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CONFERENCE OF THE PARTIES TO THE CONVENTION ON BIOLOGICAL DIVERSITY

Tenth meeting

Nagoya, Japan, 18-29 October 2010

Item 4.3 of the provisional agenda*

THE MULTI-YEAR PROGRAMME OF WORK AND THE PERIODICITY OF MEETINGS OF THE CONFERENCE OF THE PARTIES

Note by the Executive Secretary

I. INTRODUCTION

1. At its third meeting, the Working Group on Review of Implementation of the Convention, in line with decision IX/9 prepared recommendation 3/6 (part I) providing a multi-year programme of work for the period 2010-2020, the same as the period for the proposed updated and revised Strategic Plan. The recommendation sets out issues to be addressed by the eleventh and twelfth meetings of the Conference of Parties. The Working Group did not provide a concrete recommendation concerning the periodicity of the meetings of the Conference of the Parties, but instead proposed that the Conference of the Parties address this again at its eleventh or twelfth meetings. The Working Group also requested the Executive Secretary to further develop the analysis presented in the comprehensive report of options (UNEP/CBD/WGRI/3/11) for the future periodicity of meetings prepared by the Executive Secretary for the Conference of the Parties at its tenth meeting pursuant to decision IX/29. The original report is supplemented by further information in this document, analysed according to the criteria identified by the Working Group (section II). This document also includes a tentative schedule of meetings for the period 2011-2012 (Section III). Finally, as requested by the Working Group, the document provides a preliminary list of expected activities that Parties will be requested to carry out (section III).

II. PERIODICITY OF MEETINGS AND ORGANIZATION OF WORK OF THE CONFERENCE OF THE PARTIES

Background to the discussion on the periodicity of meetings

2. The Conference of the Parties decided at its seventh meeting to reconsider the periodicity of its meetings and has considered the issue at its eighth and ninth meetings, as well as at the third meeting of the Working Group on Review of Implementation, but has been unable to reach a conclusion.

3. In decision VIII/10, the Conference of the Parties decided to maintain the periodicity of its ordinary meetings until 2010 and requested the Executive Secretary to prepare options for the meeting

* UNEP/CBD/COP/10/1.

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schedule, including the financial implications of each option, taking into account, *inter alia*, the periodicity of the ordinary meetings of the Conference of the Parties and the periodicity and scheduling of meetings of its subsidiary bodies, and to make available a report to its ninth meeting (UNEP/CBD/COP/9/22/Add.1).

4. At its ninth meeting, the Conference of the Parties considered the periodicity of its meetings and that of its subsidiary bodies. By decision IX/29 it welcomed as a useful input the report by the Executive Secretary (UNEP/CBD/COP/9/22/Add.1) on options for the meeting schedule and organization of work of the Conference of the Parties after 2010. It requested the Executive Secretary to update the report as needed and make it available for consideration by the Working Group on the Review of Implementation at its third meeting and to forward it to the Conference of the Parties at its tenth meeting, taking into consideration the relationship between the periodicity of the meetings of the Conference of the Parties and its subsidiary bodies and the revision and updating of the Strategic Plan as well as a multi-year programme of work for the period 2011-2022. The updated report is provided as document UNEP/CBD/COP/10/9. The present document supplements the report, as requested by the Working Group at its third meeting.

5. In its consideration of the periodicity issue and the updated report, the Working Group did not provide a concrete recommendation concerning the periodicity of the meetings of the Conference of the Parties. Instead, in its recommendation 3/6, the Working Group proposed to the Conference of the Parties that it address the issue again at its eleventh or twelfth meetings, taking into account certain criteria ((see paragraph (c) of WGRI recommendation 3/6).

6. The preparation of documents on these matters for successive meetings of the Conference of Parties as well as the Working Group and the subsequent discussions on these matters is resource intensive. Moreover, the lack of an agreed schedule of meetings for the 2011-2020 period hampers planning for the implementation period of the updated Strategic Plan and prevents the Conference of the Parties from fully developing the multi-year programme of work for Conference of the Parties for this period. For these reasons, the Conference of the Parties may wish to reach a decision at its tenth meeting on the timing of its meetings for the 2011-2020 period.

