



# Global Environment Facility

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GEF Council  
November 4-6, 1997  
Agenda Item 10

## RELATIONS WITH CONVENTIONS

### **RECOMMENDED COUNCIL DECISION**

The Council, having reviewed document GEF/C.10/7, *Relations with Conventions*, welcomes the collaboration between the GEF and Conventions secretariats, and encourages the GEF secretariat and Implementing Agencies to continue their efforts towards active dialogue with the Parties to the Conventions at the appropriate convention meetings. The Council takes note of the initiatives of the Secretariat and Implementing Agencies to respond to the additional guidance received from the Conference of the Parties to the Convention on Biological Diversity and requests them to continue their efforts to develop project activities consistent with such guidance. The Council also takes note of the reviews being undertaken by the Conventions of their financial mechanisms, and invites all GEF Participant states, in their capacity as Parties to the Conventions, to contribute to the review process.

## **INTRODUCTION**

1. This document reports on developments of concern to the GEF within the context of the Convention on Biological Diversity and the UN Framework Convention on Climate Change that have occurred since the GEF Council meeting in April 1997.

## **CONVENTION ON BIOLOGICAL DIVERSITY**

### **Third meeting of the Subsidiary Body on Scientific, Technical and Technological Advice**

2. The third meeting of the Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA) was held on September 1 to 5, 1997. The main agenda item for the meeting was the assessment of the status and trends of the biological diversity of inland water ecosystems and identification of options for conservation and sustainable use. The meeting also reviewed a proposed three year work program as well as issues concerning forest biodiversity, agricultural biodiversity and indicators of biodiversity. Recommendations of the SBSTTA meeting will be submitted for consideration to the fourth meeting of the Conference of the Parties in May 1998.

3. The GEF secretariat used the opportunity of the SBSTTA meeting to consult with interested parties on the activities it is undertaking as a follow-up to the guidance to the GEF approved by the third meeting of the Conference of the Parties:

- (a) a workshop was organized jointly by the GEF and Convention secretariats on enabling activities. The primary purpose of the workshop was to promote the timely preparation of each Party's first national report to the Conference of the Parties. The presentation included information as to how countries may access GEF financing through the enabling activities expedited procedures to assist them in the preparation of their national reports. Ukraine, which received assistance through a GEF-financed project, is the first country to submit its national report to the Conference of the Parties.
- (b) the secretariat made a presentation on the availability of GEF support through the enabling activities for capacity-building for the purpose of the clearing-house mechanism. The revised operational criteria for enabling activities made provision for financial support for capacity building activities for purposes of the clearing-house mechanism, including financial assistance to purchase hardware, software, and to cover the costs of access and training.

- (c) the GEF organized a presentation by country project directors of two GEF-financed biodiversity projects: the *Ghana, Coastal Wetlands Management* project and the *Jordan, Conservation of the Dana & Azraq Protected Areas* project.
- (d) the Convention and GEF secretariats organized an informal consultation with interested SBSTTA participants to discuss and review their collaborative work on a proposal on the means to address the fair and equitable sharing of the benefits arising out of genetic resources, including assistance to developing country Parties to the Convention. Participants expressed broad support for the initial outline of the paper being prepared for the next meeting of the Conference of the Parties and provided a number of helpful suggestions. There was a degree of consensus that GEF financing, perhaps structured initially in an enabling activities framework, would be particularly beneficial in supporting the development of access legislation, especially through building the necessary human and institutional capacity. Following the consultation workshop, the two secretariats discussed plans for following up on the paper's development. The paper is expected to be final by the end of the year.
- (e) The two secretariats agreed on a number of other follow-up activities. For instance, they agreed on the content, venue, and expected outputs of a workshop on taxonomy. Discussions were advanced on how to proceed on the issue of biosafety. The issue of agricultural biodiversity will be the subject of a biodiversity task force meeting.

