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**AD HOC OPEN-ENDED WORKING GROUP ON
REVIEW OF IMPLEMENTATION OF THE
CONVENTION**

Fifth meeting
Montreal, 16-20 June 2014
Item 13 of the provisional agenda*

**IMPROVING THE EFFICIENCY OF STRUCTURES AND PROCESSES UNDER THE
CONVENTION AND ITS PROTOCOLS**

Note by the Executive Secretary

I. INTRODUCTION

1. At its eleventh meeting, under its item on operations of the Convention, the Conference of the Parties considered the timing of its meetings until 2020. In decision XI/10, the Conference of the Parties decided to maintain the current periodicity of its meetings until 2020, and that its future meetings will take place in 2014, 2016, 2018 and 2020. In the same decision, the Conference of the Parties requested the Executive Secretary, in consultation with the Bureau, to prepare a proposal on improving the efficiency of structures and processes under the Convention and its two Protocols, including the periodicity of meetings until 2020, the organization of intersessional work, and the organization of the meetings of the Conference of the Parties and the Conference of the Parties serving as the meeting of the Parties to the two Protocols, for consideration by the Ad Hoc Open-ended Working Group on Review of Implementation of the Convention at its fifth meeting.

2. Through a notification 2013-120 (Ref. No. SCBD/OES/OJ/moc/82999) issued on 19 December 2013, the Executive Secretary invited Parties, Governments, international organizations, indigenous and local communities and stakeholders to submit views and suggestions to the Secretariat on ways and means to improve the efficiency of structures and processes under the Convention and its protocols, including, *inter alia*, on:

(a) The organization of intersessional work, including the periodicity of meetings of the Subsidiary Body on Scientific, Technical and Technological Advice and intersessional open-ended working groups, and;

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* UNEP/CBD/WGRI/5/1.

(b) The organization of the meetings of the Conference of the Parties, the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety, and the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of the Benefits Arising from their Utilization.

3. The Secretariat received responses from Australia, Cambodia, China, the European Union and its member States, Guatemala, Japan, Mexico, New Zealand, Norway, Switzerland, and Thailand; and from the Secretariat of the East African Community and the Inuit Circumpolar Council, Canada. These are compiled and provided in an information document (UNEP/CBD/WGRI/5/INF/18).

4. In response to a request by the Intergovernmental Committee for the Nagoya Protocol at its third meeting (ICNP-3, recommendation 3/2), information concerning the organization of the concurrent meetings of the Conference of the Parties and the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol will be also provided in this document.

5. Section II of this note addresses intersessional work and the organization of the meetings of the Conference of the Parties and the meetings of the Conference of the Parties serving as the meeting of the Parties to the Protocols. Section III addresses other issues related to the efficiency of structures and processes under the Convention and its Protocols. Section IV proposes recommendations that the Working Group may wish to consider.

II. ORGANIZATION OF MEETINGS AND INTERSESSIONAL WORK

6. The overall objective of the measures proposed, including any changes to current practices, is to strengthen the implementation of the Convention and its Protocols, gain greater integration between them and achieve better cost-effectiveness.

7. The Convention's present mode of work comprises a biennial meeting of the Conference of the Parties to the Convention on Biological Diversity (COP) of two-week duration and two intersessional meetings of the Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA), each of one-week duration. One meeting of the Ad Hoc Open-ended Working Group on Review of Implementation of the Convention (WGRI) and one meeting of the Ad Hoc Open-ended Intersessional Working Group on Article 8(j) and Related Provisions of the Convention on Biological Diversity (WG8j), each of one-week duration and each held back-to-back with a meeting of SBSTTA, are convened in alternate years of the intersessional period. A biennial meeting of the Conference of the Parties serving as the meeting of the Parties (COP-MOP) to the Cartagena Protocol of one-week duration is held immediately prior to the meeting of the Conference of the Parties. Plans have been made for the contingency that the Nagoya Protocol will enter into force prior to the opening of the twelfth meeting of the Conference of the Parties (COP-12) which will enable the first meeting of COP-MOP to the Nagoya Protocol to be held concurrently with COP-12 and subsequent meetings to be held concurrently with each successive meeting of COP.

A. *The Conference of the Parties and the Conference of the Parties serving as the meeting of the Parties to the Protocols*

1. *Strengthening integration between the Convention and its Protocols*

8. Article 29 of the Cartagena Protocol and Article 26 of the Nagoya Protocol provide that the Conference of the Parties shall serve as the meeting of the Parties to the Protocol. They further provide that the ordinary meetings of the Conference of the Parties serving as the meeting of the Parties to the Protocol shall be held, respectively, "in conjunction with" and "concurrently with" the ordinary meetings of COP, unless otherwise decided by COP-MOP.

9. A close integration of the governance of the Convention and its Protocols would promote synergies and provide efficiencies both in terms of financial requirements and substantive considerations. It could contribute to a reduction in cost to the core budgets, more focused agendas, avoid duplication of work and allow Parties to deal more coherently and in a coordinated manner with cross-cutting issues. Such issues include budgetary and institutional issues, organizational matters, multi-year programming and the clearing-houses.

10. As one of the three objectives of the Convention and addressed in its Article 15, access and benefit-sharing is an integral part of the Convention and it is therefore important that it continues to be addressed as such by COP, even after the entry into force of the Nagoya Protocol. Efforts could also be undertaken to better integrate the Convention and the Cartagena Protocol on Biosafety that, hitherto, have become quite separated. Closer integration would also provide the Protocols with an enhanced and clearer profile in the context of the Convention, to the objectives of which they have been established to contribute, and may also enhance support for their implementation.

11. Bearing these considerations in mind, it is proposed that meetings of the Parties to the Convention and of both its Protocols take place within a two-week meeting period. To decide on this, a number of factors that may have implications on cost, logistics and participation would be considered by Parties. Some of these are addressed in paragraphs 28-30 and further information in this regard is provided in annex I to this document. However, such an approach would have a number of potential benefits as noted above.

2. *Organization of the meetings – experience from other processes*

12. In planning an integrated approach to the organization of the meetings and their respective work, experience can be drawn from arrangements made under the chemicals cluster of conventions (the Basel, Stockholm and Rotterdam conventions), the Convention on Long-range Transboundary Air Pollution (CLRTAP) and the United Nations Framework Convention on Climate Change (UNFCCC).

13. The chemicals conventions have organized “simultaneous” meetings as well as back-to-back meetings of the three COPs, including simultaneous sessions.¹ The simultaneous sessions were used to discuss matters in common to two or the three agendas, for example technical assistance or compliance. These were then usually continued in “joint contact groups” from where the outcomes were brought back to each COP for adoption. The next ordinary meetings of the three COPs will be held back-to-back and include “joint sessions where appropriate on joint issues”. Arrangements are conducted in such a way as to respect the legal autonomy of the three Conventions and their respective governing bodies. The situation for CBD is less complex, given the institutional integration of the Convention and its Protocols and the fact that the Parties to the Protocols comprise a subset of the Parties to the Convention.

14. The CLRTAP established the Executive Body as the meeting of the representatives of its Parties (the governing body). The Executive Body adopted eight protocols with specific obligations for Parties to cut their emissions of air pollutants. Matters concerning the Protocols are addressed during meetings of the Executive Body established under the Convention. For example, the procedures for amending the Protocols provide that Parties discuss proposed amendments at sessions of the Executive Body, and that amendments are adopted by consensus of the Parties to the Protocol concerned.

15. Under UNFCCC, at least four bodies meet in conjunction over a two week meeting period: the Conference of the Parties, the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol (CMP), and the two permanent subsidiary bodies to the Convention established by COP and CMP, the Subsidiary Body for Implementation (SBI) and the Subsidiary Body for Scientific and

¹ In the practice of the chemicals conventions, “simultaneous” means that the three COPs are meeting at the same time and in the same setting (conference room).

