

**STATEMENT ON BEHALF OF GROUP OF 77 BY DR. IMEH OKOPIDO,  
HONOURABLE MINISTER OF STATE FOR ENVIRONMENT OF THE FEDERAL  
REPUBLIC OF NIGERIA, TO THE 5<sup>TH</sup> MEETING OF THE CONFERENCE OF  
PARTIES TO THE CONVENTION OF BIOLOGICAL DIVERSITY**

**Nairobi, Kenya, 24 May 2000**

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Mr. President,

I wish, on behalf of the Group of 77 and China to congratulate you and the members of your Bureau on your election which is a remarkable expression of confidence by member States in your capability to lead this session towards concrete achievements. I also wish to express our appreciations to the Executive Secretary, Mr. Hamdallah Zedan and his Secretariat for their tireless efforts in preparing for this session and providing detailed and valuable reports and background documents on the agenda items before us. One will not make this opening remarks without expressing deeply felt gratitude to Dr. Klaus Töpfer, the Executive Director of UNEP whose vision has been realized by the epoch - making ceremony of the signing of the Cartagena Protocol on Biosafety. We owe a lot to his unreserved and wholehearted commitments, hardwork and support to the realization of sustainable development of the earth's biological resources.

Mr. President,

The signing of the Protocol marks a milestone in the quest by the international community to establish an all embracing regulatory framework for the conservation of biological diversity, specifically focusing on transboundary movement of any living modified organisms (LMOs) that may have adverse effects on the conservation and sustainable use of biological diversity. This development has enormous potentials to lead to improved transparency by the international community in handling matters concerning LMOs and genetically modified organisms (GMOs). The extent to which the laudable objectives of the Protocol will be accomplished depends largely on the commitments of the international community to provide the necessary support mechanism required for its implementation.

The group is of the view that the increased human and financial resources required to undertake the follow up process of the Protocol, demands that the Conference of Parties must take immediate decisions to provide adequately for: preparatory work on the functioning of the Biosafety Clearing House; the establishment of a regionally balanced roster of experts nominated by Governments, in fields relevant to risk assessment and risk management related to the Protocol; expedite action by the Executive Secretary to explore ways and means of obtaining financial resources to enable the developing country Parties to make use of the experts; and for promoting the ratification of the Protocol as well as developing capacities in the countries that have signed the Protocol to the Convention on Biological Diversity. This is of paramount importance to us.

Mr. President,

It is imperative that our development partners must contribute in a substantial way to the strategic improvement of the Clearing House mechanism, which primarily is the instrument that is most needed to make the convention operational. It is highly important

that capacity building be provided to developing countries to ensure that the clearing House mechanism will not be limited to those States with highly developed technical expertise. Capacity-building should also be geared towards risk assessment and risk management. It is important to relate capacity building to development of knowledge and making of informed decisions for the implementation of the protocol. Increased attention should equally be paid to the development of human resources in developing countries, without which the Clearing House mechanism will not be realized; a fact that had been proved with the failure of the pilot phase of the mechanism to meet its targets. Priority should be given to developing countries in transfer of technology, information sharing and funding of the operationalization of the clearing Housing mechanism.

The Group believes that the Global Environment Facility (GEF), as the institutional structure operating the financial mechanism, has a major role to play in funding activities in developing countries on the implementation of the Convention. The effectiveness of the financial mechanism requires that its procedure and criteria should be simplified to enable development projects submitted by developing countries to overcome the present complexities involved in the process of projects' selection. We welcome the fact that the criteria and guidelines of the financial mechanism have been revised to accommodate the new programme of work on the biodiversity on dry and sub-humid lands, agricultural biodiversity, marine and coastal biodiversity, as well as decisions relating to national reports and capacity building for promoting the fair and equitable sharing of benefits arising out of the access to and use of genetic resources. Clearly, the effective implementation of the convention requires new and additional financial resources.

In this regard, the group supports the need to strengthen the base of the GEF to move it to the next phase of work, that is, to mobilize additional resources for the conventions and the global environment. Surely, such a role on behalf of the conventions, we believe, should involve identifying and coordinating additional financial resources from bilateral, international organizations and the private sector. We also support the need to expand the work programme of GEF. The GEF, within its six years of existence, has shown the capacity to generate such new financial resources and to put it to a better use.

It has become critical that developing countries should take measures on their own that will facilitate the sustainable developments of domestic capacity and implement measures to assure compliance in both the letter and the spirit of the Convention. We commend the ongoing efforts by developing countries to rationalize the agencies of their Governments in their respective countries dealing with environmental matters and to pull resources together and harmonize policies on environment. The activities of the developing countries in this regard, requires that assistance in the implementation framework should be provided by developed countries to achieve the desired results in the implementation of the Convention.

Mr. President,

The Group feels strongly that the time has come to address the issue of the implementation of article 14 on the liability and redress as contained in the Convention. The issue of the liability and redress, including restoration and compensation for damage to biological diversity should be operationzationalised within existing legal framework and modalities for addressing such issues. The strict liability on the operator imposed by the Convention in clearing pollution and paying compensation to damage to the environment,

should not be limited both in time and procedural complexities. Consequently, the elaboration of international rules and procedures in the field of liability and redress for damage resulting from transboundary movements of living modified organisms, as provided in the recently adopted Cartagena Protocol on Biosafety should be completed in the earliest possible time. In this regard, we welcome the successful result of the UNEP/GEF project on Biosafety enabling activities and on GEF through UNEP to finance similar activities for all developing countries, especially in Africa.

The Group recognizes States' sovereignty over their natural resources and the need for a fair and equitable sharing of benefits arising out of the utilization of such resources. It is clear that developing countries possess among them the largest amount of the earth's biological diversity. It is of paramount importance that adequate care should be taken for effective implementation of the convention. We are aware that COP-4 discussed the need to make the convention's implementation more efficient. It is our suggestion therefore that the Conference of Parties should be reinforced to enable it fulfill better its role as the main body in the process of implementation of the convention. It should be acknowledged that the intensification of a scientific emphasis in the programme of work would make CBD to distance itself from the conceptual advances linked to themes of important social and economic implications.

Mr. President,

The Group would want to emphasize the need to take immediate measures that will enhance the participation of the indigenous and local communities in the implementation of the Convention on Biological Diversity. It is also crucial that adequate measures should be taken to ensure that benefits resulting from access and benefit sharing do not restrict or interfere with existing indigenous and local traditional knowledge, technologies and the conservation and sustainable use of biological diversity resources. It is very important that indigenous and local communities should get a fair and equitable share of benefits arising from the use and application of their knowledge, innovations and practices from both private and public institutions within and outside their countries, interested in using or already using such knowledge.

In conclusion, Mr. President, I wish to express our profound appreciations to the Government and peoples of Kenya for the excellent facilities and warm reception accorded to members of delegations to COP-5.

I thank you.