

Article 13 Implementation and Compliance

~~2 ter. The Committee shall consist of 17 members nominated by Parties and elected by the Conference of the Parties with recognized competence in fields relevant to this Convention, including legal or technical expertise, with three members from the five regional groups of the United Nations and two members from the small island developing States. The Committee and its members shall be independent, transparent, and free from conflicts of interest.~~

[3 bis. The Committee shall make every effort to adopt its recommendations by consensus. If all efforts at consensus have been exhausted and no consensus is reached, such recommendations shall as a last resort be adopted by a three fourths majority vote of the members present and voting, based on a quorum of two thirds of the members.]

Rationale:

Indonesia support all decision making by consensus. Decision on the question of procedure could resort to voting after all efforts failed in reaching consensus. However, decision regarding matter of substance should be done by consensus.

~~[4 bis. The Committee shall consist of 15 members, nominated by Parties and elected by the Conference of the Parties, with due consideration to equitable geographical representation based on the five regions of the United Nations; the first members shall be elected at the first meeting of the Conference of the Parties and thereafter in accordance with the rules of procedure approved by the Conference of the Parties pursuant to paragraph 3; the members of the Committee shall have competence in a field relevant to this Convention and reflect an appropriate balance of expertise.] shall adopt in its first meeting the rules of procedure for the election of the members of the Committee~~

New proposal to replace article 2 ter and 4 bis

- 2. The Conference of Parties shall adopt at the first meeting of the Conference of the Parties the rules of procedures for the election of the Committee. As a guidance, members of the Committee shall have competence in a field relevant to this Convention**

Rationale:

Noting that there are several suggestion for the number and composition of the Committee members while taking into account the time constraint in INC 5.2 to discuss the other articles, the detail elaboration and decision on this matter could be adopted the COP.