Technological Advice (SBSTA). In addition, Ad Hoc Working Groups that have been established by COP may also meet in conjunction with COP.

16. The two-week sessional period includes, generally, the following structure. After a ceremonial event on the morning of the opening day, the session of COP is opened. The COP takes up procedural matters, including the election of its President,² the adoption of the agenda and the organization of work, and refers items of its agenda to the subsidiary bodies, as appropriate. The opening meeting is then adjourned. The session of CMP is then opened. The CMP takes up procedural matters, including the adoption of the agenda and the organization of work, and refers items of its agenda to the subsidiary bodies, as appropriate. The opening meeting is then adjourned. In the afternoon, in parallel to one another, the sessions of SBI and SBSTA are opened by their respective Chairs.

17. After the subsidiary bodies and any other Ad Hoc Working Groups have commenced their work, formal meetings of COP and CMP convene to launch their own work. Subsequent formal meetings of each body are held as required. An informal stock-taking plenary of COP and CMP combined, convenes towards the end of the first week. The COP and CMP may also set up joint contact groups where similar items from each are dealt with simultaneously. They may also organize joint informal sessions. There are also joint meetings of COP and CMP, for example the high-level segment. Only two meetings will convene simultaneously at any one time during the sessional period.

18. The subsidiary bodies conclude their work in a period of about a week. The SBI and SBSTA serve both COP and CMP. Items handed down to them by COP and CMP that are of a similar nature are not addressed by the subsidiary body “jointly”. Rather, they are addressed “in close proximity”, meaning close together in one setting. For example, SBI would take up capacity-building under the Convention immediately followed by capacity-building under the Kyoto Protocol and the two items would be passed back separately to COP and CMP.

19. The experience of UNFCCC and its Kyoto Protocol may be particularly relevant to developing an approach for integrating meetings of CBD and its Protocols. Functionally, SBI and SBSTA play a similar role and operate in a similar manner to the two sessional working groups that are customarily established by the CBD COP. Potentially, these two working groups could be mandated to serve both COP and COP-MOP to the Nagoya Protocol. Potentially they could also be mandated to serve COP-MOP to the Cartagena Protocol.

3. Towards enhanced integration of the meetings of the Convention and its Protocols

20. Two broad approaches present themselves for the concurrent arrangement of the meetings of COP and COP serving as the meeting of the Parties to the Protocols. While the focus of present consideration is in respect to the meetings of COP serving as the meeting of the Parties to the Nagoya Protocol, similar consideration could be given and applied to the Cartagena Protocol in due course.

21. The first approach is that all issues, both under the Convention and the Protocol, would be addressed by common working groups except for the issue of budget, which would be developed by a joint budget committee, and matters that are addressed in plenary. Within this broad approach, two alternatives can be envisaged.

22. The first alternative (option 1) is that COP would serve, literally, as the meeting of the Parties to the Protocol. There would be a single agenda that would include both Convention and Protocol items. There would be no need to open a separate and distinct meeting of COP serving as the MOP. Working groups established by COP would address issues of relevance to both the Convention and the Protocol.

² The President of the COP serves also as the President of the CMP.

23. The second alternative (option 2), is that distinct meetings of COP and COP-MOP would be formally opened, and adopt their respective agendas. The COP would establish two working groups and COP-MOP would endorse the working groups established by the COP. Each body would hand work down to the working groups.

24. The second broad approach, which provides another option (option 3), is that the work of COP and the work of COP-MOP would be conducted separately (except for the issue of budget and guidance to the financial mechanism), along the lines that currently prevail for the Cartagena Protocol and, with respect to the Nagoya Protocol, along the lines as have been set out in the annotations to the provisional agenda of COP-12 (UNEP/CBD/COP/12/1/Add.1).

25. Each of these options is elaborated in more detail in annex II to this document. In each case, decisions concerning the Protocol would be made only by the Parties to the Protocol.³ Of the three options, option 1 would promote the fullest integration of the Convention and the Protocols. Option 2 is functionally very similar to option 1, though quite different procedurally, and is less integrative. Option 3 is similar to the current practice with the Cartagena Protocol, save that the meetings of the bodies would take place concurrently, rather than one after the other.

26. Option 1 is also faithful to the text of the Protocols, wherein “The Conference of the Parties shall serve as the meeting of the Parties to this Protocol”.⁴ The original concept in the processes of governance applicable, including UNFCCC and its Kyoto Protocol and CBD and its Cartagena Protocol, was that there would be a single body (COP) that would serve to address both issues under the Convention and issues under its Protocol. While in practice this has not happened, the original intent may provide a model for the concurrent organization of the meetings of COP and COP-MOP to the Nagoya Protocol.

27. The annotations to the provisional agenda of COP-12, contained in document UNEP/CBD/COP/12/1/Add.1, which are due to be updated in light of the outcomes of SBSTTA-18 and WGRI-5, will be revised to reflect whichever of these options it is decided to pursue.

4. Implications of compressing the sessional period

28. Entailing a reduction of time for discussions of each body, such consolidation would require careful organization of work and a movement towards slimmer agendas, in particular that of COP, and an understanding that not all issues can or need to be addressed at each successive COP and COP-MOP. This would be in keeping with a view that the future meetings of the Convention should move towards a greater emphasis on implementation: the number of new decisions would be reduced so that Parties can focus on implementing the existing decisions and on implementation of the Strategic Plan for Biodiversity 2011-2020 and the Strategic Plan for Biosafety.

29. Consideration may also be given to maximizing the time available to accommodate work from the Convention and two Protocols within a two-week sessional period by commencing on a Sunday, breaking for just one day on the following Sunday and ending on the following Friday, and so providing twelve working days in the two-week period instead of ten working days.

30. To assist in the further consideration of these matters, annex I to this document outlines costs associated with the meetings of the Convention and its Protocols and how these may have bearing on different arrangements for the organization of meetings.

³ Article 26, paragraph 2, of the Nagoya Protocol and Article 29, paragraph 2, of the Cartagena Protocol, state: “when the Conference of the Parties serves as the meeting of the Parties to this Protocol, decisions under this Protocol shall be taken only by those that are Parties to it.”

⁴ Article 29 of the Cartagena Protocol and Article 26 of the Nagoya Protocol; Note CoP in upper case and moP in lower case.

5. *Periodicity of the meetings*

31. Notwithstanding the decision XI/10 of the Conference of the Parties to maintain the current periodicity of its meetings until 2020, a number of Parties in their submission of views expressed willingness to consider other options concerning the future frequency of the meetings of COP. The present proposal is based on an assumption that, if pursued, such an option would not be effected until after 2020: it may be impractical to implement such a change prior to 2020, taking into account the Strategic Plan for Biodiversity 2011-2020 and the multi-year programme of work. However, information is provided in annex I to the current note, to contribute to consideration of efficiencies that may be gained from reducing the frequency of the meetings of COP, for example by holding the meetings every three years instead of every two years.

B. Intersessional work by the subsidiary bodies

32. With regard to the organization of intersessional work, this proposal suggests to maintain the current practice of holding two meetings of the Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA) and one meeting each of the Ad Hoc Open-ended Working Group on Review of Implementation of the Convention (WGRI) and the Ad Hoc Open-ended Intersessional Working Group on Article 8(j) and Related Provisions of the Convention on Biological Diversity (WG8j) between meetings of COP, each of one week's duration. For reasons considered below, it also proposes that the present practice of holding the meetings of SBSTTA back-to-back with the meetings of WGRI and WG8j, be maintained.

