred to in paragraph 3 of article 23 of the Convention, or the present rules of procedure. [Decisions of the Parties under paragraphs 1 and 2 of article 21 of the Convention shall be taken by consensus.]"
2. At its first meeting, the Conference of the Parties also adopted the financial rules for the administration of the Trust Fund for the Convention on Biological Diversity, with the exception of paragraphs 4 and 16.
3. The following text of paragraph 4 of the financial rules for the administration of the Trust Fund for the Convention on Biological Diversity, as contained in annex I of Decision I/6 on "Financing of and budget for the Convention", was transmitted for further discussion to the second meeting of the Conference of the Parties: "It is for the Conference of the Parties to determine the scale referred to in paragraph 3 (a) above. The scale is based on the United Nations scale of assessments for the

apportionment of the expenses of the United Nations [adjusted to provide that no one contribution shall exceed 25 per cent of the total, [and] no contributions shall be required when the United Nations scale provides for a contribution of less than 0.1 per cent], [and no developing country Party shall be required to pay more than any developed country Party]. The contributions referred to in paragraph 3 (a) shall be due on 1 January of each calendar year".

4. The following text of paragraph 16 of the financial rules for the administration of the Trust Fund for the Convention on Biological Diversity, as contained in annex I of Decision I/6 on "Financing of and budget for the Convention", was transmitted for further discussion to the second meeting of the Conference of the Parties:

[16 A. The Parties shall reach agreement by consensus on:

- (a) The scale and any subsequent revision to it;
- (b) The budget.]

[16 B. The Parties shall make every effort to reach agreement on the budget by consensus. If all efforts to reach consensus on the budget have been exhausted and no agreement has been reached, the budget shall, as a last resort, be adopted by a [two-thirds] [four-fifths] majority vote of the Parties present and voting representing a [two-thirds] [four-fifths] majority vote of the developing country Parties present and voting and a [two-thirds] [four-fifths] majority vote of the other Parties present and voting.]