



ADAPTATION FUND

AFB/B.40/9
11 March 2023

Adaptation Fund Board
Fortieth meeting
Bonn, Germany, 21-24 March 2023

Agenda item 11.e)

DIVERSIFICATION OF MEETING VENUES

I. Background

1. The rules of procedure of the Adaptation Fund Board, adopted by the Parties to the Kyoto Protocol in 2008 through decision 1/CMP.4 (the RoP), provided for the Board to meet at least twice every year or as frequently as necessary to discharge its business, in the country of the seat of the UNFCCC secretariat, or in countries hosting meetings of the Conference of the Parties to the UNFCCC or of its subsidiary bodies when in conjunction with those meetings (paragraph 18). The Board has normally met in Bonn, Germany, apart from two exceptions: once in Cancun, Mexico, on 13–15 December 2010, and once in Durban, South Africa, on 12–14 November 2011, in both bases back-to-back with meetings of the Conference of the Parties.

2. At the thirty-eighth meeting, the Adaptation Fund Board (the Board) considered a matter of diversification of the venues of the Board meetings, in view of the possibilities of holding Board meetings in developing countries where projects were being implemented and elsewhere in the developing world. The Board was of the view that it would enable the Board to experience the countries where they were allocating Adaptation Fund resources, the Adaptation Fund (the Fund) to reach different stakeholders and increase its visibility, and developing countries to capitalize on Fund resources and funding.

3. During the discussion at the thirty-eighth meeting, the Board was generally supportive of the proposal, considering that such meetings would provide the Board more exposure to the countries where the Fund worked and could possibly be linked to project visits. The Board was of the view that financial and procedural implications of holding meetings elsewhere than Bonn need to be further investigated and clarified.

4. Following the discussion, the Board decided, at its thirty-eighth meeting:

(a) To hold its thirty-ninth meeting from 11-14 October 2022;

(b) To hold its thirty-ninth meeting from 21-24 March 2023;

(c) To hold its thirty-ninth meeting from 10-13 October 2023;

(d) To request secretariat to explore the feasibility of holding the board meeting in the host country for the United Nations Climate Change Conference and other countries, to enable the Board to further consider the matter during intersessional period (B.38–B.39) or at its thirty-ninth meeting;

(e) To hold its thirty-ninth meeting in Bonn if it is not feasible to hold the meeting in the country hosting for the United Nations Climate Change Conference.

(Decision B.38/52)

5. In response to decision B.38/52, subparagraph (d), during the intersessional period (B.38–B.39), the secretariat had consultations with the Government of Egypt, the host country for the 2022 UN Climate Change Conference, and the UNFCCC Secretariat as well as the legal department of the World Bank. The consultations concluded that organizing the thirty-ninth

meeting of the Board in Egypt was not feasible due to, inter alia, inadequate time to put in place the necessary arrangements for the Board meeting, and therefore, the thirty-ninth meeting of the Board was held in Bonn as per Decision B.38/52, subparagraph (e).

6. At the thirty-ninth meeting, the secretariat presented [document AFB/B.39/12](#) to the Board for its further consideration on this matter of the diversification of meeting venues. The Board was generally in favor of the secretariat continuing to explore the possibility of holding Board meetings in countries where Adaptation Fund projects were being implemented. At the same time, it also took note of the fact that a Board decision to hold the meeting in a country not set out in paragraph 18 of the RoP would require an amendment to the RoP, which would in turn require a decision by the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol (CMP) to adopt the amendment for it to become effective.

7. Following the discussions, at the thirty-ninth meeting, the Board decided:

- (a) To hold its fortieth meeting from 21–24 March 2023;
- (b) To request secretariat to explore the feasibility of holding the forty-first board meeting, scheduled from 10–13 October 2023, in the host country for the United Nations Climate Change Conference in conjunction with such meeting, to enable the Board to further consider the matter at its fortieth meeting or during intersessional period between the fortieth and forty-first meetings (B.40–B.41);
- (c) To continue considering the matter of diversification of meeting venues at its fortieth and forty-first meetings.

(Decision B.39/68)

II. Ongoing consultations for holding the 41st Board meeting in the United Arab Emirates

8. In response to decision B.39/68, the secretariat reached out to the contact point of the office of the COP28 President sharing the Board's interest of holding its forty-first meeting in the United Arab Emirates (UAE), the host country for the United Nations Climate Change Conference in 2023 and inquiring the availability of the government of UAE to host the Board meeting in UAE. As of the date of drafting this report, the contact point of the office of the COP28 President has acknowledged the receipt of the secretariat's communication and mentioned that it would review the request and revert to the secretariat in due course. Accordingly, the secretariat will keep the Board updated on this matter to enable the Board to further consider this matter during the intersessional period between the fortieth and forty-first meetings (B.40–B.41) as per decision B.39/68.