33. The COP may also wish to consider reforming WGRI to an established subsidiary body of COP that, in view of the increasing emphasis on implementation, would meet with a broadened scope. A subsidiary body on implementation would additionally function as a subsidiary body for the Protocols. Furthermore, the critical issues that are currently considered by WG8j could also be placed as standard agenda items of the subsidiary body on implementation and SBSTTA, as appropriate, to achieve a streamlined, efficient and comprehensive implementation of the Convention and its Protocols.

34. With regard to meetings of the SBSTTA, while holding only one meeting intersessional to the meetings of COP may be more cost-efficient, two meetings would allow one of the meetings to place some attention on scientific and technical dialogue and to the exchange of experience through one or more special sessions,⁵ while the second meeting could focus fully on preparing recommendations to COP. Holding the second meeting of SBSTTA and the meeting of WGRI back-to-back with one another, or in parallel, may achieve cost savings and allow interaction of delegates participating in the meetings, while holding them separately may allow more time to consider the implications of the outcomes of one meeting for the next.

35. Holding the meetings of SBSTTA and WGRI in parallel would imply a need for SBSTTA to conduct its work in plenary or a single committee, rather than in two working groups as is currently the practice. It would provide some reduction in the financial cost to the core budget, associated with the provision of simultaneous interpretation in one conference room for one week. However, an additional cost borne by voluntary contributions may derive from the cost of supporting the participation of two delegates from developing country Parties, rather than one representative, as may be the case if the meetings are held back-to-back.

36. Some previous assessments also considered the possibility of holding meetings of SBSTTA back-to-back or concurrently with COP. With the existence now of two Protocols that would hold their MOPs in conjunction with or concurrently with meetings of COP, unless sessional meetings of SBSTTA and

⁵ The results of surveys conducted in follow-up to SBSTTA 17 are presented as information documents to the eighteenth meeting of the Subsidiary Body on Scientific, Technical and Technological Advice.

WGRI were to take the place of the working groups, these options would be complicated to organize, if not impossible, and unsatisfactory for countries with small delegations. In addition, such options would not allow the subsidiary bodies to prepare recommendations to the governing bodies to be considered by Parties in advance of their meetings.

37. As a measure towards greater integration of the work of the Convention and its Protocols, and as mandated by Article 27 of the Nagoya Protocol and Article 30 of the Cartagena Protocol, both the COP-MOP to the Nagoya Protocol and COP-MOP to the Cartagena Protocol could refer work to SBSTTA and to the ad hoc open-ended working groups established by COP, including WGRI and WG8j.

38. The outcomes of the eighth meeting of WG8j on how tasks 7, 10 and 12 of the Working Group's programme of work could best contribute to work under the Convention and to the Nagoya Protocol, have already been reported to the third meeting of the Open-ended Ad Hoc Intergovernmental Committee for the Nagoya Protocol (ICNP). The WG8j contributes to the implementation of the Protocol and can continue to inform and be tasked by COP-MOP to the Nagoya Protocol on relevant matters. Furthermore, in order that the results of WG8j are mainstreamed in the best possible way into the other processes, SBSTTA and WGRI could be requested by COP to consider the relevant outcomes of WG8j and integrate them into their own recommendations to the Conference of the Parties, as appropriate.

C. Conduct of the meetings

1. Enhancing the effective engagement of stakeholders

39. In its preambular text, the Convention recognizes the importance of, and the need to promote, international, regional and global cooperation among States and intergovernmental organizations and the non-governmental sector towards its objectives. In accordance with Article 23 of the Convention and rule 7 of the rules of procedure for meetings of COP, Parties have recognized the value of a broad participation of stakeholders and other entities, including non-governmental organizations and indigenous and local communities, in meetings held under the Convention. In decision IX/29, COP formalized steps for the admission of bodies and agencies, governmental or non-governmental, to meetings of the Convention. In adopting the Strategic Plan for Biodiversity 2011-2020, COP urged Parties to enable participation at all levels to foster the full and effective contributions of women, indigenous and local communities, civil-society organizations, the private sector and stakeholders from all other sectors in the full implementation of the objectives of the Convention and the Strategic Plan.

40. Despite the breadth of participation, the opportunity for observer organizations to contribute to the consideration of items in the formal sessions of the meetings is limited. Their statements are invited, at the Chair's discretion, once all requests for the floor by the Parties have been fulfilled. On some items that do not require the negotiation of text, this practice could perhaps be modified to encourage a greater exchange of experience and contribution of ideas, including from processes external to CBD, for example by sequencing contributions in rotation through the regional groups, with statements from observers invited within each sequence. Such an approach, or others that allow greater flexibility by the Chair of the meeting, could be applied in some sessions, depending on the items being addressed. Further consideration of stakeholder engagement is provided in section III of this document and in document UNEP/CBD/WGRI/5/11.

2. Special sessions devoted to the consideration of challenges and measures of implementation

41. While compressing the meetings of the governing bodies and holding them concurrently would require them to adopt tighter and slimmer agendas, as the priority of the Convention moves towards implementation, consideration should be given to harnessing the opportunity that the meetings provide to promote strengthened implementation. One way of doing so may be to devote some time within the proceedings of the meeting for Parties and stakeholders to consider practical measures of implementation

and the sharing of experience and lessons learned, for example in one three-hour session that could also gain input from the events held at the margins of the meetings.

3. *Enhancing the efficiency of meetings*

42. The Secretariat can continue to take appropriate measures, both pre-session and in-session, to improve efficiency of meetings. Measures that can be taken pre-session include ensuring the release of documents and draft decisions for consideration by Parties at latest seven, instead of six, weeks in advance of the meetings. Measures that can be taken in-session include establishing a system whereby delegates can submit their statements via email message.

43. In addition to the cost of interpretation, significant costs of the meetings are incurred in translation of documents and other costs of publishing, including reproduction. The Secretariat can continue, therefore, to enhance efforts to limit the number and length of documents to 10 pages for most documents and to 16 pages as a maximum.⁶

D. *Organization of other intersessional work*

44. Options for the scheduling and periodicity of the meetings of the subsidiary bodies, including those of the ad hoc open-ended working groups, have been presented in the preceding section. The following paragraphs will address other measures that can be taken to enhance the effectiveness of the processes and other meetings mandated by COP, such as those of expert groups.

1. *Work scheduling*

45. Another measure that could be taken by the Secretariat would be the preparation and circulation, soon after the conclusion of each meeting of COP and COP-MOP, of an initial calendar for the intersessional period, setting out intersessional work arising from the decisions of the meeting, in particular items requiring input by Parties. This could show when specific inputs would be requested from Parties, how these fit into the timeline of the intersessional meetings of the ad hoc open-ended working groups and SBSTTA, and so assist Parties to plan their engagement. Among other things, such practice may strengthen the effectiveness in gaining inputs to the preparation of policy documents and assist the Secretariat in preparing well-balanced draft decisions and policy options.

2. *Virtual conferencing*

46. While recognizing that some countries continue to face difficulties with reliable internet connection or availability of facilities, which has hindered their ability to make full use of virtual means of communication such as video-conferencing and webinars, greater use of these means should be promoted, at least with regard to meetings of the Bureaus and meetings of experts. The CBD Secretariat can pay particular attention to this issue in order to seek improvements. In this respect, for example, the Secretariat could explore options for facilitating developing country Parties to make use of video-conferencing and teleconferencing facilities from the country offices of the United Nations Development Programme – in a way similar to arrangements that have been made for focal points of the Global Environment Facility (GEF).

3. *Regional meetings*

47. In the past, regional preparatory meetings were organized prior to the meetings of COP. More recently this practice has discontinued, replaced by short consultation meetings held at the COP venue during the weekend before its opening. Cost-savings achieved from the consolidation of the meetings of

⁶ There may remain occasional, exceptional, cases where a particular document would need more than 16 pages.

COP and the two COP-MOPs and their compression into a two-week period could, perhaps, be utilized to support regional preparatory meetings held in the regions in advance of COP.

