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### SUBSIDIARY BODY ON IMPLEMENTATION

Third meeting

Venue and dates to be determined

Item 10 of the provisional agenda\*

### REVIEW OF THE EFFECTIVENESS OF THE PROCESSES UNDER THE CONVENTION AND ITS PROTOCOLS

*Note by the Executive Secretary*

#### BACKGROUND

1. According to the multi-year programme of work of the Conference of the Parties, updated in decision [XII/31](#), the Conference of the Parties is expected to consider, at its fifteenth meeting, a review of the effectiveness of processes under the Convention and its protocols, among other things.
2. At its twelfth meeting,<sup>1</sup> the Conference of the Parties decided to hold its future ordinary meetings within a two-week period that would include the meetings of the Parties to the Cartagena and Nagoya Protocols. It also decided to review, at its fourteenth and fifteenth meetings, the experience with the holding of concurrent meetings. Similarly, the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol adopted a decision<sup>2</sup> to undertake such review at its third and fourth meetings. The Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol had also adopted a similar decision to complete such a review at its tenth meeting (decision [BS-VII/9 A](#), para. 5).
3. At its thirteenth meeting, the Conference of the Parties to the Convention adopted decision [XIII/26](#), developing the criteria for reviewing, at its fourteenth and fifteenth meetings, experience with holding meetings concurrently, and requested the Executive Secretary to prepare a preliminary review, using these criteria, for consideration by the Subsidiary Body on Implementation at its second meeting. The Parties to the Cartagena and Nagoya Protocols decided to use similar criteria for reviewing their meetings in decisions [CP-VIII/10](#), and [NP-2/12](#), respectively.
4. On the basis of recommendations from the Subsidiary Body on Implementation, the Conference of the Parties at its fourteenth meeting, the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol at its ninth meeting, and the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol at its third meeting reviewed the experience with holding meetings of the Conference of the Parties concurrently with meetings of the Parties to the Cartagena and Nagoya Protocols. The criteria agreed in decisions [XIII/26](#), [CP-VIII/10](#), and [NP-2/12](#) were used in conducting the review. The Executive Secretary was requested to further develop the preliminary review, on the basis of the experience gained from the concurrently held fourteenth meeting of the Conference of the Parties, ninth meeting of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol, and third meeting

\* CBD/SBI/3/1.

<sup>1</sup> See decision [XII/27](#).

<sup>2</sup> Decision [NP-1/12](#).

of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol, for consideration by the Subsidiary Body on Implementation at its third meeting.

5. In response to these requests, notifications<sup>3</sup> were sent to Parties to the Convention and its two Protocols inviting them to provide views on their experience in participating in the fourteenth meeting of the Conference of the Parties (COP 14), the ninth meeting of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol (CP-MOP 9) and the third meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol on Access and Benefit-sharing (NP-MOP 3), which were held concurrently in Sharm El-Sheikh, Egypt, from 17 to 29 November 2018. The views were collected through a questionnaire, structured on the basis of the criteria identified in the relevant decisions adopted earlier. In addition, an electronic survey that allowed all the participants in the concurrent meetings of 2018 to take part was conducted.<sup>4</sup>

6. Accordingly, section I below provides a synthesis of the responses received through the questionnaire and the electronic survey, in order to facilitate the reviewing of experience with holding the meetings of the Conference of the Parties and the Conference of the Parties serving as the meetings of the Parties to the two protocols concurrently.

7. As the COVID-19 pandemic renders physical gatherings impossible, the Secretariat, like many other organizations and processes, has embarked on conducting several of its meetings in a virtual setting. This solution presents its own opportunities and challenges. Accordingly, section II below offers some information on this growing practice of conducting meetings in a virtual setting. Some relevant experiences and implications on procedure and effectiveness of virtual meeting processes are highlighted.

8. Finally, section III suggests some elements of a recommendation on both experience with concurrent meetings and experience with virtual meetings, for consideration by the Subsidiary Body on Implementation at its third meeting.

## **I. REVIEW OF EXPERIENCE IN HOLDING THE MEETINGS OF THE GOVERNING BODIES OF THE CONVENTION AND THE PROTOCOLS CONCURRENTLY**

### **A. Information on respondents**

9. The questionnaire sent to Parties concerning COP 14, CP-MOP 9 and NP-MOP 3 elicited responses from 26 Parties.<sup>5</sup> Some Parties provided separate submissions for the Convention and its Protocols, and not all respondents answered all questions or provided written comments. Details on the responses received to the questionnaire and the online surveys concerning both sets of concurrent meetings<sup>6</sup> are provided in figures 1 and 2 below. Further analysis is presented in the subsequent sections of the present document.

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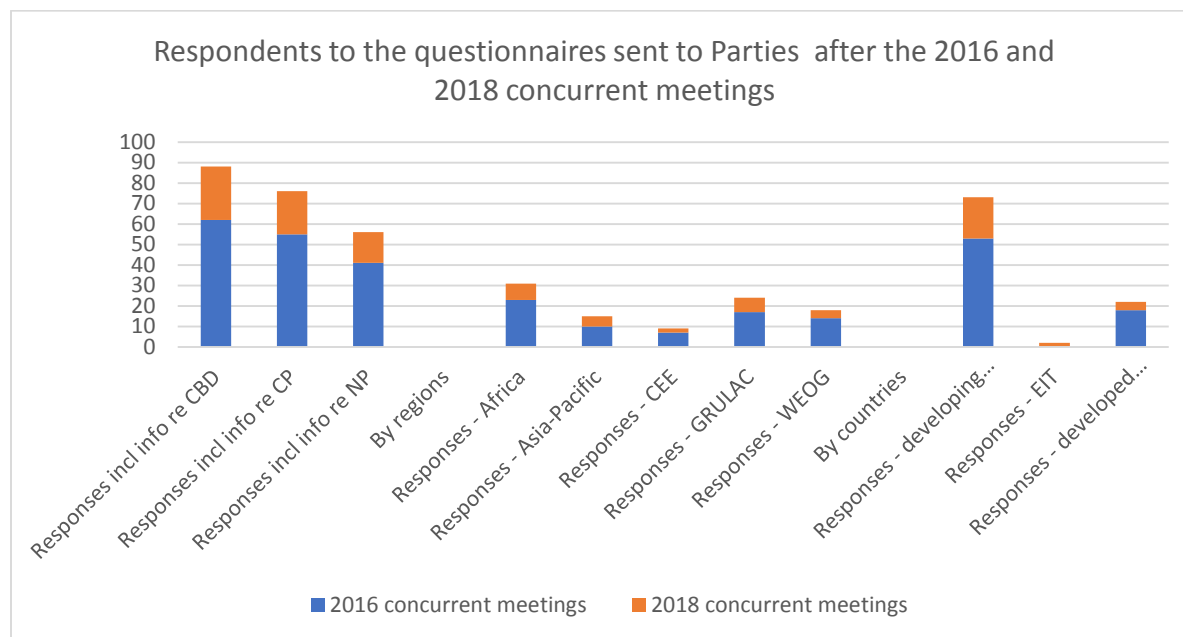
<sup>3</sup> The notification was issued on 11 December 2018 with a deadline of 29 March 2019.

<sup>4</sup> The survey was distributed on 19 February 2019 and remained open until 20 April 2019. Reminders to complete the survey were sent on 18 March 2019 and on 25 March 2019.

