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**COMMITTEE FOR THE REVIEW OF THE IMPLEMENTATION OF THE CONVENTION**

**Eighth session**

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**Item 3 of the provisional agenda**

**Additional procedures or institutional mechanisms to assist the Conference of the Parties in regularly reviewing the implementation of the Convention**

**Additional procedures or institutional mechanisms to assist the Conference  
of the Parties in regularly reviewing the implementation of the Convention.  
Institutional set-up of the review and assessment systems under the  
other Rio conventions**

*Summary*

The present document was prepared by the secretariat in order to provide additional information to the Committee for the Review of the Implementation of the Convention (CRIC) in its consideration of the new performance review and assessment of implementation system (PRAIS) under the United Nations Convention to Combat Desertification. The document provides an overview of the arrangements for review and assessment and assessment systems under the United Nations Framework Convention on Climate Change and the Convention on Biological Diversity. The CRIC may wish to take account of this information while formulating its draft decision on the PRAIS for consideration by the Conference of the Parties.

## CONTENTS

	<u>Paragraphs</u>	<u>Page</u>
I. INTRODUCTION .....	1–2	2
II. THE REVIEW AND ASSESSMENT SYSTEM OF THE UNITED NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE .....	3–20	3
A. Conference of the Parties .....	3–4	3
B. Subsidiary Body for Implementation .....	5–7	4
C. Subsidiary Body for Scientific and Technological Advice....	8–20	4
III. THE REVIEW AND ASSESSMENT SYSTEM OF THE CONVENTION ON BIOLOGICAL DIVERSITY .....	21–34	7
A. Subsidiary Body on Scientific, Technical and Technological Advice .....	22–25	7
B. Working Groups .....	26–34	8

## I. Introduction

1. In decision 3/COP.8, Parties requested the Committee for the Review of the Implementation of the Convention (CRIC) to finalize proposals for the review of performance and assessment of the implementation of the Convention, and especially the 10-year strategic plan and framework to enhance the implementation of the Convention (2008–2018) (The Strategy), including recommendations emanating from the Committee on Science and Technology (CST), for discussion at the ninth Conference of the Parties (COP 9). Document ICCD/CRIC(8)/4 on the review of performance and assessment of the implementation of the Convention was prepared by the secretariat in relation to this request, with the aim of facilitating the work of the CRIC on this matter. It is expected that the CRIC, at its eighth session, will discuss the proposals presented in that document and will forward its recommendations to COP 9, for any decision the COP may wish to make within the context of adopting new terms of reference for the CRIC.

2. Aware of both the similarities and the specificities of the intergovernmental processes under all three Rio conventions, the present document was prepared by the secretariat in order to provide an overview of the institutional setting up of review and assessment systems under the two other Rio conventions. The CRIC may wish to take account of this information, while formulating draft decisions for the COP on the new performance review and assessment of

implementation system (PRAIS) under the United Nations Conference to Combat Desertification (UNCCD).

## **II. The review and assessment system of the United Nations Framework Convention on Climate Change**

### **A. Conference of the Parties**

3. In the text of the United Nations Framework Convention on Climate Change (UNFCCC) Parties determined the tasks which Convention bodies were to carry out as far as reporting and review of the implementation of the Convention was concerned.

4. The tasks of the COP in this respect are:

(a) To “promote and guide ... the development and periodic refinement of comparable methodologies, to be agreed on by the COP, inter alia, for preparing inventories of greenhouse gas emissions by sources and removals by sinks, and for evaluating the effectiveness of measures to limit the emissions and enhance the removal of these gases” (article 7.2(d));

(b) To “assess, on the basis of all information made available to it, the implementation of the Convention by the Parties, the overall effects of the measures taken pursuant to the Convention, in particular environmental, economic and social effects as well as their cumulative impacts and the extent to which progress towards the objective of the Convention is being achieved” (article 7.2(e));

(c) To “consider and adopt regular reports on the implementation of the Convention and ensure their publication” (article 7.2(f));

(d) To review the information provided by annex I Parties on their policies and measures “at its first session and periodically thereafter” (article 4.2(b));

(e) To consider and agree, at its first session, methodologies for calculating greenhouse gas (GHG) emissions and removals for the purposes of the specific commitments of annex I Parties, and review these methodologies regularly thereafter (article 4.2(c));

(f) To determine the frequency of communications by Parties that follow the initial communications (article 12.5);

(g) To consider further the procedures for communicating information, if necessary (article 12.6);

(h) To arrange, from its first session, for “the provision to developing country Parties of technical and financial support, on request, in compiling and communicating information [under Article 12], as well as in identifying the technical and financial needs associated with proposed projects and response measures under Article 4” (article 12.7);

(i) To establish criteria on how to aggregate confidential information submitted by Parties (article 12.9).

