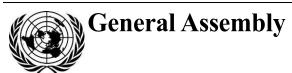
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Preparatory Commission for the Entry into Force of the Agreement under the United Nations Convention on the Law of the Sea on the Conservation and Sustainable Use of Marine Biological Diversity of Areas beyond National Jurisdiction and the **Convening of the First Meeting of the Conference** of the Parties to the Agreement Second session

New York, 18-29 August 2025

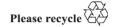
Arrangements for the functioning of the secretariat, including its seat

Matrix on the arrangements for the secretariats of selected instruments representative of each of the secretariat models

Note by the Secretariat

The Preparatory Commission for the Entry into Force of the Agreement under the United Nations Convention on the Law of the Sea on the Conservation and Sustainable Use of Marine Biological Diversity of Areas beyond National Jurisdiction and the Convening of the First Meeting of the Conference of the Parties to the Agreement, established pursuant to General Assembly resolution 78/272, considered, at its first session, the issue of arrangements for the functioning of the secretariat, including its seat, 1 on the basis of a note prepared by the Secretariat (A/AC.296/2025/5).² The Preparatory Commission agreed that the Secretariat would prepare a document on the arrangements for the secretariats of selected instruments representative of each of the models outlined in the abovementioned note by the Secretariat, covering the following issues: size and structure of the secretariats; funding mechanism; relationship to the United Nations system; headquarters arrangements; legal capacity in the host States and international legal personality;

the Agreement until such time as the secretariat established thereunder commences its functions.



¹ It is recalled that article 50, paragraph 1, of the Agreement provides for the establishment of a secretariat and requires the Conference of the Parties to the Agreement, at its first meeting, to make arrangements for the functioning of the secretariat, including deciding on its seat. ² It is also recalled that pursuant to article 50, paragraph 2, of the Agreement and General Assembly resolution 77/321, the Secretary-General is to perform the secretariat functions under

scope of the privileges and immunities of the secretariats and their staff; privileges and immunities for State representatives and related obligations for facilitating the participation of representatives; process for the appointment of the heads of the secretariats; accountability mechanism, including audit and oversight mechanisms; modalities of cooperation with other relevant instruments, frameworks and bodies; arrangements for equitable representation of developing countries in the secretariats; and budgets of the secretariats. In this respect, it was emphasized that the document would take the form of a matrix to allow for the comparison of each model and would provide factual information, without containing any recommendations, analysis or assessment of the merits of the various models.

- 2. The annex to the present document contains a matrix that provides factual information on each of the abovementioned issues identified by the Preparatory Commission, at its first session. It covers the secretariats of the International Seabed Authority, the United Nations Framework Convention on Climate Change, the Convention on Biological Diversity and the Minamata Convention on Mercury. These secretariats correspond to three different models, with the third model represented by both the Convention on Biological Diversity and the Minamata Convention on Mercury, as outlined below:
- (a) A standalone secretariat that operates autonomously from the United Nations. This model is represented by the secretariat of the International Seabed Authority which is an independent entity that is related to, but not part of, the United Nations.
- (b) A secretariat that is institutionally linked to the United Nations but enjoys a degree of autonomy. This is the case of the secretariat of the United Nations Framework Convention on Climate Change, which is institutionally linked to the United Nations, while not being fully integrated into the work programme and management structure of any specific department or programme.³
- (c) A secretariat administered by an existing United Nations entity. In such cases, specific institutional arrangements are usually put in place to define the relationship between the treaty secretariat and the host organization and such arrangements may vary across different instruments. For example, while the United Nations Environment Programme provides secretariat functions for both the Convention on Biological Diversity and the Minamata Convention on Mercury, the institutional arrangements under which the secretariats of these conventions operate, including their financial governance structures, are not identical. ⁴ Accordingly, the secretariats of both conventions are addressed separately in the matrix to facilitate the comparison of each model and the consideration of the options available.

³ Conference of the Parties to the United Nations Framework Convention on Climate Change, "Institutional linkage of the Convention secretariat to the United Nations", decision 14/CP.1.