<sup>5</sup> Antigua and Barbuda, Austria, Belarus, Benin, Bhutan, Burundi, Costa Rica, Côte d'Ivoire, Cuba, Dominican Republic, Eritrea, Ethiopia, European Union and its Member States, Germany, Iraq, Jamaica, Mexico, Nepal, New Zealand, Nigeria, Poland, Rwanda, Saint Vincent and the Grenadines, Thailand, Tuvalu and Zambia.

<sup>6</sup> COP 13, CP-MOP 8 and NP-MOP 2, which were held in 2016, and COP 14, CP-MOP 9 and NP-MOP 3, which were held in 2018.

**Figure 1**  
**Number of respondents to questionnaires sent to Parties after the 2016 and 2018 concurrent meetings**

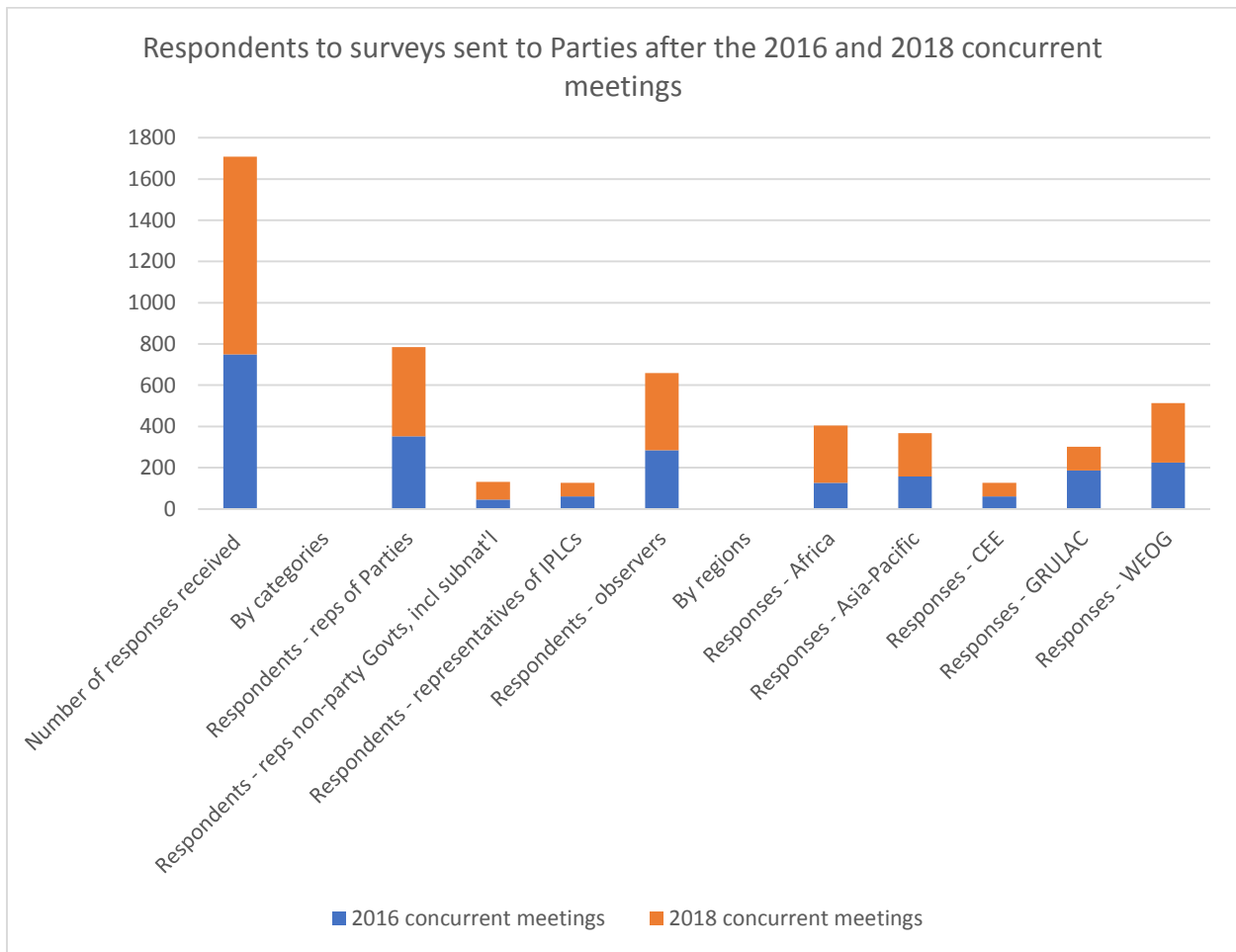


10. The electronic survey concerning COP 14, CP-MOP 9 and NP-MOP 3 was distributed to 2,948 participants. This represents approximately 78 per cent of all meeting participants.<sup>7</sup> Not all respondents answered all questions in the survey. Details on the responses received concerning both sets of the concurrent meetings (2016 and 2018) are provided in figure 2 below and are further analysed in the subsequent sections of the present document.<sup>8</sup>

<sup>7</sup> For the survey, email addresses were collected from the list of registered participants in the Concurrent Meetings. As some participants had not provided an email address and/or registered using a generic institutional email address, it was not possible to contact all registered participants. The survey was not distributed to staff servicing the meetings, United Nations security personnel, interpreters, local staff, volunteers or those individuals who attended only a specific event taking place in the margins of the Conference.

<sup>8</sup> A document providing information on the responses received to the online survey was made available to the COP Bureau at its meeting held on 16 March 2019.

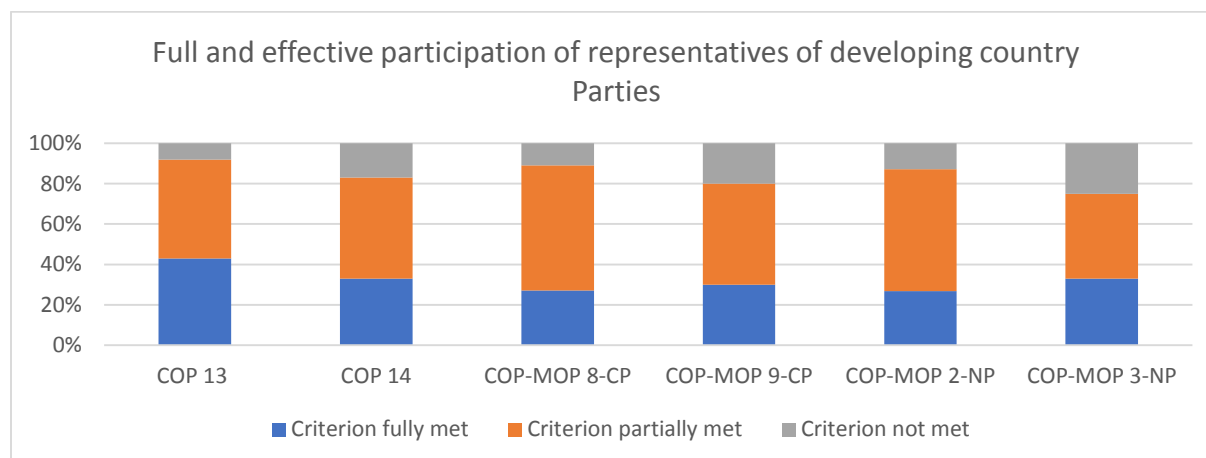
**Figure 2**  
**Response to surveys sent to participants of the 2016 and 2018 concurrent meetings**



**B. Full and effective participation of representatives of developing country Parties**

11. The results of the information collected through the questionnaire distributed to Parties concerning the full and effective participation of representatives of developing country Parties to concurrent meetings are shown in figure 3.

