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

**Thirty-ninth session**

**Warsaw, 11–16 November 2013**

Item 7(b) of the provisional agenda

**Development and transfer of technologies and implementation of  
the Technology Mechanism**

**Report on modalities and procedures of the Climate Technology Centre and  
Network and its Advisory Board**

## **Subsidiary Body for Implementation**

**Thirty-ninth session**

**Warsaw, 11–16 November 2013**

Item 13(b) of the provisional agenda

**Development and transfer of technologies and implementation of  
the Technology Mechanism**

**Report on modalities and procedures of the Climate Technology Centre and  
Network and its Advisory Board**

## **Report on modalities and procedures of the Climate Technology Centre and Network and its Advisory Board\***

1. The Conference of the Parties (COP), by decision 1/CP.16, decided to establish a Technology Mechanism, comprising a Technology Executive Committee and a Climate Technology Centre and Network (CTCN).<sup>1</sup> The COP, by decision 2/CP.17, requested the CTCN, once it is operational, to elaborate its modalities and procedures based on its terms of reference<sup>2</sup> and to report to the COP through the subsidiary bodies, at their thirty-eighth sessions, with a view to making a decision on this matter at COP 19.<sup>3</sup>

2. The COP, by decision 14/CP.18, decided that the United Nations Environment Programme (UNEP), as the leader of a consortium of partner institutions, be selected as the host of the Climate Technology Centre (CTC) for an initial term of five years, with possible renewal, if so decided by COP 23. It also requested UNEP, as the host of the CTC, to convene and facilitate, preferably prior to the thirty-eighth sessions of the subsidiary bodies, the 1<sup>st</sup> meeting of the Advisory Board of the CTCN, established by the same

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\* This document was received from the United Nations Environment Programme on 20 September 2013.

<sup>1</sup> Decision 1/CP.16, paragraph 117.

<sup>2</sup> Decision 2/CP.17, annex VII, and decision 1/CP.16, paragraph 123.

<sup>3</sup> Decision 2/CP.17, paragraph 135.

decision, to determine its operational modalities and rules of procedure for consideration by the subsidiary bodies at their subsequent sessions.<sup>4</sup>

3. SBSTA 38 noted the progress report on modalities and procedures of the CTCN and its Advisory Board.<sup>5</sup> It encouraged the Advisory Board of the CTCN to conclude its work on this matter and submit its report on modalities and procedures of the CTCN and its Advisory Board to the COP through the subsidiary bodies, at their thirty-ninth sessions, with a view to Parties making a decision on this matter at COP 19.<sup>6</sup>

4. In response, UNEP has submitted the attached report (see the annex), dated 20 September 2013, which is reproduced here as submitted, without formal editing and with the original pagination.

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<sup>4</sup> Decision 14/CP.18, paragraphs 2 and 6.

<sup>5</sup> FCCC/SB/2013/INF.5.

<sup>6</sup> FCCC/SBSTA/2013/3, paragraph 58.

**Annex**

**20 September 2013**

**Report on modalities and procedures of the Climate Technology Centre and  
Network and its Advisory Board**

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# **I. Introduction**

## **A. Mandate**

1. The Conference of the Parties (COP), by its decision 1/CP.16, decided to establish a Technology Mechanism, which will consist of:

(a) A Technology Executive Committee (TEC) to undertake the functions contained in decision 1/CP.16, paragraph 121;

(b) A Climate Technology Centre and Network (CTCN) to undertake the functions contained in decision 1/CP.16, paragraph 123.

2. The COP, by the same decision, also decided that the Climate Technology Centre shall facilitate a network of national, regional, sectoral and international technology networks, organizations and initiatives with a view to engaging the participants of the Network effectively in the following functions:

(a) At the request of a developing country Party:

(i) Providing advice and support related to the identification of technology needs and the implementation of environmentally sound technologies, practices and processes;

(ii) Facilitating the provision of information, training and support for programmes to build or strengthen capacity of developing countries to identify technology options, make technology choices and operate, maintain and adapt technology;

(iii) Facilitating prompt action on the deployment of existing technology in developing country Parties based on identified needs;

(b) Stimulating and encouraging, through collaboration with the private sector, public institutions, academia and research institutions, the development and transfer of existing and emerging environmentally sound technologies, as well as opportunities for North–South, South–South, and triangular technology cooperation;