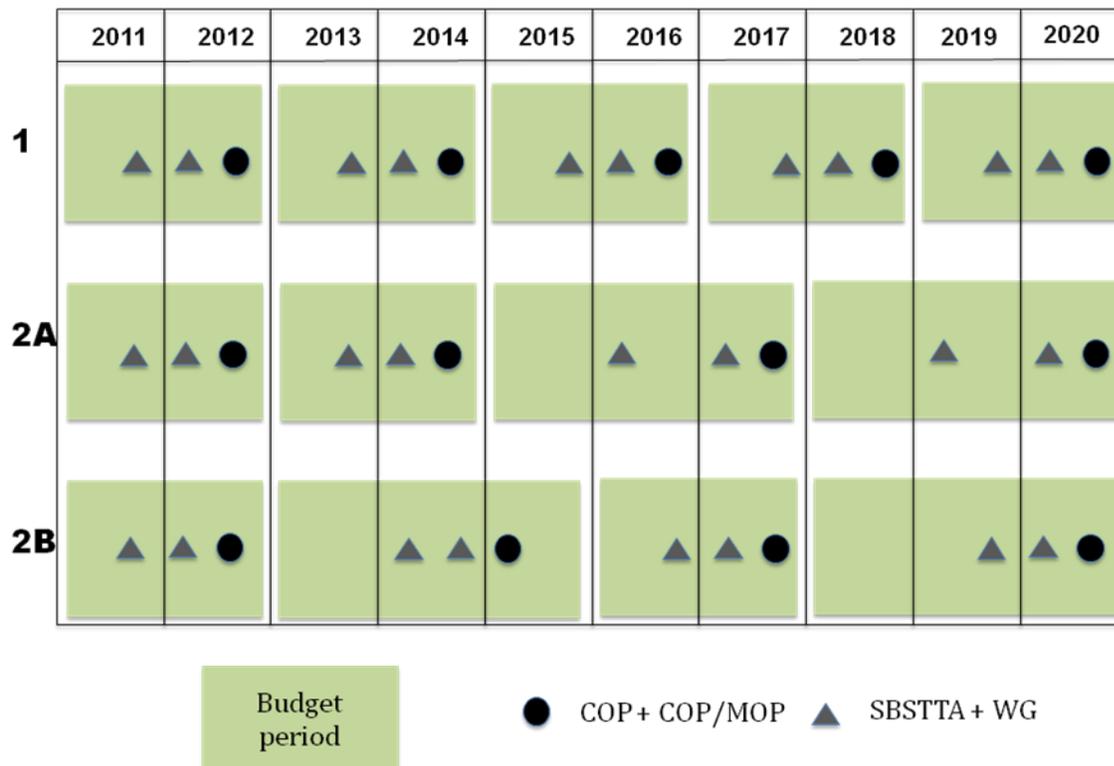
7. To support the further consideration of the Conference of the Parties at its tenth meeting, the Working Group requested the Executive Secretary to further develop the analysis presented in the updated report, taking into consideration the criteria identified in its recommendation.

Further consideration of options for the periodicity of meetings

8. During the Working Group's consideration, five Parties expressed favour for a biennial option while two Parties were of the view that a triennial option would be preferable, and two Parties proposed alternating meetings of the Conference of the Parties through a mixed 2 and 3 year cycle.

9. Concerning the arrangements for sessional and intersessional meetings, four of the five Parties that expressed favour for a biennial option were in favour of the current practice (biennial COP of two week duration with two intersessional meetings of SBSTTA, each of one week duration). Those expressing favour for a triennial or mixed-cycle did not identify which of the arrangements for sessional and intersessional meetings they preferred among those presented in the Executive Secretary's report.

10. It should be noted that although the Working Group did not reach a decision on the future periodicity of meetings, there was agreement that the eleventh meeting of the Conference of the Parties should be in 2012 and that a meeting of the Conference of Parties should be held in 2020 (see paragraphs (a) and (d) of WGRI recommendation 3/6). Given that the interval between these two dates is eight years, a pure triennial option starting after 2012 would not be an option.