⁴ Under the Minamata Convention on Mercury, the trust fund established to receive assessed contributions from the Parties, is managed by the head of that Convention's secretariat. Under the Convention on Biological Diversity, the Conference of the Parties has designated an organization to serve as the trustee, responsible for establishing and managing the trust fund for that Convention. See also Aid to discussions and negotiations prepared by the Co-Chairs concerning financial rules governing the funding of the Conference of the Parties to the Agreement under the United Nations Convention on the Law of the Sea on the Conservation and Sustainable Use of Marine Biological Diversity of Areas beyond National Jurisdiction and the funding of the secretariat and any subsidiary bodies, document A/AC.296/2025/7, paras 7 and 8.

Annex

		International Seabed Authority (ISA)	United Nations Framework Convention on Climate Change (UNFCCC)	Convention on Biological Diversity (CBD)	Minamata Convention on Mercury
1	Size and structure of the secretariats				
1.1	Note: The information provided reflects the size of the secretariats as set out in the relevant decisions of the Conferences of the Parties at their first session as well as their most recent sessions, with a view to illustrating the secretariats' evolution and growth over time. In the case of the ISA, the figures used for 1996 are	1996 Approved Staff Level Professional category and above: 6 General Service category: 14 Total: 20 (ISBA/A/9//Add.1 ISBA/C/5/Add.1, Annex A) 1997 Approved Staff Level (2nd Session of the ISA Assembly). Professional category and above: 15 General Service category: 15 Total: 30 (ISBA/A/9//Add.1 ISBA/C/5/Add.1, Annex A) 2025-26 Approved Staff Level (29th Session of the ISA Assembly)	1996 Approved Staff Level (1st Session of the Conference of the Parties) Professional category and above: 25.5 General Service category: 18 Total: 43.5 (Decision 17/CP.1, para 4) 2024-25 Approved Staff Level (28th Session of the Conference of the Parties) Professional category and above: 128 General Service category: 53 Total: 181 (Decision 19/CP.28, Table 2) Note: The above figures represent approved staff levels for the core budget of the Convention. As at 31 December 2024, the workforce stood at	1995-96 Approved Staff Level (1st Meeting of the Conference of the Parties) Professional category and above: 13 General Service category: 9 Total: 22 Note: 4 of these positions were funded by other entities: UNEP (2 positions) FAO (1 position) UNESCO (1 position) (Decision I/6, Annex II) 2025-26 Approved Staff Level (16th Meeting of the Conference of the Parties) Professional category and above: 56 General Service category: 31 Total: 87 (Decision 16/28, Table 3)	2018-19 Approved Staff Level (Ist Meeting of the Conference of the Parties) Professional category and above: 7 General Service category: 5 Total: 12 Note: 2 of these positions (I Professional level, I GS level) were funded from programme support costs rather than the core budget (Decision MC-1/15, Table 3) 2024-25 Approved Staff Level (5th Meeting of the Conference of the Parties) Professional category and above: 9 General Service category: 5 Total: 14 Note: 3 of these positions were
	based on the budget and associated staffing level estimates, as proposed by the UN Secretary- General and subsequently	Professional category and above: 34 General Service category: 21 Total: 57 (ISBA/29/A/3/Add.1- ISBA/29/C/11/Add.1, pg. 6) Note: The total number above includes 2 National	448. 37.0 per cent of staff were funded from the core budget whereas 63.0 per cent were funded from non-core sources	Note: 19 additional positions (14 Professional level, 5 GS level) are funded from the Special Voluntary Trust Fund for Additional Approved Activities rather than the core budget (Decision 16/28, Table 5)	funded through the special trust fund (2 positions) and UNEP programme support costs (1 position) rather than the core budget (Decision MC-5/20, Table 3)