(c) Facilitating a network of national, regional, sectoral and international technology centres, networks, organization and initiatives with a view to:

(i) Enhancing cooperation with national, regional and international technology centres and relevant national institutions;

(ii) Facilitating international partnerships among public and private stakeholders to accelerate the innovation and diffusion of environmentally sound technologies to developing country Parties;

(iii) Providing, at the request of a developing country Party, in-country technical assistance and training to support identified technology actions in developing country Parties;

(iv) Stimulating the establishment of twinning centre arrangements to promote North–South, South–South and triangular partnerships, with a view to encouraging cooperative research and development;

(v) Identifying, disseminating and assisting with developing analytical tools, policies and best practices for country-driven planning to support the dissemination of environmentally sound technologies;

(d) Performing other such activities as may be necessary to carry out its functions.

3. The COP adopted the terms of reference for the Climate Technology Centre and Network as contained in annex VII to its Decision 2/CP.17, including decisions on the roles and responsibilities of the Climate Technology Centre and Network, and on the governance of the Climate Technology Centre and Network.

4. The COP established the Advisory Board of the Climate Technology Centre and Network with the constitution contained in annex II to its decision 14/CP.18 and with the functions contained in decision 2/CP.17, annex VII, paragraphs 8 and 9.

5. The COP requested<sup>1</sup> the United Nations Environment Programme, as the host of the Climate Technology Centre, to convene and facilitate the first meeting of the Advisory Board as soon as possible in 2013, preferably prior to the thirty-eighth sessions of the subsidiary bodies.

6. The COP requested<sup>2</sup> the Advisory Board to determine at its first meeting its operational modalities and rules of procedure for consideration by the subsidiary bodies at their subsequent sessions.

7. The COP requested<sup>3</sup> the Climate Technology Centre and Network to elaborate its modalities and procedures based on the terms of reference of the Climate Technology Centre and Network contained in annex VII to decision 2/CP.17 and decision 1/CP.16, paragraph 123, and taking into account decision 1/CP.16, paragraph 120, and to report to the Conference of the Parties, through the subsidiary bodies at their thirty-eighth sessions, with a view to making a decision on this matter at the nineteenth session of the Conference of the Parties.

8. The SBSTA, at its thirty-eight sessions (June 2013), noted the progress report on modalities and procedures of the CTCN and its Advisory Board. It encouraged the Advisory Board of the CTCN to conclude its work on this matter and submit its report on modalities and procedures of the CTCN and its Advisory Board to the Conference of the Parties (COP) through the subsidiary bodies at their thirty-ninth sessions (November 2013), with a view to Parties making a decision on this matter at the nineteenth session of the Conference of the Parties.

## **B. Scope of the note**

9. This note presents the Modalities and Procedures of the Climate Technology Centre and Network and the Rules of Procedures of its Advisory Board as requested by decision 2/CP.17, paragraph 135, 2/CP.17 annex VII, and SBSTA38.<sup>4</sup>

## **C. Possible action by the Subsidiary Body for Scientific and Technological Advice and the Subsidiary Body for Implementation**

10. The Subsidiary Body for Scientific and Technological Advice (SBSTA) and the Subsidiary Body for Implementation (SBI) may wish to take note of this report and recommend the modalities and procedures of CTCN and rules of procedures of its advisory board for adoption by the COP at its nineteenth session.

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<sup>1</sup> Decision 14/CP.18, paragraph 6.

<sup>2</sup> Decision 14/CP.18, paragraph 7.

<sup>3</sup> Decision 2/CP.17, paragraph 135.

<sup>4</sup> FCCC/SBSTA/2013/3, paragraph 59.

## **II. Elaboration on modalities and procedures of the Climate Technology Centre and Network and its advisory board**

11. The Modalities and Procedures of the Climate Technology Centre and Network were approved by the CTCN Advisory Board at its second meeting held on 9-11 September 2013 in Bonn, Germany (Annex I). These modalities and procedures are consistent with the terms of reference of the Climate Technology Centre and Network as adopted by the COP and contained in annex VII to its Decision 2/CP.17 and taking into account CTCN functions as set out in decision 1/CP.16, paragraph 123 and request by SBSTA38 on this matter.<sup>5</sup>

12. The Rules of Procedures of the CTCN Advisory Board were approved by the Advisory Board at its first meeting held on 14-15 May 2013 in Copenhagen, Denmark (Annex II).