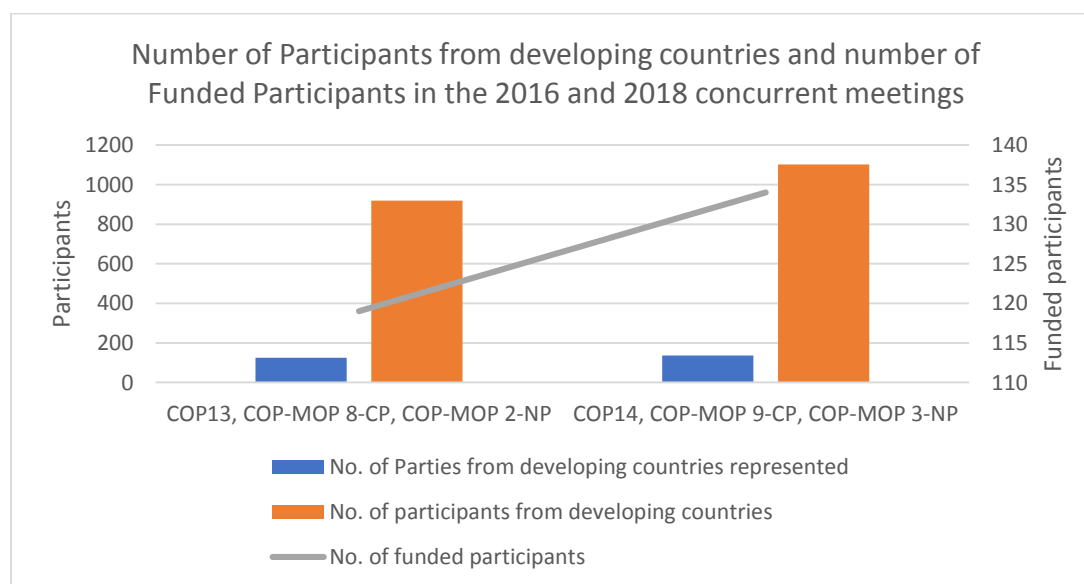
**Figure 3**  
**Response to the criteria on full and effective participation of representatives of developing country Parties**



12. A number of issues were raised by Parties in their written comments that were similarly expressed in the questionnaire for the concurrent meetings held in 2016. Several Parties noted that concurrent meetings made it difficult for some delegations to follow the proceedings, which was particularly problematic for small delegations, especially those from least developed countries and small island developing States. Many Parties also noted that the limited funding available to support the participation of representatives from developing countries was problematic in terms of the full and effective participation of developing country Parties.

13. The number of developing country Parties that have received funding to participate in meetings of the Conference of the Parties and meetings of the Conference of the Parties serving as the meetings of the Parties to the Protocols has varied from meeting to meeting. The number of Parties and participants that can be supported is dependent on the contributions received by the Secretariat, the applicable daily subsistence allowance rate and the cost of airfare. For the concurrent meetings in 2016, contributions totalling \$672,000 were received, and, for the concurrent meetings in Sharm El-Sheikh in 2018, contributions totalling \$700,000 were received by the Secretariat.

**Figure 4**  
**Number of participants from developing countries and number of funded participants**



14. The Secretariat followed the same approach as for the concurrent meetings in 2016, providing each eligible country with the equivalent of one economy class return airline ticket and the equivalent of two weeks of daily subsistence allowance for one person.<sup>9</sup> It was then up to the Party to decide how they wished to make use of the funds. For example, some Parties chose to send one participant to cover issues related to the Convention and its Protocols, while other Parties chose to allocate the airfare to one participant while allocating the daily subsistence allowance to another. Further, historically it has been difficult to secure funds for the meetings of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol in comparison to meetings of the Conference of the Parties to the Convention. Convening meetings concurrently has reduced this discrepancy as funds were provided for the concurrent meetings rather than a specific meeting.

15. The number of developing country Parties participating in meetings of the Conference of the Parties has varied over time. Since COP 10, the number of developing country Parties participating has varied, from 119 (80 per cent) at COP 12 to 137 (92 per cent) at COP 14,<sup>10</sup> and averaged 129 Parties. During the concurrent meetings in 2018, 137 (92 per cent) developing country Parties were represented. In addition, the number of participants from developing country Parties has also varied. During the concurrent meetings in 2018, there were 1,101 participants representing developing country Parties. Overall, convening concurrent meetings does not appear to have had an effect on the number of developing country Parties or the number of participants from developing country Parties attending the concurrent meetings.

16. The participation of developing countries in meetings of the Conference of the Parties serving as the meetings of the Parties to the Cartagena Protocol has also varied over time. CP-MOP 8 was attended by 104 (72 per cent) Parties and 580 participants and COP-MOP 9 by 118 (85 per cent) Parties and 877 participants. By comparison, COP-MOP 6 was attended by 93 (71 per cent) Parties and 321 participants and COP-MOP 7 by 87 (65 per cent) Parties and 316 participants. It appears that convening concurrent meetings has allowed for more Parties and representatives of developing countries to attend the meetings of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol. However, it is important to note that the information does not provide any indication of the actual number of Parties or representatives of developing countries who followed the proceedings under CP-MOP 9 or of the effectiveness of their participation. It should also be noted that, in several cases, any representative who took part in the meeting of the Conference of the Parties and also registered for the meeting of the Parties of either or both Protocols could be counted twice. In that regard, and given the fact that a good number of developing country Parties were represented by small delegations which had to handle multiple issues during the meeting, their ability to participate effectively in terms of having the appropriate expertise might have also been limited.

17. As there have only been three meetings of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol, trends are difficult to discern. The Nagoya Protocol entered into force during COP 12, in 2014, and information on participation specifically for NP-MOP 1 is therefore not available. During NP-MOP 2, there were 53 (76 per cent) developing country Parties participating, represented by 320 participants. During NP-MOP 3, there were 73 (79 per cent) developing country Parties participating, represented by 590 participants. Although these numbers do not provide any information on the actual number of Parties or representatives of developing countries who followed the proceedings under Nagoya Protocol COP-MOP 3, convening concurrent meetings does allow for more Parties and representatives of developing countries to attend the meetings of the Parties to the Nagoya Protocol.

18. Overall, convening concurrent meetings does not appear to have had an effect on the level of participation of developing country Parties in meetings of the Conference of the Parties. While participation of developing country Parties in meetings of the Parties to the Cartagena Protocol has increased, it is important to note that there is insufficient information to be able to measure the effectiveness of this participation.

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<sup>9</sup> However, in some cases, for example when a participant from a developing country was a member of the Bureau of the Conference of the Parties, another participant from the same Party was financially supported.

<sup>10</sup> The percentages indicate the proportion of all developing country Parties participating in the meeting. They are based on the number of developing country Parties at the time of the meeting.

