



GEF/GBFF.01/06  
January 16, 2024

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1<sup>st</sup> GBFF Council Meeting  
February 9, 2024  
Washington D.C., USA

Agenda Item 6

**TERMS OF REFERENCE FOR ADVISORY GROUP(S) AND AUXILIARY BODY  
FOR THE GLOBAL BIODIVERSITY FRAMEWORK FUND**

**Recommended Council Decision**

The Council, having considered document GEF/GBFF.01/06, *Terms of Reference for Advisory Group(s) and Auxiliary Body for the Global Biodiversity Framework Fund*, approves the document and requests the Secretariat to:

- (a) Make provisions to establish the Advisory Group of Non-Sovereign Participants.
- (b) Make provisions to establish the Auxiliary Body.
- (c) Report to the Second GBF Fund Council on progress made on their establishment.

## INTRODUCTION

1. At its 64<sup>th</sup> meeting, the GEF Council approved the arrangements proposed for the establishment of the Global Biodiversity Framework Fund, with the aim to support the Kunming-Montreal Global Biodiversity Framework (GEF Council decision 09/2023).
2. Paragraphs 45 and 46 of the approved GEF Council document *Establishment of a New Trust Fund: The Global Biodiversity Framework Fund*<sup>1</sup> included arrangements to establish an advisory group or advisory groups of non-sovereign participants and an auxiliary body as follows:
  - Paragraph 45: *“The GBF Fund Council may establish an advisory group or advisory groups, which may include without limitation non-sovereign participants, taking into account further considerations such as the potential for conflicts of interest and equity concerns, for the purpose of providing advice and recommendations to the GBF Fund Council.”*
  - Paragraph 46: *“The GBF Fund Council will establish an auxiliary body, which will include representatives of GBF Fund Participants which are developing countries with areas of particular importance for biodiversity and ecosystem functions and services, for the purpose of providing advice and recommendations to the GBF Fund Council, while recognizing that the GBF Fund Council remains the decision-making body. The auxiliary body will be comprised of experts nominated by national governments. The GBFF Council will agree on the terms of reference of the body including membership and geographical representation.”*
3. This document presents the proposed terms of reference (TOR), proposed compositions, and establishment process for the advisory group(s) and the auxiliary body.

## ESTABLISHMENT OF ADVISORY GROUPS

4. The GBF Council may establish an Advisory Group or Advisory Groups to provide advice and recommendations to the GBF Fund Council.
5. The GBF Council deliberates and decides on the need to establish an Advisory Group. Each group is expected to have a TOR that clarifies its specific focus of work of relevance to the GBF Fund, its composition, modalities of work, and timeline. The Council may request the Secretariat to develop a TOR for a new Advisory Group for approval. Any changes to the TOR are to be decided by the GBFF Council.
6. The GBF Fund Council may also request specific tasks to be conducted by any Advisory Group.

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<sup>1</sup> GEF, 2023, [Establishment of a New Trust Fund: The Global Biodiversity Framework Fund](#), Council Document GEF/C.64/05/Rev.01.

7. As the GBF Fund Council remains the decision-making body, observations and recommendations from the Advisory Groups are not binding on the GBF Fund Council.

#### **TERMS OF REFERENCE FOR THE ADVISORY GROUPS OF NON-SOVEREIGN PARTICIPANTS**

8. This section presents the TOR for the Advisory Group of non-sovereign participants, which was referred to in the above-mentioned Council decision.

#### **Focus of work**

9. An Advisory Group of non-sovereign participants is established to provide technical advice to the GBF Fund Council and the Secretariat on the engagement of non-sovereign contributors in the support of the implementation of the GBF Fund objectives and the support of the implementation of the Programming Directions of the Global Biodiversity Framework Fund,<sup>2</sup> as requested by the GBF Fund Council.

10. The Advisory Group establishment will become effective upon confirmation of the effectiveness of contribution agreements with three non-sovereign entities by the Trustee.