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<sup>5</sup> FCCC/SBSTA/2013/3, paragraph 59.

## Annex I

### Modalities and procedures of the CTCN

#### I. Definitions

1. For the purpose of the modalities and procedures of the Climate Technology Centre and Network:

(a) “Convention” means the United Nations Framework Convention on Climate Change (UNFCCC);

(b) “COP” means the Conference of the Parties to the Convention;

(c) “Parties” means Parties to the Convention;

(d) “Developing country Parties” means Parties to the Convention not included in Annex I of the Convention;

(e) “CTCN” means the Climate Technology Centre and Network formed by a Climate Technology Centre (CTC) and a Network managed by the CTC;

(f) “CTC” means Climate Technology Centre that is hosted by UNEP in collaboration with UNIDO and supported by a Technical Resource Pool formed by 11 institutions;

(g) “Technical Resource Pool” means the 11 partner institutions that with UNEP and UNIDO submitted to the UNFCCC a proposal to host the CTCN;

(h) “Network” means the collection of institutions and other entities established in accordance with the criteria approved by the Advisory Board for the designation of members of the Network and its structure;

(i) “Advisory Board” means the Advisory Board of the CTCN;

(j) “TEC” means the Technology Executive Committee;

(k) “CTCN Terms of Reference” means the Terms of Reference of the Climate Technology Centre and Network included in Annex VII to Decision 2/CP.17;

(l) “National Designated Entity” (NDE) means the national entity designated under decision 4/CP.13;

(m) “Prioritization criteria” means the criteria for prioritizing the requests from NDE;

(n) “Technology needs assessments” means the technology needs assessments conducted under the framework for meaningful and effective actions to enhance the implementation of Article 4, paragraph 5, of the Convention adopted by decision 4/CP.7 and enhanced by decision 3/CP.13;

(o) “National adaptation programmes of action” means national adaptation programmes of action referred to in decision 5/CP.7, paragraph 11(c);

(p) “Nationally appropriate mitigation actions” means nationally appropriate mitigation actions referred to in decision 1/CP.16, chapter III.B;

(q) “National adaptation plans” means national adaptation plans referred to in decision 1/CP.16, paragraph 15.



## **II. Roles and responsibilities of the Climate Technology Centre and Network**

2. The CTC, consistent with the Terms of Reference of the CTCN as described in decision 2/CP.17, paragraph 135, will:

- (a) Receive requests from developing country Parties through their NDE;
- (b) Assess with support from the Technical Resource Pool the received requests and prioritize and refine those requests in conjunction with the NDE with the aim of determining their technical feasibility;
- (c) Respond to requests, through either the Centre or the Network, based on considerations of appropriate capacity, expertise, and cost effectiveness;
- (d) Build the CTC Network, applying the criteria for the structure of the Network and designation of organizations as members of the Network as approved by the CTCN Advisory Board;
- (e) Manage and coordinate the Network in executing the work related to the functions of the CTCN;
- (f) Monitor and evaluate the quality and effectiveness of responses in consultation with the requesting NDE;
- (g) Ensure the application of fiduciary standards, and legal and ethical integrity by the Network members in executing the work related to the functions of the CTCN.

3. The members of the Network of the CTCN will:

- (a) Undertake the substantive work as directed by the CTC to respond to requests made to the CTCN by NDEs.

## **III. Manage requests from developing country NDEs and deliver responses**

4. In performing the functions described in decision 1/CP.16, paragraph 123(a)(i)(iii), (c)(iii), with regard to the management of requests from developing country Parties submitted through their NDEs, the modalities will consist of, inter alia, the following:

- (a) Support countries in developing draft proposals into fully articulated proposals, building on their Technology Needs Assessments (TNAs), National Adaptation Programme of Actions (NAPAs), other national climate change strategies including RD&D related activities, to enable implementation and action, also in the form of National Appropriate Mitigation Actions and National Adaptation Plans, in collaboration with the financial mechanisms of the Convention, international financial institutions, and the private sector;
- (b) Provide technical support and advice for development of TNAs, national technology roadmaps and actions plans, planning and implementation of climate technologies, and policies and measures in support of implementation;
- (c) Provide technical support and advice on tools for identifying, planning and implementing climate technologies;
- (d) Provide advice on policies and measures in support of implementation of climate technologies;
- (e) Match needs to available support and facilitate access to support.