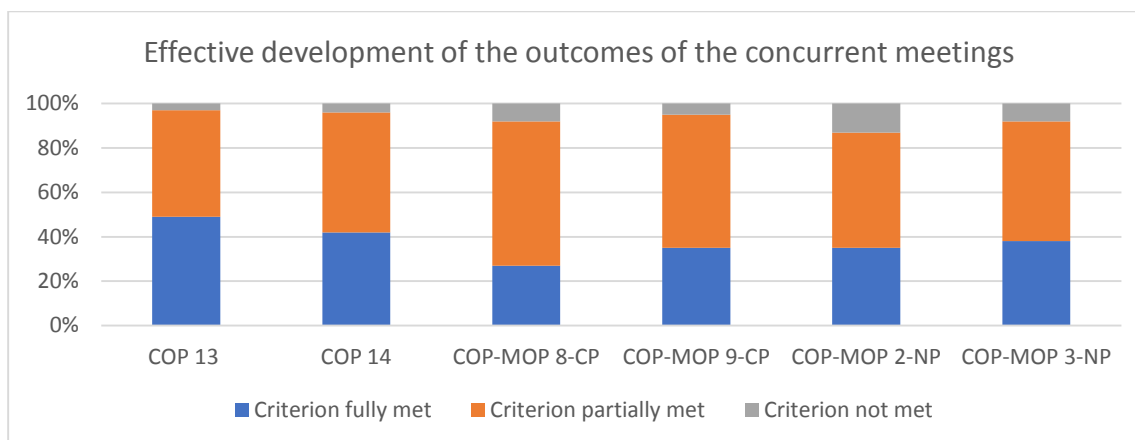
Further, there is still insufficient information to be able to draw definitive conclusions on what the effect has been for the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol.

### C. Effective development of outcomes

19. The results of the information collected through the questionnaire distributed to Parties concerning the effective development of outcomes during concurrent meetings in 2016 and 2018 are indicated in figure 5 below.

**Figure 5**

#### Response to the criteria on effective development of outcomes



20. Although the numbers and percentages of respondents differ, the responses by Parties to the notification, both in 2016 and in 2018, suggest that the process of convening concurrent meetings was perceived as being more effective for the Convention than for the Protocols. For both the Convention and the Protocols, the proportion of respondents indicating that the criterion had not been met was relatively small while, on the other hand, the number of responses that the criterion had only partially been met was significant.

21. In their written comments, some Parties noted that convening concurrent meetings significantly contributed to the outcomes of the meetings of the Conference of the Parties and the Conference of the Parties serving as the meetings of the Parties to the Protocols, in particular for cross-cutting issues. Some Parties underlined again that attending all the sessions of the concurrent meetings and simultaneous contact groups was difficult for small delegations and thus created challenges for the effective development of outcomes. It was noted that good planning helped in improving the effectiveness of the processes. However, any unexpected changes in the programme of work should be avoided as much as possible to provide Parties and delegations with maximum predictability, visibility and transparency.

22. The results of the online survey of participants were similar to those of the notification, i.e. there was a clear majority of survey respondents who felt that convening the meetings of the Conference of the Parties and the Protocols concurrently was effective in terms of improving the efficiency of the processes. Approximately 14 per cent of respondents strongly agreed, and 53 per cent agreed that this was the case. Only about 9 per cent of respondents disagreed, and 2 per cent strongly disagreed. The remaining 22 per cent of respondents had a neutral opinion on this issue. The results were similar when only responses from respondents from Parties were considered (18 per cent strongly agreed, 55 per cent agreed, 15 per cent neutral, 9 per cent disagreed and 3 per cent strongly disagreed). Results are similar when respondents that are Parties to the Cartagena Protocol are considered (24 per cent strongly agreed, 47 per cent agreed, 14 per cent remained neutral, 9 per cent disagreed and 6 per cent strongly disagreed).

23. Survey respondents, in their written comments, identified various advantages and disadvantages of convening the meetings concurrently. The advantages identified included the greater exchange of views and information and more coherent outcomes across the three agreements, the shortening of the total length of the meetings and the fact that concurrent meetings gave more visibility to the work of the Protocols and allowed for links between the three processes to be better recognized. Among the disadvantages noted were

the difficulty in following three different meetings, the difficulty in coordinating, and the large number of contact groups required. These issues were noted to be particularly problematic for smaller delegations. It was noted, however, that keeping updated online information on meetings taking place had been helpful. Other challenges noted were the limited amount of time available to discuss some issues, the need for delegates to wait in plenary or working groups for their items to be addressed, and the limitation of having only one delegate funded to attend the meetings.

24. In total, since COP 10 and CP-MOP 5, the length of meetings and number of sessions per meeting was as indicated in the table below.

**Table. Information on the number of sessions per meeting**

<i>Meetings</i>	<i>Length of meetings (days)</i>	<i>No. of plenary and working group sessions<sup>11</sup></i>	<i>Average number of sessions per day</i>	<i>No. of contact groups and friends of the chair</i>	<i>Average number of contact groups and friends of the chair per day</i>
COP 10, CP-COP-MOP 5	15	56	3.7	116	7.7
COP 11, CP-COP-MOP 6	15	51	3.4	42	2.8
COP 12, CP-COP-MOP 7, NP-COP-MOP 1	15	54	3.6	36	2.4
COP 13, CP-COP-MOP 8, NP-COP-MOP 2	12	46	3.8	76	6.3
COP 14, CP-COP-MOP 9, NP-COP-MOP 3	11	40	3.6	55	5.0

25. During the 2018 concurrent meetings, there were 40 sessions held in plenary and working groups over 11 days. On average, 3.6 working sessions were held per day. Taking into account the 2016 figures and those from previous meetings, the effect of convening concurrent meetings has been a reduction in the overall length of the meetings and number of plenary and working group sessions. In addition, during the concurrent meetings in 2018, there were, on average, slightly fewer working sessions per day.

26. There was also a significant decrease in the number of contact groups and friends of the chair meetings during the concurrent meetings in 2018 – 55 meetings – compared to the 2016 concurrent meetings as well as to previous meetings. This reduction is also visible in the average number of meetings per day.

27. In summary, the effect of having the meetings concurrently has been a reduction in the length of the meetings, as well as an overall reduction in the number of plenary and working group sessions. It also resulted in a decrease in the average number of working group and plenary sessions held each day as compared to a scenario in which the meetings were held separately. When it comes to sessions of the high-level segment, the changes may be negligible. The holding of the meetings concurrently also appears, in number and on average, to have resulted in a decrease in the number of contact groups or friends of the chair meetings being held. It should be noted that the number of plenary and working group sessions, as well as the number of contact groups and friends of the chair meetings, is also influenced by the nature and complexity of the issues being discussed during the course of the meetings.

