CDB

Secretaría del
Convenio sobre la Diversidad Biológica

N O T I F I C A C I Ó N [1]

Ref.: SCBD/SEL/LG/61402 21 de diciembre de 2007

Sujeto: Revisión por las Partes del documento sobre la periodicidad de las reuniones y la organización del trabajo de la Conferencia de las Partes

Estimado/a Sr. / Sra.:

Me gustaría enfocar su atención a la decisión VIII/10 de la octava reunión de la Conferencia de las Partes del Convenio sobre la Diversidad Biológica sobre las operaciones del Convenio.

En la Sección I, párrafo 3 de ésta decisión, La Conferencia de las Partes solicitó al Secretario Ejecutivo "*en consulta con la Mesa de la Conferencia de las Partes, que prepare opciones para el programa de la reunión, incluyendo las implicaciones financieras de cada opción, tomando en cuenta, entre otros, la periodicidad de las reuniones ordinarias de la Conferencia de las Partes y la periodicidad y la programación de las reuniones de sus órganos subsidiarios, y que ponga a disponibilidad un informe de dichas opciones para Partes, Gobiernos y organizaciones relevantes para su examen y comentarios por lo menos seis meses antes de su novena reunión.*"

De conformidad con esta solicitud, la Secretaría ha preparado el documento adjunto. El documento está abierto ahora a la revisión por las Partes.Me complace invitarlo a participar en la revisión por las Partes del documento adjunto. Le agradecería recibir sus comentarios lo antes posible pero a más tardar el 15 de febrero de 2008 a fin de permitir el perfeccionamiento del documento a la luz de los comentarios recibidos y de su oportuna revisión por la Mesa de la Conferencia de las Partes antes de su distribución a la novena reunión de la Conferencia de las Partes. Me gustaría agradecerle de antemano su cooperación en este asunto y su apoyo a la labor del Convenio.

Le ruego acepte Señor/Señora la expresión de mi más sincera consideración.

Ahmed Djoghlaf
Secretario Ejecutivo

1 Esta traducción no es oficial, es una cortesía de la Secretaría.

Para: Los Puntos Focales del CDB
Documento adjunto "Periodicity of Meetings and Organization of Work of the Conference of the Parties"

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

Note by the Executive Secretary

I. INTRODUCTION

1. In decision VIII/10, the Conference of the Parties (COP) decided to consider, at its ninth meeting, the meeting schedule of the Conference of the Parties and its subsidiary bodies after the tenth meeting of the Conference of the Parties, in 2010. It requested the Executive Secretary to prepare options for the meeting schedule, including the financial implications of each option.

2. In anticipation of the COP's consideration of the issue, an earlier version of the present note was distributed for information at the second meeting of the Ad Hoc Open-ended Working Group on the Review of Implementation of the Convention (WGRI) (July 2007) (see UNEP/CBD/WG-RI/2/INF/12).

3. In order to facilitate the COP's consideration, section II of this note reviews the options for the periodicity of the COP's meetings after 2010, including the financial implications of each option.

4. This note also provides an overview of the organization of the conferences of the parties and the scientific subsidiary bodies of multilateral environmental agreements (MEAs) and other intergovernmental processes relevant to the Convention. Section III contains a comparative analysis of the conferences of the parties of the following bodies: the Convention on Biological Diversity (CBD), the United Nations Framework Convention on Climate Change (UNFCCC), the United Nations Convention to Combat Desertification (UNCCD), the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), the Convention on Wetlands (Ramsar), and the Convention on Migratory Species (CMS). The UNEP Governing Council/Global Ministerial Environment Forum (GC/GMEF) and the Commission on Sustainable Development (CSD) are also presented.

5. Section IV provides a comparative analysis of the functioning of the scientific subsidiary bodies of relevant MEAs. Section V examines relevant considerations pertaining to the organization of work of the CBD COP and the Subsidiary Body for Scientific, Technical and Technological Advice (SBSTTA) in the Convention's new enhanced phase of implementation, in light of the experience gained. It proposes possible options to maximize the effectiveness of the Convention's processes and to empower its institutions to meet the challenges arising from the new enhanced phase of implementation. Section VI summarises the points made in the paper and Section VII present draft recommendations for a decision on the issues for consideration by the COP.

