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**Convention to Combat
Desertification**

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CONFERENCE OF THE PARTIES
Seventh session
Nairobi, 17 – 28 October 2005
Agenda items 13 (b) and (c)

OUTSTANDING ITEMS

Consideration of procedures and institutional mechanisms for the resolution of questions on implementation, in accordance with article 27 of the Convention, with a view to deciding how to take this matter forward

Consideration of annexes containing arbitration and conciliation procedures, in accordance with article 28, paragraphs 2(a) and 6, of the Convention

Draft decision submitted by the facilitator of the Ad Hoc Group of Experts

A. Resolution of questions on implementation

The Conference of the Parties,

Recalling article 27 of the Convention, which states that the Conference of the Parties shall consider and adopt procedures and institutional mechanisms for the resolution of questions that may arise with regard to the implementation of the Convention,

Recalling also decisions 20/COP.3, 20/COP.4, Part A, 21/COP.5, Part A, and 22/COP.6, Part A,

Recalling further the Chairperson's summary of the work of the Ad Hoc Group of Experts at the fifth and sixth sessions of the Conference of the Parties,

Noting that the question of linkages between article 27 and articles 22, paragraph 2, 26 and 28 requires further consideration,

1. *Decides*, for purposes of fulfilling the provisions of article 27 of the Convention, to reconvene, during its eighth session, the open-ended Ad Hoc Group of Experts to examine further and make recommendations on procedures and institutional mechanisms for the resolution of questions on implementation;
2. *Invites* any Parties wishing to communicate their views on article 27 to do so, in writing, to the secretariat by 31 January 2007;
3. *Requests* the secretariat to prepare a new working document on the basis of the submissions by Parties contained in documents ICCD/COP(4)/8, ICCD/COP(5)/8, ICCD/COP(6)/7 and ICCD/COP(7)/9, and those submitted pursuant to paragraph 2 above;
4. *Decides further* that the Ad Hoc Group of Experts shall take as the basis of its work the new working document to be prepared by the secretariat.

B. Arbitration and conciliation procedures

The Conference of the Parties,

Recalling article 28, paragraph 2(a), of the Convention, which refers to arbitration procedures to be adopted by the Conference of the Parties in an annex to the Convention as soon as practicable,

Recalling also article 28, paragraph 6, of the Convention, which refers to conciliation procedures to be adopted by the Conference of the Parties in an annex to the Convention as soon as practicable,

Recalling further the Chairperson's summaries of the work of the Ad Hoc Group of Experts at the fifth and sixth sessions of the Conference of the Parties,

Recalling decisions 20/COP.3, 20/COP.4, Part B, 21/COP.5, Part B, and 22/COP.6, Part B,

1. *Decides*, for the purposes of fulfilling the provisions of article 28 of the Convention, to reconvene, at its eighth session, the open-ended Ad Hoc Group of Experts to examine further and make recommendations on the following issues:
 - (a) Annex on arbitration procedures;
 - (b) Annex on conciliation procedures;
2. *Invites* any Parties and interested institutions and organizations wishing to communicate their views on the issues referred to in paragraph 1 (a) and (b) above to do so, in writing, to the secretariat by 31 January 2007;

3. *Requests* the secretariat to prepare a new working document to include: (i) a compilation of submissions contained in documents ICCD/COP(4)/8, ICCD/COP(5)/8, ICCD/COP(6)/7 and ICCD/COP(7)/9, and those submitted pursuant to paragraph 2 above; and (ii) an updated version of the annexes contained in document ICCD/COP(4)/8 to reflect these views;
4. *Decides further* that the Ad Hoc Group of Experts shall take as the basis of its work the new working document to be prepared by the secretariat.

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