Figure 1: Schematic Summary of Options for the Timing of COP Meetings

11. Thus, taking into account the views expressed at WGRI-3, the following options are examined further (see also figure 1):

Option 1: Five meetings of the Conference of the Parties in the period 2011-2020 following the current biennial pattern. That is meetings of the COP in 2012, 2014, 2016, 2018 and 2020.

Option 2: Four meetings of the Conference of the Parties in the period 2011-2020 in the following years:

Either (*Option 2A*): 2012, 2014, 2017 and 2020 (biennial then triennial after 2014);

Or (*Option 2B*): 2012, 2015(early), 2017(late) and 2020 (Following COP-12, meetings would be roughly every two and a half years, with formal budget periods alternating between three years and two years.)

12. Thus, in practice, the key decision to be taken is: Should there be five or four meetings of the Conference of the Parties during the period 2011-2020 (the period of the Strategic Plan and the multi-year programme of work)? If it is agreed that there should be four, then a decision is also needed regarding the years in which these meetings are to be held after 2012.

13. In the following paragraph, the three options are examined according to the five criteria identified by the Working Group.

(i) The Strategic Plan of the Convention and the multi-year programme of work for the period 2011-2020, and other relevant meetings and processes

14. Recommendations 3/5 and 3/6 of the Working Group envisage an important role for the Conference of the Parties and the Working Group in reviewing the implementation of the new Strategic Plan, specifically the setting of national targets at the eleventh meeting of the Conference of the Parties (and WGRI-4) and the finalization and adoption of updated NBSAPs, as well as a mid-term review of implementation at the twelfth meeting of the Conference of the Parties. The eleventh meeting of the Conference of the Parties is already foreseen to take place in 2012 and the final review is already foreseen to take place in 2020 with its updating and adoption by the Conference of the Parties the same year. Thus, the implications of the periodicity of meetings for the Strategic Plan centre around its mid-term review.

15. The Working Group recommended that the mid-term review be undertaken at the twelfth meeting of the Conference of the Parties. This could be in late 2014 (Options 1 and 2A) or early 2015 (Option 2B). Either scenario would be feasible. Since the mid-term review will be informed by the fifth national reports and the fourth edition of the Global Biodiversity Outlook, the timing of the twelfth meeting of the Conference of the Parties would also have implications for the timing of the reports and the Outlook (see point (v) below).

(ii) The relationship between the periodicity of the meetings of the Conference of the Parties, and the operations of its subsidiary and other inter-sessional-bodies, including the ad hoc open ended working groups

16. It is envisioned that the subsidiary and intersessional bodies convened during the period 2011-2020 would include the Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA), the Ad Hoc Open-ended Working Group on Review of Implementation of the Convention and the Ad-hoc Open-ended Working Group on Article 8(j) and Related Provisions.

17. In all options SBSTTA could meet twice intersessionally for a one week period with one of these meetings no later than six months before the corresponding Conference of the Parties. In the biennial option, SBSTTA could thus meet a total of ten times during the period 2011-2020, while in the other two options it could meet a total of eight times in the same period (see figure 1).

18. The Working Groups on Review of Implementation and Article 8(j) could meet once intersessionally in all options. These meetings could be stand-alone or back-to-back with SBSTTA. In the biennial option, the Working Group on Review of Implementation could thus meet a total of five times during the period 2011-2020, while in the other two options it could meet a total of four times in the same period. The same would apply to the Working Group on Article 8(j).

19. It is recognized that the final decision on the frequency of intersessional meetings is subject to decisions of the Conference of the Parties, consistent with the budget set for each intersessional period.

(iii) Implications of the periodicity of meetings of the COP for the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol and its decision-making

20. Having entered into force in 2003, the Protocol is still a maturing instrument. The long-standing assumption has been that there is value in Parties to the Protocol meeting more frequently during at least the first 10 years of the Protocol's existence. This provides the opportunity for the Parties to the Protocol to guide the implementation of the Protocol, while taking into account among other things the rapid advances in technology that characterize the field. More frequent meetings of the Parties to the Protocol allow it to review the implications of these developments.

21. Article 29(6) of the Protocol provides that ordinary meetings of the Parties to the Protocol shall be held in conjunction with ordinary meetings of the Conference of the Parties to the Convention, unless

otherwise decided by the Parties to the Protocol. Presently COP/MOP meets the week before the COP and is therefore premised on a biennial periodicity.

