

Decision 11/COP.9

Additional procedures or institutional mechanisms to assist the Conference of the Parties in regularly reviewing the implementation of the Convention – Terms of reference of the Committee for the Review of the Implementation of the Convention

The Conference of the Parties,

Recalling article 22, paragraph 2 (a), (c), (d) and (h) of the Convention,

Recalling also article 23, paragraph 2 (a), (b), and (c), and article 26 of the Convention,

Recalling further decision 1/COP.5 on additional procedures or institutional mechanisms to assist in the review of the implementation of the Convention,

Aware of decision 7/COP.8 on additional procedures or institutional mechanisms to assist the Conference of the Parties in regularly reviewing the implementation of the Convention, as well as chapter C of decision 3/COP.8 and chapter VI.B of its annex,

Taking into consideration decision 13/COP.9 on procedures for the communication of information and review of implementation,

Taking also into consideration decision 12/COP.9 on performance review and assessment of implementation of the Convention and of the 10-year strategic plan and framework to enhance the implementation of the Convention (2008–2018)(The Strategy),

Recognizing that regional meetings play an important role in the review of progress made and make a useful contribution to the implementation of the Convention and The Strategy,

1. *Decides* to establish the Committee for the Review of Implementation of the Convention (CRIC) as a standing subsidiary body of the Conference of the Parties (COP) to assist the COP in regularly reviewing implementation of the Convention and The Strategy;
2. *Decides furthermore* that the COP shall, no later than at its fourteenth session (2019), review the terms of reference of the CRIC, its operations and its schedule of meetings with a view to making any necessary modifications, including reconsidering the need for and modalities of the CRIC as a subsidiary body;
3. *Decides also* to adopt the terms of reference of the CRIC as contained in the annex to this decision;
4. *Requests* the secretariat to review the provisions for regional meetings in preparation for the meetings of the CRIC, as contained in its biennial costed work programme, and seek financial contributions to enable those regional meetings to occur;

5. *Invites* developed country Parties, relevant international organizations and financial institutions, to provide technical and financial contributions to the review process;
6. *Decides* that the CRIC through its Bureau shall prepare appropriate modalities, criteria and terms of reference for the mid-term evaluation of The Strategy undertaken by the COP;
7. *Decides also* that the terms of reference of the mid-term evaluation should include inter alia the following items to be discussed at the tenth session of the CRIC, with a view to their adoption at the tenth session of the COP:
 - (a) The review of the performance review and assessment of implementation system (PRAIS);
 - (b) The assessment and monitoring of CRIC performance and effectiveness.
8. *Decides furthermore* that the ninth session of the CRIC shall be held not earlier than November 2010;
9. *Requests* the secretariat to circulate in all official languages at least six weeks prior to the session of the CRIC appropriate documentation for that session;
10. *Declares* no longer in force decision 1/COP.5 and all such provisions relating to procedures or institutional mechanisms to assist the COP in regularly reviewing the implementation of the Convention that are inconsistent with those contained in the present decision.

*9th plenary meeting
2 October 2009*

Annex

**Terms of reference of the Committee for the Review
of the Implementation of the Convention**

I. Mandate and functions

1. Under the authority and guidance of the Conference of the Parties (COP) and as an integral part of the performance review and assessment of implementation system (PRAIS) established by the COP at its ninth session, the Committee for the Review of the Implementation of the Convention (CRIC) shall assist the COP in the review of the implementation of the Convention and shall facilitate the exchange of information on measures adopted by the Parties, pursuant to article 26 of the Convention.

2. In particular, the CRIC shall perform the following functions:

(a) Undertake an assessment of implementation of the Convention and the 10-year strategic plan and framework to enhance the implementation of the Convention (2008–2018) (The Strategy) (hereinafter referred to as “assessment of implementation”) through the review of information provided by Parties and other reporting entities, and of information on civil society, including the private sector, as set out in section III of these terms of reference;

(b) Undertake a performance review of the Convention’s institutions and subsidiary bodies (hereinafter referred to as “performance review”), following a results-based management approach (RBM) and on the basis of the reports on the two-year costed work programme;

(c) Review and compile best practices on implementation of the Convention and forward this information for consideration by the COP with a view to disseminating it;

(d) Assist the Conference of the Parties to assess and monitor the performance and effectiveness of the CRIC;

(e) Assist the COP to evaluate the implementation of The Strategy, including its mid-term evaluation by 2013.

3. As part of the functions specified in paragraph 2 above, the CRIC, consistent with the RBM approach, shall as appropriate:

(a) Consider information on the mobilization and use of financial resources and other support with a view to enhancing their effectiveness and efficiency towards the achievement of the objectives of the Convention, including information from the Global Mechanism;

(b) Recommend methods that improve communication of information, as well as the quality and format of reports to be submitted to the Conference of the Parties;

(c) Recommend methods that promote know-how and technology transfer, in particular from the developed countries to the developing countries, for combating desertification and/or mitigating the effects of drought;

(d) Recommend methods that promote experience sharing and information exchange among Parties and all other interested institutions and organizations;

(e) Recommend further steps in the implementation of the Convention.

4. The CRIC will deliver those functions adopting a results-based-management and multi-year workplan approach that is consistent with the objectives contained in The Strategy.

5. The CRIC shall report regularly to the COP on all aspects of its work, and in particular through:

(a) A final report on sessions held between ordinary sessions of the COP containing its recommendations on further steps to be taken to facilitate effective implementation of the Convention;

(b) Draft decisions prepared at sessions held in conjunction with ordinary sessions of the COP, where necessary, for consideration and adoption by the COP, containing substantive elements to facilitate effective implementation of the Convention, showing targets and assigned responsibilities and the expected financial implications of their implementation, as necessary.

