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INTERGOVERNMENTAL COMMITTEE ON THE
CONVENTION ON BIOLOGICAL DIVERSITY
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SELECTION OF A COMPETENT INTERNATIONAL ORGANIZATION TO CARRY
OUT THE FUNCTIONS OF THE SECRETARIAT OF THE CONVENTION

Note by the Interim Secretariat

1. INTRODUCTION

1. Article 24 of the Convention:

(a) Establishes a secretariat;

(b) Lists its functions,

(c) Provides that the Conference of the Parties shall, at its first meeting, "designate the secretariat from amongst those existing competent international organizations which have signified their willingness to carry out the secretariat functions under this Convention".

2. Article 40 is also relevant: it provides that the secretariat to be provided by the Executive Director of the United Nations Environment Programme shall be the secretariat referred to in Article 24, paragraph 2, on an interim basis "for the period between the entry into force of this Convention and the first meeting of the Conference of the Parties".

3. In order to entrust its secretariat functions to an existing organization, the conference of the Parties will, in effect, have to enter into an agreement or understanding with a host organization. The latter would undertake to establish an entity or arrangement identifiable as "the Secretariat to the Convention on Biological Diversity", through which the functions outlined in Article 24 would be discharged.

4. The present note suggests for consideration by the Committee:

(a) A set of organizational attributes and other considerations which might be used to indicate a range of suitable organizations to be considered, if interested;

(b) A procedure by which the interest of indicated organizations might be ascertained; and

(c) An additional set of criteria on which the offers of interested organizations might be evaluated by the Conference of the Parties.

5. The Committee is invited to review these attributes and considerations for indicating competent international organizations, and to give guidance to the Interim Secretariat on the procedure suggested to enable the Conference of the Parties to select its preferred option. The Committee may wish to indicate the specific organizations to which the "invitation to bid" should be sent. On this basis, the Interim Secretariat would undertake the necessary consultations, invite the organizations identified to indicate their interest and to present a proposal, and prepare such proposals for consideration by the Conference of the Parties at its first meeting.

6. It may be useful for the Committee to advise on other aspects of the establishment of the Secretariat: given that Article 40 provides that the Interim Secretariat would exist until the first meeting of the Conference of the Parties, the Committee may wish to advise the Conference of the Parties on what transitional arrangements to the permanent Secretariat may be required; and, given that no stipulation is made in the Convention about location of the Secretariat, the Committee may wish to advise the Conference of the Parties on this matter.

2. IDENTIFYING INTERESTED COMPETENT INTERNATIONAL ORGANIZATIONS:
CRITERIA AND PROCESS

7. It is important for the Committee to recall that Article 24 requires the Conference of the Parties to "designate the secretariat from among those existing competent international organizations which have signified their willingness to carry out the secretariat functions". In order to prepare this item for the Conference of the Parties, it is necessary to identify suitable organizations which might be considered and ascertain their interest in carrying out the required functions.

8. The Committee may wish to consider the following attributes for identifying possible suitable organizations:

(a) Relevance of the mandate, general objectives, and substantive activities of the organization to the purpose and objectives of the Convention;

(b) Extent to which the organization could provide technical support to the substantive work to be undertaken under the Convention and coordinated by the Secretariat;

(c) Past and/or current involvement in the process associated with the development or operation of the Convention; or other indicators of familiarity with the Convention;

(d) Demonstrated effectiveness of the organization in its own sphere of activities;

(e) The organization as a context for establishing effective working relationships with other conventions and their secretariats, especially those related to conservation and sustainable development;

(f) Experience in providing secretariat functions to an intergovernmental process;

(g) Existing organizational infrastructure - information systems, communication instruments, financial/administrative/personnel framework conducive to the discharge of the secretariat functions.

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9. On the basis of such considerations, the Committee might identify existing international organizations which may be deemed competent to host the Secretariat. The organizations so identified will then be requested by the Interim Secretariat to indicate whether they are interested in being considered, and those interested invited to submit an organizational profile to the Conference of the Parties set out in line with the considerations listed in paragraph 8 above, as may be modified by the Committee.

10. In addition to presenting its profile as a competent international organization, an interested organization might also be invited to indicate to the Conference of the Parties:

(a) The possible support it would be able to provide for the operations of the Secretariat, for example, in the aspects of recruitment, fund management, administrative support, assistance with organization and servicing of meetings organized under the Convention; and whether there would be a charge to the Secretariat budget for such services;

(b) Its ability to support, through its own budgetary process and mechanisms, the operations of the Convention and the activities of the Secretariat; and its ability to make temporary cash advances to guarantee the Secretariat's cash flow;

(c) The likely stature of the Secretariat within the organization;

(d) The degree of operational autonomy possible for the Secretariat within the organization's system of governance in carrying out the decisions, and in responding to the requests and needs, of the Conference of the Parties;

(e) The opportunity for the head of the Secretariat to make inputs into administrative, budgetary, and personnel processes and decisions that affect the functioning of the Secretariat;

(f) Its willingness to host the Secretariat irrespective of the country of location of the Secretariat;

(g) What approval process will be required from its governing authority, and the possible time frame for such approval to be obtained;

(h) How soon it could be prepared to establish the Secretariat and undertake the responsibility for the discharge of the Secretariat functions.

11. On the basis of a self-assessment against the considerations outlined in paragraphs 8 (a) - (g) above, and of the indications made in relation to the criteria outlined in paragraphs 10 (a) - (h) above, the Conference of the Parties will be able to comparatively evaluate interested competent international organizations for the purpose of selecting one to host the Secretariat of the Convention.

3. OTHER ASPECTS OF THE ESTABLISHMENT OF THE SECRETARIAT

12. The Convention is silent in relation to the authority and process to decide on the country of location of the Secretariat. It may be convenient for the Conference of the Parties first to select the organization to host the Secretariat before giving attention to considerations of country location. This sequence would allow for the specificities of the organization selected to be taken into account in deciding upon country location for the Secretariat. Should the Committee so recommend to the Conference of the Parties, it may nevertheless be desirable for countries interested in hosting the Secretariat formally to indicate their interest

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and to clarify their offers to the Conference of the Parties before its first meeting. This would facilitate consideration of a country of location of the Secretariat by the Conference of the Parties once the organizational decision has been made. The Committee might also wish to advise the Conference of the Parties on considerations relevant to a making a decision on the country of location of the Secretariat.

13. According to Article 40, the Interim Secretariat is to function until the first meeting of the Conference of the Parties. However, some time will be needed beyond that meeting for the designated organization to make arrangements for the establishment of the Secretariat - to arrange for funding on a new basis, to secure adequate premises, furnishings and equipment, and to mobilize staff for the Secretariat on a more permanent basis. The Committee may therefore wish to advise the Conference of the Parties on what transitional arrangements will be required.