22. If the Conference of the Parties expands its periodicity to every three years, the question arises as to whether COP/MOP should also have its meetings every three years? From a cost perspective, less frequent meetings of COP/MOP should result in cost savings similar to but proportionately less than those projected for the Conference of the Parties because the forum is smaller.

23. From a programmatic perspective, a change in COP/MOP periodicity to three years would need to be carefully considered. For example, the Protocol's proposed strategic plan and multi-year programme of work are premised on biennial meetings of COP/MOP for the 2011-2020 period. The Protocol's assessment and review process which is every five years, with the next review scheduled for 2013, may need to be re-examined, as would the national reporting period presently taking place every other COP/MOP. No impact would be foreseen on the Protocol's subsidiary bodies, in particular on the Compliance Committee, a permanent subsidiary body, as it meets once a year.

24. However, if COP/MOP decides to maintain its periodicity at two years, and COP shifts to a three year or a mixed cycle, two important consequences are foreseen from COP/MOP meeting more frequently. First, COP/MOP will not be able to provide timely guidance to the financial mechanism at those meetings where a COP is not also convened. COP-MOP does not provide direct guidance to the financial mechanism. Instead, the guidance to the financial mechanism that is developed by the Parties to the Protocol must be considered by COP and incorporated into the latter's decision on guidance to the financial mechanism. The process for conveying guidance from the Parties to the Protocol to the financial mechanism via the Conference of the Parties would be disrupted if COP-MOP and COP were no longer to meet on the same periodicity.

25. Second, if the Conference of the Parties switches to a three-year cycle while COP-MOP stays on a two-year cycle, the membership of the MOP Bureau would change halfway through certain MOP intersessional periods.

26. If the Protocol on Access to Genetic Resources and Equitable Benefit Sharing Arising from their Utilization is adopted at COP-10, it will also be relevant to examine implications of the periodicity of meetings of the Conference of the Parties for the Conference of the Parties to the Convention on Biological Diversity serving as the meeting of the Parties to that Protocol.

(iv) Financial considerations

27. At its third meeting, the Working Group on review of implementation recommended that financial considerations, while relevant, should not be the predominant factor driving decisions related to the multi-year programme of work and periodicity of meetings of the Conference of the Parties and its subsidiary bodies. Nonetheless, holding four meetings of the Conference of the Parties rather than five in the 2011-20 period, and proportionately reducing the number of intersessional meetings would lead to savings of about US\$ 3.4 million over this period, representing 20 per cent of the budget for meetings and roughly 3 per cent of the total core budget of the Convention.¹

¹ The cost of one set of meetings is about \$ 3.4 million: 1 million for COP (2 weeks, 2 working groups); \$400 000 for COP/MOP (one week, plenary only, back-to-back with COP); two SBSTTAs each at \$600 000 for COP/MOP (two weeks, two working groups); Two (WGRI; WG8j) Working Groups at \$400 000 (each of one week, plenary only, back-to-back with SBSTTA). The estimate of the proportion of total budget is based on an annual budget of 11 million (as agreed at COP-9). These estimates are those used in preparation of the budget for 2011-12 and may differ from estimates used in earlier analyses.

28. Since the programme of work and budget is adopted by the Conference of the Parties, the timing of meetings of the Conference of the Parties affects the budget period. It is important that this is known at least one cycle in advance to enable proper preparation of the programme and budget for the subsequent budgeting period (see figure 1).

(v) The fifth national reports

29. The interval for national reporting within the Convention is every other Conference of the Parties. In recommendation 3/7, WGRI recommended that Parties should submit their fifth national report by 31 March 2014. This was based on the proposal in document UNEP/CBD/WGRI/3/6 “that the fifth national reports be prepared by March 2014 to allow for their consideration in 2015” (paragraph 35). If, however the Conference of the Parties, at its twelfth meeting, takes place in 2014 the fifth national reports would need to be submitted by September 2013. This would be necessary to allow sufficient time for the Secretariat to synthesize and analyse the reports as part of the preparation for the fourth edition of the Global Biodiversity Outlook.