### **Follow-up to guidance of the third Conference of the Parties**

4. At its meeting in April 1997, the Council adopted the following decision concerning the guidance provided by the Conference of the Parties at its third meeting:

The Council takes note of the decisions of the third meeting of the Conference of the Parties to the Convention on Biological Diversity and the early initiatives of the secretariat and Implementing Agencies to respond to the decisions. The Council invites recipient countries, the secretariat and Implementing Agencies to reflect the Convention's guidance in the identification and preparation of biodiversity projects proposed for GEF financing.

5. The operational response of the GEF to the additional guidance of the third meeting of the Conference of the Parties and the actions being taken pursuant to that guidance have been developed in collaboration with the Implementing Agencies and the secretariat of the Convention. The additional guidance is being integrated with

existing operational modalities and strategies to the greatest extent possible. This includes modifications to the operational criteria for enabling activities and to the Operational Programs concerning biodiversity, and inclusion of specific items in the operational policy work program of the GEF. Preparatory work needed to define longer term approaches, such as in the area of agrobiodiversity and benefits sharing, is also being undertaken. Highlights of the operational response are described below.

## **Enabling Activities**

6. In 1996, *Operational Criteria for Enabling Activities*<sup>1</sup> were developed on the basis of the guidance approved by the second meeting of the Conference of the Parties. The criteria have now been revised to reflect the additional guidance approved by the third meeting of the Conference of the Parties. Revisions address the definition of the general scope of enabling activities activity norms and the cost benchmarks. More specifically, the following activities are now included in the general scope of the criteria:

- (a) capacity building to assist Parties in the implementation of Articles 6 and 8;
- (b) identification of priority issues specifically related to those components of biological diversity under threat;
- (c) capacity building in biosafety;
- (d) capacity building for initial assessment and monitoring programs, including taxonomy;
- (e) supporting efforts for the conservation and sustainable use of biological diversity important to agriculture;
- (f) supporting the implementation of the clearing-house mechanism;
- (g) supporting incentive measures;
- (h) capacity building to implement measures on access to genetic resources; and
- (i) an examination of support for capacity building projects for indigenous and local communities embodying traditional lifestyles.

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<sup>1</sup> GEF Operational Criteria on Enabling Activities, June 1996.

## Operational Programs

7. New provisions have been added to each relevant operational program to incorporate the policies and priorities approved by the Conference of the Parties. Specifically, country driven projects consistent with national priorities and objectives and incorporating the following will be promoted:

- (a) for capacity building for *biosafety*<sup>2</sup>; specific projects or project components will be formulated on a case-by-case in the context of any of the four biodiversity operational programs;<sup>3</sup>
- (b) for addressing issues in *assessment and monitoring, including taxonomy*<sup>4</sup>, activities will be financed to develop and carry out an initial assessment for designing, implementing and monitoring programs. Special efforts will be made to identify appropriate projects in small island states;
- (c) for *agrobiodiversity*<sup>5</sup>, activities will be promoted that demonstrate and apply techniques to conserve biodiversity important to agriculture, for example, wild relatives of domesticated species;
- (d) in addition to support for the *clearing-house mechanism* available through enabling activities<sup>6</sup>, the Implementing Agencies will work with interested Parties to identify and support activities, in the context of the operational programs, for country-driven pilot projects;
- (e) on *access to genetic resources*<sup>7</sup>, project opportunities will be sought to promote capacity building activities in the context of each of the four operational programs;
- (f) on examining support for *capacity building for indigenous and local communities*<sup>8</sup>, embodying traditional lifestyles, opportunities will be sought to include project components in biodiversity projects to address this;

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<sup>2</sup> The Biodiversity Agenda: Decisions from the Third Meeting of the Conference of the Parties to the Convention on Biological Diversity. Decision III/5, para 2 (a).

<sup>3</sup> COP-2 established a negotiating process for a protocol in biosafety which should be completed by the end of 1998 and may lead to more specific guidance to GEF. The protocol will address capacity building as one of the various component.