	adopted by the UN General Assembly. For 1997, the figures presented here are based on the first budget and associated staffing table adopted by the ISA Assembly, at its second Session.	Professional Officers who are categorized separately from staff of the Professional category and higher			
1.2	Note: The information provided is based on the structure of the secretariats as reflected in the most recent publicly available information.	Headed by a Secretary- General (USG), with 5 organizational offices: Executive Office of the Secretary-General (headed by the Deputy to the Secretary- General/Chief of Staff (D2)) Office of Legal Affairs (headed by a Director/Legal Counsel (D1)) Office of Stewardship, Environment and Resources (headed by a Director (D1)) Office of Contract Management and Capacity-Building (headed by a Director (D1)) Office of Administrative Services (headed by Head of Office (P5)) (ISBA/30/A/7; ISBA/ST/SGB/2025/1; The Secretariat)	Headed by an Executive Secretary (USG), with an Executive division, 2 departments and 4 cross- cutting divisions: • Executive Division (headed by an Executive Secretary (USG) and Deputy Executive Secretary (ASG)) • Operations Department (headed by a Senior Director (D2)) • Programmes Department (headed by a Senior Director (D2)) • Cross-cutting Divisions: • Communications and Engagement Division (headed by a Director (D1)) • Intergovernmental Support and Collective Progress Division (headed by a Director (D1))	Headed by an Executive Secretary (ASG), with 4 divisions: Office of the Executive Secretary (headed by an Executive Secretary (ASG)) Administration Section (headed by a Head of Administration/Senior Administrative Officer (P5)) Implementation Support Division (headed by a Director of Division/Principal Programme Management Officer (D1)) Science, Society and Sustainable Futures Division (headed by a Director of Division/Principal Programme Management Officer (D1)) Science, Society and Sustainable Futures Division (headed by a Director of Division/Principal Programme Management Officer (D1)) (Secretariat Structure and Divisions)	Headed by an Executive Secretary (D1) (Secretariat)

			 Human Resources Unit (headed by a Manager (P5)) Legal Affairs Division (headed by a Director (D1)) (Secretariat structure, UN Climate Change Divisions) 		
2	Funding				
2.1	mechanisms Funding of the secretariat	General Administrative Trust Fund Established by the Assembly under the Financial Regulations for the purpose of accounting for the administrative expenditures of the Authority. (ISBA/6/A/3, Annex, Financial Regulations of the ISA, Regulation 5.1)	Trust Fund for the Core Administrative Budget of the Convention Established by the Secretary- General of the United Nations under the financial procedures for the purpose of management of the resources of the core budget of the UNFCCC secretariat. (Decision 15/CP.1, Annex I, para 13)	Trust Fund for the Convention on Biological Diversity Established and managed by UNEP, which serves as the trustee, under the Financial Rules and used for funding the administration of the CBD including the functions of the CBD secretariat. (Decision I/6, Annex I, Financial Rules of the CBD, as amended by Decision III/1)	General Trust Fund Established by the Executive Secretary of UNEP under the Financial Rules for the purpose of providing financial support for the work of the Minamata Convention secretariat. (Decision MC-1/10, Financial Rules of the Minamata Convention Rule 4.1)
2.2	Additional funds/financial mechanisms	Funds established by the Secretary-General of the ISA under regulation 5.5 of the Financial Regulations: Voluntary Trust Fund for Attendance at LTC/Finance Committee Meetings Established for the purpose of defraying the cost of participation of the members of the Legal and Technical Commission and the Finance Committee from developing States.	Special Trust Fund for Participation in the UNFCCC Process Established under the financial procedures to support participation of representatives of developing country Parties in the Conference of the Parties and its subsidiary bodies. (Decision 15/CP.1, Annex I, para 15) *** Other trust funds established by the Secretary-General of the	Special Voluntary Trust Fund (BZL Trust Fund) Established to facilitate participation of Parties in the CBD process. (Decision III/24, para 5) Special Voluntary Trust Fund (BEL Trust Fund) Established to allow for additional voluntary contributions in support of approved activities of the CBD. (Decision III/24, para 5)	Special trust fund Established to support activities of the secretariat in accordance with article 14 of the Convention and the participation of representatives of developing States Parties in the meetings of the Conference of the Parties and its subsidiary bodies. (Decision MC-1/10, rule 4.3) *** Article 13 of the Convention provides for the establishment of

(ISBA/8/A/11, para 12)

Endowment Fund for Marine Scientific Research in the Area

Established for the purpose of promoting and encouraging the conduct of marine scientific research in the Area for the benefit of mankind as a whole.