II. Composition

6. The CRIC shall be composed of all Parties to the Convention.

7. Any other body or agency, whether national or international, governmental or non-governmental, which wishes to be represented at a session of the CRIC as an observer may be admitted unless one-third of the Parties present at the session object.

8. The CRIC shall elect its own four Vice-Chairpersons, of whom one shall act as Rapporteur. Together with the Chairperson, elected by the Conference of the Parties in accordance with rule 31 of the rules of procedure, they shall constitute the CRIC Bureau. The Chairperson and the Vice-Chairpersons shall be elected with due regard to the need to ensure equitable geographical distribution and adequate representation of affected country Parties, particularly those in Africa, while not neglecting affected country Parties in other regions, and shall not serve for more than two consecutive terms. The Chairperson of the CRIC shall be a member of the Bureau of the Conference of the Parties.

9. The Chairperson and the Vice-Chairpersons of the CRIC shall be elected at the final meeting of the session of the CRIC held in conjunction with the sessions of the COP, and shall assume their office immediately.

III. Stakeholders under review

10. Information provided by the following reporting entities will be reviewed as part of the work programme of the CRIC:

(a) Assessment of implementation:

- (i) Affected country Parties;
- (ii) Developed country Parties;
- (iii) The Global Mechanism;
- (iv) United Nations agencies and intergovernmental organizations that have submitted voluntary reports;
- (v) Entities reporting on the implementation of subregional and regional action programmes;
- (vi) The Global Environment Facility (GEF), in accordance with the memorandum of understanding between the COP and the Council of the GEF;
- (vii) Civil society organizations including the private sector.

(b) Performance review: Convention's institutions and subsidiary bodies (the secretariat, the Global Mechanism, the Committee on Science and Technology (CST) and the CRIC);

11. Information relating to civil society, including the private sector, may be supplied by Parties through their reports or obtained through independent studies, as appropriate.

12. Accredited civil society organizations (CSOs) are also invited to organize themselves to prepare collaborative reports on their work for the implementation of the Convention, especially through the provision of best practices, for transmission to the sessions of the CRIC held between ordinary sessions of the COP and the focal points of the countries.

IV. Scope of the review process

13. Sessions of the CRIC shall be held during and once between each of the ordinary sessions of the COP.

14. In sessions held between ordinary sessions of the COP the CRIC shall focus its work on the review of the implementation of the Convention by Parties through, inter alia:

(a) Undertaking an assessment of implementation against performance indicators every two years and against impact indicators every four years;

(b) Disseminating best practices on the implementation of the Convention;

(c) Reviewing financial flows for the implementation of the Convention;

with a view to submitting to the COP the report referred to in paragraph 5 (a) above.

15. The review of implementation at sessions held between ordinary sessions of the COP shall be based on reports by the reporting entities under paragraph 10 (a) above, submitted at the same time. In order to review inputs from the private sector, independent studies will be produced for an impact review subject to available resources.

16. Participation of CSOs in the discussions of all public sessions held between ordinary sessions of the COP shall be facilitated.

17. At sessions held in conjunction with ordinary sessions of the COP, the CRIC shall assist the COP in:

(a) Reviewing the multi-year workplans of the Convention's institutions and subsidiary bodies, including against performance indicators;

(b) Reviewing its report at sessions held between ordinary sessions of the COP on performance review and assessment of implementation, as it relates to information provided by Parties and other stakeholders;

(c) Carrying out a performance review of Convention's institutions and subsidiary bodies, including against performance indicators;

(d) Reviewing the performance and effectiveness of the CRIC as referred in paragraph 2 (d) above, in the year 2013 and at any other time that the COP may decide;

(e) Reviewing the collaboration with the GEF, including in the year 2013 and at any other time that the COP may decide;

(f) Providing advice on issues as requested by the CST;

(g) Evaluating The Strategy, as referred to in paragraph 2 (e);

with a view to elaborating draft decisions, where necessary, as referred to in paragraph 5 (b) above.

V. Frequency of sessions

18. Sessions held between ordinary sessions of the COP shall be held every two years, the second of which will be held subsequent to the intersessional sessions of the CST.

19. Sessions held between ordinary sessions of the COP and held in conjunction with the sessions of the CST should last not longer than two weeks, including the duration of the session of the CST. Sessions held between ordinary sessions of the COP and held separately from the sessions of the CST should last not longer than one week (five working days).

20. Extraordinary sessions of the CRIC shall be held at such times as may be decided by the COP.

VI. Organization of work

21. Sessions of the CRIC shall be public, unless the CRIC decides otherwise.
22. The CRIC shall adopt its agenda and organization of work at the beginning of each session.
23. The provisional agenda of the sessions of the CRIC shall be prepared by the Executive Secretary, in consultation with the Bureau of the CRIC.

VII. Nature of the review and methodology

24. The review shall be open and transparent, inclusive, flexible and facilitative, as well as effective in terms of the use of financial, technological and human resources, with due regard to geographic regions and subregions. It shall be an experience-sharing and lessons-learning exercise in an interactive format, which will identify successes, obstacles and difficulties with a view to improving the implementation of the Convention, but it will not be an assessment of compliance.

VIII. Transparency of work

25. All the reports and the results of the work of the CRIC shall be in the public domain.