

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 2001 Nr. 196

A. TITEL

*Verdrag van de Verenigde Naties ter bestrijding van woestijnvorming
in de landen die te kampen hebben met ernstige droogte en/of
woestijnvorming, in het bijzonder in Afrika, met bijlagen;
Parijs, 14 oktober 1994*

B. TEKST

De Engelse en de Franse tekst van het Verdrag zijn geplaatst in
Trb. 1995, 41.
Zie ook *Trb.* 1997, 34.

C. VERTALING

Zie *Trb.* 1995, 41 en *Trb.* 1997, 34.

D. PARLEMENT

Zie *Trb.* 1997, 34.

E. BEKRACHTIGING

Zie *Trb.* 1997, 34. Behalve de aldaar genoemde hebben nog de volgende staten een akte van bekrachtiging, aanvaarding of goedkeuring bij de Secretaris-Generaal van de Verenigde Naties nedergelegd:

Argentinië	6 januari 1997
Burundi	6 januari 1997
Paraguay	15 januari 1997
Luxemburg	4 februari 1997
China	18 februari 1997
Pakistan	24 februari 1997
Ivoorkust	4 maart 1997
Cuba	13 maart 1997
Mozambique.	13 maart 1997

Iran	29 april 1997
Griekenland	5 mei 1997
Namibië	16 mei 1997
Kameroen	29 mei 1997
Antigua en Barbuda	6 juni 1997
Syrië	10 juni 1997
Djibouti	12 juni 1997
Frankrijk	12 juni 1997
Tanzania	19 juni 1997
Guinee	23 juni 1997
Italië	23 juni 1997
Kenia	24 juni 1997
Brazilië	25 juni 1997
Honduras	25 juni 1997
Madagascar	25 juni 1997
Maleisië	25 juni 1997
Uganda	25 juni 1997
de Seychellen	26 juni 1997
Equatoriaal-Guinea	27 juni 1997
Ethiopië	27 juni 1997
Koeweit ¹⁾	27 juni 1997
Angola	30 juni 1997
Armenië	2 juli 1997
Nigeria	8 juli 1997
Kazachstan	9 juli 1997
Ierland	31 juli 1997
Cambodja	18 augustus 1997
de Democratische Republiek Congo	12 september 1997
Zimbabwe	23 september 1997
Sierra Leone	25 september 1997
Zuid-Afrika	30 september 1997
Chili	11 november 1997
Costa Rica	5 januari 1998
Malta	30 januari 1998
Nicaragua	17 februari 1998
de Comoren	3 maart 1998
Saint Vincent en de Grenadines	16 maart 1998
de Europese Unie ²⁾	26 maart 1998
Turkije	31 maart 1998
Sao Tomé en Príncipe	8 juli 1998
Indonesië	31 augustus 1998
Japan	11 september 1998
Ruanda	22 oktober 1998
Colombia	8 juni 1999
Kongo	12 juli 1999
Georgië	23 juli 1999
de Filippijnen	10 februari 2000

Australië	15 mei 2000
Kroatië	6 oktober 2000
de Verenigde Staten van Amerika ³⁾	17 november 2000

¹⁾ Onder de volgende verklaring:

“With respect to the State of Kuwait, any additional regional implementation annex or any amendment to any regional implementation annex shall enter into force only upon the deposit of its instrument of ratification or accession with respect thereto”.

²⁾ Onder de volgende verklaring:

DECLARATION MADE BY THE EUROPEAN COMMUNITY IN ACCORDANCE WITH ARTICLE 34(2) AND (3) OF THE UNITED NATIONS CONVENTION TO COMBAT DESERTIFICATION IN COUNTRIES SERIOUSLY AFFECTED BY DROUGHT AND/OR DESERTIFICATION, PARTICULARLY IN AFRICA

In accordance with the provisions of the Treaty establishing the European Economic Community, as amended by the Single European Act and the Treaty on European Union, the Community is competent to adopt measures concerning the protection of the environment and in particular to combat desertification. The Community is also competent in the field of agriculture. It is competent to sign international agreements relating to such matters and to the field of development cooperation. It enjoys exclusive competence in the field of trade. The Community legislative acts and programmes listed below are illustrative of the Community's spheres of competence.

The Community will in future be able to assume additional responsibilities by the adoption of legislative instruments or cooperation measures specifically designed to combat desertification.

