

**DECISION****PROCEDURE FOR ADDRESSING UNRESOLVED ISSUES  
DURING THE FIRST INTERSESSIONAL PERIOD****The Conference**

**Recalling** that several of the agenda items referred to the Committee of the Whole by the Conference have not yet been resolved,

**Hereby:**

**Adopts** the following procedures for addressing unresolved issues:

1. Because of the nature of the unresolved issues and their impact on the immediate implementation of the Convention, every effort shall be made to complete work on all of the unresolved issues listed in the Final Report of the Commission (PC-XVI/37). In this context, the procedures described herein shall only apply during the period between the first and second Conferences of the States Parties.
2. The unresolved issues shall be addressed through a flexible, informal and transparent consultation process.
3. Particular attention shall be given to issues requiring resolution in accordance with the time-lines stipulated by the Convention, as well as to other issues identified by the States Parties or the Director-General as requiring urgent resolution.
4. The Chairman of the Committee of the Whole shall designate facilitators and shall assign issues to them. The facilitators shall operate under the general guidance of the Chairman of the Committee of the Whole but shall otherwise decide themselves how to proceed on the issue or issues assigned to them. The Secretariat shall provide appropriate support to them. The facilitators shall keep the Chairman of the Committee of the Whole informed about the progress of the consultations.
5. The facilitators shall make proposals to the Committee of the Whole at the next session of the Conference of States Parties. Each proposal shall be accompanied by a report issued by the facilitator in his or her name, describing the consultation process and the rationale for the proposal submitted.

6. In addition, an issue may be brought to the Executive Council when the implementation of the Convention requires its immediate resolution or urgent action. When such an issue overlaps with the work of a facilitator, the facilitator's work shall be taken into account. The Director-General may also inform the Executive Council of any practical experience which the Technical Secretariat has gained. The Executive Council's action in this regard shall be without prejudice to any future decision of the Conference.
7. The Executive Council shall monitor the functioning of the procedure for addressing unresolved issues. To this end, the Executive Council may invite the Chairman of the Committee of the Whole to inform the Council about the progress made in the consultations of the facilitators.
8. The facilitators shall make every reasonable effort to ensure that all States Parties have an opportunity to participate in the resolution of the issues.
9. Signatory States shall be given a reasonable opportunity to express their views during the facilitators' consultation process.

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