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II. PERIODICITY OF MEETINGS OF THE CONFERENCE OF THE PARTIES

6. The first three CBD COP meetings were held annually, while eighteen months separated the third and fourth meetings. Once this early phase was completed, at its fourth meeting the COP decided to move to a two-year cycle. This periodicity has been incorporated into the Convention's multi-year programme of work until 2010. The more frequent meetings in the early years were justified by the need to establish the Convention's institutional and policy framework. However, in the new enhanced implementation phase the following options for the periodicity of COP meetings could be considered: **Option 1**: maintaining the current two-year cycle; **Option 2**: every three years; and **Option 3**: every four years.

7. Experience within the CBD, as well as lessons from other intergovernmental processes, suggests that if a regular cycle of meetings can be decided upon well in advance, the efficiency of preparations can be enhanced as has been the case with the COP's multi-year programme of work up to 2010. In this case the Secretariat's preparations have been facilitated as logistical bottlenecks such as document production have been avoided or at least minimised, while more substantive participation by Parties has been strengthened. The COP meets every two years for a two-week period. It was followed, at its seventh meeting (Kuala Lumpur, 2004), by the week-long first meeting of the Conference of the Parties serving as the meeting of the Parties (COP-MOP) to the Cartagena Protocol on Biosafety. At the end of this meeting, the COP was reconvened in order to adopt recommendations to the financial mechanism on capacity-building for the Protocol. From the third COP-MOP, the practice has been to hold the COP-MOP back to back with the COP. As a result since COP-7, the combined duration of COP and COP-MOP meetings is three weeks.

8. The periodicity of the COPs of the other Rio and biodiversity conventions is as follows: UNFCCC: every year (two weeks duration); UNCCD: every two years (two weeks); CITES: every two to three years (approximately two weeks); Ramsar Convention: every three years (one week); CMS: every three years (except once at two and one half years) (one week).

9. The rationale for longer periods between COP meetings is that meetings are highly human- and financial resource-intensive. The current meeting schedule leaves little time for adequate preparation of or follow-up on the outcomes of COP decisions. Moreover, in the enhanced phase of implementation, a two-year periodicity may not provide sufficient time for effective implementation of COP decisions. This consideration suggests that extending the interval between COPs from two years to three or four years would be more appropriate in the post-2010 period.

10. Following a cost comparison carried out by the Secretariat, a move to a three-year cycle could generate a total cost savings of up to USD 5.3 million over a period of 12 years. The total cost savings would amount to approximately USD 8 million should the option of a four-year cycle be considered. This includes the travel costs of the meeting participants funded from Voluntary Trust Funds.

11. Furthermore, less frequent COP meetings would lead to a reduced number of inter-sessional and thematic meetings over the same period of 12 years. For instance, two SBSTTA meetings are currently held in each inter-sessional period, which makes a total of 12 meetings over a period of 12 years. With the option of a three-year cycle, the number of SBSTTA meetings would be reduced by four, thus generating a total cost savings over the conference service costs of USD 3.3 million and an additional savings of USD 2.0 million over the meeting participants travel costs. Those savings would amount to USD 8 million (including cost savings of USD 3.0 million over meeting participants travel costs) in a four-year cycle since the number of SBSTTA meetings would be reduced by six over a period of 12 years.

12. A longer inter-sessional period would suggest that the Bureau would need to meet more frequently. Assuming that the meeting venue would be in Montreal at the Secretariat's headquarters, the cost of a stand-alone session of the Bureau in its current configuration is approximately USD 40,000. Over 12 years the cost would be approximately USD 480,000.

13. An enhanced inter-sessional body, such as an enlarged bureau (e.g., see the Basel Convention), or a standing committee (e.g., see CITES and CMS), could also be envisioned to provide guidance to the Parties and the Secretariat on follow-up to COP decisions and budgetary matters. Assuming five

representatives from each of the four sponsored regional groups, the cost per meeting is estimated to be approximately USD 99,000. Over 12 years the cost would be approximately USD 1.2 million.

III. ORGANIZATION OF WORK OF THE CONFERENCE OF THE PARTIES OF MULTILATERAL ENVIRONMENTAL AGREEMENTS AND THE GOVERNING BODIES OF OTHER INTERGOVERNMENTAL PROCESSES OF RELEVANCE TO THE CONVENTION ON BIOLOGICAL DIVERSITY

A. Convention on Biological Diversity

14. This section outlines the current organization of work of the conferences of the parties of the three Rio Conventions, the global biodiversity-related conventions, as well as the organization of work of the UNEP Governing Council and the CSD.

15. During the first three meetings of the CBD COP, the plenary established a committee of the whole. The COW in turn established various contact and drafting groups.

16. At its fourth meeting (Bratislava, 1998) the COP decided to adopt a different structure. It established two working groups with a balanced distribution of substantive agenda items between them. The working groups created contact groups and drafting groups as needed. This change was motivated by the Convention's broad scope and by the increasing number and complexity of the work programmes adopted. This system has been maintained ever since.

