

BIOLOGICAL PACT PASSES INTO LAW

Treaty's Goal Is to Prevent
Loss of Species and Share
Biotechnology Benefit

By DAVID E. PITT

UNITED NATIONS, Dec. 30 — An agreement conceived in the spirit of Noah's mission to rescue every beast, every fowl and "whatsoever creepeth upon the earth" became international law this week.

The agreement, the Convention on Biological Diversity, is both a global conservation pact and a guide to help rich and poor nations share in the profits of biotechnology, a fledgling industry that uses organisms with unique genetic characteristics to create new products like cancer-fighting drugs and hardier strains of crops and livestock.

The United States is among the 167 nations that have signed the treaty, although ratification by a two-thirds vote of the Senate is needed.

The treaty commits countries to draw up national strategies to conserve not only the plants, animals and microorganisms within their borders, but the habitats that sustain them. It also requires that countries pass laws to protect endangered species, expand protected areas and restore damaged ones, and promote public awareness of the need for conservation and sustainable use of biological resources.

Natural Habitats Destroyed

The treaty, first presented for signature at the so-called Earth Summit in Brazil in June 1992, began to take shape a decade ago in response to warnings by scientists that the pace of extinctions had risen to 25,000 times the natural rate. By the year 2050, some experts believe, half of all remaining species may have vanished, largely because of the various effects of the exploding human population.

Although chemical pollution, poaching, overharvesting and trafficking in wildlife are all factors in the accelerating wave of extinctions, experts say the biggest threat comes from the destruction of natural habitats, ranging from tropical rain forests to grasslands and coral reefs. The possibility of global warming from increased use of fossil fuels could also have profoundly destructive effects on ecosystems.

Elizabeth Dowdeswell of Canada, executive director of the United Nations Environment Program, called the agreement's entry into force on Dec. 29 "one of the most significant recent developments in international law and in international relations relating to environment and development."

"I see the convention as an affirmation in favor of life in all its myriad forms," said Ms. Dowdeswell, whose Nairobi-based agency is overseeing the administration of the treaty.

Three broad political principles are at the heart of the treaty: the idea that countries have "the sovereign right to exploit their own resources pursuant to their own environmental policies"; that well-to-do countries have an obligation to help their poorer neighbors abide by the pact by offering "new and additional" financial aid and technology, and that species-rich but cash-poor nations should share in the profits from products made from their biological resources.

Treaty Rejected by Bush

President Bush rejected the treaty nearly 18 months ago on the ground that its biotechnology provisions would weaken patent rights for American companies. But President Clinton reversed the decision in April, saying that while he shared Mr. Bush's reservations, he was confident that the problem areas could be negotiated later.

But many potential snags are likely to face treaty signers when they meet in late 1994 to decide how the agreement will actually function. There is considerable scientific uncertainty about how — or even if — many species can be saved. And, apart from issues of how to balance access to genetic material with biotechnology profits, questions remain about how the treaty will be financed, the technology shared and a permanent secretariat established.

The treaty became legally binding three months after the requisite 30th signer — Mongolia — ratified it. Although the current total of 36 ratifying countries include industrialized nations like Canada, Japan, Norway and Australia, most are developing countries like Uganda, Nepal, the Philippines and Ecuador.

"I think it is worth remarking that the first 30 ratifications came overwhelmingly from the lower-income countries," said Angela Cropper of Trinidad and Tobago, executive secretary of the treaty's interim secretariat. "Biological diversity — our food and medicines as well as the treasure house of animals and plants — come mainly from the tropical and developing nations. If we want to continue to profit from this wealth, we must make it worthwhile for poor countries to protect this heritage."

About 1.4 million species of plants, animals and microorganisms have been identified by modern science. But the actual number is thought to be far larger. According to Dr. Edward O. Wilson, a biologist at Harvard University, it could be anywhere from 10 million to 100 million.

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FIABCI announces major effort to change U.N. policy

TORONTO — The International Real Estate Federation (FIABCI) is launching a major effort aimed at changing the United Nations' housing policy, which for the past six years has opposed the right of private property ownership.

The board of the federation approved the plan at FIABCI's 33rd World Congress here last month.

The plan, prepared for the international organization by the National Association of Realtors, calls for coordinated efforts over the next 12 months by national chapters from each of the federation's 41 member nations.

The main focus of the FIABCI effort is next year's meeting in Helsinki, Finland, of the U.N. Habitat Commission, created in 1976 by the Vancouver Habitat Conference to formulate U.N. housing policy. In 1976, the western democratic governments were outmaneuvered by socialist nations in Vancouver, and agreed to a U.N. policy on land use that states:

"Land, because of its unique nature and the crucial role it plays in human settlements, cannot be treated as an ordinary asset, controlled by individuals and subject to the pressures and inefficiencies of the market. Social justice, urban renewal and development, the provision of decent dwellings and health conditions for people can only be achieved if land is used in the interests of society as a whole."

The fact that "land for human settlements" is the theme for the 1983 Habitat Commission meeting means that FIABCI will have the opportunity to change that U.N. policy.

Introducing the FIABCI plan in Toron-



Julio S. Laguarda

to, NAR President Julio Laguarda warned, "Failure to change an official United Nations policy that explicitly opposes the right of private property ownership will ultimately result in the destruction of our industry. In 1983, FIABCI must make

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FIABCI

(Continued from page 1) every effort at the U.N. Habitat meeting to achieve that change."

A resolution to approve efforts to get the U.N. policy changed was sponsored by the U.S. delegation, led by American Chapter President Al Wolff, President-elect Ralph Pritchard and ex-FIABCI World President Phil Smaby. NAR Executive Vice President and chief economist Jack Carlson called for and received unanimous support for the plan from the 41 national FIABCI delegations.

The first phase of the project begins this summer. Each FIABCI chapter is to brief its nation's delegates to the 1983 Habitat Commission meeting on the federation's support of private property rights.

Results will be reported to next year's FIABCI World Congress in Jakarta, Indonesia, and will be followed by efforts to persuade delegations at the United Nations headquarters in New York of the need to change the U.N. policy.

ON LAND

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