



Convention on Biological Diversity

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CONFERENCE OF THE PARTIES TO THE CONVENTION ON BIOLOGICAL DIVERSITY

Twelfth meeting
Pyeongchang, Republic of Korea, 6-17 October 2014
Agenda item 30

DECISION ADOPTED BY THE CONFERENCE OF THE PARTIES TO THE CONVENTION ON BIOLOGICAL DIVERSITY

**XII/26. *Improving the efficiency of structures and processes
of the Convention: Subsidiary Body on Implementation***

The Conference of the Parties,

Recalling Article 23, paragraph 4 of the Convention, which elaborates the measures that the Conference of the Parties is expected to undertake for the purpose of keeping under review the implementation of the Convention,

Also recalling Article 23, paragraph 4 (g) and rule 26, paragraph 1 of the rules of procedure for the meetings of the Conference of the Parties, which refer to the possible establishment, by the Conference of the Parties, of other subsidiary bodies,

Further recalling Article 30 of the Cartagena Protocol, which provides that any subsidiary body established by or under the Convention may, upon a decision by the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol, serve the Protocol, and *taking note* of decision BS-VII/9 of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol,

Recalling Article 27 of the Nagoya Protocol, which provides that any subsidiary body established by or under the Convention may serve the Protocol, including upon a decision by the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol, and *taking note* of decision NP-I/11 of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol,

Recognizing the benefits of integrated approaches to the review and support of the implementation of the Convention and its Protocols,

Also recognizing the importance of the full and effective participation of all Parties, especially developing country Parties, in particular least developed countries and small island developing States, as well as countries with economies in transition, in the meetings of a subsidiary body on implementation,

Further recognizing the importance of the full and effective participation of representatives of indigenous and local communities in the meetings of a subsidiary body on implementation,

1. *Establishes* the Subsidiary Body on Implementation to replace the Ad Hoc Open-ended Working Group on Review of Implementation of the Convention, with the terms of reference contained in the annex to the present decision;

2. *Decides that:*

(a) The Bureau of the Conference of the Parties will serve as the Bureau of the Subsidiary Body on Implementation;

(b) In line with paragraph 5 of rule 26 of the rules of procedure for meetings of the Conference of the Parties, the rules of procedure for meetings of the Conference of the Parties apply, *mutatis mutandis*, to the meetings of the Subsidiary Body on Implementation with the exception of rule 18, which will not apply;

(c) The Subsidiary Body on Implementation should meet in each intersessional period,

3. *Acknowledges* that when the Subsidiary Body on Implementation serves a Protocol of the Convention, decisions under the Protocol shall be taken only by the Parties to the Protocol;

4. *Requests* the Subsidiary Body on Implementation to undertake any tasks that fall within the scope of its terms of reference as referred to it by the Conference of the Parties or the Conference of the Parties serving as the meetings of the Parties to the respective Protocols, and to report on its work to these bodies;

5. For the period up to 2020, recalling paragraph 14 of decision X/2, *requests* the Subsidiary Body on Implementation to support the Conference of the Parties in reviewing progress in the implementation of the Strategic Plan for Biodiversity 2011-2020 and achievement of the Aichi Biodiversity Targets, taking into account also the multi-year programme of work of the Conference of the Parties to 2020;¹

6. *Requests* the Executive Secretary:

(a) To support the work of the Subsidiary Body on Implementation by, *inter alia*, organizing its meetings, and preparing documentation necessary for the meetings and reports of the Subsidiary Body;

(b) To make arrangements for a meeting of the Subsidiary Body on Implementation to be held prior to the thirteenth meeting of the Conference of the Parties;

(c) To prepare a draft *modus operandi* on the organization and operation of the Subsidiary Body on Implementation for consideration by the Subsidiary Body on Implementation at its first meeting, in line with the terms of reference contained in the annex to this decision, and taking into account the consolidated *modus operandi* of the Subsidiary Body on Scientific, Technical and Technological Advice,² and any views expressed, in this regard, as reflected in the reports of twelfth meeting of the Conference of the Parties, the seventh meeting of the Parties to the Cartagena Protocol and the first meeting of the Parties to the Nagoya Protocol.

Annex

TERMS OF REFERENCE FOR THE SUBSIDIARY BODY ON IMPLEMENTATION

1. Under the guidance of the Conference of the Parties, the Subsidiary Body on Implementation should perform the following functions in order to support the Conference of the Parties in keeping under review the implementation of the Convention pursuant to its Article 23, paragraph 4:

(a) Review relevant information on progress in the implementation of the Convention, including in the provision of support for the implementation of the Convention, as well as of any strategic plans and other relevant decisions adopted by the Conference of the Parties, and on progress in the achievement of targets established under the Convention;

(b) Assist the Conference of the Parties in preparing decisions on enhancing the implementation of the Convention, as appropriate;

(c) Identify, and develop recommendations to overcome, obstacles encountered in implementing the Convention and any strategic plans adopted under it;

¹ Decision XII/31

² Annex III to decision VIII/10.

(d) Develop recommendations on how to strengthen mechanisms to support implementation of the Convention, and any strategic plans adopted under it;

(e) Review the impacts and effectiveness of existing processes under the Convention and identify ways and means that increase efficiencies, including an integrated approach to the implementation of the Convention and its Protocols, including in areas such as resource mobilization, guidance to the financial mechanism, capacity-building, national reporting, technical and scientific cooperation and the clearing-house mechanism, and communication, education and public awareness;

(f) Perform such other functions as may be determined by the Conference of the Parties.

2. In performing the functions in paragraph 1 above, the Subsidiary Body on Implementation should take into account, as appropriate, the multi-year programme of work for the Conference of the Parties for the period concerned, as well as, where appropriate, input from the Subsidiary Body on Scientific, Technical and Technological Advice;

3. The Subsidiary Body on Implementation and the Subsidiary Body on Scientific, Technical and Technological Advice should carry out their respective functions taking into account their role and functions with a view to ensuring complementarity in their work and avoiding overlap;

4. These terms of reference should apply, *mutatis mutandis*, to the Subsidiary Body on Implementation when serving the Cartagena and the Nagoya Protocols;

5. The Subsidiary Body on Implementation should undertake the functions detailed under paragraph 1 above, at the request of the Conference of the Parties serving as the meetings of the Parties to the respective Protocols in reviewing their respective implementation;

6. When the Subsidiary Body on Implementation addresses matters referred to it by the Conference of the Parties serving as the meeting of the Parties to a Protocol, decisions on these matters will be taken only by Parties to the Protocol. However, Parties to the Convention that are not Parties to the Protocols may participate as observers in the proceedings.