17. However, at COP-4 small delegations essentially from developing countries and countries with economies in transition noted that the large number of contact groups did not allow them to participate in, and follow, the negotiations. As a result, from COP-5 to COP-8, the general practice has been that there should not be more than two meetings of the working groups or contact groups taking place at any given time.

18. It must be noted that COP-8 had 47 agenda and sub-agenda items. More than 1500 pages of pre-session documents and 1860 pages of information documents were submitted by the Secretariat to cover the items on the agenda. Efforts to streamline the draft agenda resulted in a list of 39 sub-items to be considered by COP-9.

19. The establishment of two separate working groups has resulted in a lack of consistency between the various draft decisions emanating from the working groups and submitted directly - often very late in the night - for adoption by the plenary. In the absence of a screening mechanism, such as a drafting committee, to review the draft decisions submitted by the two working groups before their submission to the plenary, with a view to ensuring consistency and overall coherence, the system of the two working groups has operated in some instances like two distinct meetings.

20. With regard to meetings of subsidiary bodies, the COP has decided on the *modus operandi* of the SBSTTA (Annex I of decision IV/16 and section III, decision V/20) that SBSTTA "shall meet at intervals to be determined by the Conference of the Parties and sufficiently in advance of each regular meeting of the Conference of the Parties…." This decision clearly implies that SBSTTA meets in between meetings of the COP. Similarly, other subsidiary bodies (such as the Ad Hoc Open-ended Working Group on Access and Benefit-sharing, the Working Group on Article 8(j) and the Working Group on the Review of the Implementation of the Convention) meet during the inter-sessional period based on decisions adopted by the COP.

B. United Nations Framework Convention on Climate Change

21. The UNFCCC COP has adopted a different approach. Meetings of the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol (CMP) and meetings of subsidiary bodies take place in conjunction with (within) COP meetings (in addition to inter-sessional meetings in a joint session). This includes meetings of the Subsidiary Body for Scientific and Technological Advice

(SBSTA), the Subsidiary Body for Implementation (SBI) and working groups (e.g., Ad hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol (AWG).

22. The plenary of the UNFCCC COP refers agenda items to the subsidiary bodies, as appropriate. The plenary and the subsidiary bodies also establish informal contact groups on different issues, as needed. In practice, a relatively large part of the workload (and timetable) is allocated to such informal groups. The subsidiary bodies close their sessions before the end of the COP (generally at the end of the first week of COP) and report their outcome, including draft decisions, to plenary, which then adopts its decisions based on the recommendations of the different subsidiary bodies and working groups. Also, negotiations are often carried out through spokespersons designated by different negotiating groups. Thus, not every Party intervenes during negotiations. This saves time and allows the meetings to address the agendas effectively.

23. The COP and COP/CMP meet annually for two weeks. The dates of the UNFCCC's future meetings are decided well in advance. Hence, COP-12 held in Nairobi, in November 2006, decided on the dates of its meetings in 2011.

C. United Nations Convention to Combat Desertification

24. There is a long-standing practice within the UNCCD COP whereby the plenary establishes a committee of the whole, chaired by a COP Vice-President. Substantive work is conducted in the COW, which is open to participation by all Parties. It elaborates draft decisions for subsequent adoption by the COP. The COW delegates work to drafting groups, as appropriate. The Committee on Science and Technology (CST) and the Committee for the Review of the Implementation of the Convention (CRIC) meet in conjunction with (within) the COP, as well as the Ad Hoc Group of Experts. The CST and the CRIC, both subsidiary bodies of the COP, prepare recommendations or draft decisions for submission to the COP. The COP meets once every two years for two-weeks.

D. Convention on International Trade in Endangered Species of Wild Fauna and Flora

25. Within CITES, the COP meets in plenary sessions, as well as in committee sessions. In accordance with rule 5 of its rules of procedure, the COP establishes the following sessional committees: the Credentials Committee; Committee I, responsible for making recommendations to the plenary on all proposals to amend the Convention's appendices and on any matter of a primarily biological nature; and Committee II, which acts similarly in relation to all other matters to be decided upon by the COP.

26. In addition, the COP and Committees I and II may establish working groups to carry out their functions as needed. They define the terms of reference and composition of each working group.

27. Committees I and II meet most of the time in parallel sessions. At the end of the COP, the items examined by the Committees are reviewed in plenary before the conclusion of the meeting in a last plenary session. To date, the COP has met at an interval of two or three years.

