



DISCUSSION PAPER: FOCUS GROUP TO ESTABLISH A NEW IPPC SUBSIDIARY BODY ON IMPLEMENTATION

(Prepared by the IPPC Secretariat)

Background

The IPPC Secretariat attended the Convention on Biological Diversity's (CBD) first meeting of their Subsidiary Body on Implementation (SBI) from 2-6 May 2016 as an observer in preparation for the IPPC's establishment of the new implementation subsidiary body.

The CBD held the first meeting of the SBI, which replaced the Ad Hoc Open-ended Working Group on Review of Implementation of the Convention, to confirm the purpose and scope of its work and associated modus operandi. Draft recommendations made by the CBD's parties at the SBI1 will be made to the thirteenth session of the Conference of Parties (COP13) in December 2016 to formalize the SBI.

The SBI was open for all CBD parties to attend, in addition to other United Nations (UN) organizations, such as the International Plant Protection Convention (IPPC) Secretariat, biodiversity-related organizations and public groups. The SBI meeting was undertaken in the same approach as the annual COP, conducted in the six official UN languages with interpretation provided.

Meeting objectives

The objectives of the SBI were to review progress in the implementation of the Convention, protocols and the CBD's strategic plan, discuss strategic actions to enhance implementation and the necessary technical support (capacity development, technical and scientific cooperation and technology transfer) to do this, consider financial implications (resource mobilization and financial mechanisms), national reporting, awareness raising and cooperation with other Conventions.

Meeting outcomes

The CBD Secretariat presented a draft modus operandi to the SBI which was discussed by parties, amended to be inclusive of consensus views and finalized as a draft recommendation to go to COP13 (Annex 1). The modus operandi of the SBI covers:

1. Functions;
2. Areas of work;
 - Review of progress in implementation.
 - Strategic actions to enhance implementation.
 - Strengthening means of implementation.
 - Operations of the Convention: improving the effectiveness of processes and activities.

3. Procedural matters;
4. Focal points;
5. Documentation.

The many outcomes, in the form of recommendations, from SBI1 will be made to COP13 for adoption to finalize the SBI modus operandi and the processes for enhancement of implementation of the CBD, associated protocols and progress towards the Aichi biodiversity targets. It was agreed that the primary way to do this is through capacity building, technical and scientific cooperation and technology transfer. To undertake this work parties at SBI were presented with a draft short-term action plan to support implementation of the Strategic Plan for Biodiversity 2011-2020 and the web strategy as the associated methodology.

Of the other SBI outcomes, the recommendation 'Options to enhance synergies among the biodiversity-related conventions' recognizes the outcomes of the Workshop on Synergies among the Biodiversity-related Conventions held in February 2016, where IPPC was in attendance, and the importance of actions to be undertaken where synergies exist between the associated conventions.

Annex 1: COP13 Recommendation - Draft modus operandi of SBI

A. Functions

The Subsidiary Body on Implementation will perform its functions under the guidance of the Conference of the Parties to the Convention, and the Conference of the Parties serving as the meetings of the Parties to the Cartagena and Nagoya Protocols for items referred to it by them. The functions of the Subsidiary Body on Implementation are those contained in its terms of reference (decision XII/26, annex).

B. Areas of work

The functions of the Subsidiary Body on Implementation, as contained in its terms of reference, reflect the four interrelated areas of work described below. The Subsidiary Body on Implementation undertakes work in these areas, *mutatis mutandis*, for matters referred to it by the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol and the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol.

1. Review of progress in implementation

This will include items related to the review of progress in the implementation of the Convention and related strategic plan, including review of progress in the provision of support for implementation, and in particular progress by Parties in the setting and achievement of their national targets and actions as well as the outcomes of these actions, the progress of individual Parties, as well as the contribution of the national targets communicated by Parties towards the objectives of the Convention, taking into account scientific assessments, recommendations and advice provided by the Subsidiary Body on Scientific, Technical and Technological Advice.

2. Strategic actions to enhance implementation

This will include items related to the identification of strategic actions and the provision of guidance to enhance implementation based on the review of progress in implementation and other relevant information, including consideration of the future direction of implementation of the Convention. These may include, as appropriate: actions related to mainstreaming; the development and implementation of coherent and effective measures and supporting institutional frameworks; synergies with other biodiversity-related conventions, partnerships with other intergovernmental and non-governmental organizations; and the enhancement of the role of relevant actors, including indigenous peoples and local communities, the private sector and subnational governments in implementation.

3. Strengthening means of implementation

This will include items related to resource mobilization, the financial mechanism, and the general and strategic aspects and institutional mechanisms for technical and scientific cooperation, the clearing-house mechanism, capacity-building, technology transfer and communication, education and public awareness.