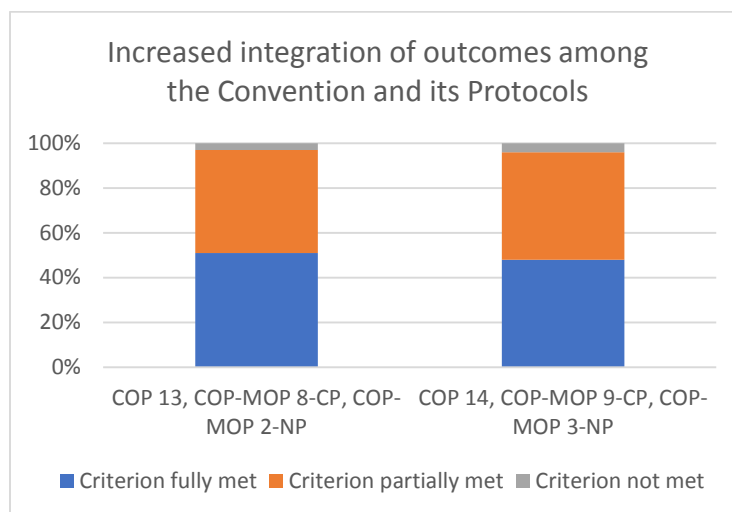
#### **D. Increased integration among the Convention and its Protocols**

28. The information collected through the questionnaire distributed to Parties concerning the increased integration among the Convention and its Protocols during concurrent meetings in 2016 and 2018 had results as indicated in figure 6.

<sup>11</sup> The number of sessions does not reflect the sessions held as part of the high-level segment, of which there are four for each meeting. Unlike in previous meetings, when the high-level segment was held in parallel, during the concurrent meetings of 2016 and 2018, the high-level segment was convened just prior to the official start of the meeting.



**Figure 6**  
**Response to the criteria on increased integration among the Convention and its Protocols**



29. For the 2016 or 2018 concurrent meetings, there were no marked differences when responses from developing and developed countries were considered separately, except that no developed country Party indicated that the criterion had not been met.

30. In their written comments, several Parties noted that the convening of the meetings concurrently had some positive impacts. For instance, concurrent meetings allowed addressing cross-cutting issues in a coherent manner, fostered awareness, and allowed establishing and strengthening direct contacts between relevant delegates and representatives of different bodies. However, a few Parties noted that it was necessary to work in an even more integrated manner on substantive matters. It was underlined that this was even more important to ensure that the post-2020 global biodiversity framework would reflect the Convention and its Protocols in a full and balanced manner. Others noted that the format for the concurrent meetings promoted a greater understanding of how the Convention and its Protocols relate to one another.

31. The majority of the responses from the online survey of the participants supported the view that the holding of concurrent meetings helped increase integration among the Convention and its Protocols. A total of approximately 19 per cent and 52 per cent of respondents strongly agreed or agreed, respectively, that this was the case. Only about 4 per cent and 2 per cent of respondents disagreed or strongly disagreed, respectively. Further, more than 23 per cent of respondents had a neutral opinion on this issue. When only responses from participants who represented Parties at the concurrent meetings were considered, 24 per cent strongly agreed and 54 per cent agreed that convening concurrent meetings increased the integration among the Convention and its Protocols. A total of 3 per cent disagreed and 2 per cent strongly disagreed that this was the case. A further 17 per cent of respondents were neutral.

32. In their written comments, respondents to the online survey were generally positive regarding the effects of convening concurrent meetings on increasing the integration between the Convention and its Protocols. Among the benefits highlighted, the increase in awareness of the operations of the three agreements and increased consultations were mentioned, as well as the reduction of costs and time away from the office for delegates. Some respondents noted, however, that concurrent meetings, with parallel sessions and discussions, did not facilitate integration, especially for small delegations. It was suggested to work towards furthering the integration between the Convention and its Protocols, including, if possible, to decrease the number of documents produced.

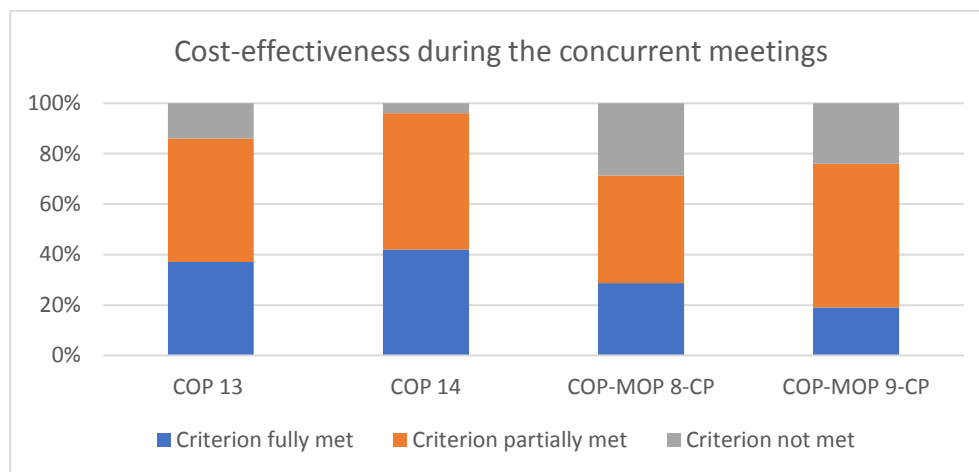
33. The issue of integration among the Convention and its Protocols during meetings held concurrently was also considered by the Compliance Committee under the Cartagena Protocol on Biosafety at its fourteenth meeting. The members of the Committee noted, during their discussion on matters related to the financial mechanism and resources, that concurrent meetings allowed for better and more integrated

discussions on matters common to the Convention and its Protocols, including the provision of guidance to the Global Environment Facility.<sup>12</sup>

### E. Cost-effectiveness

34. The information collected through the questionnaire distributed to Parties concerning cost-effectiveness during concurrent meetings in 2016 and 2018 yielded the results indicated in figure 7.

**Figure 7. Response on cost-effectiveness criteria**



35. In comparison with the other criteria, cost-effectiveness during the 2016 concurrent meetings was the one where the greatest proportion of respondents felt the criterion had not been met, especially concerning CP-MOP 8. Information collected through the questionnaire related to the 2018 concurrent meetings shows that the criterion of cost-effectiveness is the one needing the most improvement, especially for meetings of the Parties to the Cartagena Protocol.

36. In their written comments, Parties noted that having concurrent meetings generated cost savings in relation to the organization of the meetings, participation of delegates, interpretation, and overall reduction of the length of the meetings to two weeks instead of what could have possibly been four weeks. Some Parties, however, noted that a negative impact on cost-effectiveness resulted from the need for some delegates participating in meetings of the Parties to the Protocols to stay for longer than the one-week period, for example, during previous meetings of the Parties to the Cartagena Protocol. It was also suggested to keep exploring options to make the most effective use of participants' time and allow them to plan their involvement efficiently.