28. The COP has established an Animals Committee and a Plants Committee. Their role is to provide technical support to decision-making and to fill gaps in biological and other specialized knowledge regarding species of animals and plants that are (or might become) subject to CITES trade controls. The Animals and Plants Committees meet twice between meetings of the COP and report to the latter. In addition, a Nomenclature Committee was established to standardize the nomenclature used in the Appendices and in CITES documents. Its meetings are usually held in parallel with meetings of the Animals and Plants Committees. Thus, unlike UNFCCC or UNCCD, the meetings of the CITES scientific committees are held inter-sessionally and not directly in conjunction with the COP.

29. Finally, the COP has also established a Standing Committee. It provides policy guidance to the Secretariat concerning the Convention's implementation and oversees the management of the Convention's budget. Standing Committee meetings may be convened at the request of the Chair or by a simple majority of the members according to its rules of procedure. However, the Committee usually meets inter-sessionally once a year and, in addition, immediately before each COP meeting.

E. Convention on Wetlands

30. The Ramsar Convention's COP meets in plenary sessions. However, pursuant to rules 19 and 26 of the rules of procedure, the COP may establish any committees necessary to enable the COP to carry out its functions (e.g., the Committee on the Strategic or/and Work Plan, the Committee on Finances and Budget and the Committee on Content and Duration of Future Ordinary Meetings of the Conference of the Contracting Parties). In addition to the plenary and different committees, contact groups and/or regional groups on different issues may be also established. Another important characteristic of the Ramsar COP is the so-called Technical Sessions. These are an integral part of the COP's programme. However, unlike the plenary sessions, the technical sessions do not constitute a formal sitting of the COP: all participants, delegates of Contracting Parties and observers, participate in the discussions on an equal basis. The Technical Sessions, as the title indicates, are intended to deal with issues of great significance to the Convention from a technical perspective. The Technical Sessions discuss proposals for resolutions and recommendations concerning the theme under debate and may propose amendments that can then be considered and adopted as appropriate by the COP as part of its decisions.

F. Convention on Migratory Species

31. The CMS COP works generally through a plenary meeting. According to the rules of procedure a credentials committee is established, as well as a committee of the whole, which is meant to progress the business of the meeting. The COW is responsible for preparing draft resolutions and recommendations to the COP on any matter of a scientific or technical nature, including proposals to amend the convention's appendices, as well as financial, administrative and any other matters to be decided upon by the COP. In addition, the COP and the COW may establish working groups as needed to enable them to carry out their functions. The COP and the COW define the terms of reference, composition and size of each working group.

32. Two subsidiary bodies support the COP. The standing committee, created by resolution of the first meeting of the CMS COP, provides policy and administrative guidance between regular COP meetings. Among others, its has a budget working group that meets electronically and in the margins of regular standing committee meetings approximately one year in advance of the next COP to prepare a triennial budget proposal for the CMS COP's consideration. The Scientific Council, created pursuant to the convention, advises the COP and the secretariat on scientific matters and priorities for research and conservation. Both subsidiary bodies meet inter-sessionally and back-to-back with the meetings of the COP. The Standing Committee usually meets very briefly immediately before and after the COP. The Scientific Council meets immediately before the COP and once inter-sessionally.

G. UNEP's Governing Council/Global Ministerial Environment Forum

33. Since its establishment and until its 19th session, the UNEP Governing Council conducted its business through two committees: one devoted to the programme and another to budgetary issues. A drafting committee was established as early as 1987. In 1997, the GC decided to discontinue the practice of two working groups and established, in addition to the plenary, a committee of the whole. Moreover, the Global Ministerial Environmental Forum meets in the form of ministerial-level consultations pursuant to General Assembly resolution 53/242 of 28 July 1999. It reviews important and emerging policy issues in the field of the environment. Since its inception, the Governing council of UNEP used to be convened for two-week duration. Since 1998, the duration of the meetings has been reduced to one week only. A more interactive approach has been introduced as the GMEF format. It involves a combination of panels, roundtables and plenary sessions, to provide ministers/heads of delegations with opportunities for substantive debates as well as more direct interaction. Furthermore, a small number of high-level guests, such as heads of UN agencies, ministers from other sectors, as well as business and civil society leaders, have been invited to join ministers.