48. This could form a part of a broader strategy towards strengthening regional and subregional mechanisms to support implementation, for example technical and scientific cooperation and capacity-building (see section below and document UNEP/CBD/WGRI/5/3/Add.1 on options to enhance technical and scientific cooperation under the Convention).

III. OTHER MEASURES FOR IMPROVING EFFICIENCY OF STRUCTURES AND PROCESSES

A. *Strengthening integration in the implementation of the Convention and its Protocols*

49. Developing and applying integrated approaches in the national implementation of the Convention and its Protocols provides an important avenue to improve efficiencies. At its tenth meeting, held in April 2014 in Budapest, the Liaison Group on Capacity-Building for Biosafety considered options for strengthening the capacities of Parties to the Protocol to integrate their national measures for the implementation of the Protocol into national biodiversity strategies and action plans (NBSAP) and national development policies, plans and programmes in line with the Strategic Plan for the Cartagena Protocol on Biosafety 2011-2020. The report of the meeting is available as UNEP/CBD/LG-CB/10/2.

50. Among issues identified by the Liaison Group for attention at the national level is coordination across relevant ministries and departments, including the national focal points for the Protocol and the Convention and the Operational Focal Point for GEF. This could be strengthened by establishing or strengthening inter-ministerial/departmental committees and promoting mechanisms for ongoing cooperation among officials and relevant offices.

51. Actions identified by the Liaison Group for consideration at the international level included the addition of a standing item on the COP agenda to report on the implementation of the Cartagena Protocol on Biosafety as a means, among other things, to promote synergies and integration. Under the present scheduling of COP-MOP and COP, this item could be considered during the first or second day of the meeting of COP to enable COP-MOP delegates to stay on to attend the first part of the meeting. Another is to include in the high-level segment of the meetings of COP an agenda item on integrated approaches to the implementation of the Convention and its Protocols. Another is to consider the possibility of a joint reporting system for the Convention and its Protocols.

B. *Strengthening support for compliance with obligations under the Convention and its Protocols*

52. Some Parties have particular challenges in their capacity to implement and meet the obligations of the Convention and its Protocols. This is particularly so in respect of the Cartagena Protocol and Nagoya Protocol, which have stringent, specialized and technical requirements. Measures could be taken to enhance the relevant support provided by appropriate international organizations to developing countries, in particular the least developed countries and small island developing States. Such support might be effectively provided through regionally-based mechanisms and networks implemented by organizations such as the regional offices of the United Nations Environment Programme and the Secretariat of the Pacific Regional Environment Programme (SPREP). Cooperation established through a voluntary peer-review mechanism, which is addressed below, could be another means of enabling such support. Measures that could ease the particular burdens placed on least developed countries and small island developing States by the reporting requirements of the two Protocols added to those of the Convention, as well as those of other multilateral environmental agreements, can also be explored, including tools to help streamline the preparation of such reports, addressed in the section below.

C. Reporting and information tools

53. During the present biennium, in conceptualizing the development of the new Access and Benefit-sharing Clearing-House (ABS-CH) and in order to gain unification under a single and more solid infrastructure, the Secretariat decided to merge the infrastructures of all new and existing clearing-houses in a single software platform which now serves all types of online interactions with Parties and other stakeholders. The clearing-house mechanism (CHM), Biosafety Clearing-House (BCH) and the Access and Benefit-sharing Clearing-House (ABS-CH) are now served by the same platform and all data are shared in the same pool of CBD Secretariat databases. They have different user interfaces to help users understand the different contexts in which data may be submitted or retrieved (two Protocols with different sets of obligations plus the wider CBD guidance) but technically, these are simply different graphic layouts providing access to the same collection of data. The platform and its data collection are already available online for interoperability with third party databases.

D. National reporting

54. Article 26 of the Convention requires Parties to report on measures they have taken to implement the Convention and their effectiveness in meeting the objectives of the Convention. In decision V/19, the Conference of the Parties requested the Executive Secretary to keep under review the format for national reports. In decisions VI/25, VII/25, VIII/14 and X/10, subsequent meetings of the Conference of the Parties provided guidance on the formats for the third, fourth and fifth national reports, following recommendations of the earlier meetings of the Ad Hoc Open-ended Working Group on Review of Implementation of the Convention. In paragraph 10 of decision VIII/14, the Conference of the Parties decided to establish an on-line facility to support national reporting, through the clearing-house mechanism, for use by Parties on a voluntary basis as a planning tool.

55. In decision X/10, the Conference of the Parties requested Parties to submit the fifth national report by 31 March 2014, with a particular focus on the Strategic Plan for Biodiversity 2011-2020. As at 22 April 2014, 45 countries have submitted their final reports and 29 countries have sent their advanced drafts (see annex I of the document UNEP/CBD/WGRI/5/2). Meanwhile, in the same decision, the Conference of the Parties decided that the format for the fifth and sixth national reports should be consistent to allow for long-term tracking of progress towards the Aichi Biodiversity Targets.

56. To allow for continuous monitoring of progress towards the Aichi Biodiversity Targets, an online reporting system is being tested which would allow countries to report progress on a more regular basis. This tool enables countries to upload their national reports and national biodiversity strategy and action plan. It also allows them to enter information on regional, national and/or subnational targets, how these targets link to the Aichi Biodiversity Targets, how they intend to assess progress and, where possible, which indicators would be used and how they link to the indicators contained in the indicative list of indicators for the Strategic Plan for Biodiversity 2011-2020 contained in decision XI/3. The online reporting tool allows countries to periodically update progress towards each of their national targets. The system is expected to be fully operational by COP-12.

57. Through the online reporting tool, the national focal point or other designated publishing authority will be able to make official submissions. The national focal point can designate other authorized users to enter information and save it as draft. The system will automatically inform the national focal point of a draft record that was entered and invite review/revision and publishing of the record. Once published, the record will be displayed on a map, that highlights, for example, each Party that has submitted a fifth national report, or each Party that has entered a national target related to Aichi Biodiversity Target 1. It will thereby provide a snapshot overview of the level of progress Parties have reported relative to a particular Aichi Biodiversity Target. The map also provides quick access to the underlying information by opening the record when clicking on the country. It is expected that the display

function of the online reporting tool promotes public debate and participation in the national implementation of the Convention.

58. The guidelines or the proposals for the sixth national report will be prepared in the light of experiences with the use of the online reporting tool to avoid duplication and ensure complementarity of the types of information being reported. It is anticipated that the scope and format of the sixth national report be decided by the thirteenth meeting of the Conference of the Parties, with a view to ensuring that information from the sixth national reports is available for the assessment of the implementation of the Strategic Plan for Biodiversity 2011-2020.

59. Consideration can also be given to other measures that could strengthen national reporting. For example, the inclusion of biodiversity finance reporting into the regular reporting towards the Convention would generate synergies and reduce the number of additional reporting frameworks. Likewise, measures could be taken to enhance the use of national reports to assess the effectiveness of legal and policy measures taken related to biodiversity in relevant sectors. Use of self-assessment, peer-review and third party review could be used for assessing progress made in implementing the NBSAP and progress in achieving the Aichi Biodiversity Targets at the regional and global level (see below).

60. Furthermore, the adoption of a single and consolidated national report and reporting format for the Convention and its two Protocols, structured in such a way that Parties could address those sections of the report relevant to their circumstance, and the Secretariat could draw from it according to specific needs, would provide another means of promoting greater integration of the Protocols with the Convention and ensuring greater efficiency.