11. No member of the Advisory Group will be responsible for the execution of projects supported by the GBF Fund.

#### **Composition**

12. The Advisory Group will be composed of members representing non-sovereign contributors to the GBF Fund. As the GBF Fund is established to receive financing from all sources, in addition to official development assistance, non-sovereign contributors may include philanthropic organizations, private sector, among others.

13. The Council may decide to modify the Advisory Group composition to include non-contributors that may have relevant expertise and insights to inform the Advisory Group deliberations and the Council.

14. All non-sovereign contributors to the GBF Fund may join the Advisory Group on a voluntary basis. Each non-sovereign contributor will have an option to become a member of the Advisory Group upon acceptance by the Trustee of its contribution after successful completion of the due diligence review of the contributor. The due diligence process for the non-contributors will be decided by the Council.

15. Institutions and individuals that have other roles in the GEF partnership, such as a GEF Agency, an observer, or on other bodies or committees are not eligible to join the Advisory Group

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<sup>2</sup> GEF, 2023, [Programming Directions of the Global Biodiversity Framework Fund](#), Council Document GEF/C.64/06/Rev.02.

to ensure wider representation and balance of views and to avoid any potential conflict of interest.

16. Each member will nominate a representative for the Advisory Group in writing to the GEF CEO. Each member should communicate in writing any changes to its representative.

17. The Advisory Group will select a Chair amongst its members with due considerations for gender, regional, and sector balance to the extent feasible, over the duration of the Advisory Group. The Advisory Group will select a Chair for the following terms: July 1, 2024 to June 30, 2026, July 1, 2026 to June 30, 2028, July 1, 2028 to December 30, 2030.

### **Modalities of Work**

18. The Advisory Group will organize its work to ensure that it covers all relevant topics on the engagement of non-sovereign contributors in the support of the GBF Fund objective implementation and the implementation of the GBF Fund Programming Directions, as requested by the GBF Fund Council.

19. In case the GBF Fund Council has requested specific tasks to be conducted by this Advisory Group, it will be noted in the Joint Summary of the Co-Chairs of the GBF Fund Council meeting. Feedback by the Advisory Group in response to the Council request will be summarized in the Council Highlights document.

20. The Advisory Group is expected to meet twice a year, prior to each GBF Fund Council meeting, to discuss and develop advice/recommendations on relevant Council agenda items and to respond to any specific Council request. A meeting may also be called with one month written notice by the Chair in consultation with the Secretariat. The Advisory Group may meet virtually.

21. The Advisory Group may consult with relevant institutions within the GEF partnership to consider their input into its work. The Advisory Group may invite additional specialists and experts on specific agenda items to stimulate the discussion.

22. Meetings of the Advisory Group will be conducted under Chatham House Rules to allow members to provide candid advice.

23. The Chair of the Advisory Group will present the advice and recommendations of the Advisory Group to the Council, and will also present the response of the Advisory Group to any specific Council request.

24. The Secretariat will facilitate the work of the Advisory Group.

25. The Council may assess the composition and mandate of the Advisory Group and decide on modifications.

## **Timeline**

26. The Advisory Group will operate until December 31, 2030, unless otherwise decided by the Council.

## **Cost implications**

27. Members will participate in the Group without remuneration. The travel costs for the members of the Advisory Group from organizations in developing countries will be covered through the GBF Fund administrative budget.

## **TERMS OF REFERENCE FOR THE AUXILIARY BODY**

28. The GBF Fund Council is to establish an Auxiliary Body, including representatives of GBF Fund Participants which are developing countries with areas of particular importance for biodiversity and ecosystem functions and services, in line with paragraph 46 of the Council document on the GBF Fund establishment.

- Paragraph 46: *“The GBF Fund Council will establish an auxiliary body, which will include representatives of GBF Fund Participants which are developing countries with areas of particular importance for biodiversity and ecosystem functions and services, for the purpose of providing advice and recommendations to the GBF Fund Council, while recognizing that the GBF Fund Council remains the decision-making body. The auxiliary body will be comprised of experts nominated by national governments. The GBFF Council will agree on the terms of reference of the body including membership and geographical representation.”*

29. As per the Council decision above, this section presents a proposed TOR for the Auxiliary Body.

30. Any changes to the TOR are to be decided by the GBFF Council. The GBF Fund Council may also request specific tasks to be conducted by the Auxiliary Body.