<sup>4</sup> Decision III/5, para 2(b).

<sup>5</sup> Decision III/5, para 2(c).

<sup>6</sup> Decision III/5, para 2(d) and Decision III/4, paras 2 and 3.

<sup>7</sup> Decision III/5, para 4.

<sup>8</sup> Decision III/5, para 5.

- (g) on *targeted research*<sup>9</sup>, opportunities will be sought to include project components, when relevant to the project's objectives and consistent with country-driven national priorities, that deepen our understanding of the nature and processes affecting biodiversity conservation and sustainable use;
- (h) on *awareness and understanding*<sup>10</sup>, activities to do this will be built into projects where appropriate;
- (i) on *in-situ and ex-situ conservation*<sup>11</sup>, projects will be promoted which incorporate and implement elements of Article 8.

### **Further Operational Policy Development**

8. Consistent with the guidance approved by the third Conference of the Parties, the GEF secretariat, in collaboration of the Implementing Agencies, will prepare a number of studies or reviews to strengthen its operational policies for activities in the areas of assessment and monitoring, including taxonomy; agrobiodiversity; support for incentive measures; capacity building to implement measures on access to genetic resources; support for capacity building projects for indigenous and local communities embodying traditional lifestyles, and benefits sharing.

## **UNITED NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE**

### **Sixth Meeting of the Subsidiary Body for Implementation**

9. The Subsidiary Body for Implementation (SBI) of the Framework Convention on Climate Change held its sixth meeting on July 28 to August 7, 1997 in Bonn. The SBI addressed the review process of the financial mechanism referred to in decision 9/CP.1. of the Conference of the Parties. As part of its deliberations, the SBI requested the GEF representatives to the SBI, which included representatives of the secretariat and the Implementing Agencies, to participate in a question and answer session with concerned delegates. This informal session provided a useful opportunity for the GEF to elaborate upon its approach to operationalizing Convention guidance through its Operational Programs, the role of the Implementing Agencies and the project cycle. Specific project concerns that were raised during the session were followed-up by the staff, and contacts were made with the delegates concerned to seek a speedy resolution of any issues that were raised.

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<sup>9</sup> Decision III/5, para 6(a).

<sup>10</sup> Decision III/5, para 6(b).

<sup>11</sup> Decision III/9, para 2(a).

10. The sixth meeting of the SBI:

- (a) decided to defer further consideration of the review process to its next session<sup>12</sup>;
- (b) urged all Parties to submit their views on the financial mechanism in accordance with the guidelines for its review no later than September 15, 1997; and
- (c) invited the GEF, in providing information relevant to the review, to take into account the views expressed by the Parties.

11. To further facilitate the review process by the SBI, the Convention secretariat plans to make available to the SBI at its seventh session in October the report of the GEF to the third session of the Conference of the Parties, which has been approved by the Council by mail.

12. Other issues raised in the context of the SBI which might be of concern to the Council include the four proposals that have been submitted to amend the UN Framework Convention on Climate Change<sup>13</sup>. These proposals have been submitted for consideration by the Conference of the Parties in December 1997. The SBI agreed to conduct a preliminary exchange of views at its next on the proposed amendments to the Convention<sup>14</sup>. Among these proposals is one submitted by Kuwait to amend paragraph 3 of Article 4 of the Convention. The proposed amendments are attached as annex A to this note.

### **Information on Enabling Activities supported by the GEF**

13. At its second session, the Conference of the Parties requested through its decision 10/CP.2 that the Convention secretariat provide the SBI at each of its sessions details of the financial support made available to Parties not included in Annex I to the Convention from the operating entity of the financial mechanism for the preparation of their initial national communications. This should include projects in this regard proposed by each Party, the funding decisions and the date and amount of funds made available to the Party. The GEF secretariat provided the Convention secretariat with updated information on enabling activity projects supported by the GEF.