H. Commission on Sustainable Development

34. The CSD usually does not divide up into any groups during its regular sessions. It conducts it work and discussions entirely in plenary. After the standard election of officers, the adoption of the agenda and organization of work and general statements in the opening session, the CSD normally addresses its various substantive agenda items as thematic clusters and conducts regional discussions in the plenary. However, at its first session, the CSD stated in a document on "Issues relating to the future work of the Commission" (E/CN.17/1993/L.2) that it would decide at each session, on the basis of its agenda, on the need for and the number of informal negotiating groups, as well as other specific sessional arrangements for its work, on the understanding that the number of such groups will not exceed three during a particular session and that no more than two of those will meet simultaneously. Indeed, at its second session, the CSD formed two different working groups. At its third session, however, the CSD again considered the different items of the agenda sequentially.

35. In addition, informal ministerial meetings take place during the CSD as well as exchanges with representatives of the private sector and major groups.

IV. ORGANISATION OF WORK OF THE SCIENTIFIC BODIES OF OTHER RELEVANT MULTILATERAL ENVIRONMENTAL AGREEMENTS AND RELATED INTERGOVERNMENTALE PROCESSES

36. To date, the CBD SBSTTA has met thirteen times between 1995 and 2008. It has adopted until 2005 a total of 121 sets of (or 1220 individual) recommendations in response to COP requests and pursuant to its mandate stated in Article 25 of the Convention. Following SBSTTA's seventh meeting, an analysis of its outputs revealed that approximately 60% of its recommendations were fully endorsed by COP. An additional 30% were adopted with modifications. Recommendations that were not endorsed dealt mainly with financial matters.

37. With UNEP's financial support, a brainstorming meeting of the past, present and future chairs of SBSTTA was held in Paris from 24-25 July 2006 to review the experience gained by SBSTTA and to equip it to meet the challenges arising from the Convention's enhanced phase of implementation. The meeting had before it an analysis prepared by the Secretariat on the processes and operations of scientific bodies of the Rio and biodiversity-related conventions and the Global Environmental Facility. The document was made available to the second meeting of WGRI as UNEP/CBD/WG-RI/2/INF/12/Add.2.

38. The document recalled that two SBSTTA meetings of one-week duration each are held between meetings of the COP. At SBSTTA-11, in 2005, the agenda featured 10 items. The Secretariat prepared more than 700 pages of pre-session documents. Experience has shown that the time is often too short to adequately discuss all items. The meetings start in plenary. Then, two working groups are established after a half or full day.

39. In contrast, two one-week meetings of the UNFCCC SBSTA are held in between its COPs. One of these is held in conjunction with the COP. It has on average of 14 items on its agenda. Likewise, the UNCCD Committee of Science and Technology meets for three days every two years, always in conjunction with the UNCCD COP. Its agenda stems from COP decisions. It includes 13 items on average.

40. The meetings of the CITES Animals and Plants Committees are held annually for five days each. The agendas of the last committee meetings in 2006 contained 27 and 28 items respectively. After a brief plenary session, members break into small working groups and work simultaneously on different issues.

41. There were two meetings of the CMS Scientific Council in between the two last COPs. One meeting takes place at the mid-point between COPs. The other takes place back-to-back with the COP. Both of these lasted three to four days each. On average, the agenda contained 10 items. The majority of time is dedicated to substantive items, for example listing proposals and the implementation of the CMS strategic plan. The Scientific Council is flexible in its structure and allows for small groups to conduct work in parallel on different issues. When there is a long agenda, an ad-hoc working group is established to

consider some items. When inter-sessional work is needed, work is conducted electronically within a defined group that tables a report at the next Scientific Council meeting.

42. The Ramsar Scientific and Technical Review Panel (STRP) holds annual five-day meetings. At STRP-13, in May 2006, there were 15 agenda items. For each of the six or seven priority thematic work areas, STRP thematic lead members are appointed to lead STRP working groups responsible for developing and delivering the tasks requested by the COP under each of the themes, and to oversee work of any task force established within the working groups. Co-leads can be appointed. This work is done mostly inter-sessionally.

43. The Ramsar Secretariat developed a Support Service Website to facilitate inter-sessional work of STRP. STRP regional network members are appointed to steer, in liaison with the Regional Advisors in the Ramsar Secretariat and STRP national focal points, the work to be carried out in regions at the national level.

44. Based on this comparative analysis, it appears that SBSTTA is the sole organ of the Rio Conventions and the other global biodiversity-related conventions to meet twice between the meetings of its COP and to have two working groups with simultaneous interpretation in the six UN languages requiring a team of 37 interpreters.

45. In contrast to the COP, which meets for a 2-week period, SBSTTA meets for a 1-week period. Conducting SBSTTA's work in a plenary or a committee of the whole, instead of two working groups, would require a team of only 20 interpreters. This would lead to savings estimated at USD 143,000 per meeting.