#### **IV. Foster collaboration and access to information and knowledge to accelerate climate technology transfer**

5. In performing the functions described in decision 1/CP.16, paragraph 123(a)(ii), (b), (c)(v), with regard to fostering collaboration and access to information and knowledge to accelerate technology transfer, the modalities will consist of, inter alia, the following:

(a) Catalyze and develop information and knowledge regarding climate technologies including: needs for technologies, existing human resources development programmes and needs, best practices, RD&D programmes, analytical tools, training curriculums and academic programmes, technology deployment, etc, including online training packages;

(b) Assess available support for 1) identifying gaps and 2) opportunities for helping developing countries access support;

(c) Assess needs and opportunities for technology cooperation;

(d) Recommend to the Advisory Board policies and programme priorities related to technology development and transfer, with special consideration given to least developed country Parties.

#### **V. Strengthen networks, partnerships and capacity building for climate technology transfer**

6. In performing the functions as contained in decision 1/CP.16, paragraph 123(c)(i)(ii)(iv), with regard to strengthen networks, partnerships and capacity building for climate technology transfer, the modalities will include, inter alia, the following:

(a) Catalyze and develop programmes to strengthen institutions and institutional capacities in developing countries;

(b) Catalyze and develop regional/national training programmes for projects seeking a range of needs including financing;

(c) Catalyze and develop capacity building programmes targeted at developing technology cooperation and partnership forming capabilities of technology centres and institutes in developing countries;

(d) Catalyze and support forums conducted by the Network to promote public-private partnerships and partnerships between relevant organizations to advance technology RD&D;

(e) Catalyze forums to leverage resources from relevant agencies and centres and promote public and private investment (domestic and international) in the development and deployment of technologies.

#### **VI. Linkages with the Technology Executive Committee**

7. The CTCN, also through its Advisory Board, will consult with the Technology Executive Committee in order to promote coherence and synergy and establish procedures for preparing a joint annual report as requested by decision 2/CP.17 and 14/CP.18.

## **VII. Information and knowledge sharing**

8. The CTCN should disseminate its outputs and facilitate knowledge sharing through a well-functioning information platform that responds to the information and knowledge service requirements of its potential users, including NDEs, Parties and a wide range of technology actors, experts and stakeholders.

9. The platform would be a tool used to promote the collaboration between various actors and to seek cooperation with relevant international organizations and initiatives. It would support the efforts of the CTCN by, inter alia: facilitate on-line training, peer-to-peer exchange, and expert advice; capture experiences and results of technology cooperation activities to achieve continuous learning and improvements to knowledge; collect, analyze, and communicate CTCN results and lessons learned and continuously gather external feedback from a variety of CTCN stakeholders and partner organizations; serve as a comprehensive, up-to-date, and easily accessible library of information on technology availability, costs, and performance; policies; financing; and other topics for use by countries, with seamless links to resources available from sources around the world; provide information to support matchmaking of country requests with existing international programs; share information on current CTCN activities and results; enable internal tracking and evaluation of CTCN activities.

## **Annex II**

### **Rules of Procedures of the CTCN Advisory Board**

#### **I. Scope**

1. These rules of procedure shall apply to the Advisory Board of the Climate Technology Centre and Network in accordance with decision 14/CP.18 paragraphs 7, 15 and its annex II thereof on the constitution of the Advisory Board of the CTCN as well as on any other relevant decisions of the Conference of the Parties.

#### **II. Definitions**

2. For the purpose of these rules:

(a) The “Convention” means the United Nations Framework Convention on Climate Change (UNFCCC);

(b) The “COP” means the Conference of the Parties to the Convention;

(c) “CTCN” means the Climate Technology Centre and Network;

(d) The “Board” means the Advisory Board of the CTCN;

(e) The “Chair” means the Member of the Board elected as Chair of the Board;

(f) The “Vice-Chair” means the Member of the of the Board elected as Vice-Chair of the Board;

(g) “Stakeholders” mean the entities that have a role in the implementation of the functions of the Board, or who may affect or be affected by the recommendations and actions of the Board;

(h) The “Secretary” means the Secretary of the Board, as per decision 14/CP.18, annex II, paragraph 3.