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<sup>12</sup> The next meeting of the SBI will be held on October 20 to 29, 1997.

<sup>13</sup> See document FCCC/SBI/1997/15. Pakistan and Azerbaijan Republic respectively requested the deletion of the name of Turkey from the list of Parties included in Annexes I and II to the Convention. The Netherlands on behalf of the European Community and its member States submitted a proposal to amend Article 17 of the Convention. Kuwait submitted a proposal to amend Article 4.3 of the Convention.

<sup>14</sup> See document FCCC/SBI/1997/16.



14. Out of 129 non-Annex I Parties to the Convention, the GEF has made resources available to 106 countries for enabling activities (including projects in the pilot phase.) Argentina and Jordan, both recipients of GEF support, have submitted their initial national communications. In addition, another 16 Parties are expecting to finalize the preparation of their national communications in 1997, while another 16 Parties have indicated submission dates ranging from 1998 to 2000. Among 40 least developed countries<sup>15</sup>, eight have indicated an expected date for submission of their initial national communications.

### **Workshops on GEF Activities and on Enabling Activities**

15. During the sixth SBI meeting in Bonn, the GEF and the Convention secretariats jointly organized workshops on enabling activities and the preparation of national communications. The aim was to further familiarize participants, especially those from developing countries, with the expedited procedures for accessing GEF resources for projects in this category. On behalf of the GEF, presentations were made by the secretariat, UNDP and UNEP, followed by questions and answers. The workshop greatly benefited from presentations by Argentina and Jordan, the first non-Annex I Parties to have submitted their national communications.

### **Planned activities for the third session of the Conference of the Parties, Kyoto, December 1997**

16. The GEF secretariat is planning a series of activities to facilitate dialogue and communication with delegations participating in the third session of the Conference of the Parties in Kyoto. Three workshops will be organized to present GEF-financed projects in each of the three climate change operational programs: i.e., removing barriers to energy conservation and energy efficiency; promoting the adoption of renewable energy by removing barriers and reducing implementation costs; and reducing the long-term costs of low greenhouse gas-emitting energy technologies. In addition, a display on the GEF, with emphasis on its role in the transfer of technology for climate change, is also under preparation.

### **REVIEWS OF THE FINANCIAL MECHANISM**

17. At its meeting in May 1997, the Council noted the review process of the GEF that has been initiated by each of the Conventions. The Council requested the secretariat to inform the GEF political and operational focal points of this process and to invite them to share their views and experiences through their governments' responses to the Convention secretariats.

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<sup>15</sup> According to Article 12.5 of the Convention, Parties that are least developed countries (LDC) may make their initial communication at their discretion.

18. In addition to informing the GEF political and operational focal points of the review and encouraging them to share their views and experiences with the Convention secretariats, the secretariat and the Implementing Agencies have worked with the secretariats of the Conventions to assist as fully as possible in the review of the GEF.

## **ANNEX A**

### **PROPOSED AMENDMENTS TO THE UNITED NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE TO BE CONSIDERED BY THE THIRD SESSION OF THE CONFERENCE OF THE PARTIES TO THE CONVENTION, KYOTO, DECEMBER 1997**

#### **PAKISTAN: NOTE ON THE DELETION OF TURKEY FROM ANNEXES I AND II TO THE CONVENTION**

1. As it is known, the Republic of Turkey, though not a Party to the United Nations Framework Convention on Climate Change (UNFCCC), is placed in the Annexes I and II of the said Convention. The Islamic Republic of Pakistan, due to the reasons explained in the following, demands the deletion of the name of the Republic of Turkey from the aforementioned annexes according to the Article 4.2(f) with a consequent end of its becoming a Party to the Convention. It further considers that the Third Conference of the Parties (COP III), to be held in December 1997 in Kyoto, Japan will constitute an appropriate forum for the finalization of this demand.