V. EQUIPPING THE ORGANS OF THE CONVENTION TO MEET THE CHALLENGES OF THE NEW ENHANCED PHASE OF IMPLEMENTATION OF THE THREE OBJECTIVES OF THE CONVENTION

46. The preceding brief overview demonstrates that the structure and practice of the CBD COP and SBSTTA differ from that of other comparable United Nations bodies, including its sister Rio and global biodiversity-related conventions. Indeed, the CBD's is the only conference of the parties to regularly structure its meetings in two distinct and separate working groups.

47. Furthermore the tasks of the two working groups are not based on function but rather on a mechanical allocation of items on the agenda of the plenary. The two working groups submit for adoption their recommended decisions directly to the plenary without a screening mechanism aimed at ensuring coherence and consistency between the increasing numbers of draft decisions. The late submission of the draft decisions for adoption by the plenary does not allow the Bureau or the Secretariat to provide advice on the consistency of the recommended draft decisions. The governing bodies of other relevant MEAs and related environmental processes generally conduct their work in plenary or in a committee of the whole, or through subsidiary bodies meeting within the COP meetings. However, all of those bodies establish informal contact groups or drafting groups that report back to the COW or the plenary.

48. With regard to the COPs of the two other Rio Conventions (UNFCCC and UNCCD), a noticeable difference with respect to the CBD is that their subsidiary bodies meet during meetings of their COPs, as well as inter-sessionally.

49. As the CBD moves to an enhanced phase of implementation, it seems timely to re-examine the organization of work of the COP and the SBSTTA to ensure that they are tailored to current needs of the Convention and that they are conducive to the most efficient consideration of their agendas and the expenditure of financial resources.

50. In the next sections, the following considerations may be taken into account.

A. Conference of the Parties

51. The following considerations are relevant for the COP:

(a) At its first three meetings, the COP conducted its substantive work through a committee of the whole and contact groups. At its fourth meeting, the COP moved to two working groups reporting to the Plenary. This change was prompted by the multiplication of agenda items.

(b) The two working group approach has been a source of difficulties ever since COP-4 as many delegations - particularly smaller delegations from developing countries and countries with economies in transition - have repeatedly pointed out that they are unable to participate fully in the work in both working groups, and in the contact groups they establish, and therefore, they have no input into some decisions.

(c) The two working group approach has also created problems of consistency between decisions since the working groups work independently as two distinct meetings. This often leads to a lack of consistency between decisions, conflicting priorities and sometimes a conflicting use of funds that cannot be addressed effectively by the Plenary due to the lack of time.

(d) The COP recognized the problem of the proliferation of agenda items, which limited time for in-depth consideration. At its eighth meeting it decided to streamline its future agendas. In decision VIII/10, Annex II, the COP adopted a refined multi-year programme of work up to 2010. It limits the number of items at each meeting to allow for a more in-depth discussion of each item.

(e) The COP may wish to emulate the example of UNFCCC and decide on the venue and dates of its forthcoming COP meetings well in advance. In this regard, the CBD COP-9 may wish to decide on the dates of COP-10 in 2010 and the dates and venue of COP-11.

(f) The COP may also wish to adopt UNFCCC's practice[1] of limiting official night sessions (those with interpretation) throughout the CBD process. Combining this with a new culture of punctuality[2] in starting all sessions of any CBD meeting, would not only result in encouraging a more efficient use of interpretation-related time during regular day-time sessions, but would also potentially minimise costs associated with night sessions such as those related to the venue, security and overtime paid to support staff.

52. The CBD's enhanced implementation phase and the new, streamlined agenda raise questions about the adequacy of the current organization of work in the new circumstances, in particular the need for and efficacy of the two existing working groups.

53. One option could be to reduce the number of agenda items and establish a committee of the whole as well as a drafting group. The substantive discussion of the agenda items would take place in the committee of the whole instead of the two existing working groups. The negotiation of draft decisions would take place in the drafting group. The COW would have the ability to establish, if required, a manageable number of contact groups to address specific agenda items. The contact groups would report back to the COW once they have completed their tasks.

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1 In paragraph 102 of the report of its 24th meeting, held in May 2006, the UNFCCC Subsidiary Body for Implementation requested presiding officers and the secretariat to schedule evening meetings so as to enable all participants to leave the premises before a given time. The SBI recommended that meetings should normally end by 6 p.m., but may, in exceptional circumstances, continue no later than 9 p.m. The increased pressure on meeting time arising from the new processes established under the Climate Convention and the Kyoto Protocol was noted with concern. The SBI endorsed the principle that measures to use meeting time more efficiently should be introduced. It noted with appreciation the willingness of Parties to be flexible and disciplined in this regard. For example the SBI encouraged limiting the time for statements in plenary.