### **B. Subsidiary Body for Implementation**

5. The UNFCCC is the only one of the three Rio conventions to have a dedicated review mechanism embodied in the Convention. The Subsidiary Body for Implementation (SBI), established in article 10, is the specialized body entrusted with the review of implementation. The general task of the SBI is “to assist the COP in the assessment and review of the effective implementation of the Convention” (article 10.1). Specific tasks of the SBI (article 10 of the Convention and decision 6/CP.1) are:

(a) To consider the information communicated by all Parties in accordance with article 12.1, in order to assess the overall aggregated effect of the steps taken in the light of the latest scientific assessments of climate change;

(b) To consider the information communicated by annex I Parties in accordance with article 12.2, in order to assist the COP in carrying out the review of the adequacy of commitments, as required by article 4.2(d);

(c) To assist the COP, as appropriate, in preparing and implementing its decisions, including the review of the financial mechanism and budgetary issues.

6. In the context of this last task, the SBI reviews the financial mechanism of the Convention, advises the COP on budgetary and administrative matters, including the status of contributions to Convention funds, reviews the implementation of article 4, paragraph 8 (specific needs and concerns of developing country Parties arising from the adverse effects of climate change and/or the impact of the implementation of response measures) and paragraph 9 (least developed countries: development and transfer of technologies, capacity-building, and a number of matters relating to the implementation of the Kyoto Protocol).

7. The SBI meets twice a year, for a period of one to two weeks, in conjunction with the sessions of the other permanent subsidiary body, the Subsidiary Body for Scientific and Technological Advice (SBSTA). One session per year is during the session of the COP, the other is intersessional. Thirty sessions of the subsidiary bodies have taken place so far.

### **C. Subsidiary Body for Scientific and Technological Advice**

8. The general task of the SBSTA is “to provide the COP and, as appropriate, its other subsidiary bodies, with timely advice on scientific and technological matters relating to the Convention” (article 9.1). The SBSTA also plays an important role in the review of the implementation of the Convention in as much as its tasks comprise the preparation of scientific assessments on the effects of measures taken in the implementation of the Convention (by compiling in-depth reports on national communications and making recommendations on technical aspects of the review process) and responding to scientific, technological and methodological questions that may be put to it by the COP and the SBI (article 9.2(e)).

9. Other specific tasks of the SBSTA (article 9 of the Convention and decision 6/CP.1) are:

(a) To provide assessments of the state of scientific knowledge relating to climate change and its effects (by reviewing the latest relevant information provided by competent bodies such as the Intergovernmental Panel on Climate Change (IPCC), and evaluating its implications as far as possible);

(b) To identify innovative, efficient and state-of-the-art technologies and know-how and to advise on ways and means of promoting development and/or transferring such technologies (by ensuring that information on them is collected and disseminated and by providing advice on them and evaluating ongoing efforts in their development and/or transfer according to need under the Convention);

(c) To provide advice on scientific programmes and on international cooperation in research and development relating to climate change, as well as on ways and means of supporting endogenous capacity-building in developing countries, and to assist the Parties in implementing article 5 (research and systematic observation) and article 6 (education, training and public awareness) (by ensuring that information on related international initiatives is collected and disseminated);

(d) To advise on educational programmes, human resources and training and on the promotion of such initiatives, and to evaluate ongoing efforts in this field according to need under the Convention.

10. Whereas the Convention determined the general distribution of labour between the two subsidiary bodies, which was further elaborated in decisions 6/CP.1 and 13/CP.3, the actual division of labour evolved further during the Convention process. Generally, as defined in decision 6/CP.1, the SBI makes recommendations to assist the COP “in its review and assessment of the implementation of the Convention and in the preparation and implementation of its decisions,” while the SBSTA operates as the “link between the scientific, technical and technological assessments of information provided by competent international bodies, and the policy-oriented needs” of the COP.

11. Some areas of work lie undoubtedly within the responsibility of one subsidiary body (such as administrative and financial matters for the SBI and methodological matters for the SBSTA); on a number of others, the SBSTA and SBI cooperate. Generally, only one body takes overall responsibility for a given matter. If no overall responsibility can be assigned, the work during the sessions is organized in such a way as to avoid having both subsidiary bodies dealing with the same matter in parallel meetings (decision 13/CP.3).