#### **III. Members**

3. The Board of the CTCN, with the aim of achieving fair and balanced representation, shall constitute the following:

(a) 16 government representatives, comprising equal representation from Parties included in Annex I to the Convention (Annex I Parties) and Parties not included in Annex I to the Convention (non-Annex I Parties);

(b) The Chair and the Vice-Chair of the Technology Executive Committee (TEC) in their official capacity as TEC representatives;

(c) One of the Co-Chairs, or a member designated by the Co-Chairs, of the Green Climate Fund Board in his/her official capacity as a Green Climate Fund representative;

(d) The Chair or the Vice-Chair of the Adaptation Committee, or a member designated by the Chair and the Vice-Chair, in his/her official capacity as an Adaptation Committee representative;

(e) One of the Co-Chairs, or a member designated by the Co-Chairs, of the Standing Committee in his/her official capacity as a Standing Committee representative;

(f) The Director of the CTCN in his/her official capacity as the CTCN representative;

(g) Three representatives, with one being selected by each of the following UNFCCC observer organization constituencies, taking into account balanced geographical representation: environmental non-governmental organizations (ENGOs), business and industry non-governmental organizations (BINGOs) and research and independent non-governmental organizations (RINGOs), with relevant expertise in technology, finance or business, received by the host organization of the Climate Technology Centre (CTC), taking into account balanced geographical representation.

4. Government representatives shall be nominated by their respective groups or constituencies and elected by the Conference of the Parties (COP). Groups or constituencies are encouraged to nominate the government representatives to the Board, with a view to achieving an appropriate balance of expertise relevant to the development and transfer of technologies for adaptation and mitigation, taking into account the need to achieve gender balance in accordance with decisions 36/CP.7 and 23/CP.18.

5. Government representatives elected to the Board shall serve for a term of two years and shall be eligible to serve a maximum of two consecutive terms of office. The following rules shall apply:

(a) Half of the members shall be elected initially for a term of three years and half shall be elected for a term of two years;

(b) Thereafter, the COP shall elect half of the members every year for a term of two years;

(c) The members shall remain in office until their successors are elected.

6. If a government representative of the Board resigns or is otherwise unable to complete the assigned term of office or to perform the functions of that office, the Board may decide, bearing in mind the proximity of the next session of the COP, to appoint another representative from the same constituency to replace said member for the remainder of that member's mandate, in which case the appointment shall count as one term.

7. The members of the Board referred to in paragraph 3(b) above shall serve in accordance with their term of office.

8. The members of the Board referred to in paragraph 3(c), (d) and (e) above shall serve in accordance with their term of office.

9. The members of the Board referred to in paragraph 3(g) above shall be eligible to serve for a maximum term of office of one year.

10. The term of office of a member shall start at the first meeting of the Board in the calendar year following his or her election and shall end immediately before the first meeting of the Board in the calendar year following the term ends, as applicable two or three years thereafter.

11. If a member is unable to participate in two consecutive meetings of the Board or is unable to perform the functions and tasks set out by the Board, the Chair of the Advisory Board will bring this matter to the attention of the Advisory Board and will seek clarification from the regional group that nominated that member on the status of his or her membership.

## **IV. Chair and Vice-Chair**

12. The Advisory Board shall elect annually a Chair and a Vice-Chair from among the members referred to in paragraph 3(a) above for a term of one year each, with one being from an Annex I Party and the other being from a non-Annex I Party. The term shall start at the end of first meeting of the calendar year until the end of first meeting of the following calendar year. The positions of Chair and Vice-Chair shall alternate annually between a member from an Annex I Party and a member from a non-Annex I Party. After the Chair completes her or his term, the Vice-Chair shall be elected as the Chair, and another member shall be elected as Vice-Chair.

13. If the Chair is temporarily unable to fulfil the obligations of the office, the Vice-Chair shall serve as Chair. In the absence of the Chair and the Vice-Chair at a particular meeting, any other members identified in paragraph 3(a) above designated by the Board shall temporarily serve as the Chair of that meeting.

