

**19<sup>th</sup> MEETING OF THE STANDING COMMITTEE**  
*27 September 2021, Virtual Meeting Format*

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**Procedure for postponing MOP8 and adopting a budget for 2022**

**I. Introduction**

MOP8 was originally scheduled to take place on 5 – 9 October 2021 in the framework of the ‘One with Nature’ exhibition in Budapest at the kind invitation of the Government of Hungary. The dates and venue were confirmed by the Standing Committee at its extraordinary meeting on 28 July 2021.

A thorough risk analysis of the situation in the follow up, however, has identified several difficulties for Contracting Parties, especially those from Africa, regarding their safe departure and travel to Budapest under the pandemic circumstances. After further discussions the Standing Committee therefore concluded that the risk of only being able to welcome very few delegates from the region of Africa in Budapest is extremely high and would undermine the effectiveness of negotiations and the principles of collaboration and inclusivity which are central to AEWA. The Standing Committee therefore decided to postpone MOP8 to the second half of 2022 in order to increase the chances of holding this meeting face-to-face, as wished by many Parties in their responses to the questionnaire on MOP8.

As a consequence, a one-year budget will need to be adopted by Contracting Parties for the year 2022 in order to allow the Secretariat to continue its work and services until a new triennial budget will be adopted at MOP8 for 2023-2025. Parties will, moreover, be invited to confirm the decision of the Standing Committee to postpone MOP8 and to adopt a new Resolution on the date and venue of MOP8.

**II. Draft Resolutions to be approved by the Standing Committee for submission to the Parties**

**1. Draft Resolution on Postponing the 8<sup>th</sup> Session of the Meeting of the Parties to AEWA**

At MOP7 in 2018 Parties decided through Resolution 7.13 on “Date, Venue and Funding of the 8<sup>th</sup> Session of the Meeting of the Parties” that MOP8 shall take place in 2021, and welcomed and accepted with great appreciation the offer from Hungary to host the 8<sup>th</sup> Session of the Meeting of the Parties to AEWA.

According to Rule 4 of the Rules of Procedure of the Meeting of Parties “ordinary sessions of the Meetings of the Parties shall be held at intervals of not more than three years, unless the Meeting decides otherwise”. The exceptional circumstances caused by the pandemic create a new situation which requires a new decision by the Parties regarding the date and venue of MOP8. The Secretariat, in close cooperation with the Chair of the Standing Committee, has

prepared **Draft Resolution Ex.1** on postponing the 8<sup>th</sup> Session of the Meeting of the Parties to AEWA for review and approval by the Standing Committee and further adoption by the Parties.

## **2. Draft Resolution on Financial and Administrative Matters**

Through Resolution 7.12 on Financial and Administrative Matters the Contracting Parties adopted a budget for 2019-2021. A budget for 2022-2024 was scheduled for adoption at MOP8 in October 2021. Thus, with the postponement of MOP8 a 1-year budget for 2022 will need to be adopted by Parties in an extraordinary procedure.

According to Article V of the Agreement “each Party shall contribute to the budget of the Agreement in accordance with the United Nations scale of assessment. [...] Decisions relating to the budget and any changes to the scale of assessment that may be found necessary shall be adopted by the Meeting of the Parties by consensus.”

Rule 40 of the Rules of Procedure of the MOP requests that “the Parties shall make every effort to reach agreement on all matters of substance by consensus. If all efforts to reach consensus have been exhausted and no agreement reached, the decision shall, as a last resort, be taken by a two-thirds majority of the Parties present and voting, unless otherwise provided by the Agreement such as in the case of: the adoption of the budget for the next financial period and any changes to the scale of assessment, which require unanimity (article V)”.

Thus, a budget for 2022 will need to be adopted by consensus by all Contracting Parties.

The Secretariat, in close cooperation with the Chair of the Standing Committee, has prepared **Draft Resolution Ex.2** on Financial and Administrative matters for review and approval by the Standing Committee and further adoption by the Parties.

## **III. Description of the procedure of adopting Draft Resolutions Ex.1 and Ex.2**

The Secretariat, in close cooperation with the Chair of the Standing Committee and after consultation of the UNEP Law Division, has considered the matter and proposes that, on an exceptional basis, the Parties consider and approve the postponement of MOP8 as well as an interim budget for 2022 through employing a **written/ silent procedure**.

A written procedure has to be specifically **authorized** by either (i) an in-person or online Meeting of the Parties; or (ii) a written procedure that itself authorizes the taking of decisions by written procedure. This type of written procedure is known as a “**no objection**” procedure.

Thus, there would be need to be a **two-step process**, i.e (i) a decision authorizing the taking of decisions by written procedure and (ii) the circulation, consideration and adoption of the decision itself.

It is suggested to provide a deadline of 2 weeks after circulation of a first letter regarding the authorization by Parties of a written procedure for the adoption of the two Resolutions. A deadline of 6 weeks would then again be provided after circulation of a second letter containing the draft Resolutions and inviting Parties to submit comments in written. Written comments

will be shared with all Parties as soon as they are received by the Secretariat and/ or the Chair of the Standing Committee and taken into account. If no Party objects within the deadline, then the Resolutions shall be considered as adopted.

This procedure is in line with [General Assembly Decision 74/544](#) that is suggested to be applied mutatis mutandis in lack of a relevant regulation in the Agreement text.<sup>1</sup>

An opportunity for Parties to actively participate in the **development of the budget proposal** for 2022 is, moreover, being provided at the extraordinary meeting of the Standing Committee on 27 September 2021, which is open to all Parties invited to participate through Notification 2021/009, dated and circulated on 9 September 2021. Any Party who wishes to contribute to the budget proposal in its developing phase has the opportunity to take part at this online meeting as an active participant.

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<sup>1</sup> [UN Bodies Formalize Silence Procedure for Decision-making during Pandemic | News | SDG Knowledge Hub | IISD](#)