31. As the GBF Fund Council remains the decision-making body, observations and recommendations from the Auxiliary Body are not binding on the GBF Fund Council.

## **Focus of work**

32. An Auxiliary Body is established to provide technical advice and recommendations to the GBF Fund Council.

33. Advice and recommendations concern the implementation of the Programming Directions of the Global Biodiversity Framework Fund.<sup>3</sup> The Auxiliary Body may provide such advice and recommendations on items deliberated at each GBF Fund Council. The GBF Fund Council may also request the Auxiliary Body to address specific topics or carry out specific analytical tasks.

34. No member of the Auxiliary Body will be responsible for the execution of projects supported by the GBF Fund.

### **Composition**

35. The Auxiliary Body will be comprised of experts nominated by national governments. The composition of the Auxiliary Body will be based on the following:

- Each GEF constituency that includes developing countries is invited to nominate two experts maximum per constituency from interested countries in the constituency that declare to have areas of particular importance for biodiversity and ecosystem functions and services.<sup>4</sup>
- Experts should have relevant biodiversity and ecosystem management experiences at the national, regional and/or global levels, as recognized by the nominating governments.
- Experts are expected serve one term, with each term defined as: from July 1, 2024 to June 30, 2026, from July 1, 2026 to June 30, 2028, and from July 1, 2028 to December 31, 2030. Constituencies will nominate experts for each term. Constituencies are encouraged to facilitate engagements of experts from as many relevant countries as feasible.
- The Council Member, after consultation with interested developing countries in his/her constituency, should communicate in writing to the GEF CEO 45 days prior to the start of each term, the nominated experts for the constituency and reasons for nominations. Any changes to the experts should also be communicated in writing to the GEF CEO by the Council Member for the constituency.

36. Individuals that have other roles in the GEF partnership, such as GEF Agency staff or consultant, an observer, or a member and alternates of Council, other bodies or committees are

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<sup>3</sup> GEF, 2023, [Programming Directions of the Global Biodiversity Framework Fund](#), Council Document GEF/C.64/06/Rev.02.

<sup>4</sup> There is not an agreed definition on areas of particular importance for biodiversity and ecosystem functions and services. Accordingly, developing country GBF Fund participants are expected to declare and clarify how this requirement is addressed when nominating experts.

not eligible to be part of the Auxiliary Body to ensure wider representation and balance of views and to avoid a potential conflict of interest.

37. The Auxiliary Body will select two Co-Chairs amongst its members with due considerations for gender and regional balance. The Co-Chairs will be selected for each term.

### **Modalities of Work**

38. The Auxiliary Body will organize its work to ensure that it covers all relevant topics as requested by the GBF Fund Council.

39. The Auxiliary Body is expected to meet twice a year, prior to each GBF Fund Council meeting, to discuss and develop advice/recommendations on Council agenda items and to respond to specific Council requests. A meeting may also be called with one month written notice by the Co-Chairs in consultation with the Secretariat. The Auxiliary Body may meet virtually.

40. The Auxiliary Body may consult with relevant institutions within the GEF partnership to consider their input into its work. The Auxiliary Body may invite additional specialists and experts on specific agenda items to stimulate the discussion.

41. Meetings of the Auxiliary Body will be conducted under Chatham House Rules to allow Advisors to provide candid advice.

42. The Co-Chairs of the Auxiliary Body will present the advice and recommendations of the Auxiliary Body to the Council, and will also present the response of the Auxiliary Body to any specific Council request.

43. The Secretariat will facilitate the work of the Auxiliary Body.

### **Timeline**

44. The Auxiliary Body will operate until December 31, 2030, unless otherwise decided by the Council. The Council may assess the composition and mandate of the Auxiliary Body and decide on modification.

### **Cost implications**

45. Members will participate in the Auxiliary Body without remuneration. The travel costs for the members of the Auxiliary Body from developing countries will be covered through the GBF Fund administrative budget.