List of legislative acts and Community programmes contributing to combating desertification.

General instruments

Resolution of the Council and the Representatives of the Governments of the Member States, meeting within the Council of 1 February 1993 on a Community programme of policy and action in relation to the environment and sustainable development (OJ C 138, 17. 5. 1993, p. 1).

Communication from the Commission to the Council and European Parliament concerning development cooperation policy in the run-up to 2000 (SEC(92) 915 final).

Financial instruments

Council Regulation (EEC) No 4254/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Regional Development Fund (OJ L 374, 31. 12. 1988, p. 15).

Council Regulation (EEC) No 4256/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Agricultural Guidance and Guarantee Fund (EAGGF), Guidance Section (OJ L 374, 31. 12. 1988, p. 25).

Council Regulation (EEC) No 443/92 of 25 February 1992 on financial and technical assistance to, and economic cooperation with, the developing countries in Asia and Latin America (OJ L 52, 27. 2. 1992, p. 1).

Council Regulation (EEC) No 1762/92 of 29 June 1992 on the implementation of the Protocols on financial and technical cooperation concluded by the Community with Mediterranean non-member countries (OJ L 181, 1. 7. 1992, p. 1).

Council Regulation (EEC) No 1763/92 of 29 June 1992 concerning financial

cooperation in respect of all Mediterranean non-member countries (OJ L 181, 1. 7. 1992, p. 5).

Council Regulation (EEC) No 1973/92 of 21 May 1992 establishing a financial instrument for the environment (LIFE) (OJ L 206, 22. 7. 1992, p. 1).

Council Regulation (EC) No 1164/94 of 16 May 1994 establishing a Cohesion Fund (OJ L 130, 25. 5. 1994, p. 1).

Council Regulation (EC) No 3062/95 of 20 December 1995 on operations to promote tropical forests (OJ L 327, 30. 12. 1995, p. 9).

Decision of the Council and the Commission of 25 February 1991 on the conclusion of the fourth ACP-EEC Convention. Decision 91/400/ECSC, EEC (OJ L 229, 17. 8. 1991, p. 1).

Commission communication in accordance with Council Regulation (EEC) No 1973/92 of 21 May 1992 establishing a financial instrument for the environment (LIFE), relating to priority actions to be implemented in 1995 (OJ C 139, 21. 5. 1994, p. 3).

Council Regulation (EC) No 722/97 of 22 April 1997 on environmental measures in developing countries in the context of sustainable development (OJ L 108, 25. 4. 1997, p. 1).

Council Regulation (EEC) No 1118/88 of 25 April 1988 concerning specific measures to encourage the development of agriculture in certain regions of Spain (OJ L 107, 28. 4. 1988, p. 3).

Council Regulation (EEC) No 1610/89 of 29 May 1989, laying down provisions for implementing Regulation (EEC) No 4256/88 as regards the scheme to develop and optimally utilize woodlands in rural areas in the Community (OJ L 165, 15. 6. 1989, p. 3).

Council Regulation (EEC) No 3906/89 of 18 December 1989 on economic aid to the Republic of Hungary and the Polish People's Republic (OJ L 375, 23. 12. 1989, p. 11).

Council Regulation (EEC) No 2078/92 of 30 June 1992 on agricultural production methods compatible with the requirements of the protection of the environment and the maintenance of the countryside (OJ L 215, 30. 7. 1992, p. 85).

Council Regulation (EEC) No 2080/92 of 30 June 1992 instituting a Community aid scheme for forestry measures in agriculture (OJ L 215, 30. 7. 1992, p. 96).

Council Regulation (EEC) No 2158/92 of 23 July 1992 on protection of the Community's forests against fire (OJ L 217, 31. 7. 1992, p. 3).

Research programmes

Council Decision 89/625/EEC of 20 November 1989 adopting two specific research and development programmes in the field of the environment – STEP and Epoch (1989 to 1992) (OJ L 359, 8. 12. 1989, p. 9).

Council Decision 91/354/EEC of 7 June 1991 adopting a specific research and technological development programme in the field of the environment (1990 to 1994) (OJ L 192, 16. 7. 1991, p. 29).

Council Decision 94/911/EEC of 15 December 1994 adopting a specific programme of research and technological development, including demonstration, in the field of the environment and climate (1994 to 1998) (OJ L 361, 31. 12. 1994, p. 1).