2 On average each sitting of the recent October 2007 series of meetings on access and benefit-sharing, article 8(j) and liability and redress under the Biosafety Protocol started about 15-20 minutes late. According to UN rules, interpreters are limited to 3-hour sessions (10:00 –13:00 and 15:00-18:00). What's more they are paid for these 3-hour sessions whether the meeting session starts on time or not.

54. The drafting group would start its work after the substantive discussion held in the COW. It would have the mandate to consider and submit for adoption to the plenary, through the COW, all draft decisions. The drafting group could comprise the members of the Bureau with the participation of the spokesperson of the established regional groups. The meetings of the drafting group would be open-ended.

55. This option would have the following advantages. First, substantive discussions would take place in the COW. Second, a proper negotiation framework would be created. Finally, reduced interpretation-related costs would lead to savings (for a two-week meeting) estimated at USD 236,000 since the COW would require a team of only 20 interpreters, rather than the 37 required for the two working group format presently used. Additional savings related to such things as venue, security and support staff could also be expected. The savings could be used to support activities for the implementation of the Convention.

B. Budget Contact Group

56. A budget contact group considers the Convention's budget. It is established by the Plenary on the first day of the COP. The budget contact group is informal and open-ended. Its chair is appointed by the Plenary, following regional consultations and deliberations, as well as recommendations by the Bureau.

57. The chair of the budget contact group is invited to join the COP Bureau and liaises closely with the chairs of the two working groups in order to ensure that recommendations emanating from these two working groups are shared with the budget contact group.

58. All recommendations arising from the two working groups are compiled by the Secretariat. They are subsequently costed and presented to the budget contact group for its deliberations. It is the responsibility of the two working group secretaries to provide daily updated lists of recommendations from their working groups to the secretary of the budget contact group for changes to be noted and for costing. These updated lists are presented to the budget contact group as and when required.

59. Based on the recommendations of the two working groups, the budget contact group negotiates the funding source to be assigned – the Convention's core budget or its voluntary trust funds.

60. This process is intended to ensure that all recommendations with financial implications are taken into account in the various budgets of the Convention. As a result, the work of the budget contact group is always the last to be finalized as it depends on the finalization of the work of the two working groups. However, this practice has occasionally resulted in discrepancies between elements of the core budget adopted at a late hour and the activities agreed to by the Parties in the two working groups.

61. If a drafting committee is established to review all draft decisions before their transmission from the COW to the Plenary, as discussed above, it could also ensure that there was consistency between the recommendations of the budget contact group and other draft decisions.

62. It should also be noted that in UNFCCC's case, the budget is discussed and agreed in principle in the Subsidiary Body on Implementation six months before the COP meeting. A similar practice could be envisaged under the CBD whereby the budget contact group could meet before the COP and make a recommendation to it. This may avoid the late night last minute negotiations at COP and facilitate the discussion on substantive matters.

C. Subsidiary Body on Scientific, Technical and Technological Advice

63. In order to bridge the gap between policy makers and scientists, the current CBD practice of holding two SBSTTA meetings in between COP meetings could be modified so as to hold one meeting *between* meetings of the COP, and a second meeting *in conjunction* with COP meetings**.** This would allow the COP to forward all scientific and technical matters to SBSTTA following the opening session – but not matters discussed under that COP session.

64. As noted above, this type of arrangement is the current practice of UNFCCC and UNCCD. It greatly facilitates interactions between policy makers attending their COP meetings and scientific experts attending their respective scientific and technological bodies' meetings.

65. Such an option may also allow joint meetings of the COP and SBSTTA Bureaux with a view to promoting synergies and complementarity between them and their respective activities.

66. Keeping in mind the interpretation-related costs for SBSTTA, and those of COP, savings could accrue by holding, over a period of two weeks, one SBSTTA meeting in conjunction with the COP, and conducting the business of both separately in respective plenary or committee of the whole sessions, instead of the two working groups that characterise each forum at the moment.

67. For example, based on this arrangement, and assuming that the number of SBSTTA meetings would be two within a three-year inter-sessional period between COPs, interpretation-related cost savings are estimated at USD 165,000 because both meetings would be serviced by a single team of 20 interpreters. Furthermore, an additional USD 425,000 would be expected from savings related to the meeting participants' travel costs as the same delegates would attend both meetings. Over a period of twelve years four SBSTTA meetings would be expected to meet in conjunction with the COP. Total savings would be estimated to be USD 2.5 million. Money saved could be used to enhance the scientific underpinning of SBSTTA processes and build the scientific capacity of developing countries and countries with economy in transition.