(ISBA/12/A/11, para 1)

Voluntary Trust Fund for Attendance at Council Meetings

Established for the purpose of defraying the cost of participation of members of the Council from developing States.

(ISBA/23/A/13, para D.3)

Trust Fund for Extrabudgetary Support

Established for the purpose of receiving extrabudgetary contributions from member States and other donors intended to support non-regular and specific activities resulting from agreements which are not funded from the approved budget. (ISBA/25/A/14)

United Nations pursuant to para 16 of the financial procedures:

Trust Fund for Supplementary Activities

Established to receive funding provided by Parties in addition to their contributions to the core budget as well as contributions from non-Parties to support a large range of activities.

Trust Fund for the Special Annual Contribution of the Government of Germany

Established to receive annual contributions by the Government of Germany to finance events in Germany. (Decision 16/CP.3, para 2)

Trust Fund for the Receipt of Fees and Shares of Proceeds for the Administration of the Clean Development Mechanism

(Decision 11/CMP.3, para 5)

Trust Fund for the Receipt of Fees and the Administration of the International Transaction Log

(Decision 11/CMP.3, para 12)

Article 11 of the Convention provides for the establishment of a financial mechanism for

Special Voluntary Trust Fund (VBL Trust Fund)

Established to allow the participation of indigenous peoples and local communities in meetings under the CBD. (Decision VII/16, section G, para 10)

Article 21 of the Convention provides for the establishment of a financial mechanism for the provision of financial resources to developing country Parties for purposes of the Convention. The financial mechanism of the Convention is operated by the Global Environment Facility: (Decision III/8)

Global Environment Facility Trust Fund

The GEF was appointed as the entity to serve as the institutional structure to operate the financial mechanism of the Convention. (Decision I/2)

Global Biodiversity Framework Fund

In response to the request by the Conference of the Parties of the CBD, a special trust fund to support the implementation of the Kunming-Montreal Global Biodiversity Framework was a financial mechanism for the provision of adequate, predictable, and timely financial resources is hereby defined. The mechanism is to support developing country Parties and Parties with economies in transition in implementing their obligations under this Convention and comprises two components:

- The Global Environment Facility Trust Fund
- A Specific International Programme to support capacity-building and technical assistance

Global Environment Facility Trust Fund

The GEF was appointed as one of the entities entrusted with the operation of the financial mechanism of the Convention. (Minamata Convention, Article 13; Decision MC-1/5)

Specific International Programme

Established by the Executive Director of UNEP for the Specific International Programme, to support capacity-building and technical assistance in accordance with article 13. UNEP is the hosting institution.

Cost Recovery Fund of the ISA

Established to ensure fair compensation for the resources of the Authority consumed, by receiving the indirect cost charges and direct cost recoveries. considered as spendable income, related to extrabudgetary and voluntary contributions received by the Authority. (ISBA/ST/SGB/2020/2; ISBA/26/A/10-ISBA/26/C/21, para 18)

ISA Partnership Fund

Established to support certain agreed activities, funded by voluntary contributions. (ISBA/27/A/10, para 6(a))

the provision of financial resources on a grant or concessional basis, including for the transfer of technology, which consists of a number of special funds indicated below:

- Global Environment Facility
- Green Climate Fund
- Special Climate Change Fund
- Least Developed Countries Fund
- Adaptation Fund

Entities)

Fund for responding to Loss and Damage (UNFCCC, Articles 11, 21 (3); Decision 15/CP.1, Annex I, para 15: Funds and Financial

Global Environment Facility

The GEF was appointed, on an interim basis, to be the international entity entrusted with the operation of the financial mechanism. (Decision 9/CP.1)