12. For instance, in the context of its task to respond to scientific, technological and methodological questions that may be put to the SBSTA by the COP and the SBI, the COP and the SBI asked it to do the following:

(a) To work on developing, improving and refining comparable methodologies for national inventories and projections of emissions and removals of GHGs and for evaluating the effects of measures undertaken to implement the Convention;

(b) To carry out methodological work in specific areas, such as the Land Use, Land Use Change and Forestry (LULUCF) sector, coordination with efforts to protect the ozone layer, the allocation and control of emissions from bunker fuels (fuels used by aircraft or ships in international transport); and assessments of adaptation and vulnerability.

13. An example of overlapping or shifting responsibilities between the two bodies is the matter of cooperation with other Convention secretariats. Although article 10 implies that this matter would be on the SBI agenda, since SBSTA 10 cooperation with other Conventions has become an integral part of the SBSTA agenda.

14. Furthermore, for instance, although the review of information from national communications is a matter on the SBI agenda, COP 7 decided (decision 13/CP.7) that cooperation among annex I Parties to increase the individual and combined effectiveness of policies and measures, in order to increase their transparency, effectiveness and comparability, should come under the guidance of the SBSTA. The SBSTA was asked to develop criteria and quantitative parameters to increase the transparency of reporting on policies and measures in national communications, as well as on matters of methodology, attribution and national circumstances, and on minimization of the adverse affects of policies and measures, based on information provided by the secretariat deriving from the national communications of annex I Parties.

15. Both bodies prepare recommendations for draft decisions, which are forwarded to the COP for consideration and adoption. They can also adopt conclusions, which are included in their session reports.

16. The SBSTA and the SBI each have a Bureau; these consist of a Chairperson, a Vice-Chairperson and a Rapporteur, who usually serve for two years (four sessions).

17. Two limited-membership ad hoc bodies, the Consultative Group of Experts on National Communications from non-annex I Parties (CGE), and the Least Developed Countries Expert Group (LEG), report to the SBI. One limited-membership body, the Expert Group on Technology Transfer (EGTT), reports to the SBSTA.

18. The ad hoc body most pertinent to the review of the implementation of the Convention, the Consultative Group of Experts (CGE), was established by COP 5, in accordance with the provisions of article 12.7 of the Convention, which provides for the arrangement of technical and financial support to non-annex I Parties in preparing their national communications. The objective of the CGE is to improve national communications from non-annex I Parties (decision 8/CP.5) by providing them with technical advice and support (decision 3/CP.8). The activities of the CGE include examination of the national communications of non-annex I Parties, conducting regional hands-on training workshops on GHG inventories, vulnerability and adaptation as well as mitigation assessments in the context of the preparation of national communications, and the preparation of technical reports to the SBI on ways to improve access to financial and technical support for the preparation of national communications of non-annex I Parties.

19. The tasks of the secretariat, in the context of the review of implementation, are:
- (a) To compile and transmit reports submitted to it (article 8.2(b) of the Convention);
  - (b) To facilitate assistance to the Parties, particularly developing country Parties, on request, in the compilation and communication of information required in accordance with the provisions of the Convention (article 8.2(c) of the Convention);
  - (c) To transmit the information from Parties as soon as possible to the COP and to any subsidiary bodies concerned (article 12.6 of the Convention);
  - (d) To make information submitted by the Parties publicly available at the same time (article 12.10 of the Convention).
20. Specific tasks of the secretariat include coordinating in-depth reviews of annex I Party national communications, and compiling GHG inventory data.

### **III. The review and assessment system of the Convention on Biological Diversity**

21. Article 23, paragraph 4, of the Convention on Biological Diversity (CBD) determines that the COP will keep under review the implementation of the Convention, and for this purpose will, among other things:
- (a) “Establish the form and the intervals for transmitting information to be submitted in accordance with Article 26 and consider such information as well as reports submitted by any subsidiary body;”
  - (b) “Review scientific, technical and technological advice on biological diversity provided in accordance with Article 25;”
  - (c) “Establish such subsidiary bodies, particularly to provide scientific and technical advice, as are deemed necessary for the implementation of [the] Convention.”

#### **A. Subsidiary Body on Scientific, Technical and Technological Advice**

22. Unlike the UNFCCC, the CBD has only one permanent subsidiary body: the Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA), established in article 25 of the Convention.
23. The tasks of the SBSTTA are:
- (a) To “provide scientific and technical assessments of the status of biological diversity”;
  - (b) To “prepare scientific and technical assessments of the effects of types of measures taken in accordance with the provisions of the Convention”;

(c) To “identify innovative, efficient and state-of-the-art technologies and know-how relating to the conservation and sustainable use of biological diversity and to advise on the ways and means of promoting development and/or transferring such technologies”;

(d) To “provide advice on scientific programmes and international cooperation in research and development relating to conservation and sustainable use of biological diversity”;

(e) To “respond to scientific, technical, technological and methodological questions” which the COP and its subsidiary bodies may put to it.