³⁾ Onder de volgende mededeling:

“(1) Foreign assistance. The United States understands that, as a ‘developed country,’ pursuant to Article 6 of the Convention and its Annexes, it is not obligated to satisfy specific funding requirements or other specific requirements regarding the provision of any resource, including technology, to any ‘affected

country,' as defined in Article 1 of the Convention. The United States understands that ratification of the Convention does not alter its domestic legal processes to determine foreign assistance funding or programs.

(2) Financial resources and mechanism. The United States understands that neither Article 20 nor Article 21 of the Convention impose obligations to provide specific levels of funding for the Global Environmental Facility, or the Global Mechanism, to carry out the objectives of the Convention, or for any other purpose.

(3) United States land management. The United States understands that it is a 'developed country party' as defined in Article 1 of the Convention, and that it is not required to prepare a national action program pursuant to Part III, Section 1, of the Convention. The United States also understands that no changes to its existing land management practices and programs will be required to meet its obligations under Articles 4 or 5 of the Convention.

(4) Legal process for amending the Convention. In accordance with Article 34 (4), any additional regional implementation annex to the Convention or any amendment to any regional implementation annex to the Convention shall enter into force for the United States only upon the deposit of a corresponding instrument of ratification, acceptance, approval or accession.

(5) Dispute settlement. The United States declines to accept as compulsory either of the dispute settlement means set out in Article 28(2), and understands that it will not be bound by the outcome, findings, conclusions or recommendations of a conciliation process initiated under Article 28 (6). For any dispute arising from this Convention, the United States does not recognize or accept the jurisdiction of the International Court of Justice."

F. TOETREDING

Zie *Trb.* 1997, 34.

Behalve de aldaar genoemde hebben nog de volgende staten een akte van toetreding bij de Secretaris-Generaal van de Verenigde Naties nedergelegd:

Myanmar	2 januari 1997
Jemen	14 januari 1997
Barbados.	14 mei 1997
Grenada	28 mei 1997
Oostenrijk ¹⁾	2 juni 1997
IJsland	3 juni 1997
Saudi-Arabië	25 juni 1997
de Dominicaanse Republiek	26 juni 1997
Guyana	26 juni 1997
El Salvador	27 juni 1997
België	30 juni 1997
Saint Kitts en Nevis	30 juni 1997
Saint Lucia	2 juli 1997
Bahrein	14 juli 1997
Tadzjikistan	16 juli 1997
Kirgizië	19 september 1997
Jamaica	12 november 1997

Dominica	8 december 1997
Liberia	2 maart 1998
de Marshalleilanden	2 juni 1998
Venezuela	29 juni 1998
Belize	23 juli 1998
Roemenië	19 augustus 1998
de Cook-eilanden	21 augustus 1998
Samoa	21 augustus 1998
Azerbeidzjan	10 augustus 1998
Niue	14 augustus 1998
Vietnam	25 augustus 1998
Fiji	26 augustus 1998
Kiribati	8 september 1998
Guatemala ²⁾	10 september 1998
Tuvalu	14 september 1998
Nauru	22 september 1998
Tonga	25 september 1998
de Verenigde Arabische Emiraten	21 oktober 1998
Sri Lanka	9 december 1998
Singapore	26 april 1999
Uruguay	17 februari 1999
Monaco	5 maart 1999
Moldavië	10 maart 1999
Qatar	15 maart 1999
de Salomonseilanden	16 april 1999
Palau	15 juni 1999
Hongarije	13 juli 1999
San Marino	23 juli 1999
Tsjechië	25 januari 2000
Cyprus	29 maart 2000
Albanië	27 april 2000
Suriname	1 juni 2000
Trinidad en Tobago	8 juni 2000
Nieuw-Zeeland ³⁾	7 september 2000
de Bahama's	10 november 2000
Papoea-Nieuw-Guinea	6 december 2000
Bulgarije	21 februari 2001
Wit-Rusland	29 augustus 2001

¹⁾ Onder de volgende verklaring:

“The Republic of Austria declares in accordance with the article 28 of the Convention that it accepts both of the means of dispute settlement mentioned in Paragraph 2 as compulsory in relation to any Party accepting an obligation concerning one or both of these means of dispute settlement.”