Special Climate Change Fund

Established to finance activities, programmes and measures, relating to climate change, that are complementary to those funded by the resources allocated to the climate change focal area of Global Environment Facility and by bilateral and multilateral funding. Operated by the GEF.

established by the GEF in 2023, and until 2030 unless the Conference of the Parties decides otherwise. (Decision 15/15)

Cali Fund

Established as part of the multilateral mechanism for benefit-sharing from the use of digital sequence information on genetic resources. (Decision 15/9, para 16)

(Decision MC-1/6; Decision MC-1/10, Rule 4(4))

(Decision 7/CP.7, para 2) Least Developed Countries Fund Established to support the work programme for the Least Developed Country Parties. This work programme includes, inter alia, the preparation and implementation of national adaptation programmes of action. Operated by the GEF. (Decision 7/CP.7, para 6; Decision 5/CP.7, para 12) Adaptation Fund Established to finance concrete adaptation projects and programmes in developing country Parties to the Kyoto Protocol that are particularly vulnerable to the adverse effects of climate change, as well as activities identified in paragraph 8 of decision 5/CP.7. Through decisions 13/CMA.1 and 1/CMP.14, Parties decided that the Adaptation Fund shall serve the Paris Agreement, effective 1 January 2019. (Decision 10/CP.7, para 1; Decision 13/CMA.1, para 1; Decision 1/CMP.14, para 1) Green Climate Fund The Green Climate Fund was designated as an operating entity of the financial mechanism of the Convention. Established to support projects,

			programmes, policies and other activities in developing country Parties. (Decision 3/CP.17) Fund for Responding to Loss and Damage Designated as an entity entrusted with the operation of the Financial Mechanism of the Convention, also serving the Paris Agreement. Established to assist developing countries that are particularly vulnerable to the adverse effects of climate change, in responding to loss and damage, including with a focus on addressing loss and damage by providing and assisting in mobilizing new and additional resources. (Decision 2/CP.27, para 2, Decision 2/CMA.4, para 2; Decision 1/CP.28, para 5; Decision 5/CMA.5, para 5)		
3	Relationship to the United Nations				
		The ISA is related to, but does not form part of, the United Nations. It has concluded an agreement with the United Nations which outlines the relationship between the 2 entities: Agreement concerning the Relationship between the United Nations and the International Seabed Authority	The UNFCCC is institutionally linked to the United Nations, while not being fully integrated into the work programme and management structure of any particular department or programme. (Decision 14/CP.1, para 2, approved in GA res 50/115, para 2)	UNEP was designated to carry out the functions of the CBD secretariat, while ensuring its autonomy to discharge the functions referred to in article 24 of the Convention. UNEP was to carry out these functions until such time as the staff of the CBD secretariat were appointed. (Decision I/4, paras 1 and 2)	The Executive Director of UNEP was requested to perform the secretariat functions through a secretariat of the Minamata Convention located in Geneva. (Minamata Convention, Article 24 (3); Decision MC-1/11, para 2; Decision MC-2/1, para 2) The Minamata Convention secretariat has established cooperative arrangements with

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	(Approved in GA res 52/27, ISBA/3/A/3)	See also Note by the Secretary-General of the United Nations on an institutional arrangement for the permanent secretariat (FCCC/CP/1995/5/Add.4, Appendix)	Administrative arrangements are in place between the CBD secretariat and UNEP concerning the relationship between the two entities: Revised Administrative Arrangements between the United Nations Environment Programme and the Secretariat of the Convention on Biological Diversity (Decision X/45, Annex 1)	the secretariat of the Basel, Rotterdam and Stockholm Conventions, including inter- secretariat working groups, as appropriate, to cooperate on relevant administrative, programmatic, technical assistance and technical matters. The cooperative arrangements also include the implementation of shared services and the purchase by the Minamata Convention of relevant services from the secretariat of the Basel, Rotterdam and Stockholm conventions on a cost recovery basis. (Decision MC-3/11; Decision MC-4/9; Decision MC-5/22) These cooperative arrangements were established following the operative proposal submitted by the Executive Director of UNEP for a stable framework for the sharing of relevant services between the secretariats, in response to a request by the Conference of the Parties to the
				operative proposal submitted by the Executive Director of UNEP for a stable framework for the sharing of relevant services between the secretariats, in response to a request by the