24. The way the SBSTTA carries out its work is described in its consolidated *modus operandi* (annex III of decision VIII/10 of the COP). Sessions of the SBSTTA take place so that there are two sessions of the SBSTTA between each ordinary session of the COP. The SBSTTA produces recommendations to the COP. Each session of the SBSTTA proposes to the COP, in the light of the programme of work for the COP and the SBSTTA, a particular theme as the focus of work for the following meeting of the SBSTTA. The maximum duration of SBSTTA sessions is five days.

25. The SBSTTA Bureau has a Chairperson and nine members. The term of office of members of the Bureau is two sessions.

### **B. Working Groups**

26. There are four working groups established by the COP: the Working Group on Access and Benefits Sharing, the Working Group on article 8(j), the Working Group on Protected Areas and – most importantly for the review of the implementation of the Convention – the Ad Hoc Open-ended Working Group on Review of Implementation (WGRI).

27. The WGRI was established in COP decision VII/30. Its mandate comprises the following:

(a) To consider progress in the implementation of the Convention and the Strategic Plan and achievements leading up to the 2010 Target in line with the multi-year programme of work for the COP;

(b) To review the impacts and effectiveness of existing processes under the Convention, such as meetings of the COP, the SBSTTA, national focal points and the Secretariat, as part of the overall process for improving operation of the Convention and implementation of the Strategic Plan;

(c) To consider ways and means of identifying and overcoming obstacles to effective implementation of the Convention.

28. An additional task of the Working Group is to consider ongoing work to establish ways of enhancing cooperation between the major biodiversity-related organizations and secretariats (COP decision VII/26, paragraph 5).

29. A number of other matters are raised in decisions VII/30 and VII/26 which are addressed by the WGRI. These include, for example:

(a) “To examine options for a flexible framework between all relevant actors, such as a global partnership on biodiversity, in order to enhance implementation through improved cooperation” (COP decision VII/26, paragraph 3);

(b) “To address explicitly the need to provide focused support and to improve existing support mechanisms where obstacles to implementation of national biodiversity strategies and action plans have been identified, particularly when considering the results of the evaluation of progress in achievement of the goals and mission of the Strategic Plan as well as the goals and sub-targets established in this decision” (COP decision VII/30, paragraph 26);

(c) To review methods of evaluating progress in the implementation of other multilateral environmental agreements, such as the UNFCCC (COP decision V/20, paragraph 41 and decision VII/30, paragraph 27).

30. As decided at the eighth session of the COP (decision VIII/10, paragraph 24), the WGRI was tasked, *inter alia*, with undertaking an in-depth review of the implementation of goals 2 and 3 of the Strategic Plan (excluding consideration of the Cartagena Protocol on Biosafety), in accordance with decisions VIII/8 and VIII/13 on national biodiversity strategies and action plans, financial resources and the financial mechanism. COP 8 made additional requests to the WGRI concerning guidance to the financial mechanism (decision VIII/18, paragraph 6), the Global Biodiversity Outlook (decision VIII/14, paragraph 18), and operations of the Convention (decision VIII/10, paragraphs 35 and 39).

31. As much as the SBSTTA, the WGRI prepares recommendations to the COP for adoption as decisions. The WGRI also takes account of the recommendations made by the SBSTTA. The Bureau of the COP serves as the Bureau for the meetings of the WGRI. Only two meetings of the WGRI have so far taken place.

32. The functions of the secretariat are determined by article 24 of the Convention. The secretariat prepares reports on the execution of its functions under this Convention and presents them to the COP. The secretariat plays a significant role in supporting the implementation of the Convention, for example by compiling national reports. The secretariat transmits such reports and information to the COP and sometimes compiles a synthesis of the national reports and information on implementation. The secretariat also acts as an information clearing house.

33. In decision VI/26, the COP adopted a Strategic Plan for the CBD. The COP urged Parties, States, intergovernmental organizations and other organizations to review their activities, especially their national biodiversity strategies and action plans, in the light of the Strategic Plan for the CBD. The Strategic Plan includes, as its mission, the 2010 Biodiversity Target of achieving, by 2010, a significant reduction in the rate of biodiversity loss as a contribution to poverty alleviation and as a benefit to all life on Earth.

34. A framework for assessing progress in the implementation of the Strategic Plan and achievement of the 2010 Biodiversity Target was developed in decision VII/30 and refined in decision VIII/15. This framework provides global sub-targets and indicators. At COP 9, the Parties further considered, in decision IX/9, the evaluation of the Strategic Plan beyond 2010. At its tenth session, in October 2010, the COP is due to adopt a new Strategic Plan for the Convention and a new Biodiversity Target.

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