

SECTION IV

MODUS OPERANDI

(ANNEX I OF DECISION IV/16 AND SECTION III, DECISION V/20)

Modus Operandi

ANNEX I OF DECISION IV/16 AND SECTION III, DECISION V/20

I. Functions

1. The functions of the Subsidiary Body on Scientific, Technical and Technological Advice are those contained in Article 25 of the Convention. Accordingly, the Subsidiary Body on Scientific, Technical and Technological Advice will fulfil its mandate under the authority of, and in accordance with, guidance laid down by the Conference of the Parties, and upon its request.
2. Pursuant to Article 25, paragraph 3, of the Convention, the functions, terms of reference, organization and operation of the Subsidiary Body on Scientific, Technical and Technological Advice may be further elaborated, for approval by the Conference of the Parties.

II. Rules of procedure

3. The rules of procedure for meetings of the Conference of the Parties to the Convention on Biological Diversity shall apply, in accordance with rule 26, paragraph 5, *mutatis mutandis*, to the proceedings of the Subsidiary Body on Scientific, Technical and Technological Advice. Therefore, rule 18, on credentials, will not apply.
4. In accordance with rule 52, the official and working languages of the Subsidiary Body on Scientific, Technical and Technological Advice will be those of the United Nations Organization. The proceedings of the Subsidiary Body on Scientific, Technical and Technological Advice will be carried out in the working languages of the Conference of the Parties.
5. In order to facilitate continuity in the work of the Subsidiary Body on Scientific, Technical and Technological Advice and taking into account the technical and scientific character of the input of the Subsidiary Body, the terms of office of members of its Bureau will be two years. At each meeting of the Subsidiary Body on Scientific, Technical and Technological Advice one of the two regional representatives shall be elected in order to achieve staggered terms of office. The members of the Bureau of the Subsidiary Body will take office at the end of the meeting at which they are elected.
6. The Chairman of the Subsidiary Body on Scientific, Technical and Technological Advice, elected at an ordinary meeting of the Conference of the Parties, shall take office from the end of the next ordinary meeting of the Subsidiary Body on Scientific, Technical and Technological Advice and remain in office until his/her successor takes office. As a general rule the chairmanship of the Subsidiary Body

shall rotate among United Nations regional groups. Candidates for the Chair of the Subsidiary Body should be recognized experts, qualified in the field of biological diversity and experienced in the process of the Convention and the Subsidiary Body on Scientific, Technical and Technological Advice.

III. Frequency and timing of meetings of the Subsidiary Body on Scientific, Technical and Technological Advice

7. The Subsidiary Body on Scientific, Technical and Technological Advice shall meet at intervals to be determined by the Conference of the Parties and sufficiently in advance of each regular meeting of the Conference of the Parties, for a duration to be determined by the Conference of the Parties which should not normally exceed five days. The number and length of the meetings and activities of the Subsidiary Body on Scientific, Technical and Technological Advice and its organs should be reflected in the budget adopted by the Conference of the Parties or other sources of extra budgetary funding.

IV. Documentation

8. The documentation prepared for meetings will be distributed three months before the meeting in the working languages of the Subsidiary Body on Scientific, Technical and Technological Advice, will be concrete, focused draft technical reports and will include proposed conclusions and recommendations for consideration of the Subsidiary Body on Scientific, Technical and Technological Advice.

9. To facilitate the preparation of documentation, and in order to avoid duplication of efforts and ensure the use of available scientific, technical and technological competence available within international and regional organizations, including non-governmental organizations and scientific unions and societies, qualified in fields relating to conservation and sustainable use of biodiversity, the Executive Secretary may establish, in consultation with the Chairman and the other members of the Bureau of the Subsidiary Body, liaison groups, as appropriate. Such liaison groups will depend on the resources available.

V. Organization of work during the meetings

10. Each meeting of the Subsidiary Body on Scientific, Technical and Technological Advice will propose to the Conference of the Parties, in light of the programme of work for the Conference of the Parties and the Subsidiary Body, a particular theme as the focus of work for the following meeting of the Subsidiary Body.

11. Two open-ended sessional working groups of the Subsidiary Body on Scientific, Technical and Technological Advice could be established and operate simultaneously during meetings of the Subsidiary Body. They shall be established on the basis of well-defined terms of reference, and will be open to all Parties and observers. The financial implications of these arrangements should be reflected in the budget of the Convention.