E. Voluntary peer-review

61. National biodiversity strategies, or their equivalents, and national reports are obligations arising from the Convention, through Articles 6 and 26 respectively. There is, however, no formal mechanism to encourage either inter-Party assistance (scientific and technical support) or a review mechanism to help ensure that the national biodiversity strategies and action plans (NBSAP) are adequately suited to meet both national and global biodiversity threats and the objectives of the Strategic Plan for Biodiversity 2011-2020. At the fourth meeting of WGRI and the eleventh meeting of COP, there was discussion of how a voluntary peer-review process might assist participating countries in the preparation and the implementation of their NBSAP. The establishment of such a mechanism, that could commence on a pilot basis, involving interested countries, could be one measure to improve efficiency of structures and processes under the Convention and its Protocols.

62. In conjunction with the GEF Implementing Agencies, as a part of the NBSAP Forum activities, the Secretariat has been encouraging GEF-eligible Parties in receipt of GEF Biodiversity Enabling Activity grants to undertake a voluntary self-assessment and/or peer-review of the revised NBSAPs currently being prepared in line with Aichi Target 17. In a similar manner, there is currently only very general guidance provided to Parties on how to qualitatively or quantitatively measure progress towards national and global Aichi Targets within national reports. The secretariat has prepared an information document to the Working Group which describes the different methodologies used in the 5th national reports received up to 25 April 2014 (UNEP/CBD/WGRI/5/INF/20).

F. Strengthening synergy in the implementation of the biodiversity-related conventions

63. In addition to efficiencies that can be gained by seeking greater integration and harmonization in processes of the Convention and its Protocols, opportunities can also be sought through strengthening synergies between the biodiversity-related conventions. The NBSAP already provides a concrete framework that can be used at the national level for building coherence and synergy in planning and implementing the biodiversity-related conventions. The Convention on the Conservation of Migratory

Species of Wild Animals (CMS) and the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) have both prepared guidance to support the integration of measures appropriate to their objectives in NBSAP. The ongoing development, revision and implementation of updated NBSAPs, aligned with the Strategic Plan for Biodiversity 2011-2020, provides an opportunity and mechanism to ensure the involvement and collaboration of all relevant stakeholders and bodies related to each of the conventions. Recognizing the global framework that it provides, each of the biodiversity-related conventions has taken steps to align or link their own strategies and plans to the Strategic Plan for Biodiversity 2011-2020 and the Aichi Biodiversity Targets. While the nature, form, content and purpose of national reports to the various conventions differ, establishing common reporting formats, data standards and interoperability between online reporting tools/platforms would ease burdens on Parties and enhance the utility of data and potential for aggregation, where relevant. The preparation and implementation of projects and initiatives with co-benefits across the conventions, including, in eligible countries, within the framework of the GEF, provides another opportunity to gain synergy. The establishment or enhancement of national committees or other mechanisms involving the offices and focal points relevant to the various conventions would be another beneficial approach, given the need that efforts towards greater integration and synergy among the conventions be nationally driven and implemented.

G. Multi-stakeholder dialogue on implementation

64. The meetings of the Convention and those of COP in particular, have provided, through events in their margins, a unique international forum to allow governmental, non-governmental and international organizations, other stakeholders and indigenous and local communities present at the meeting, to share experience related to the implementation of the Convention and its Protocols. Despite the richness of experience and its relevance to the issues being addressed by the meeting, hitherto there has been no mechanism to enable the content and outcomes of these events to inform or contribute to the formal proceedings of the meetings, which represents a lost opportunity. Ways can be explored to enable feedback from these events to the discussions of COP and COP-MOPs. In addition, time freed through the concurrent organization of the meetings of COP and COP-MOPs could be utilized for multi-stakeholder conferences or dialogue sessions prior to the meetings of the Convention and its Protocols, for example focusing on implementation. The note by the Executive Secretary on stakeholder engagement (UNEP/CBD/WGRI/5/11) considers ways in which events held in conjunction with or in the margins of the meetings can more effectively contribute to the goals of the meetings and to promoting effective implementation.

H. Regional implementation forums

65. Another potential benefit of the regional meetings of Parties to the Convention and its Protocols proposed in section II above would be in the opportunity these would provide, in their margins or as a component of the meeting, to share experience and catalyze implementation measures among national focal points, including those of other conventions, agencies, GEF and other stakeholders.

I. Enabling the contribution of the Convention and its Protocols to other relevant intergovernmental processes

66. In numerous decisions, the Conference of the Parties has requested the Executive Secretary to ensure cooperation and linkages with other international organizations and processes relevant to the objectives of the Convention. In its decision IV/15 the Conference of the Parties requested the Executive Secretary to consider matters of liaison, cooperation and collaboration as a key responsibility and to explore modalities, where appropriate for suitable liaison arrangements in relevant centres, in particular Geneva and New York for the purpose of enhancing linkages with relevant processes. In its decision VIII/16 the Conference of the Parties requested the Executive Secretary to secure more resources from the programme support to fund Convention activities, including those related to joint liaison arrangements

between the Convention on Biological Diversity and the United Nations Convention to Combat Desertification (UNCCD) at the United Nations Headquarters. In annually addressing its item on sustainable development, the United Nations General Assembly considers a report, presented by the Secretary-General of the United Nations, on progress under the Convention on Biological Diversity and the other Rio conventions. The Executive Secretary provides this report and any other material or clarifications as may be required by the General Assembly. In recent years, the General Assembly has declared 2011–2020 the United Nations Decade on Biodiversity, following the request of the Conference of the Parties, and welcomed the Strategic Plan for Biodiversity 2011–2020. The outcome document of the United Nations Conference on Sustainable Development (Rio+20), “The future we want”, subsequently adopted by the General Assembly, recognized the importance of biodiversity to sustainable development, reiterated the commitment of member States to the achievement of the three objectives of the Convention on Biological Diversity, and called for urgent actions that effectively reduce the rate of, halt and reverse the loss of biodiversity. It affirmed the importance of implementing the Strategic Plan for Biodiversity 2011–2020 and achieving the Aichi Biodiversity Targets and urged all parties to fully implement their commitments under the Convention. In the preparation towards Rio+20 and in its follow-up, the Secretariat of the Convention on Biological Diversity has participated actively in the frameworks of the United Nations System Task Team on the post-2015 United Nations development agenda and the United Nations Technical Support Team (TST) to the General Assembly’s Open Working Group on Sustainable Development Goals (SDG). Work in this respect is reported in document UNEP/CBD/WGRI/5/6. The inputs by the Executive Secretary to these processes, as well as to others coordinated at the United Nations Headquarters by the United Nations Department of Economic and Social Affairs, the United Nations Development Programme and other United Nations entities, and through numerous inter-agency task forces, is facilitated by the joint liaison arrangements that the Executive Secretary has established and maintains in cooperation with the Secretariat of UNCCD. As a measure to ensure the implementation of the Strategic Plan for Biodiversity 2011–2020 and achievement of the Aichi Biodiversity Targets, and the full integration of the Convention in other relevant processes, it is essential that these efforts, and the liaison structures put in place to facilitate them, are maintained and strengthened.

J. Merging of Trust Funds

67. As another measure to promote further integration of the Convention and its Protocols, there would be some benefit in managing the voluntary contributions of Parties to support approved activities and to facilitate the participation of Parties in the processes of the Convention and the Cartagena Protocol, in a more integrated manner. The Executive Secretary suggests that COP-MOP and COP consider closing the two voluntary Trust Funds of the Cartagena Protocol on Biosafety – the BH and the BI Trust Funds – and utilize instead the BE and BZ Trust Funds of the Convention for the additional voluntary contributions in support of approved activities of the Convention (and its Protocols) (BE), and the facilitation of the participation of Parties in the processes of the Convention (and its Protocols) (BZ), respectively.

K. Enhancing efficiency of the Secretariat

68. In paragraph 25 of its decision XI/31, the Conference of the Parties requested the Executive Secretary to undertake an in-depth functional review of the Secretariat and report to the Parties at the twelfth meeting of the Conference of the Parties. The Executive Secretary initiated the functional review in consultation with the Executive Director of UNEP and procured the services of Universalia Management Group of Montreal, Canada through competitive bidding. A progress report on the functional review is presented in document UNEP/CBD/WGRI/5/INF/16.

