



Convention on Biological Diversity

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Subsidiary Body on Implementation

Fourth meeting

Nairobi, 21–29 May 2024

Agenda item 13

Administrative and budgetary matters

Recommendation adopted by the Subsidiary Body on Implementation on 29 May 2024

4/14. Administrative and budgetary matters

The Subsidiary Body on Implementation,

Recalling decision 15/34 of the Conference of the Parties to the Convention on Biological Diversity of 19 December 2022,

Taking note of the report of the Secretariat on administrative and budgetary matters,¹

1. *Requests* the Executive Secretary:

(a) To undertake the external in-depth functional review of the structure of the Secretariat, with a view to updating its structure and posts in the light of the adoption and implementation of the Kunming-Montreal Global Biodiversity Framework, for consideration and action by the Conference of the Parties at its sixteenth meeting;

(b) To provide the information requested in paragraph 36 of decision 15/34 of the Conference of the Parties 90 days in advance of the opening of the sixteenth meeting of the Conference of the Parties, the eleventh meeting of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety and the fifth meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization, in accordance with the financial rules contained in the appendix to decision III/1 of 15 November 1996;

(c) To organize online interactive information sessions on administrative and budgetary matters before the sixteenth meeting of the Conference of the Parties;

(d) To present, under each substantive agenda item, its administrative and financial implications, before opening the substantive discussion, and to include that information in the relevant documents;

2. *Recommends* that, at its sixteenth meeting, the Conference of the Parties adopt a decision along the following lines:

**[The Conference of the Parties,*

¹ CBD/SBI/4/16.

* The present draft decision was prepared by the Chair of the Subsidiary Body on Implementation with the support of the Secretariat, following the first reading of agenda item 13. The text of the draft decision was not reviewed by the Subsidiary Body at its fourth meeting.

Recalling decision 15/34 of 19 December 2022,

Welcoming with appreciation the financial contributions from developed country Parties to the voluntary trust funds of the Convention on Biological Diversity² and its Protocols to facilitate the participation of developing country Parties and indigenous peoples and local communities in the processes of the Convention and its Protocols,

Recalling decisions IV/17 of 15 May 1998, VII/33 and VII/34 of 20 February 2004, VIII/10 of 31 March 2006 and X/45 of 29 October 2010, including the revised administrative arrangements between the United Nations Environment Programme and the Secretariat of the Convention on Biological Diversity contained in annex I to decision X/45,

Noting that the recruitment process for the position of Executive Secretary is also subject to the Staff Regulations and Rules of the United Nations³ and the Financial Regulations and Rules of the United Nations,⁴ including those that relate to human resources,

1. *Encourages* developed country Parties and other Parties in a position to do so to facilitate engagement of the Secretariat with potential alternative donors to the Special Voluntary Trust Fund, including private and philanthropic bodies, to assist in funding the participation of eligible developing country Parties in meetings of the Parties to the Convention and its Protocols;

2. *Reaffirms* the importance of the full and effective participation of developing country Parties, in particular the least developed countries and small island developing States, as well as Parties with economies in transition, in meetings of the Parties to the Convention and its Protocols;

3. *Recognizes* the need to secure adequate funding to enable the participation of at least two delegates from each developing country Party in meetings of the Parties to the Convention and its Protocols;

Option 1

4. *Emphasizes* the need for inclusive, transparent and objective processes in the appointment of future executive secretaries of the Convention, in line with section II of the revised administrative arrangements between the United Nations Environment Programme and the Secretariat of the Convention on Biological Diversity, contained in annex I to decision X/45, and the need to improve the procedure and relevant guidelines in order to ensure that the Parties, through the Bureau of the Conference of the Parties, are able to fulfil their consultative role, in particular concerning the terms of reference for the position and the review of the recommended candidate.

Option 2

Recalling that the revised administrative arrangements between the United Nations Environment Programme and the Secretariat of the Convention on Biological Diversity, contained in annex I to decision X/45, stipulates that the Executive Secretary is appointed by the Secretary-General of the United Nations as recommended by the Executive Director of the United Nations Environment Programme in consultation with the Conference of the Parties through its Bureau,

Recalling also the call by the Conference of the Parties in its decisions IV/17, VII/33, VIII/10 and X/45, including the revised administrative arrangements contained in annex I to decision X/45, for a transparent and objective process for the appointment of the Executive Secretary,

² United Nations, *Treaty Series*, vol. 1760, No. 30619.

³ ST/SGB/2018/1/Rev.2.

⁴ ST/SGB/2013/4 and ST/SGB/2013/4/Amend.1.

Noting that the recruitment process for the position of Executive Secretary is also subject to the regulations and rules of the United Nations, including those that relate to human resources,

4. *Clarifies* that, for the purposes of interpreting article 2 of the revised administrative arrangements between the United Nations Environment Programme and the Secretariat of the Convention on Biological Diversity, the Conference of the Parties will consider itself properly consulted through its Bureau if all the following actions have been undertaken:

(a) Acting on behalf of the Secretary-General, the Executive Director of the United Nations Environment Programme presents to the Bureau of the Conference of the Parties an initial proposal for the terms of reference for the selection of a new Executive Secretary, containing the criteria to guide the recruitment process;

(b) The Bureau of the Conference of the Parties is given adequate time, which should not be less than one month, to consider the proposed terms of reference through regional consultations and conveys its views to the Executive Director;

(c) Should the case arise, the Executive Director shall justify the reasons, in writing, for not incorporating any of the suggestions submitted by the Bureau into the final version of the terms of reference;

(d) Following the establishment of a transparent process for recruitment, open to nominations by all Parties, and a selection process resulting in a recommendation to the Secretary-General, the Executive Director informs the Bureau of a potential nominee and indicates why the candidate is believed to best meet the criteria, including when compared with other shortlisted candidates;

(e) The Bureau is given adequate time, which should not be less than one month, to consider the proposed nomination;

(f) If there is no consensus within the Bureau, the Executive Director is informed by the President of the Conference of the Parties that the proposed nomination should not proceed and that the selection process should continue until the Bureau is presented with a proposed nomination that it deems consensual;

(g) Considering its formal role in the appointment process, the Bureau must receive from the Executive Director, in a timely manner, all information necessary for its consideration. If the Bureau seeks additional clarification on any issue, this should be provided by the Executive Director;

(h) Considering that all Bureau members are expected to engage with their constituencies throughout the process, the Executive Director should transmit the relevant information to the Bureau in a format that, while respecting the confidentiality rules that apply to recruitment processes, will allow for the circulation of that information to national focal points for the Convention.]