²⁾ Onder de volgende verklaring:

“The Republic of Guatemala declares that, in respect of any dispute concerning the interpretation or application of the Convention, it recognizes arbitration

in accordance with procedures adopted by the Conference of the Parties in an annex as soon as practicable as a means of dispute settlement, compulsory in relation to any Party accepting the same obligation. This declaration shall remain in force until three months after written notice of its revocation has been deposited with the Depository”. (vertaling)

3) Onder de volgende verklaring:

“...any additional regional implementation annex or any amendment to any regional implementation annex to the Convention shall enter into force for New Zealand only upon the Government of New Zealand’s deposit of its instrument of ratification, acceptance, approval or accession with respect thereto.”

en onder de volgende mededeling:

“... consistent with the constitutional status of Tokelau and taking into account its commitment to the development of self-government through an act of self-determination under the Charter of the United Nations, this ratification shall not extend to Tokelau unless and until a Declaration to this effect is lodged by the Government of New Zealand with the Depository on the basis of appropriate consultation with that territory.”

G. INWERKINGTREDING

Zie *Trb.* 1997, 34.

J. GEGEVENS

Zie *Trb.* 1995, 41 en *Trb.* 1997, 34.

Bijlage V van 22 december 2000

De Conferentie van Partijen heeft tijdens zijn vierde zitting te Bonn op 22 december 2000 een nieuwe Bijlage V bij het onderhavige Verdrag aangenomen, waarvan de Engelse tekst als volgt luidt:

Annex V

Regional implementation annex for Central and Eastern Europe

Article 1

Purpose

The purpose of this Annex is to provide guidelines and arrangements for the effective implementation of the Convention in affected country Parties of the Central and Eastern European region, in the light of its particular conditions.

Article 2

Particular conditions of the Central and Eastern European Region

The particular conditions of the Central and Eastern European region referred to in article 1, which apply in varying degrees to the affected country Parties of the region, include:

- a) specific problems and challenges related to the current process of economic transition, including macroeconomic and financial problems and the need for strengthening the social and political framework for economic and market reforms;
- b) the variety of forms of land degradation in the different ecosystems of the region, including the effects of drought and the risks of desertification in regions prone to soil erosion caused by water and wind;
- c) crisis conditions in agriculture due, inter alia, to depletion of arable land, problems related to inappropriate irrigation systems and gradual deterioration of soil and water conservation structures;
- d) unsustainable exploitation of water resources leading to serious environmental damage, including chemical pollution, salinisation and exhaustion of aquifers;
- e) forest coverage losses due to climatic factors, consequences of air pollution and frequent wildfires;
- f) the use of unsustainable development practices in affected areas as a result of complex interactions among physical, biological, political, social and economic factors;
- g) the risks of growing economic hardships and deteriorating social conditions in areas affected by land degradation, desertification and drought;
- h) the need to review research objectives and the policy and legislative framework for the sustainable management of natural resources; and
- i) the opening up of the region to wider international cooperation and the pursuit of broad objectives of sustainable development.

Article 3

Action programmes

1. National action programmes shall be an integral part of the policy framework for sustainable development and address in an appropriate manner the various forms of land degradation, desertification and drought affecting the Parties of the region.
2. A consultative and participatory process, involving appropriate levels of government, local communities and non-governmental organizations, shall be undertaken to provide guidance on a strategy with flexible planning to allow maximum local participation, pursuant to article 10, paragraph 2(f), of the Convention. As appropriate, bilateral and multilateral cooperation agencies may be involved in this process at the request of the affected country Party concerned.

Article 4

Preparation and Implementation of National Action Programmes

In preparing and implementing national action programmes pursuant to articles 9 and 10 of the Convention, each affected country Party of the region shall, as appropriate:

- a) designate appropriate bodies responsible for the preparation, coordination and implementation of its programme;
- b) involve affected populations, including local communities, in the elaboration, coordination and implementation of the programme through a locally driven consultative process, with the cooperation of local authorities and relevant non-governmental organizations;
- c) survey the state of the environment in affected areas to assess the causes and consequences of desertification and to determine priority areas for action;
- d) evaluate, with the participation of affected populations, past and current programmes in order to design a strategy and elaborate actions in the action programme;
- e) prepare technical and financial programmes based on the information gained through the activities in subparagraphs a) to d); and
- f) develop and utilize procedures and benchmarks for monitoring and evaluating the implementation of the programme.