D. The leadership role of the Bureau of the organs of the Convention

68. The inter-sessional Bureau meeting of COP-8 held in Brasilia (5 December 2006), demonstrated the need for an inter-sessional meeting of the Bureau so as to allow its members to play their leadership role effectively. This was also the case for the meetings of the SBSTTA-12 Bureau held in Paris (26 July 2006), and in Montreal (21 March 2007). It is therefore proposed to institute annual inter-sessional meetings of the Bureaux of the Convention's institutions between COP meetings.

E. Biosafety Protocol

69. Changes to the periodicity of COP meetings may have implications for the Biosafety Protocol. In its decision making, the COP may wish to consider any implications with regard to *inter alia* (a) guidance to the financial mechanism; (b) budgeting; (c) amendment of the rules of procedure; and (d) Bureau membership.

VI. SUMMARY OF POINTS

70. In conclusion, the new streamlined agenda of the COP and the Convention's enhanced phase of implementation require a review of the periodicity of the meetings of the primary organs of the Convention as well as their organisation of work. They offer a unique opportunity for the COP to consider and decide upon how best to equip itself and its subsidiary bodies to meet the challenges arising from the implementation phase.

71. The following is a summary of the main points discussed above:

(a) **Periodicity of meetings**: COP meetings could be held every three or four years in the post-2010 period. An enhanced bureau or inter-sessional body could be established and meet annually in between COP meetings to provide guidance to the Parties and to the Secretariat on follow-up to COP decisions.

(b) **Organization of work of the Conference of the Parties**:

(i) The COP could establish a committee of the whole and a drafting committee instead of two working groups, and establish contact groups as needed.

(ii) The COP could consider limiting and streamlining the agenda items of its future meetings.

(iii) Formal night sessions during COP meetings and its subsidiary bodies could be stopped. Combining this, with a new culture of punctuality in starting all sessions of any CBD meeting, would not only result in encouraging a more efficient use of interpretation-related time during regular day time sessions, but could also potentially minimise costs associated with night sessions such as those related to the venue, security and support staff.

(iv) The COP could decide on the venue and dates of its forthcoming COP meetings well in advance. For example, COP-9 could decide the dates of COP-10, in 2010 and COP-11. If the COP decides to convene COP-11 in 2013 or 2014, a special meeting to celebrate the 20th anniversary of the adoption of the Convention in 2012 may be considered.

(c) **Budget Contact Group**: The budget contact group could meet six months before any COP meeting so as to agree in principle on the budget in advance of the meetings.

(d) **Organization of the work of SBSTTA and other subsidiary bodies**: The work of SBSTTA and of open-ended working groups could normally be conducted in plenary or a committee of the whole instead of two working groups.

(e) **Bureau of the Conference of the Parties**: Annual inter-sessional meetings of the Bureau could be instituted and joint meetings with the Bureau of subsidiary bodies such as SBSTTA convened to enhance global coherence of the Convention's processes.

VII. RECOMMENDATIONS

72. The Conference of the Parties at its ninth meeting may wish to consider adopting a decision along the following lines:

"The Conference of the Parties,

1. *Decides*, with effect from 2010, to amend rule 4 of its rules of procedure by replacing paragraph 1 with the following paragraph:

> "1. Ordinary meetings of the Conference of the Parties shall be held every [three][four] years. The Conference of the Parties shall from time to time review the periodicity of its ordinary meetings in the light of the progress achieved in the implementation of the Convention."

2. *Decides* that the Conference of the Parties at its tenth meeting will determine the date, duration and venue of its eleventh and twelfth meetings and *invites* Parties to consider making offers to host these meetings at that time for consideration.

3. *Decides* that after 2010, one of the two meetings of SBSTTA in any inter-sessional period between Conferences of the Parties will meet in conjunction with the Conference of the Parties.

4. *Requests* that in the organisation of the work of the Conference of the Parties, the Subsidiary Body on Scientific, Technical and Technological Advice and open-ended working groups, the Bureaux consider the use of committees of the whole.

5. *Decides* to convene an open-ended inter-sessional budget contact group six months prior to its tenth meeting.

6. *Decides* to convene an annual meeting of the Bureau after 2010, where possible, jointly with meetings of the Bureau of subsidiary bodies such as SBSTTA.

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