9. In parallel, the secretariat continued consultations with the UNFCCC secretariat in the context of the support for the Board meeting, and the UNFCCC secretariat explained that it could support the arrangements of Board meetings in Bonn but not the Board meeting in October in the

host country for the UN Climate Change Conference due to, inter alia, the proximity of the Board meeting to the Climate Change Conference and the unavailability of the staff who will be preoccupied with the preparations for the Conference and will not be able to support the Board meeting, as well as the fact that the relevant members of the UNFCCC secretariat will only travel to the host country of the Conference in time to organize the pre-session meetings 1-2 weeks before the Conference. However, holding the meeting during that period of time would not be feasible, since several Board members and alternates are expected to be required by their governments to join the pre-session meetings.

10. Accordingly, in case the Board meeting is held in the UAE, the secretariat would need to secure and contract all the entities which will provide necessary support for the Board meeting in the UAE, such as arrangements for the venue, necessary equipment and facilities including IT services, security, logistical support including visa arrangements and hiring local staff. In this process, securing support from the government of the host country is critical as it would be knowledgeable on the suitable entities or companies which could provide a necessary support for Board meeting in its country.

11. It is worth noting that there is no Adaptation Fund supported project or programme being implemented in the UAE, and therefore if the Board meeting is held in the UAE in October, no site visit to the Fund's project would be available in the UAE.

III. Elements to be considered for Board meeting outside Bonn

Venue and the Rules of Procedure of the Board, paragraph 18

12. The RoP paragraph 18 permits the Board meeting to be held in Germany where the UNFCCC secretariat is seated or in countries hosting meetings of the Conference of the Parties of the UNFCCC or of its subsidiary bodies when in conjunction with those meetings. Therefore, holding the Board meeting outside countries specified in paragraph 18 of the RoP requires an amendment of the RoP of the Board.

13. It is important to note that the RoP can be amended by the Board according to its paragraphs 44–51, but for the amendment to be effective, it must be formally approved by the CMP as set out in paragraph 64 of the RoP. Accordingly, the amendment of subparagraph 18 of the RoP should be made prior to any Board decision to hold meetings in countries not specified in the existing RoP.

Host country's agreement to host the AFB meeting in their country

14. Host country's willingness and agreement would be the first step for preparing to hold the AFB meeting outside Bonn and need to be secured early to provide adequate time to make necessary meeting arrangements for the meeting. In considering the host country, it is advisable to consider a country which is a party to the Convention on the Privileges and Immunities of the

United Nations (1946) to ensure that the privileges and immunities are able to be provided by the host country to the Board, and the secretariat, and any other eligible meeting participants.

Arrangement for the distribution of daily subsistence allowance (DSA)

15. At the thirty-eighth meeting the DSA was distributed electronically to the respective accounts of the eligible Board members by the United Nations Convention to Combat Desertification (UNCCD) which has supported arrangements for the Board meetings in Bonn under the existing Memorandum of Understanding (MoU).

16. The consultations concluded that as was the case for the two previous Board meetings outside Bonn, the AFB secretariat would have to identify a suitable international organization, or its country office (located in the country hosting the Board meeting) and enter into an agreement where the organization is responsible for receiving the funds for the DSA from the Adaptation Fund Trust Fund and distributing the DSA to the eligible participating Board members on behalf of the AFB secretariat for the specific Board meeting.

Privileges and Immunities (P&I) for the Board, its secretariat and other eligible meeting participants

17. It is indispensable to secure a legal agreement with the host country to ensure the privileges and immunities are provided to the Board, its secretariat, and other eligible participants for the Board meeting held outside Bonn. It would take some time for discussions and negotiations on the legal agreement with the host country, and therefore, consultation with the host country is highly advisable to start as early as possible. In such process, the secretariat will seek support from the UNFCCC Secretariat and the legal department of the World Bank, as necessary and appropriate.

Arrangements for the venue, necessary equipment and facilities, security, logistical support including visa arrangements and hiring local staff necessary for the Board meeting support

18. Considering the two previous Board meetings held in Cancun and Durban and recent consultations with the UNFCCC Secretariat, it is critical to secure support from the government of the host country as the government would be knowledgeable on the suitable entities or companies which could provide a necessary support for Board meeting in its country. As it is highly likely for multiple agencies to be involved in providing support, it would take some time for the secretariat to identify suitable agencies and enter into the agreement with the respective agency for the agreed support.