IV. SUGGESTED RECOMMENDATIONS

The Ad Hoc Open-ended Working Group on Review of Implementation of the Convention may wish to request the Executive Secretary to undertake any further work that may be helpful prior to the submission of a proposal to the twelfth meeting of the Conference of the Parties, and to make recommendations to the Conference of the Parties regarding elements of this proposal along the following lines:

The fifth meeting of the Ad Hoc Open-ended Working Group on Review of Implementation of the Convention

1. *Requests* the Executive Secretary to prepare a detailed plan for the concurrent organization in a two-week period, of the thirteenth meeting of the Conference of the Parties, the eighth meeting of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol and the meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol for consideration by the Bureau prior to the twelfth meeting of the Conference of the Parties;⁷

2. *Also requests* the Executive Secretary to prepare a proposal for a voluntary peer-review mechanism for the national biodiversity strategies and action plans, taking in to account the views expressed by Parties, designed to be implemented on a pilot basis by interested Parties, and submit this for consideration by the Conference of the Parties at its twelfth meeting;

3. *Recommends* that the Conference of the Parties at its twelfth meeting takes a decision along the following lines:

The Conference of the Parties

1. *Decides* to add a standing item entitled “Report on the implementation of the Cartagena Protocol on Biosafety and implementation of Article 8(g)” to the agenda of its regular meetings to consider the main outcomes of the preceding meeting of the Parties to the Protocol (MOP) and the general state of affairs under the Protocol with a view to fostering synergies and integration;

2. *Recommends* that, in future, the high-level segment of the Conference of the Parties be considered as a high-level segment of the Convention and its Protocols and that an item be included on the agenda of the meeting on integrated approaches to the implementation of the Convention and its Protocols;

3. *Decides* that the thirteenth meeting of the Conference of the Parties shall be organized within a two-week period that also includes the meetings of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol and to the Nagoya Protocol;⁸

4. *Decides* to establish a subsidiary body on implementation to replace the Ad Hoc Open-ended Working Group on Review of Implementation of the Convention, with an expanded mandate of reviewing the implementation of the Convention and its Protocols;

⁷ With a view to its consideration by the twelfth meeting of the Conference of the Parties, the seventh meeting of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety, and the first meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol.

⁸ This element of the proposed decision may need to be further developed at the twelfth meeting of the Conference of the Parties in the light of the outcome of consideration of this item.

5. *Requests* the Executive Secretary to facilitate to the extent possible the convening of meetings, for example those of the Bureau and expert groups, through virtual means and to liaise with appropriate entities, such as the United Nations Development Programme, in order, where necessary, to provide facility for delegates, including national focal points, in developing countries to participate effectively in these meetings;

6. *Also requests* the Executive Secretary to maintain the joint liaison arrangements established in cooperation with the United Nations Convention to Combat Desertification at the United Nations Headquarters in New York and to secure more resources to fund Convention activities related to the joint liaison arrangements, and *invites* Parties to provide financial contributions to enhance this activity;

7. *Decides* to enhance the use of national reports to assess the effectiveness of legal and policy measures taken related to biodiversity in relevant sectors, including economic instruments, and to assess progress made in implementing the national biodiversity strategy and action plan, including through the use of self-assessment, peer-review, third party, regional assessment and assessment of progress in the implementation of the Aichi Biodiversity Targets at the global level;

8. *Decides* in this respect, to enable a voluntary peer-review process for the national biodiversity strategies and action plans, to be implemented on a pilot basis by interested Parties, and *requests* the Executive Secretary to report on progress in its implementation to the Conference of the Parties at its thirteenth meeting;

9. *Urges* Parties and invites other Governments to enter, in the online reporting tool under the clearing-house mechanism of the Convention, information on national targets and approaches towards assessing progress, as well as a self-assessment of progress by 31 December 2014, and to provide updated self-assessments in time for future meetings of the Ad Hoc Open-ended Working Group on Review of Implementation of the Convention and the Conference of the Parties;

10. *Requests* the Executive Secretary to prepare, on the basis of the experiences and lessons learned from the preparation of the fifth national report and the use of the online reporting tool, proposals for the sixth national report, that covers the Convention and its Protocols, for consideration at the sixth meeting of the Ad Hoc Open-ended Working Group on Review of Implementation of the Convention;

11. *Also requests* the Executive Secretary to explore options, including costs involved, for holding regional preparatory meetings prior to the meetings of the Conference of the Parties, and to provide a report to the sixth meeting of the Ad Hoc Open-ended Working Group on Review of Implementation of the Convention.

12. *Requests* the Executive Director of the United Nations Environment Programme to consider strengthening the regional offices of UNEP to enable them to provide further enhanced support to Parties in their commitments to the Convention and its Protocols and to their implementation;

13. *Urges* Parties to integrate biosafety into national biodiversity strategies and action plans (NBSAPs), national development plans and other relevant sectoral and cross-sectoral policies, plans and programmes, and, in this respect;

14. *Requests* the Executive Secretary to:

(a) Undertake an assessment of the Parties' capacity needs and skill gaps with regard to integration of biosafety into NBSAPs and national development plans in order to tailor the capacity-building interventions, and;

(b) Organize regional workshops for the Cartagena Protocol and Convention national focal points and relevant stakeholders to share experiences and lessons learned in the integration of biosafety into NBSAPs;

15. *Encourages* Parties and other Governments to:

(a) Establish and/or strengthen inter-ministerial or departmental committees or similar mechanisms that provide advice on matters related to policy, programmes, budgets, for example, to play a stronger role in promoting the integration of biosafety and access and benefit-sharing into relevant sectoral and cross-sectoral policies, plans and programmes;

(b) Establish and/or strengthen inter-ministerial or departmental committees or similar mechanisms to facilitate or strengthen a coordinated approach to the implementation of the biodiversity-related conventions.

Annex I

NOTE ON THE COSTS OF MEETINGS

1. This note outlines costs associated with the meetings of the Convention and its Protocols and how these may have bearing on different arrangements for the organization and periodicity of meetings.

I. CORE ORGANIZATIONAL COSTS OF HOLDING A MEETING OF THE CONVENTION AND ITS PROTOCOLS

2. The principal cost components of convening a meeting of the Convention and its Protocols are as follows:

(a) *Interpretation* – the component costs of the simultaneous interpretation provided between the six languages of the United Nations, include the fees/salaries, airfares or other travel costs, and the daily subsistence allowances (DSA) of the interpreters. These combine to determine the cost of contracting the United Nations Office at Nairobi (UNON) (for meetings held away from Montreal) or ICAO (for meetings held in Montreal) to provide the interpretation service. A primary cost determinant is therefore the number of interpreters required, which is determined by the number of conference rooms in which interpretation will, simultaneously, be provided which, in turn, is determined by the number of meetings that will be held in parallel. For example, meetings within which the work is conducted in two working groups that operate in tandem will require an interpretation team twice the size of the team required for a meeting that operates throughout in a plenary setting. Interpretation is the largest component of the cost of convening the meetings;

(b) *Translation* – the associated costs of translation are the fees/salaries of translators engaged to translate the pre-session documents and the in-session documents from English to the other five United Nations languages. The cost drivers are, therefore, the number of documents that are prepared pre-session and their length; and the number of distinct items of agenda in-session and the length of the arising conference-room paper (CRP) documents and the limited-distribution (L) plenary documents.

(c) *Report writing* – and additional editorial service are contracted from specialist consultants. The component costs are the fees, travel and DSA of the consultants for the duration of the meeting. A team of two report writers is required for each meeting. If meetings are held in parallel, different report writers would be required for each meeting. If the meetings are held back-to-back or in sessions interspersed, potentially a single, though enlarged, team could service all the meetings.