Article 5

Subregional, regional and joint action programmes

1. Affected country Parties of the region, in accordance with articles 11 and 12 of the Convention, may prepare and implement subregional and/or regional action programmes in order to complement and increase the effectiveness and efficiency of national action programmes. Two or more affected country Parties of the region may similarly agree to prepare a joint action programme between or among them.
2. Such programmes may be prepared and implemented in collaboration with other Parties or regions. The objective of such collaboration would be to secure an enabling international environment and to facilitate financial and/or technical support or other forms of assistance to address more effectively desertification and drought issues at different levels.
3. The provisions of articles 3 and 4 shall apply, *mutatis mutandis*, to the preparation and implementation of subregional, regional and joint action programmes. In addition, such programmes may include the conduct of research and development activities concerning selected ecosystems in affected areas.
4. In preparing and implementing subregional, regional or joint action programmes, affected country Parties of the region shall, as appropriate:
 - a) identify, in cooperation with national institutions, national objectives relating to desertification which can better be met by such programmes, and relevant activities, which could be effectively carried out through them;
 - b) evaluate the operational capacities and activities of relevant regional, subregional and national institutions;

- c) assess existing programmes relating to desertification among Parties of the region and their relationship with national action programmes; and
- d) consider action for the coordination of subregional, regional and joint action programmes, including, as appropriate, the establishment of Coordination committees composed of representatives of each affected country Party concerned to review progress in combating desertification, harmonize national action programmes, make recommendations at the various stages of preparation and implementation of the subregional, regional or joint action programmes, and act as focal points for the promotion and coordination of technical cooperation pursuant to articles 16 to 19 of the Convention.

Article 6

Technical, scientific and technological cooperation

In conformity with the objective and principles of the Convention, Parties of the region shall, individually or jointly:

- a) promote the strengthening of scientific and technical cooperation networks, of monitoring indicators and of information systems at all levels, as well as their integration, as appropriate, in worldwide systems of information; and
- b) promote the development, adaptation and transfer of relevant existing and new environmentally sound technologies within and outside the region.

Article 7

Financial resources and mechanisms

In conformity with the objective and principles of the Convention, affected country Parties of the region shall, individually or jointly:

- a) adopt measures to rationalize and strengthen mechanisms to supply funds through public and private investment with a view to achieving concrete results in action to combat land degradation and desertification and mitigate the effects of drought;
- b) identify international cooperation requirements in support of national efforts, thereby creating, in particular, an enabling environment for investments and encouraging active investment policies and an integrated approach to effectively combating desertification, including early identification of the problems caused by this process;
- c) seek the participation of bilateral and/or multilateral partners and financial cooperation institutions with a view to ensuring implementation of the Convention, including programme activities which take into account the specific needs of affected country Parties of the region; and
- d) assess the possible impact of article 2a) on the implementation of articles 6, 13 and 20 and other related provisions of the Convention.

Article 8

Institutional framework

1. In order to give effect to this Annex, Parties of the region shall:
 - a) establish and/or strengthen national focal points to coordinate action to combat desertification and/or mitigate the effects of drought; and
 - b) consider mechanisms to strengthen regional cooperation, as appropriate.
2. The permanent secretariat may, at the request of Parties of the region and pursuant to article 23 of the Convention, facilitate the convocation of coordination meetings in the region by:
 - a) providing advice on the organization of effective coordination arrangements, drawing on experience from other such arrangements; and
 - b) providing other information that may be relevant in establishing or improving coordination processes.

De Bijlage behoeft ingevolge artikel 7, onderdeel b, van de Rijkswet goedkeuring en bekendmaking Verdragen niet de goedkeuring van de Staten-Generaal.

Ingevolge artikel 31, derde lid, onderdeel a, van het Verdrag is Bijlage V voor Nederland in werking getreden op 6 september 2001.

In overeenstemming met artikel 19, tweede lid, van de Rijkswet goedkeuring en bekendmaking verdragen heeft de Minister van Buitenlandse Zaken bepaald dat de Bijlage zal zijn bekendgemaakt in Nederland op de dag na de datum van uitgifte van dit Tractatenblad.

Uitgegeven de zesde december 2001.

De Minister van Buitenlandse Zaken,

J. J. VAN AARTSEN