IV. Options for an amendment to paragraph 18 of the Rules of Procedure

19. At the thirty-ninth meeting, the Chair of the Board mentioned that he hoped that more ideas on how to modify the RoP to facilitate holding meetings in developing countries would be put forward at the fortieth meeting. In response to this, the secretariat presents the following potential options for an amendment to paragraph 18 of the RoP with a view to facilitating the

Board's discussion at the fortieth meeting. This is in no way to prejudge any future Board's discussions or decisions on relevant matters

[Original text of paragraph 18 of the Rules of Procedure]

18. The Board shall meet at least twice every year or as frequently as necessary to enable it to discharge its responsibilities. *The meetings of the Board shall take place in the country of the seat of the UNFCCC secretariat, except when meeting in conjunction with sessions of the CMP or with the sessions of subsidiary bodies under the UNFCCC, in which case the Board meeting may take place in the country or at the venue of the relevant UNFCCC meeting.* **[emphasis added]**

[Option 1]

18. The Board shall meet at least twice every year or as frequently as necessary to enable it to discharge its responsibilities. *The meetings of the Board shall take place in the country of the seat of the UNFCCC secretariat or at a developing country agreed by the Board, except when meeting in conjunction with sessions of the CMP or with the sessions of subsidiary bodies under the UNFCCC, in which case the Board meeting may take place in the country or at the venue of the relevant UNFCCC meeting.* **[emphasis added]**

[Option 2]

18. The Board shall meet at least twice every year or as frequently as necessary to enable it to discharge its responsibilities. *The meetings of the Board shall take place in the country of the seat of the UNFCCC secretariat or at an alternative country agreed by the Board, except when meeting in conjunction with sessions of the CMP or with the sessions of subsidiary bodies under the UNFCCC, in which case the Board meeting may take place in the country or at the venue of the relevant UNFCCC meeting.* **[emphasis added]**

V. Conclusion

20. Considering the necessary procedure for adoption of the amendment of the RoP by the CMP, with respect to holding the forty-first meeting (10–13 October 2023) in the UAE, the secretariat proposes that the Board request the secretariat to continue to explore the feasibility of holding the forty-first meeting in the UAE in consultation with the relevant stakeholders during intersessional period between the fortieth and forty-first meetings (B.40–B.41), while keeping the option of holding the forty-first meeting in Bonn if it is not feasible to hold the meeting in the UAE.

21. As mentioned above, in order to be able to make a decision to hold its meetings in countries other than those specified in paragraph 18 of the RoP, the Board would first need to amend the RoP, and the CMP would need to adopt it for its effectiveness. The potential options for an amendment outlined in paragraph 19 above are presented to facilitate the Board's discussion: if the Board wishes to hold its meeting in 2024 in countries other than those specified

in paragraph 18 of the RoP, it would need to decide, by the forty-first meeting, to amend paragraph 18 of the RoP and submit it to the CMP for its adoption at its 18th session in November 2023 for its effectiveness.

22. It is also worth noting that the Board had considered the RoP in response to Decision 1/CMP.14 at the thirty-third, additional meeting (33.b) and thirty-fourth meetings in 2019 and took note of the facts that: (a) the Fund is in a transitional period where it is serving both the Kyoto Protocol and the Paris Agreement until it starts to exclusively serve the Paris Agreement; (b) many provisions of the current RoP could be unaffected by the transitional period, while some provisions are linked to future CMP decision(s), if any, related to the issue of the eligibility for membership on the Board; and (c) frequent revisions to the RoP is not desirable. In this regard, the Board decided not to amend the RoP in 2019 but present to the CMP 15 its consideration of the RoP by identifying provisions of the RoP that are closely linked to future CMP decisions which would require the amendment of the RoP and the provisions that may be revised in line with Decisions 1/CMP.14 and 13/CMA.1.

VI. Recommendation

23. Having considered document AFB/B.40/9, the Adaptation Fund Board may want to consider and decide:

- (a) To request the secretariat to continue to explore the feasibility of holding the forty-first meeting scheduled from 10–13 October 2023 in the host country for the 2023 United Nations Climate Change Conference (COP28) in conjunction with such meeting, to enable the Board to further consider the matter during intersessional period between the fortieth and forty-first meetings (B.40-B.41);
- (b) To hold its forty-first meeting in Bonn if it is not feasible to hold the meeting in the country hosting the 2023 United Nations Climate Change Conference (COP28);
- (c) To continue considering the matter of diversification of meeting venues at its forty-first meeting.