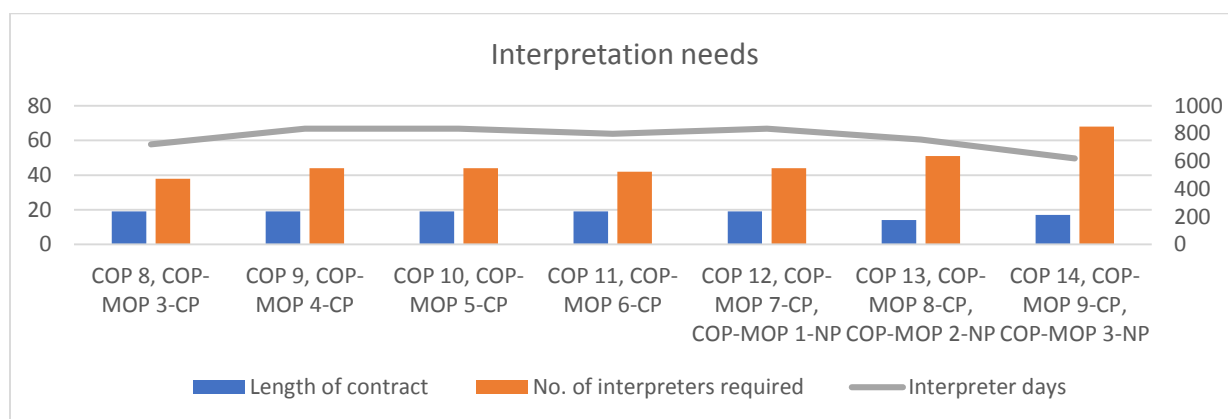
37. In addition to the costs related to funding participants, there are a variety of costs associated with convening meetings of the Convention and the Protocols. For example, the concurrent meetings held in 2016 required the same number of security officers from the United Nations Department of Safety and Security as for previous meetings of the Conference of the Parties and of the Parties to the Protocols. As the meetings were held concurrently, officers were only required for 20 days, whereas their presence had previously been required for 26 to 28 days. However, the United Nations Department of Safety and Security informed the Secretariat that, given the demands of the concurrent meetings and the number of participants simultaneously on site, it was no longer sustainable to provide adequate services with the same number of security officers (30). For the 2018 concurrent meetings, the number of officers was thus increased to 40. Consequently, the holding of concurrent meetings did not lead to specific savings with regard to security. On other costs, differences in national circumstances among host countries make a direct comparison of costs impossible.

<sup>12</sup> Report of the Compliance Committee under the Cartagena Protocol on the work of its fourteenth meeting ([CBD/CP/CC/14/5](#), para. 15).

38. With regard to interpretation costs, the concurrent meetings in 2016 required more interpreters than previous meetings of the Conference of the Parties and of the Parties to the Protocols. However, the interpreters were required for less time. This trend was confirmed during the 2018 concurrent meetings: the 2018 concurrent meetings required 620 interpreter days (68 interpreters for 17 days) whereas COP 12, BS COP-MOP 6, COP 10, BS COP-MOP 5, and COP 9, BS COP-MOP 4 required 836 interpreter days (44 interpreters for 19 days), COP-11, BS COP-MOP 6 required 798 interpreter days (42 interpreters for 19 days), and COP 8, BS COP-MOP 3 required 722 interpreter days (38 interpreters for 19 days) (see figure 8). However, it is important to note that the length of the contract for interpreters is based on a variety of factors, including the length of the meetings, the number of weekends, and the country the interpreters are travelling from to reach the meeting venue. Thus, the contracts for interpreters are not solely determined by the duration of the meeting.

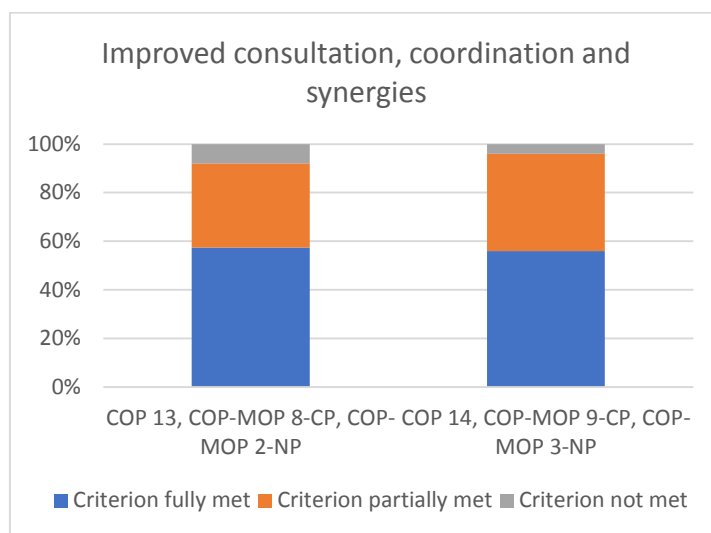
39. With regard to services for document translation, for previous meetings of the Conference of the Parties and of the Parties to the Protocols, the practice had been to use 840 translator days (40 translators for 21 days). During the 2016 concurrent meetings, a total of 630 translator days (45 translators for 14 days) were used. During the 2018 concurrent meetings, a total of 709 translator days were needed to carry out the translation services for the African Summit, the high-level segment and meetings of the Conference of the Parties and of the Parties to the Protocols: 12 translators were hired for 17 days, 8 translators were hired for 16 days, and 29 translators were hired for 13 days. The experience gained suggests that, when concurrent meetings are held, the number of translators hired and/or the length of their contracts may need to be increased somewhat in order to better serve the needs of the meetings.

**Figure 8. Information on interpretation needs**



**F. Improved consultations, coordination and synergies among national focal points**

40. The results of the information collected through the questionnaire distributed to Parties concerning improved consultations, coordination and synergies among national focal points during concurrent meetings in 2016 and 2018 are show in figure 9.

**Figure 9****Response to the criteria on improved consultations, coordination and synergies among national focal points**

41. The responses from Parties indicate that Parties generally held the view that convening concurrent meetings of the governing bodies of the Convention, the Cartagena Protocol and the Nagoya Protocol improved consultations, coordination and synergies among national focal points. There were no marked differences when responses from developing and developed countries were considered separately.

42. In their written comments, some Parties noted that convening concurrent meetings had helped improve consultations, coordination and synergies. Various Parties were of the opinion that such improvements should be strengthened in future meetings. On the other hand, some developing country Parties noted that, as only one participant per delegation was financially supported to attend the meeting, they had a limited ability to coordinate and consult and, therefore, to benefit from such improvements. It was also underlined that the multiplicity of meetings did not provide much time for meetings and coordination between national focal points. A Party suggested that the Secretariat establish a network of national focal points through which they could share their experiences and knowledge.

43. The results of the survey of the participants to the concurrent meetings were generally similar to the responses received from Parties through the questionnaire. The majority of respondents were of the opinion that convening concurrent meetings facilitated consultation and coordination among delegates. Approximately 18 per cent of the respondents strongly agreed and 53 per cent agreed that this was the case. Only 6 per cent of respondents disagreed and 2 per cent of respondents strongly disagreed. A total of 21 per cent of respondents took a neutral position on this issue.

44. In their written comments, a few respondents noted that concurrent meetings created opportunities to network. However, others noted that the concurrent meetings combined with the heavy agenda reduced the amount of time available to coordinate and consult. This was noted as being the case particularly for small delegations. Various respondents called for additional funding to all focal points for the Convention and its Protocols so as to enable them to attend the meetings.

### G. Other issues

45. Respondents representing Parties raised additional issues or concerns in their response. A number of them noted that convening concurrent meetings was generally a good idea and should be continued. However, they also highlighted some improvements that were needed in order to ensure the effectiveness of the process. The issues identified include: (a) the need to ensure appropriate representation of developing countries, especially least developed countries and small island developing States; (b) structuring the agendas for the three meetings in such a way as to make them as limited in the number of items and as

streamlined as possible; and (c) limiting the need for meetings of contact groups or other informal groups such as friends of the chair groups, thus allowing for better participation and coordination between delegations and focal points. It was also noted that sufficient time needed to be allocated for participation and coordination under each of the instruments.