Action requested

30. The Conference of the Parties is invited the relevant portions of WGRI recommendation 3/6 which is reproduced in document UNEP/CBD/COP/10/1/Add.2 and consider adopting one of the options provided in paragraph 11 above.

III. TENTATIVE SCHEDULE OF MEETINGS FOR THE BIENNIUM 2011-12

31. The Executive Secretary has prepared a tentative schedule of meetings for the upcoming biennium (annex I). This includes:

(a) A meeting COP of two week duration preceded by a meeting of COP/MOP of one week duration – this meeting is proposed for October 2012 reflecting the need for a full two years between COP-10 and COP-11 to allow Parties sufficient time to carry out the tasks envisaged in the Strategic Plan and consistent with the plans of the prospective host of COP-11;

(b) Two intersessional meetings of SBSTTA, each of one week duration, as well as one week meetings of the Ad Hoc Open-ended Working Group on Article 8(j) and Related Provisions and the Ad Hoc Open-ended Working Group on Review of Implementation of the Convention, consistent with current practice. It is proposed that the meeting of each Working Group be back-to-back with a meeting of SBSTTA to help reduce costs. The linking of the meeting of the Working Group on Article 8(j) and Related Provisions with a meeting of SBSTTA will facilitate the interaction between conventional scientific knowledge and traditional knowledge which is particular relevant for issues such as Article 10 (c) (Sustainable Customary Use) that are included in the proposed updates for the programme of work on Article 8(j);

(c) Two meetings of an Intergovernmental Committee for the Protocol on Access to Genetic Resources and Equitable Benefit-sharing Arising from their Utilization as envisaged by the Working Group on Access and Benefit-sharing (UNEP/CBD/COP/10/5/Add.3). It is envisaged that a signing ceremony for the Protocol would be held on the first day of the first meeting of the Committee;

32. The Conference of the Parties is invited to take note of the tentative schedule of meetings for the period 2011-2012 in annex I.

33. The Conference of the Parties may also wish to consider holding a single day extraordinary meeting, just prior to the United Nations Conference on Sustainable Development (Rio+20) in order to prepare the input of the Convention for that Conference. (The Working Group on Review of Implementation could provide preparatory work if required to do so).

III. ISSUES TO BE ADDRESSED AND ACTIVITIES THAT PARTIES ARE EXPECTED TO CARRY OUT DURING THE 2011-20 PERIOD

34. Annex II provides, in summary form, a list of the main issues to be addressed by meetings of the Conference of the Parties, according to recommendation 3/6 of the Working Group on Review of Implementation.

35. The Working Group, in part II of this recommendation, requested the Executive Secretary, to prepare a document noting all activities expected that Parties are requested to carry out, including an update of their national biodiversity strategies and action plans and preparation of national reports, to assist Parties in planning their work and in seeking assistance for them. This information is provided in tabular form in annex III. The information will be updated and finalized in light of the decisions of the Conference of Parties at its tenth meeting and circulated among Parties and stakeholders.

*Annex I***TENTATIVE SCHEDULE OF MEETINGS 2011-2012**

The following timetable lists possible dates of open-ended intergovernmental meetings of the Convention on Biological Diversity and its protocols for the 2011-2012 biennium, subject to relevant decisions of the Conference of the Parties at its tenth meeting.

<i>Date</i>	<i>Meeting</i>
2011	
June 6 – 10	First meeting of the Intergovernmental Committee for the Protocol on Access to Genetic Resources and Equitable Benefit-sharing Arising from their Utilization
7-11 November	Fifteenth meeting of the Subsidiary Body on Scientific, Technical and Technological Advice
14-18 November	Seventh meeting of the ad Hoc Open-ended Working Group on Article 8(j) and Related Provisions
2012	
April 23 - 27	Second meeting of the Intergovernmental Committee for the Protocol on Access to Genetic Resources and Equitable Benefit-sharing Arising from their Utilization
7-11 May	Sixteenth meeting of the Subsidiary Body on Scientific, Technical and Technological Advice
14-18 May	Fourth meeting of the ad hoc open-ended Working Group on Review of Implementation of the Convention
October 1 - 5	Sixth meeting of the Conference of the Parties serving as the Meeting of the Parties to the Cartagena Protocol on Biosafety
October 8 - 19	Eleventh meeting of the Conference of the Parties and first meeting of the Conference of the Parties serving as the Meeting of the Parties to the Protocol on Access and Benefit-sharing
October 7 - 19	High-level segment of the Conference of the Parties