4. Operations of the Convention: improving the effectiveness of processes and activities

This will include items related to ways and means to increase efficiencies of processes, including an integrated approach to the implementation of the Convention and its Protocols, especially containing

items that are common to the implementation of the Convention and its Protocols, any procedures that support the other three areas of work of the Subsidiary Body, and matters related to the administration of the Convention, including the operations of the Secretariat.

C. Procedural matters

1. The work of the Subsidiary Body on Implementation will be conducted in accordance with the relevant provisions of decision XII/26, including the following:

(a) 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;

(b) The Subsidiary Body on Implementation should meet in each intersessional period. The number and length of the meetings and activities of the Subsidiary Body and its organs should be reflected in the budget adopted by the Conference of the Parties or other sources of extrabudgetary funding;

(c) 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;

(d) The Subsidiary Body on Implementation should undertake any tasks that fall within the scope of its terms of reference and those that are 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 should report on its work to these bodies.

2. The Bureau of the Conference of the Parties, consisting of the President and vice-presidents as per the rules of procedures (annex to decisions I/1 and V/20), will serve as the Bureau of the Subsidiary Body on Implementation. The Chairperson of the Subsidiary Body on Implementation will, however, be elected by the Conference of the Parties to ensure active participation in the preparatory process as well as facilitation of the meeting. The Chairperson will be nominated by the regional groups and elected at an ordinary meeting of the Conference of the Parties, and shall take office from the end of that meeting of the Conference of the Parties and remain in office until his/her successor takes office at the end of the next ordinary meeting of the Conference of the Parties. As a general rule, the chairing of the Subsidiary Body on Implementation shall rotate among United Nations regional groups. Candidates for the Chair of the Subsidiary Body should have experience in the processes of the Convention and competence in matters related to the Convention. The regional groups, when identifying a candidate, should take into account the availability of time by the candidates for the work of the Subsidiary Body on Implementation. In the event that the Chair is from a country that is not a Party to one or both Protocols, a substitute would be assigned from among members of the Bureau representing a Party to the Protocol to chair items related to one or the other Protocol. The Chair of the Subsidiary Body shall be a member of the Bureau of the Conference of the Parties *ex officio*. The President of the Conference of the Parties will invite the Chair of the Subsidiary Body on Implementation to preside over the sessions of the Bureau on matters related to the Subsidiary Body.

3. Upon a decision of the Conference of the Parties and subject to the availability of resources, the Subsidiary Body on Implementation may establish an open-ended forum to further support the review of implementation of the Convention and related strategic plans with a view to facilitating the exchange of information and experience among Parties. This forum may take place in session during meetings of the Subsidiary Body on Implementation and of the Conference of the Parties.

4. Upon a decision by the Conference of the Parties considering it necessary to carry out its mandate, and subject to the availability of resources, regionally balanced ad hoc expert groups may be established to help prepare for the work of the Subsidiary Body on Implementation. The Executive Secretary, in consultation with the Chair of the Subsidiary Body on Implementation and the Bureau of the Conference of the Parties, will select the experts from among the nominations submitted by Parties. The ad hoc expert groups shall normally be composed of no more than fifteen experts nominated by Parties, with due regard to geographical representation, gender balance and to the special conditions of developing countries, in particular the least developed countries, small island developing States and countries with economies in transition. Where relevant, a limited number of experts from organizations may also be selected. The number of experts from organizations shall not exceed the number of experts nominated by Parties.

5. The Subsidiary Body on Implementation may, within the budgetary resources approved by the Conference of the Parties or the Conference of the Parties serving as the meetings of the Parties to the Cartagena or Nagoya Protocols in respect to a specific decision by these bodies within the mandate of the Subsidiary Body, make requests to the Executive Secretary and utilize mechanisms under the Convention or its Protocols, as appropriate.

6. The work of the Subsidiary Body on Implementation will be conducted in plenary sessions or, where the necessary budgetary resources have been approved by the Conference of the Parties, in open-ended sessional working groups, as appropriate. Up to two open-ended sessional working groups of the Subsidiary Body on Implementation could be established and operate simultaneously during meetings of the Subsidiary Body. The working groups would not meet in parallel to the plenary. The working groups shall be established on the basis of well-defined terms of reference, and will be open to all Parties and observers.

D. Focal points

The primary national focal point for the Convention will usually serve as the national focal point for the Subsidiary Body on Implementation. Parties may also designate, as appropriate, an additional national focal point for the Subsidiary Body on Implementation.

E. Documentation

1. The Secretariat will make best endeavours to make the documentation for meetings of the Subsidiary Body on Implementation available three months before the opening of each meeting, and in any case at least six weeks before the opening of the meeting, in accordance with rule 10 of the rules of procedure for meetings of the Conference of the Parties.

2. The number and length of documents, including information documents, should be kept to a minimum and documentation should include proposed conclusions and recommendations for consideration by the Subsidiary Body on Implementation.