46. A number of Parties and other participants also commented on the high-level segment. Most of the comments called for the high-level segment to be held in parallel or at the end of the concurrent meetings<sup>13</sup> instead of being held at the start<sup>14</sup> so that ministers can be involved in substantive discussions, other events, and participate in building consensus. Some have also indicated that having the high-level segment at the start of the meeting promoted dialogue and cooperation but did not raise the level of ambition and failed to allow the concurrent meetings to benefit from the involvement of the ministers in addressing contentious issues that arose near the end of the meetings. The involvement of different sectors and ministers in the high-level segment was believed, however, to have promoted mainstreaming, and there was a call for a greater participation of ministers, representatives of indigenous peoples and local communities, of the private sector and civil society. Some respondents were of the opinion that the timing of the high-level segment should be based on the goals of the high-level segment and the issues being discussed. For instance, it has been indicated that the convening of the high-level segment at the end of the concurrent meetings would seem more appropriate for the adoption of the post-2020 global biodiversity framework.

#### H. Observations

47. The observations that could be made from the synthesis of information presented above include:

(a) Overall, the proportion of Parties that felt a criterion had been met was greater than those that felt it had not been met. However, most Parties felt that most of the criteria had been partially met. Thus, while many viewed the experience of convening concurrent meetings as generally positive, it is clear that further work is needed to make concurrent meetings more effective and to ensure that all of the criteria are fully met;

(b) According to the review, the most successful aspects of the experience in holding concurrent meetings are those related to: (i) the effective development of outcomes; (ii) the increased integration among the Convention and the Protocols; and (iii) improved consultations, coordination and synergies among national focal points. Most Parties felt that these criteria had been either met or partially met. On aspect (i), only 4 per cent of the Parties to the Convention thought that the criterion had not been met (5 per cent and 8 per cent, respectively, for the Parties to the Cartagena and Nagoya Protocols). On aspects (ii) and (iii), only 4 per cent of the Parties thought that the criterion had not been met (the review did not disaggregate between Parties to the Convention and Parties to the Protocols on these two aspects);

(c) The least successful aspects were related to the full and effective participation of representatives of developing country Parties and cost-effectiveness, especially the participation of delegates with experience and expertise on the Cartagena Protocol. With regard to the participation of representatives of developing country Parties, the number of Parties which considered that the criterion had been fully met decreased, while it slightly increased for the Protocols. It is also noted that the number of Parties to the Convention and the Protocols which felt that the criterion had not been met had increased. On cost-effectiveness, there was a small increase in the number of Parties which considered that the criterion had been fully met and a sharp decline in the number of those which considered that it had not been met, which is positive. However, with respect to the Cartagena Protocol, there was a sharp decrease in the number of Parties which considered that the criterion had been fully met, and only a slight decrease in the number of Parties which felt that it had not been met. Among the issues identified by Parties to improve the convening of concurrent meetings were (i) the need to ensure appropriate representation of developing countries, (ii) the need to give sufficient time to the three instruments in negotiation sessions, and (iii) the

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<sup>13</sup> That is, a few days prior to the closure of the concurrent meetings.

<sup>14</sup> That is, after the concurrent meetings have been formally opened and within the two-week period.

need to streamline the agendas for the meetings as much as possible in order to reduce the need for contact groups;

(d) The responses from the online survey, in which participants in the concurrent meetings responded in their personal capacity, gave a picture similar to the questionnaire distributed to Parties. Overall, survey respondents generally felt that the convening of concurrent meetings of the Conference of the Parties and the meetings of the Parties to the Cartagena and Nagoya Protocols was efficient and cost-effective. Respondents also generally felt that the process increased integration and facilitated consultations. However, several respondents noted that, particularly for smaller delegations, this was not always the case and that the success of concurrent meetings would depend on ensuring that all Parties were appropriately represented.

## II. EXPERIENCE WITH VIRTUAL MEETINGS

48. The physical distancing required as a safety measure to limit the spread of COVID-19 has caused the cancellation or postponement of many meetings and events around the world. In-person meetings involving travel and close-proximity interactions among individuals at the venues of such meetings could not be an option due to restrictions imposed by Governments in order to combat the pandemic. As in-person meetings among experts and representatives of Governments have been suspended since around mid-March 2020, alternative virtual arrangements had to be explored.

49. Under the guidance of the Bureau, and in consultation with the presiding officers and participants of the various meetings planned for 2020, the Secretariat has managed to keep the schedule of a number of its meetings by conducting the meetings in a virtual setting. Some of the critical and time-sensitive meetings that were held virtually include, (a) the meeting of the Ad Hoc Technical Expert Group on Digital Sequence Information on Genetic Resources, held from 17 to 20 March 2020; (b) the meeting of the Ad Hoc Technical Expert Group on Risk Assessment, held from 31 March to 3 April 2020; (c) the seventeenth meeting of the Compliance Committee under the Cartagena Protocol on Biosafety, held from 15 to 17 April 2020; (d) the fourteenth meeting of the Liaison Group on the Cartagena Protocol on Biosafety, held from 20 to 23 April 2020; and (e) the third meeting of the Compliance Committee under the Nagoya Protocol on Access and Benefit-sharing, held from 21 to 23 April 2020.

50. The rules of procedure for the meetings of the Compliance Committee under the Cartagena Protocol provide that “electronic means of communication may be used for the purpose of conducting informal consultations on issues under consideration. Electronic means shall not be used for making decisions on matters of substance.” However, the Compliance Committee has, in the past, made use of its collaborative portal for online discussions and exchange of information.<sup>15</sup> Due to the exceptional circumstances arising from the pandemic, the Committee agreed that organizing the meeting in a virtual setting was suitable (despite rule 15 of the rules of procedure) and would allow the Committee to adopt its report, including recommendations to the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol.

51. Online discussion forums have also been held in recent years, under the Cartagena Protocol process, as a precursor or in preparation for in-person meetings. As an example, the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol decided to convene open-ended online discussions of Parties and other stakeholders before convening a face-to-face meeting of the Ad Hoc Technical Expert Group (AHTEG) on Risk Assessment. The online discussions were aimed at assisting the AHTEG, and drafts of two studies were reviewed and later finalized in the light of the comments made in the online discussions. They were then made available for the deliberations of the AHTEG.<sup>16</sup>

52. The Secretariat has also implemented a broader plan for conducting, virtually, several informal consultations on various topics that were deemed to contribute to one or more items of the provisional agenda of the Subsidiary Body on Scientific, Technical and Technological Advice, the Subsidiary Body on

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<sup>15</sup> The Compliance Committee’s collaborative portal, which is accessible only to members of the Committee, has been used to provide input or conduct technical discussions on matters discussed at the Committee’s face-to-face meetings.

<sup>16</sup> Decision CP-9/13 entitled “Risk assessment and risk management (Articles 15 and 16)”, November 2018.

Implementation, and the Working Group on the Post-2020 Global Biodiversity Framework, with a view to facilitating the work of these subsidiary bodies at their upcoming meetings.