2. Turkey's statements presented during the meetings of the INC/FCCC process between 1992 and 1995, have been included in the secretariat documents five times (Enc.I). Turkey declared its demand in the COP 1 in 1995, held in Berlin. This statements was published as a conference document dated 6 April 1995 and numbered FCCC/CP/1995/MISC.5 (Enc.II).

3. The Islamic Republic of Pakistan wishes to stress that Turkey, though in complete agreement with the idea and understanding of the Convention, regrets not being able to sign the FCCC due to her inclusion in the annexes, as a "developed" country. Such a classification is not compatible with the UN Human Resources Development Report 1996 which considers Turkey as a "medium developed country" and hence places it as the 84th in the development row. Furthermore, Turkey is acknowledged as a developing country in the Montreal (ozone) Protocol.

Some basic and comparative figures about Turkey related to the context of the UNFCCC are as follows:

- GNP per capita: Turkey's is roughly 2,700 US Dollars
- Anthropogenic emissions in general and per capita: Turkey's 153 million tons of CO<sub>2</sub> as of 1993 is about one tenth of Annex II countries average: Turkey had 2,6 tons of CO<sub>2</sub> per capita in 1993.

- Consumption of energy per capita: Turkey's per capita electric consumption is approximately 1300 Kwh/year which is about the fifth of the OECD and one fourth of the EU average.

Thus, it is evident that Turkey's contribution to global warming is just a fraction of the average of the Annex countries. In figures, 1.42% of total OECD energy-related CO<sub>2</sub> or 0.67% of total world CO<sub>2</sub> from energy.

4. As it will be recalled, paragraphs 1 and 2 of Article 3 of the Convention, respectively stipulate the following:

"The Parties should protect the climate system for the benefit of present and future generations of humankind, on the basis of equity and in accordance with their common but differentiated responsibilities and respective capabilities. Accordingly, the developed country Parties should take the lead in combating climate change and the adverse effects thereof".

"The specific needs and special circumstances of developing country Parties, especially those that are particularly vulnerable to the adverse effects of climate change, and to those Parties, especially developing country Parties, that would have to bear a disproportionate or abnormal burden under the Convention, should be given full consideration".

These paragraphs clearly foresee the economic situation of the countries and the needs of their people are to be taken into consideration and the obligations are to be shared on the basis of the principle of a fair and equitable differentiation, while fulfilling the objectives of the Convention.

5. Furthermore, Article 1.1(c) and (d) of the Berlin Mandate state that:

"The legitimate needs of the developing countries for the achievement of sustained economic growth and the eradication of poverty, recognizing also that all Parties have a right to, and should, promote sustainable development ...".

"The fact that the largest share of historical and current global emission of greenhouse gases has originated in developed countries, that the per capita emission in developing countries are still relatively low and that the share of global emission originating in developing countries will grow to meet their social and development needs ...".

In these two paragraphs, with a particular emphasis on the right to development for the developing countries, it is recognized that programmes, which meet the economic needs of such countries, will continue to be implemented.

6. In the light of the above rules, the Islamic Republic of Pakistan believes that Turkey's demand deserves due consideration, in order to fulfil its obligations both for development of its economy, and for the implementation of the Convention.

Furthermore, it is noteworthy that Turkey, being aware of the fact that increase in the level of the global emissions of the greenhouse gases constitutes a threat to the future of the humankind, and that this situation affects especially the developing countries, has already been taking measures foreseen in the Convention to the extent possible.

7. Finally, Turkey has declared that there will be no impediment for its accession to the Convention following its exclusion from the Annexes.

8. Based on the above mentioned argumentation, the Islamic Republic of Pakistan, a Party to the UNFCCC, requests the secretariat, in accordance with paragraph 4.2(f) of the said Convention, to take the necessary steps to delete the name of the Republic of Turkey from Annexes I and II to the Convention and duly put this matter under the relevant Agenda item of the third session of the Conference of the Parties to be held in Kyoto, Japan in December 1997. Furthermore, the Islamic Republic of Pakistan kindly asks the secretariat to bring this letter to the attention of all Parties, in conformity with the rules of the Convention.