14. If the Chair or the Vice-Chair is unable to complete the term of office, the Board shall elect a replacement to complete the term of office, taking into account paragraph 12 above.

15. The Chair and the Vice-Chair shall collaborate in chairing meetings of the Board and in executing the work of the Board throughout the year so as to ensure coherence between meetings.

16. The Chair shall, inter alia, declare the opening and closing of the meeting, ensure the observance of these rules, accord the right to speak and announce decisions. The Chair shall rule on points of order and, subject to these rules, shall have complete control of the proceedings and over the maintenance of order.

17. The Chair and/or the Vice-Chair, or any member designated by the Board, shall report to the COP, to the SBI, and / or to the SBSTA on behalf of the Board.

18. The Chair and/or the Vice-Chair, or any member designated by the Board, shall represent the Board at external meetings and shall report back to the Board on those meetings.

19. The Board may further define additional roles and responsibilities for the Chair and Vice-Chair.

20. The Chair and the Vice-Chair in the exercise of their functions remain under the authority of the Board.

## **V. Secretary**

21. The Director of the CTCN shall be the Secretary of the Board.

22. The Secretary shall be responsible for facilitating and providing support to:

(a) Making the necessary arrangements for the meetings of the Board, including announcing meetings, issuing invitations and making available the documents for meetings;

(b) Maintaining meeting records and arranging for the storage and preservation of documents of meetings;

(c) Making available to the public documents of the meetings of the Board, unless a specific document is deemed confidential by the Board.

23. The Secretary shall be responsible for facilitating the tracking of the implementation of decisions on actions taken by the Board and report on the progress of these actions between meetings and at each meeting of the Board.

24. In addition, the Secretary shall facilitate support that the Board may require or that the COP may direct with respect to the work of the Board.

## **VI. Meetings**

25. The Board shall meet twice per year, or more frequently if necessary to discharge its responsibilities.

26. The meetings of the Board shall take place at the premises of the Climate Technology Centre, unless otherwise decided by the Board and subject to the necessary arrangements being made by the Secretary in consultation with the Chair and the Vice-Chair. Decisions on the location of meetings other than at the premises of the CTC shall take into account the benefits of venue rotation, particularly in developing countries and facilitating the participation of key stakeholders.

27. At the first Board meeting of each calendar year, the Chair, in consultation with the Vice-Chair, shall propose, for the approval of the Board, a provisional schedule of meetings for that calendar year.

28. If changes to the schedule or additional meetings are required, the Secretary shall notify members of the dates and venues of those meetings by circulating a notification and posting such information on the CTCN website at least eight weeks prior to that meeting. Where it is essential to facilitate the work of the Board, the Chair and Vice-Chair may decide to shorten the notification period.

29. Members are requested to confirm their attendance at meetings of the Board as early as possible and at least four weeks prior to that meeting.

30. The Chair and the Vice-Chair, with the assistance of the Secretary, will decide on the organization of a planned meeting if confirmation by members does not ensure quorum, as defined in section VII.

## **VII. Quorum**

31. At least eleven (11) of Board members referred to in paragraph 3(a) above must be present to constitute a quorum, with a minimum of five being from Annex I Parties and a minimum of five being from Non-Annex I Parties.

32. The quorum shall be verified by the Chair at the time of the adoption of decisions by the Board.

## **VIII. Agenda and documents for meetings**

33. The Chair of the Board shall, in consultation with the Vice-Chair and assisted by the Secretary, prepare the provisional agenda for each meeting as well as a draft report of the meeting.

34. The provisional agenda for each meeting shall be transmitted to members at least four weeks in advance of the meeting.