VI. Ad hoc technical expert group meetings

12. A limited number of ad hoc technical expert groups on specific priority issues on the programme of work of the Subsidiary Body on Scientific, Technical and Technological Advice may be established, as required, for a limited duration. The establishment of such ad hoc technical expert groups would be guided by the following elements:

- (a) The ad hoc technical expert groups should draw on the existing knowledge and competence available within, and liaise with, international, regional and national organizations, including non-governmental organizations and the scientific community in fields relevant to this Convention;
- (b) The Executive Secretary will nominate scientific and technical experts drawn from the roster for the ad hoc technical experts groups in consultation with the Bureau of the Subsidiary Body on Scientific, Technical and Technological Advice. The ad hoc technical expert groups shall be composed of no more than fifteen experts competent in the relevant field of expertise, with due regard to geographical representation and to the special conditions of least-developed countries and small island developing States;
- (c) Within the available budgetary resources, the Subsidiary Body on Scientific, Technical and Technological Advice will determine the exact duration and specific terms of reference when establishing such expert groups under the guidance of the Conference of the Parties;
- (d) Expert groups will be encouraged to use innovative means of communication and to minimize the need for face-to-face meetings;
- (e) The ad hoc technical expert groups may also convene meetings parallel to the proceedings of the Subsidiary Body on Scientific, Technical and Technological Advice;
- (f) Reports produced by the ad hoc technical expert groups should, as a general rule be submitted for peer review;
- (g) All efforts will be made to provide adequate voluntary financial assistance for the participation of experts in the expert groups from developing countries and countries with economies in transition Parties; and
- (h) The number of ad hoc technical expert groups active each year will be limited to the minimum necessary and will depend on the amount of resources designated to the Subsidiary Body by the Conference of the Parties in its budget or on the availability of extra-budgetary resources.

VII. Contribution of non-governmental organizations

13. The scientific and technical contribution of non-governmental organizations to the fulfilment of the mandate of the Subsidiary Body will be strongly encouraged in accordance with the relevant provisions of the Convention and the rules of procedure for meetings of the Conference of the Parties.

VIII. Cooperation with other relevant bodies

14. The Subsidiary Body on Scientific, Technical and Technological Advice shall cooperate with other relevant international, regional and national organizations, under the guidance of the Convention of the Parties, thus building upon the vast experience and knowledge available.

15. In this context, the Subsidiary Body on Scientific, Technical and Technological Advice emphasizes the importance of research to further increase available knowledge and reduce uncertainties, and recommends that the Conference of the Parties consider this issue in relation to the financial resources required for the effective implementation of the Convention.

IX. Regional and subregional preparatory meetings

16. Regional and subregional meetings for the preparation of regular meetings of the Subsidiary Body on Scientific, Technical and Technological Advice may be organized as appropriate for specific items. The possibility of combining such meetings with other scientific regional meetings, in order to make maximum use of available resources, should be considered. The convening of such regional and subregional meetings will be subject to the availability of voluntary financial contributions.

17. The Subsidiary Body on Scientific, Technical and Technological Advice should, in the fulfilment of its mandate, draw upon the contributions of the existing regional and subregional intergovernmental organizations or initiatives.

X. Focal points

18. A list of focal points and focal persons to the Subsidiary Body on Scientific, Technical and Technological Advice shall be established and regularly updated by the Executive Secretary, on the basis of information provided by Parties and other relevant regional, subregional and intergovernmental organizations.

XI. Roster of experts

19. Rosters of experts in the relevant fields of the Convention will be compiled by the Executive Secretary on the basis of input from Parties and, as appropriate, from other countries and relevant bodies. The rosters will be administered by the Executive Secretary in an efficient, effective and transparent manner. The Executive Secretary together with the national focal points and relevant bodies, will regularly update the rosters of experts, including the information on each expert. The information on the rosters will be made accessible through the clearing-house mechanism, save to the extent that an expert objects to information concerning him/her being released.

20. The Executive Secretary as well as the ad hoc technical expert groups and liaison groups referred to above, should make full use of such rosters of experts, *inter alia*, through the type of consultations as described in paragraph 21 below. The Executive Secretary will inform Parties, at least one month prior to the convening of a meeting of experts, of the details of the meeting and of the experts invited.

