

IX/29. Operations of the Convention

The Conference of the Parties,

Recalling its decision VIII/10,

Recognizing the need to enhance the effectiveness of and streamline Convention processes with a view to strengthening the implementation of the Convention,

I. THE CONFERENCE OF THE PARTIES

1. *Requests* the Executive Secretary, in consultation with the Bureau, to further refine the tentative schedule for meetings of the Convention up to 2010 (UNEP/CBD/COP/9/INF/35), taking into consideration the decisions taken at its ninth meeting;

2. *Welcomes* as a useful input into the further consideration of the periodicity of its meetings and its subsidiary bodies the report by the Executive Secretary (UNEP/CBD/COP/9/22/Add.1), on options for the meeting schedule and organization of work of the Conference of the Parties after 2010;

3. *Requests* the report referred to in paragraph 2 of the present decision to be updated by the Executive Secretary as needed and made available for the consideration of the Working Group on the Review of Implementation at its third meeting and forward to the Conference of the Parties at its tenth meeting taking into consideration the relationship between the periodicity of the meetings of the Conference of the Parties and its subsidiary bodies with the revision and updating of the Strategic Plan as well as a multi-year programme of work for the period 2011-2022;

4. *Reiterates* its request to the Executive Secretary in paragraph 4 of decision VIII/10 to work with the host countries of future meetings of the Conference of the Parties to ensure an effective and productive ministerial segment;

5. *Reminds* Parties, the Subsidiary Body on Scientific, Technical and Technological Advice, Bureau members, working groups, ad hoc technical expert groups and the Executive Secretary, to take into full account the provisions of previous decisions of the Conference of the Parties and other relevant documents of the Convention when recommending any decision to the Conference of the Parties for adoption in future meetings, so as to avoid any duplication of decisions;

II. THE SUBSIDIARY BODY ON SCIENTIFIC, TECHNICAL AND TECHNOLOGICAL ADVICE

A. *Additional elements to the consolidated modus operandi*

Recalling the consolidated *modus operandi* of the Subsidiary Body on Scientific, Technical and Technological Advice adopted by the Conference of the Parties in decision VIII/10,

5. *Requests* the Executive Secretary to facilitate increased information exchange between the Bureaus of the Subsidiary Body on Scientific Technical and Technological Advice and the Conference of the Parties by *inter alia* inviting the Chair of the Subsidiary Body on Scientific Technical and Technological Advice to attend relevant meetings of the Bureau of the Conference of the Parties;

6. *Calls upon* Parties to actively participate in the peer-review process for documentation related to the Subsidiary Body on Scientific Technical and Technological Advice prepared by the Executive Secretary and to include where appropriate experts qualified in the fields relating to the items on the agenda of the Subsidiary Body on Scientific Technical and Technological Advice on their delegations;

B. *New and emerging issues relating to the conservation and sustainable use of biological diversity*

Recalling that, according to Article 25, paragraph 3, of the Convention, the functions, terms of reference, organization and operation of the Subsidiary Body on Scientific, Technical and Technological Advice may be further elaborated by the Conference of the Parties,

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Also recalling that in accordance with decision VIII/10, annex III, paragraph 1, the Subsidiary Body on Scientific, Technical and Technological Advice will fulfil its mandate under the authority of, and in accordance with, guidance laid down by the Conference of the Parties, and upon its request,

Further recalling that in accordance with VIII/10, annex III, paragraph 5, that the rules of procedure for meetings of the Conference of the Parties to the Convention on Biological Diversity shall apply, *mutatis mutandis*, in accordance with rule 26, paragraph 5, to the proceedings of the Subsidiary Body on Scientific, Technical and Technological Advice,

Underlining the need to reduce the number of agenda items for consideration by the Subsidiary Body at each meeting in order to improve the effectiveness of its proceedings (VIII/10, annex III, para. 14),

Also recalling that in accordance with decision VIII/10, annex III, appendix A, paragraph (d), one of the specific functions of the Subsidiary Body on Scientific, Technical and Technological Advice is to identify new and emerging issues related to the conservation and sustainable use of biodiversity,

Emphasizing that the present decision is without prejudice to the rules of procedure and to the *modus operandi* contained in annex III to decision VIII/10,

7. *Requests* the Executive Secretary to notify Parties and relevant organizations after each meeting of the Conference of the Parties of the latest date by which proposals submitted for new and emerging issues based on the information requested in paragraph 10 below and the criteria listed in paragraph 11 will still be included into the compilation mentioned below;

8. *Also requests* the Executive Secretary to compile the submissions in the form in which they are received and notify Parties and relevant organizations of the opportunity to contribute relevant information and views related to the proposals taking into account the criteria listed in paragraph 11 below;

9. *Further requests* the Executive Secretary to prepare a document compiling the original submissions and the information and views received for consideration by the Subsidiary Body on Scientific, Technical and Technological Advice;

10. *Decides* that proposals for emerging issues should, where possible, be accompanied with information on:

(a) Why the issue needs urgent attention by the Subsidiary Body on Scientific, Technical and Technological Advice (including how it impacts biodiversity);

(b) How it affects the attainment of the objectives of the Convention (citing relevant articles);