Annex II

SUMMARY OF MULTI-YEAR PROGRAMME OF WORK OF THE CONFERENCE OF THE PARTIES

Option 1	Options 2A / 2B	Strategic Issues	Other technical issues
COP-11 2012	COP-11 2012	<p>Review of progress in the implementation of the Strategic Plan (including national targets and the updating of NBSAPs)</p> <p>Review of progress in providing support to developing countries for implementation (including: resource mobilization, capacity-building, stakeholder engagement, CEPA & CHM)</p> <p>Further development of tools and guidance for monitoring implementation of the Strategic Plan (including indicators)</p> <p>Review of implementation of the strategy for resource mobilization (Goals 2, 5, 6, 7 and 8)</p> <p>Cooperation among international biodiversity-related organizations and possible options for cooperation among the Rio conventions</p> <p>Examination of the need for and possible development of additional mechanisms, and ways and means to enhance existing mechanisms to strengthen the ability of Parties to meet their commitments under the Convention</p> <p>[The implications of IPBES for the work of SBSTTA]</p> <p>A message from the Conference of the Parties to the 2012 United Nations Conference on Sustainable Development* (this item would be addressed by an Ex-COP in 2012, if agreed)</p>	<p>In-depth review of the programme of work on island biodiversity;</p> <p>Identification of ways and means to support ecosystem restoration</p> <p>Other matters arising from the recommendations of the SBSTTA and Working Groups</p>
COP-12 2014	COP-12 2014/15	<p>Review of the updated national biodiversity strategies and action plans;</p> <p>Mid-term review of the implementation of the Strategic Plan (and contributions to the achievement of relevant MDG 2015 targets (based on fifth national reports and GBO-4)</p> <p>Review of progress in providing support to developing countries for the implementation.</p> <p>Comprehensive review of implementation of the strategy for resource mobilization (including targets and indicators)</p> <p>Further development of tools and guidance for monitoring implementation of the Strategic Plan</p> <p>Update of this multi-year programme of work to 2020</p>	<p>Liability and redress</p> <p>Other matters arising from the recommendations of the SBSTTA and Working Groups</p>
COP-13 2016/17	COP-13 2017	{Review of implementation of the Convention and its Strategic Plan}	
COP-14 2018	(No COP)		
COP-15 2020	COP-14 2020	Final review of the implementation of the Strategic Plan and assessment of progress in the achievement of the 2020 targets, based, <i>inter alia</i> , on the sixth national reports and GBO-5	

*Annex III***ACTIVITIES THAT THE CONFERENCE OF PARTIES IS EXPECTED TO REQUEST PARTIES TO CARRY OUT**

Tasks	Period	Deadline	Reference	Observations
Develop national targets in line with new Strategic Plan	2011-2012	To report to COP-11	WGRI recc. 3/5 para 3 (b) WGRI recc. 3/6 para (a) (i)	Resources from GEF for “enabling activities” available to support eligible countries
Review, as necessary update and revise national biodiversity strategies and action plans (NBSAPs), and incorporate national targets; Adopt NBSAP as policy instrument	2012-2014	To report to COP-11 or COP-12	WGRI recc. 3/5 para 3 (c) WGRI recc. 3/6 para (b) (i)	Resources from GEF for “enabling activities” available to support eligible countries
Prepare fifth national reports , including update of status and trends, report on NBSAP, and progress towards 2020 targets	2012-2014	September 2013 or March 2014, depending on date set for COP-12	WGRI recc. 3/7 para 3 WGRI recc. 3/6 para (b) (ii)	
Implement NBSAPs	Ongoing	To report to COP in 2020		
Prepare fifth national reports , including update of status and trends, report on NBSAP, and progress towards 2020 targets	2019-2020	To report to COP in 2020	WGRI recc. 3/6 para (d)	