(d) *Rental of the meeting rooms and conference facility* – costs derive from the number and size of meeting rooms required. These costs are normally agglomerated with those of the conference facility staffing, including security and technicians, to determine the overall contract cost of the conference facility that, in the case of meetings held in Montreal is provided by the International Civil Aviation Organization (ICAO). A meeting operating in two working groups or a scenario in which two governing bodies are meeting in parallel would require two conference rooms, each with interpretation.

(e) *Rental of other equipment* – these may include, for example, photocopier/printers.

II. BEARING OF COST

3. There are two distinct components of the cost administered by the Secretariat of the Convention on Biological Diversity in respect to the meetings of the Convention and its Protocols: those borne by the assessed contributions (core budget) and those borne by voluntary contributions of Parties.

A. Cost borne by the assessed contributions

4. This comprises the core logistical/organizational costs of convening the meeting, described above.

5. The cost associated with interpretation has contributed to a practice, for the sake of cost-efficiency, of organizing, whenever possible, two meetings of the Convention back-to-back. So, for example, holding the two meetings of the Subsidiary Body on Scientific, Technical and Technological Advice that are typically held during the intersessional period back-to-back with the Ad Hoc Open-ended Working Group on Article 8(j) and Related Provisions or the Ad Hoc Open-ended Working Group on Review of Implementation of the Convention (WGRI) that are held in alternate years. By scheduling the meetings in this manner the cost of interpretation is reduced in comparison with a scenario in which the meetings are held separately, owing to the fact that the interpreters journey to the venue of the meeting just once and not twice, thereby halving the cost of the associated air travel.

B. Cost borne by voluntary contributions – delegates travel

6. The cost borne by voluntary contributions comprises the cost of supporting the participation of delegates from developing countries and countries with economies in transition, and in particular those from the least developed countries (LDC) and small island developing States (SIDS), for which a practice has been established within the Convention and its Protocols.

7. The present practice is for the travel and subsistence of delegates from LDC and SIDS to be supported by voluntary contributions provided by donor countries. In the event that the donations made are sufficient, this support may be extended to other developing countries and countries with economies in transition, on request, on a first-come, first-served basis. This type of support is provided for the participation of one delegate, officially nominated by the Party concerned, from each eligible country, funds allowing.

8. This has also contributed to the practice, for the sake of cost-efficiency, of organizing, whenever possible, two meetings of the Convention back-to-back, for example, a meeting of SBSTTA back-to-back with the meeting of WGRI. In this scenario, a single delegate is supported to participate in the two meetings, thereby reducing the overall size of the voluntary contribution needed to facilitate the meeting.

9. Likewise, under the current practice in which the COP-MOP to the Cartagena Protocol is organized back-to-back with and immediately prior to the meeting of COP, a single delegate is supported to participate in both the meeting of COP-MOP and COP.

III. IMPLICATIONS

10. In the event that the donations provided are insufficient to support the participation of the delegates from LDC and SIDS, there is a risk that arrangements made for a meeting may have to be cancelled and the meeting postponed until such a time that funding allows for full and representative participation.⁹

11. Under a scenario in which one or both meetings of COP-MOP are held in parallel with the meeting of COP, the practice of supporting the cost of a single delegate to participate in more than one meeting would not be tenable, given that a single delegate would be unable to represent his or her government in two bodies of governance at the same time.

⁹ Such was the case, for example, with the second meeting of the Ad Hoc Open-ended Intergovernmental Committee for the Nagoya Protocol on Access and Benefit-sharing (ICNP) that was held in 2012.

12. Such a scenario would imply a need to support the costs of two or even three delegates rather than one. This in turn would imply that the additional cost would need to derive from voluntary contributions from donors that, in turn, would imply an increase in cost burden on some donors. In turn, this may also imply a greater risk that meetings may be postponed, leading to less certainty in the calendar for the planning and preparation of meetings.

13. An alternative to a scenario of holding the meetings in parallel, would be to organize the three meetings (COP-MOP to the Cartagena Protocol, COP-MOP to the Nagoya Protocol, and COP) back-to-back, each of a duration, perhaps, of between three and seven days to enable the three meetings to be held within a two-week period. Joint or simultaneous sessions of the bodies of governance could be held at points during this period, including the opening and closing plenaries.

14. Another alternative would be to conduct the meetings truly in conjunction with one another so that work related to the Convention and its Protocols is taken up in the same setting and, in the case of items derived from each instrument that are of a similar nature, in close temporal proximity to one another.

15. Under such scenarios, there may also be benefit in working on one day during the weekend between the first and second weeks of the meeting period, and perhaps also commencing the meeting(s) on the Sunday rather than the Monday, in order to maximize the time available for each meeting. This would give rise to some additional costs, including that of interpretation, given that interpreters are paid only DSA and not fees for the weekends in which they do not work.

IV. OTHER RELATED COSTS INCURRED BY PARTIES

16. In addition to the consideration of the costs of holding the meeting, consideration may also be given by Parties, to the costs incurred directly by Parties in preparation for and attendance at the meetings as well as any voluntary contributions they may provide towards universal participation, as described above.

V. ESTIMATED COSTS AND DIFFERENT MODELS OF ORGANIZATION

A. Concurrent arrangement of the meetings: moving from a three-week to a two-week sessional period

17. Switching to a conference scenario in which the meetings of COP and COP-MOPs are held concurrently within a two-week period, as compared to the present situation in which the one-week meeting of COP-MOP to the Cartagena Protocol is held prior to the two-week meeting of COP, would generate savings associated with the cost of operating the conference centre for one additional week (two conference rooms, each with interpretation, and other associated costs). Such saving is estimated to be in the order of about \$450,000 per conference.

B. Periodicity: influence of periodicity on costs

18. The Secretariat presently estimates the conference cost (the core costs outlined above) of a two-week meeting of COP at approximately \$1,000,000 and that of a one-week meeting of SBSTTA at approximately \$450,000, with each of the bodies working in two working groups (i.e. using two conference rooms and two teams of interpreters) and with each of the bodies meeting back-to-back with another meeting (in the case of COP, with COP-MOP to the Cartagena Protocol and in the case of SBSTTA with a meeting of WG8j or WGRI). The delegates travel costs are estimated at approximately \$700,000 and \$450,000, respectively.

19. Based on such estimates, considering only the meetings of COP and SBSTTA, under their present modes of organization and with two meetings of SBSTTA held during each intersessional period, switching in January 2021 from a biennial COP to a triennial COP would reduce the conference cost to the core budget, by the order of \$2.3 million over a six-year cycle. The delegates travel cost, borne by the voluntary budget, would be reduced by the order of \$1.8 million over the same six-year cycle. In a triennial calendar, two meetings of COP and four meetings of SBSTTA (assuming two per intersessional) would be held every six years, compared with three meetings of COP and six meetings of SBSTTA in a biennial calendar. In other words, in this scenario, one meeting of COP and two meetings of the SBSTTA would be removed from the calendar every six years.

20. A potential increase in cost associated with a triennial calendar could arise from the possible need to establish a standing committee, or expanded Bureau, that would meet annually. While the size of the committee would need to be determined, assuming that the travel costs of 22 members from developing country Parties would be supported from the core budget, the additional cost, as compared to the costs associated with the meetings of a Bureau as presently, typically, organized, could be in the order of \$300,000 over the same six-year cycle.

Annex II

NOTE ON THE ORGANIZATION OF THE MEETINGS OF THE CONFERENCE OF THE PARTIES SERVING AS THE MEETING OF THE PARTIES TO THE NAGOYA PROTOCOL CONCURRENT WITH THE MEETINGS OF THE CONFERENCE OF THE PARTIES

1. This note outlines three options for the organization of the meetings of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol concurrent with the meeting of the Conference of the Parties to the Convention. In principle, each of the models could also incorporate the Cartagena Protocol and provide an alternative to the manner in which the meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol has been organized in the past and will be organized at its seventh meeting.