53. Virtual meetings and remote adoption of decision through the written or silence procedure has also become more frequent in other United Nations bodies and processes in the light of the evolving developments created by COVID-19. For example, the United Nations General Assembly has been carrying out its work through new means and arrangements to guarantee business continuity. On 27 March 2020, the General Assembly adopted decision [74/544](#) on the procedure for taking decisions of the General Assembly during the coronavirus disease 2019 (COVID-19) pandemic. The decision authorized the President of the General Assembly, where, in his view, a plenary meeting of the Assembly is not practicable due to the coronavirus pandemic, to circulate, after consultation with the General Committee, draft decisions of the Assembly to all Member States under a silence procedure of at least 72 hours. If the silence is not broken, the decision shall be considered adopted, and the General Assembly shall take note of the decision at its first plenary meeting. The 73rd World Health Assembly was also held virtually. It was opened on 18 May 2020, took decisions on priority items, mainly on COVID-19, and, on 19 May 2020, it was suspended with a plan to resume later in 2021.

54. There are a number of other cases that show the growing practice of holding meetings virtually to allow international organizations to continue their work during the pandemic. The technological infrastructure in terms of the number of online meeting platforms and the types of facilities they are offering is also growing.

55. Although the holding of meetings virtually has become essential due to the practical difficulties associated with the requirements of the current pandemic response measures, it is likely that virtual meetings may remain and, in fact, become increasingly common for international meetings, even after the pandemic. This outlook makes it very important to ensure that the meetings are held in a transparent and effectively participatory manner. Any adverse and long-term implications, that may result from limited participation, on international policy and actions should be avoided. The success of international consultations and negotiations is dependent on the extent and effectiveness of participation and communication by and among all concerned.

56. The Secretariat's experience in convening some meetings virtually as set out in paragraph 49 above has highlighted some possible strengths and weaknesses of this approach. Possible strengths include reducing carbon footprints and reducing the number of days that experts and government officials spend travelling. Possible weaknesses include reduced time for discussions in live sessions, difficulties when participants are spread over many time zones, loss of the inter-personal dynamics that can help with communications and the flow of discussions in a face-to-face meeting (e.g. informal discussions in the corridors) and difficulties in participation for some countries with a limited Internet connection and access.

57. According to a study on virtual meetings<sup>17</sup> conducted by the United Nations Environment Programme and to which the Secretariat of the Convention has also contributed, rules of procedure for the meetings of various intergovernmental bodies do not expressly require that meetings be held face to face or "in person", although they are written with that understanding. For this reason, the study notes that it should not be a strict legal requirement that a formal decision to meet virtually is needed, especially under extraordinary circumstances, such as COVID-19. The study also notes, however, that "in the interests of openness and transparency, should virtual meetings become a developing practice, Member States/Parties or the Bureau of the relevant body may wish to agree in advance to meet virtually/allow virtual participation when required or authorize their subsidiary bodies to do so".

58. As a general principle, the rules of procedure that apply to in-person meetings should also apply to meetings held by electronic means, unless otherwise provided by the rules of procedure or otherwise agreed by Parties. It is important to reassure Parties that virtual meetings will be conducted in such a manner as to ensure that they have the same rights, privileges and protections they are afforded in in-person meetings.

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<sup>17</sup> Study on Virtual Meetings: Prepared in consultation with the Secretariats of Multilateral Environment Agreements and UNEP Regional Offices, May 2020.



This could be realized by either elaborating and adopting operating procedures and guidance that apply to virtual meetings or amending the rules of procedure to provide for both in-person and virtual meetings. This needs further review and a decision by the Parties.

### III. SUGGESTED ELEMENTS OF A RECOMMENDATION

59. The Subsidiary Body on Implementation may wish to adopt a recommendation along the following lines:

*The Subsidiary Body on Implementation,*

*Having considered* the note by the Executive Secretary,<sup>18</sup>

*Requests* the Executive Secretary, in consultation with the Bureau, to take into account the information contained in section I of the note by the Executive Secretary<sup>18</sup> when finalizing the proposed organization of work for the fifteenth meeting of the Conference of the Parties to the Convention, the tenth meeting of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol and the fourth meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol.

60. The Subsidiary Body on Implementation may also wish to recommend to the Conference of the Parties to the Convention at its fifteenth meeting, the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol at its tenth meeting, and the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol at its fourth meeting that they adopt a decision, respectively along the following lines:

*The Conference of the Parties,*

*The Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety,*

*The Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol on Access and Benefit-sharing,*

#### A. Experience with concurrent meetings

*Recalling* decisions XII/27, CP-7/9 and NP-1/12, XIII/26, CP-8/10 and NP-2/12, 14/32, CP-9/8 and NP-3/10,

*Having reviewed* the experience in holding concurrently meetings of the Conference of the Parties, the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol and the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol, using the criteria agreed earlier,

*Taking into account* the views of Parties and observers that participated in the concurrent meetings held in 2016 and 2018 as synthesized and presented in the notes by the Executive Secretary on the review of experience in holding concurrent meetings of the Conference of the Parties to the Convention and the meetings of the Parties to the Protocols,<sup>19</sup>

1. *Notes with satisfaction* that the concurrent meetings were overall considered to have allowed for increased integration among the Convention and its Protocols, and improved consultations, coordination and synergies among the respective national focal points;

2. *Notes* that most of the criteria were considered as being met or partially met, and that further improvements in the functioning of the concurrent meetings are desirable, in particular to improve the outcomes and effectiveness of the meetings of the Parties to the Protocols;

<sup>18</sup> CBD/SBI/3/12.

<sup>19</sup> See [CBD/SBI/2/16/Add.1](#) and associated information notes ([CBD/SBI/2/INF/1](#) and [INF/2](#)).



3. *Reiterates* the importance of ensuring the full and effective participation of representatives of developing country Parties, in particular the least developed countries and small island developing States among them, and countries with economies in transition, in the concurrent meetings, and the importance, in particular, of ensuring adequate participation of representatives in meetings of the Parties to the Protocols by making funding available for such participation;

4. *Requests* the Executive Secretary, in consultation with the Bureau, to further improve the planning and organization of future concurrent meetings on the basis of the experience gained to date and the views expressed by Parties and observers;

#### **B. Experience with virtual meetings**

*Recalling* decision XII/29, paragraph 2, in which the Executive Secretary was requested to explore ways to increase the efficiency of meetings, including convening meetings through virtual means, and further developments in that regard,

*Recognizing* the restrictions imposed as a result of the COVID-19 pandemic since March 2020, which rendered in-person meetings impracticable,

*Recognizing* the limitations of virtual meetings as observed through the experience gained so far on the one hand, and their potential environmental and financial benefits on the other,

5. *Notes with appreciation* the expeditious adjustments and arrangements made by the Secretariat, and the understanding and flexibility demonstrated by presiding officers and participants, which allowed the convening of a number of meetings and consultations in a virtual setting in response to the limitations caused by the pandemic situation;

6. *Calls upon* Parties and observers to remain flexible and to encourage their representatives to continue to participate in virtual meetings by enhancing capacities and making available technical and technological facilities that are necessary for their representatives to participate in these meetings effectively;

7. *Requests* the Executive Secretary to prepare an analysis of the experience gained and relevant studies available, especially within the United Nations system, in conducting virtual meetings and options for procedures for such meetings, and to submit it to the Subsidiary Body for consideration at its fourth meeting;

8. *Requests* the Subsidiary Body on Implementation to consider the analysis and options referred to in paragraph 7 above and make recommendations to the governing bodies of the Convention and the Protocols for consideration at their next meeting.

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