(c) Thematic programmes of work and/or cross-cutting issues that could contribute to the resolution of the issue;

(d) Work already under way by relevant organizations addressing the issue; and

(e) Credible sources of information, preferably from peer-reviewed articles;

11. *Further decides* that the following criteria should be used for identifying new and emerging issues related to the conservation and sustainable use of biodiversity:

(a) Relevance of the issue to the implementation of the objectives of the Convention and its existing programmes of work;

(b) New evidence of unexpected and significant impacts on biodiversity;

(c) Urgency of addressing the issue/imminence of the risk caused by the issue to the effective implementation of the Convention as well as the magnitude of actual and potential impact on biodiversity;

(d) Actual geographic coverage and potential spread, including rate of spread, of the identified issue relating to the conservation and sustainable use of biodiversity;

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(e) Evidence of the absence or limited availability of tools to limit or mitigate the negative impacts of the identified issue on the conservation and sustainable use of biodiversity;

(f) Magnitude of actual and potential impact of the identified issue on human well-being;

(g) Magnitude of actual and potential impact of the identified issue on productive sectors and economic well-being as related to the conservation and sustainable use of biodiversity;

12. *Requests* The Subsidiary Body on Scientific, Technical and Technological Advice to review and discuss the proposals and, as appropriate, identify new and emerging issue[s] and elaborate a scientific and technical analysis with options for action for consideration and to submit this analysis to the Conference of the Parties for its consideration;

III. RETIREMENT OF DECISIONS

13. *Decides:*

(a) To review and, if appropriate, retire decisions and elements of decisions, taking care to avoid retiring guiding principles and decisions that have not been implemented or reflected in subsequent decisions, at an interval of eight years following their adoption;

(b) To re-examine the interval for review at the tenth meeting of the Conference of the Parties;

(c) With regard to criteria for the review and retirement of decisions and elements of decisions, the Executive Secretary shall proceed with the previous format adopted on the basis of the pilot review and subsequent reviews;

15. *Requests* the Executive Secretary to make proposals to the Conference of the Parties at its tenth meeting regarding the retirement of decisions and elements of decisions taken at its sixth meeting, as well as the proposals contained in the note by the Executive Secretary on operation of the Convention (UNEP/CBD/COP/9/22) and to *communicate* such proposals to Parties, Governments and relevant international organizations at least six months prior to its tenth meeting;

16. *Requests* the Executive Secretary to continue the practice of maintaining the full text of all decisions on the Secretariat website while indicating those decisions and elements of decisions that have been retired; *

IV. ADMISSION OF BODIES AND AGENCIES TO MEETINGS UNDER THE CONVENTION

17. *Decides* to adopt the steps annexed to the present decision for the admission of any body or agency, whether governmental or non-governmental, to meetings of the Convention on Biological Diversity, recognizing that it is without prejudice to Article 23, paragraph 5, of the Convention, and rule 7 of the rules of procedure;

V. OTHER MATTERS

18. *Takes note* of the ongoing review and revision of the administrative arrangements between the United Nations Environment Programme (UNEP) and the Secretariat of the Convention and *urges* the Executive Director of UNEP and the Executive Secretary to finalize the revision for consideration by the Conference of the Parties at its tenth meeting, taking into consideration decisions IV/17, VII/33, and VIII/10, and *requests* the Executive Secretary to report to the President and the Bureau between the ninth and tenth meetings of the Conference of the Parties on progress on this matter;

19. *Takes further note* of the recommendations by the Executive Secretary on the ways and means to more actively promote the use of the principles, guidelines and other tools developed under the Convention, and *requests* the Executive Secretary to undertake such actions, subject to the availability of resources, including further facilitating their use at capacity-building workshops and other activities

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aimed at furthering the implementation of the work programmes of the Convention, with a view to promoting the greater use of the Convention's principles, guidelines and other tools, and *invites* other intergovernmental processes, United Nations agencies and non-governmental organizations to facilitate their use as well.

Annex

STEPS FOR ADMITTING QUALIFIED BODIES AND AGENCIES, WHETHER GOVERNMENTAL OR NON-GOVERNMENTAL, AS OBSERVERS TO MEETINGS OF THE CONFERENCE OF THE PARTIES AND ITS SUBSIDIARY BODIES

1. The present steps are without prejudice to Article 23, paragraph 5, of the Convention and rule 7 of the rules of procedure;
2. Any interested body or agency should inform the Secretariat of its wish to be represented as an observer to meetings of the Conference of the Parties and its subsidiary bodies, and include its statutes/by-laws/rules or terms of reference, as well as any other relevant information;
3. The Executive Secretary will prepare a list of bodies and agencies which have informed the Secretariat of their wish to be represented, and have provided the information referred to in paragraph 2 above. The Executive Secretary will submit that list to each meeting of the Conference of the Parties for its information. The list will also be provided, in advance of the meeting, to the Bureau of the Conference of the Parties for information; *
4. Once listed, a body or agency need not re-submit the information provided under paragraph 2 above. Bodies and agencies should notify the Secretariat of any relevant change in the information provided under paragraph 2 that may affect their admission as an observer.