21. The experts on the rosters are invited to make available, upon request of the Executive Secretary, Parties or other countries and relevant bodies, their specific expertise in order to contribute to the further development of the scientific, technical and technological issues of the work programme of the Convention on Biological Diversity. Such requests could entail, *inter alia*, peer reviews, questionnaires, clarifications or examinations of scientific, technological and technical issues, specific contributions to the compilation of documents, participation in global and regional workshops and assisting in connecting the Convention-process to international, regional and national scientific, technical and technological processes.

DECISION V/20 | Operations of the Convention

III. Operations of the Subsidiary Body on Scientific, Technical and Technological Advice

The Conference of the Parties

17. Decides that meetings of the Subsidiary Body on Scientific Technical and Technological Advice should take place every year;

18. Decides that the Chair of the Subsidiary Body on Scientific, Technical and Technological Advice or other members of the Bureau authorized by him or her may represent the Subsidiary Body at meetings of the scientific bodies of other conventions and relevant biological-diversity-related conventions, institutions and processes;

19. Encourages the Bureau of the Subsidiary Body on Scientific, Technical and Technological Advice to hold meetings with equivalent bodies of other relevant biological-diversity-related conventions, institutions and processes;

20. Recognizes that in certain cases it will be appropriate for the Subsidiary Body on Scientific, Technical and Technological Advice to make recommendations that include options or alternatives;

...

22. Confirms that the Subsidiary Body on Scientific, Technical and Technological Advice, within the available budgetary resources for matters related to its mandate, may make requests to the Executive Secretary and utilize the clearing-house mechanism, and other appropriate means, to assist in the preparation of its meetings;

...

24. Decides that the guidance to the Subsidiary Body on Scientific, Technical and Technological Advice contained in specific decisions of a meeting of the Conference of the Parties should take into account the need for a coherent and realistic programme of work for the Subsidiary Body, including the identification of priority issues, allowing flexibility in timing, and agrees that the Subsidiary Body on Scientific, Technical and Technological Advice may, if necessary, adjust the timing of its consideration of issues;

25. Recognizes that there is a need to improve the quality of the scientific, technical and technological advice provided to the Conference of the Parties, and to under-

take sound scientific and technical assessments, including in-depth assessments of the state of knowledge on issues critical for the implementation of the Convention;

26. Requests the Subsidiary Body on Scientific, Technical and Technological Advice to continue to improve the way it conducts its scientific, technical and technological work in order to improve the quality of its advice to the Conference of the Parties;

27. Decides that, in its scientific, technical and technological work and, in particular, scientific assessments, the Convention should make use of existing programmes and activities of the Convention or of other bodies and of expertise made available by Parties;

28. Notes the report of the brainstorming meeting on scientific assessment (UNEP/CBD/COP/5/INF/1), and refers it to the Subsidiary Body on Scientific, Technical and Technological Advice for consideration and, where appropriate, use in its work;

29. Requests the Subsidiary Body on Scientific, Technical and Technological Advice:

- (a) To identify and, where needed, further develop, procedures and methods to undertake or participate in scientific assessments, or make use of existing ones, taking into account considerations of participation, effectiveness and costs;
- (b) To undertake a limited number of pilot scientific assessment projects, in preparation for the sixth meeting of the Conference of the Parties, and to invite, among others, the Millennium Ecosystem Assessment to work closely together with the Subsidiary Body in this area; and to facilitate and support the implementation of these projects; and, at an appropriate stage, to carry out an evaluation of them;
- (c) To develop further its methodologies for scientific assessment, and to provide advice to Parties on scientific assessment design and implementation;
- (d) To identify and regularly update, within the context of its programme of work, assessment priorities and information needs;
- (e) To review the implementation of decision II/1 relating to the Global Biodiversity Outlook and provide the results of that review to the Conference of the Parties at its sixth meeting, together with advice on means to enhance implementation and/or any desirable amendments to the decision;

30. Notes the proposed uniform methodology for the use of the roster of experts, set out in annex I to recommendation V/14 of the Subsidiary Body on Scientific, Technical and Technological Advice, and refers this to the Subsidiary Body and the Executive Secretary for consideration and, where appropriate, use in their work;

31. Encourages Parties, other Governments and relevant bodies when nominating their experts for inclusion in the roster to consider:

- (a) Gender balance;
- (b) Involvement of indigenous people and members of local communities;
- (c) Range of relevant disciplines and expertise, including, *inter alia*, biological, legal, social and economic sciences, and traditional knowledge;