35. Members may propose additions or changes to the provisional agenda, in writing, to the Secretary within one week of receiving the provisional agenda, and these additions or changes shall be included in a revised provisional agenda by the Secretary in agreement with the Chair and the Vice-Chair.
36. The Secretary shall indicate the administrative and financial implications of all substantive items on the proposed agenda.
37. The Secretary shall transmit the provisional annotated agenda and any supporting documentation to the members at least two weeks prior to that meeting. Documents may be transmitted after that date with the approval of the Chair and the Vice-Chair.
38. Documents for a meeting of the Board shall be published on the CTCN website at least one week prior to that meeting, unless it has been decided by the Chair and Vice-Chair that the documentation should be restricted to protect confidential information.
39. The Board shall, at the beginning of each meeting, adopt the meeting agenda.
40. Any item included in the agenda for a meeting of the Board, consideration of which has not been completed at that meeting, shall automatically be included on the provisional agenda for the next meeting, unless otherwise decided by the Board.

## **IX. Decision-making**

41. Decisions of the Board will be taken by consensus of the Board members referred to in paragraph 3(a) and (b) above.
42. The Chair or Vice-Chair shall ascertain whether consensus has been reached. The Chair or Vice-Chair shall declare that a consensus does not exist if there is a stated objection to the proposed decision under consideration by a member of the Board referred to in paragraph 41.
43. If all efforts at reaching a consensus have been exhausted and no agreement has been reached, decisions shall be taken by a three-fourths majority of the members referred to in paragraph 41 above present and voting at the meeting. Members abstaining from voting shall be considered as not voting in determining the majority.
44. The Chair or Vice-Chair shall ensure quorum, as defined in section VII, before conducting a vote.
45. Decisions outside of official meetings may occur on an extraordinary basis when, in the judgement of the Chair and Vice-Chair, a decision must be taken by the Board that should not be postponed until the next meeting of the Board.
46. The Secretary, with the approval of the Chair and the Vice-Chair, shall transmit to each member a proposed decision with an invitation to approve the decision.
47. Each member's comments on the proposed decision shall be sent to the Secretary, and made available to all members including the attribution of those comments, during such period as the Secretary may prescribe, provided that such period is no less than two weeks.
48. At the expiration of the comments period, the decision shall be approved if there are a minimum of five votes in favour from members referred to in paragraph 3 (a) from Annex I Parties and five votes in favour from members referred to in paragraph 3 (a) from Non-Annex I Parties and no objections from members referred to in paragraph 3 (a) and (b).
49. Each member referred to in paragraph 3(a) and (b) shall have one vote. For the purpose of this rule, the phrase "members present and voting" means members referred to



in paragraph 3 (a) and (b) above that are present at the meeting at which voting takes place, and casting an affirmative or negative vote.

## **X. Working language**

50. The working language of the Board shall be English.

## **XI. Participation of expert advisors at meetings**

51. The Advisory Board will invite expert observers to attend meetings based on specific requirements of the agenda.

52. The Chair may, in consultation with the Vice-Chair and members of the Board, invite representatives of intergovernmental and international organizations as well as the private sector and civil society to participate in the meeting of the Board as expert advisors on specific matters under consideration by the Board.

53. Secretary shall assist in identifying and arranging participation of expert observers as per the Board's request.

## **XII. Participation of observers**

54. The meetings of the Board shall be open to attendance as observers, by Parties, the Secretary, and accredited members of observer organizations, except where otherwise decided by the Board.

55. The Board may decide on additional procedures for the participation of observer organizations other than those accredited to the UNFCCC.

56. The Board may, in the interests of economy and efficiency, decide to limit the physical attendance of observers at its meetings.

57. The Board may decide at any time that a meeting or part thereof should be closed to observers.

58. The Secretary shall notify observers of the date and venue of the meeting that they may attend. Observer shall notify the Secretary at least two weeks in advance of a meeting of their intention to attend.

59. The Chair or the Vice-Chair will open the floor for intervention by Observers at least once per meeting. In addition Observers may, upon invitation from the Chair or the Vice-Chair and if members raise no objection, make presentations relating to matters under consideration by the Board.

## **XIII. Use of electronic means of communication**

60. The Board will use electronic means of communication to facilitate work between meetings and to take decisions as described in paragraph 45 to 48 above.

#### **XIV. Amendments to the Rules of Procedure**

61. These Rules of Procedure may be amended by the Board in accordance with paragraph 41 to 43 above and to be effective must be approved formally by the COP. Pending formal approval, the Board may decide to apply the amendment provisionally.

#### **XV. Overriding authority of the Convention**

62. In the event of any conflict between any provisions of these rules and any provision of the Convention, the Convention shall take precedence.

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