## **THE REPUBLIC OF AZERBAIJAN: NOTE ON THE DELETION OF THE NAME OF TURKEY FROM ANNEXES I AND II TO THE CONVENTION**

1. As it is known, the Republic of Turkey, though not a Party to the United Nations Framework Convention on Climate Change (UNFCCC), is placed in the Annexes I and II of the said Convention. The Republic of Azerbaijan, due to the reasons explained in the following, demands the deletion of the name of the Republic of Turkey from the aforementioned annexes according to the Article 4.2(f) with a consequent end of its becoming a Party to the Convention. It further considers that the Third Conference of the Parties (COP III), to be held in December 1997 in Kyoto, Japan will constitute an appropriate forum for the finalization of this demand.

2. Same as in the Pakistan text.

3. The Republic of Azerbaijan wishes to stress that Turkey, though in complete agreement with the idea and understanding of the Convention, regrets not being able to sign the FCCC due to her inclusion in the annexes, as a "developed" country. Such a classification is not compatible with the UN Human Resources Development Report 1996 which considers Turkey as a "medium developed country" and hence places it as the 84th in the development row. Furthermore, Turkey is acknowledged as a developing country in the Montreal (ozone) Protocol.

The rest of this paragraph is the same as in the Pakistan text.

4. Same as in the Pakistan text.

5. Same as in the Pakistan text.

6. In the light of the above rules, the Republic of Azerbaijan believes that Turkey's demand deserves due consideration, in order to fulfil its obligations both for development of its economy, and for the implementation of the Convention.

Same as in the Pakistan text.

7. Same as in the Pakistan text.

8. Based on the above mentioned argumentation, the Republic of Azerbaijan, a Party to the UNFCCC, requests the secretariat, in accordance with paragraph 4.2(f) of the said Convention, to take the necessary steps to delete the name of the Republic of Turkey from Annexes I and II to the Convention and duly put this matter under the relevant agenda item of the third session of the Conference of the Parties to be held in Kyoto, Japan in December 1997. Furthermore, the Republic of Azerbaijan kindly asks

the secretariat to bring this letter to the attention of all Parties, in conformity with the rules of the Convention.

**NETHERLANDS (ON BEHALF OF THE EUROPEAN COMMUNITY AND ITS MEMBER STATES):  
PROPOSED AMENDMENT TO ARTICLE 17 OF THE CONVENTION**

The following paragraph shall be added after "Convention" in Article 17.1 of the UN Framework Convention on Climate Change:

Article 17.1 (bis):

The Parties shall make every effort to reach agreement on any proposed protocol to the Convention by consensus. If all efforts at consensus have been exhausted, and no agreement reached, the protocol shall as a last resort be adopted by a three fourths majority of the Parties present and voting at the meeting. This paragraph shall be applied provisionally, pending its entry into force in accordance with Article 15.



**KUWAIT: PROPOSED AMENDMENT TO ARTICLE 4, PARAGRAPH 3 OF THE CONVENTION**

The State of Kuwait, a Party to the United Nations Framework Convention on Climate Change (the "Convention"), proposes pursuant to Article 15 of the Convention, to amend paragraph 3 of Article 4 of the Convention by deleting the second sentence thereof and substituting in lieu thereof the following sentence:

"They also shall provide such financial resources, including for the transfer of technology, as the Conference of the Parties may decide from time to time is needed by the developing country Parties to meet the full incremental costs of formulating, taking, and implementing measures that are covered by paragraph 1 of this Article or that otherwise may be necessary to enable developing country Parties to comply with their obligations set forth in this Convention or in any protocol to this Convention, as either may be amended from time to time."