Option 1

A first option (option 1) is that COP would serve literally as the meeting of the Parties to the Protocol. All issues, both Convention and Protocol, would be addressed by common working groups except for the issue of budget which would be developed by a joint budget committee. There would be a single agenda that includes Convention and Protocol items. There would be no need to open a separate and distinct meeting of COP serving as MOP.

2. The serving President of COP (the President of the previous meeting of COP) would open the meeting of COP. The COP would take up item 1 of the provisional agenda, as well as some procedural matters under item 2, including the election of its President.¹⁰

3. The COP would adopt the agenda that includes items of the Convention and of the Nagoya Protocol. The COP would agree on the organization of work and create two working groups that would address issues under both the Convention and the Nagoya Protocol, and establish a budget committee.

4. Except for opening and closing issues that would be addressed in plenary, and budget, all issues of both the Convention and the Nagoya Protocol would be addressed in the two working groups. In the event that the Chair of the working group is not a Party to both instruments, a vice-chair from a Party to the Protocol would preside over matters related to the Protocol.¹¹

5. Issues of the Convention and of the Protocol that are of a similar nature would be addressed by the working group “in close proximity” to one another. For example, a working group may take up capacity-building under the Convention immediately followed by capacity-building under the Protocol. Those States that are not Parties to the Protocol would be present for the consideration of the items regarding the Protocol as observers. To assist the Chair, measures would be in place to distinguish Parties and non-Parties. (Note that the functioning of the working groups is identical for options 1 and 2).

6. Drafts of decisions would be approved separately by the Parties concerned. CRP documents could be separate, or combined (UNFCCC uses both). In the case of the latter there would be discrete parts for the Convention and the Protocol, clearly marked. In closing plenary, decisions would be adopted separately, as separate L documents.¹²

¹⁰ The President (usually of the host country of the meeting) is elected by acclamation. In the event that the President is from a country that is not Party to the Protocol, an alternate, who would preside over matters related to the Protocol, would also be elected.

¹¹ In the event that the Chair is from a country that is not Party to the Protocol, a vice-chair would be elected from among the Parties to the Protocol to chair items related to the Protocol.

¹² UNFCCC sometimes uses L.x and L.x/add.1

Option 2

A second option (option 2), is that distinct meetings of COP and COP serving as the meeting of the Parties to the Protocol would be formally opened and adopt their respective agendas. The COP would establish two working groups and COP-MOP would endorse the working groups established by COP.

7. The serving President of COP (the President of the previous meeting of COP) would open the meeting of COP. The COP would take up item 1 of the provisional agenda, as well as some procedural matters under item 2, including the election of its President, who would also serve as the President of COP-MOP.¹³

8. The COP would adopt the agenda. It would agree on the organization of work, creating two working groups² to address all issues, except for those to be addressed in plenary, and establish a budget committee. The meeting would then be adjourned. The meeting of COP-MOP to the Nagoya Protocol would then be opened. The COP-MOP would take up some procedural matters, including the adoption of the agenda and the organization of work. It would endorse the working groups and the budget committee established by COP and would refer items of its agenda to the working groups, as appropriate. The meeting would then be adjourned.

9. Except for opening and closing issues and budget, all issues of both the Convention and the Nagoya Protocol would be addressed in the two working groups. In the event that the Chair of the working group is not a Party to both instruments, a vice-chair from a Party to the Protocol would preside over matters related to the Protocol.¹⁴

10. The working groups would address issues of the Convention and of the Protocol that are of a similar nature “in close proximity” to one another. For example, a working group may take up capacity-building under the Convention immediately followed by capacity-building under the Protocol. Those States that are not Parties to the Protocol would be present for the consideration of the items regarding the Protocol as observers. To assist the Chair, measures would be in place to distinguish Parties and non-Parties. (Note that the functioning of the working groups is identical for options 1 and 2).

11. The COP would reconvene in formal plenary setting as may be required. Likewise COP-MOP would reconvene in formal plenary setting as may be required. They may also organize joint informal sessions. An informal stock-taking plenary of the COP and COP-MOP, combined, would convene for one hour on the first Friday or Saturday morning.

12. In conclusion of their work, the working groups would deliver one set of draft decisions to COP and another set to COP-MOP.

13. The COP-MOP would convene in a formal setting to review and adopt the draft decisions and conclude any procedural matters. The COP-MOP would then be closed. The COP would then resume in formal setting to consider and adopt the draft decisions passed to it by the working groups, together with recommendations received¹⁵ from COP-MOP. The COP would then be closed.

¹³ The President (usually of the host country of the meeting) is elected by acclamation. In the event that the President is from a country that is not Party to the Protocol, a President of the COP-MOP would be elected from among the Parties to the Protocol to preside over matters related to the Protocol.

¹⁴ In the event that the Chair is from a country that is not Party to the Protocol, a vice-chair would be elected from among the Parties to the Protocol to chair items related to the Protocol.

¹⁵ For example, recommendations received from the COP-MOP on guidance to the financial mechanism.

Option 3

A third option is that the work of COP and the work of COP/MOP would be conducted separately (except for the issue of budget and guidance to the financial mechanism). This is identical to arrangements as set out in UNEP/CBD/COP/12/1/add.1.

14. The serving President of COP (the President of the previous meeting of COP) would open the meeting of COP. The COP would take up item 1 of the provisional agenda, as well as some procedural matters under item 2, including the election of its President who would also serve as the President of the COP-MOP.¹⁶

15. The COP would adopt the agenda. The COP would agree on the organization of work, creating two working groups² to address all issues, except for those to be addressed in plenary, and establish a budget committee. The meeting would then be adjourned. The meeting of COP-MOP to the Nagoya Protocol would then be opened. The COP-MOP would take up some procedural matters, including the adoption of the agenda and the organization of work and would endorse the budget committee established by COP. The meeting would then be adjourned.

16. The time available during the two-week sessional period would be divided, as necessary, between the Convention and the Protocol(s).

17. The COP-MOP would resume in plenary and would address all matters on its agenda related to the Protocol, working in plenary, over subsequent days.

18. The COP working groups would address Convention issues and COP could reconvene in formal plenary setting as may be required.

19. A joint session of COP and COP-MOP would be held in plenary to discuss progress on the budget.

20. The COP-MOP would convene in a formal setting to review and adopt the draft decisions and conclude any procedural matters. The COP-MOP would then be closed. The COP would then resume in formal setting to consider and adopt the draft decisions passed to it by the working groups.¹⁷ The COP would then be closed.

Addressing items of the Convention and the Protocol of a similar nature

Budget. Each of the three options provides that budget will be addressed for both the Convention and the Protocol by a joint budget committee.

Guidance to the financial mechanism. Each of the three options provide that guidance to the financial mechanism will first be adopted by Parties to the Protocol, and subsequently forwarded to the financial mechanism as part of the guidance provided by the Conference of the Parties.

Awareness-raising, capacity-building, clearing houses and resource mobilization. Issues such as awareness-raising, capacity-building, clearing-houses and resource mobilization would be considered “in close proximity” by working groups in options 1 and 2. Under option 3, those issues would be considered separately for the Convention and the Protocol, by working groups under COP and by COP-MOP in plenary, respectively.

¹⁶ The President (usually of the host country of the meeting) is elected by acclamation. In the event that the President is from a country that is not Party to the Protocol, a President of the COP-MOP would be elected from among the Parties to the Protocol to preside over matters related to the Protocol.

¹⁷ Together with recommendations received from the COP-MOP on guidance to the financial mechanism.