4	Headquarters arrangements				
		Seat of the ISA secretariat is	Seat of the UNFCCC	Seat of the CBD secretariat is	Seat of the Minamata
		in Jamaica.	secretariat is in Bonn,	in Montreal, Canada.	Convention secretariat is in
		(UNCLOS, Article 156 (4))	Germany.	(Decision II/19)	Geneva, Switzerland.
			(Decision 16/CP.1)		(Decision MC-2/1)
		Arrangements between the		Arrangements between the	, ,
		ISA secretariat and the	Arrangements between the	CBD secretariat and the	As part of the United Nations,
		Government of Jamaica have	UNFCCC secretariat and the	Government of Canada have	the secretariat of the Minamata
		been formalized in 2	Government of the Federal	been formalized in a	Convention benefits from the
		Headquarters Agreements:	Republic of Germany have	Headquarters Agreement:	Host Government Agreement
		Agreement between the	been formalized in a	Agreement Between the	concluded between the United
		International Seabed	Headquarters Agreement:	Government of Canada and the	Nations and the Swiss
		Authority and the	Agreement among the United	Secretariat of the Convention	Government. Therefore, no new
		Government of Jamaica	Nations, the Government of the	on Biological Diversity	headquarters agreement was
		Regarding the Headquarters	Federal Republic of Germany,	Concerning the Headquarters	required.
		of the International Seabed	and the secretariat of the	of the Convention Secretariat	(UNEP(DTIE)/Hg/INC.7/INF/5)
		Authority	United Nations Framework		
		(Approved in ISBA/5/A/11)	Convention on Climate Change	Where the Conference of the	Arrangements between the
			concerning the Headquarters of	Parties meets in a location	United Nations and Swiss
		Supplementary Agreement	the Convention secretariat	outside of the Headquarters, a	Federal Council have been
		between the International	(Approved by Decision	Host Country Agreement is	formalized in a Host Country
		Seabed Authority and the	15/CP.2)	generally concluded between	Agreement:
		Government of Jamaica		the CBD secretariat and the	Host Government Agreement on
		regarding the headquarters of	Article 3 provides that the	Government of the State	the privileges and immunities of
		the International Seabed	Agreement between the United	offering to host the meeting.	the United Nations
		Authority and the use of the	Nations and the Federal	An offer to host a meeting is	
		Jamaica Conference Centre	Republic of Germany	accepted by the Parties via a	
		complex	concerning the Headquarters of	decision by the Conference of	
		(Approved in ISBA/10/A/11)	the United Nations Volunteers	the Parties, which will also	
			(UNV) Programme (UNV	specify the deadline for	
			Headquarters Agreement) is applicable <i>mutatis mutandis</i> to	signing the Host Country Agreement.	
			the UNFCCC secretariat.	(Decision 16/27, para 2)	
			ine officee secretariat.	(Decision 10/2/, para 2)	
			Pursuant to Article 4 of that	The hosting arrangements are	
			Agreement, the 1946	usually concluded in	
			Convention on the Privileges	accordance with the "UN	
			and Immunities of the United	Guidelines for the preparation	

Nations and the 1961 Vienna Convention on Diplomatic Relations applies to the Headquarters district, the United Nations, including UNV, its property, funds and assets, and to persons referred in that Agreement, as appropriate.

Where the Conference of the Parties meets in a location outside of the Headquarters, a Host Country Agreement is generally concluded between the UNFCCC secretariat and the Government of the Country offering to host the meeting. An offer to host a meeting is accepted by the Parties via a decision by the Conference of the Parties, which will also specify the deadline for signing the Host Country Agreement. (Decision 19/CP.29, para 2; Administrative Instruction ST/AI/342)

The Host Country Agreement sets out the legal framework for the organization of the conference by the UNFCCC secretariat in the host country. It outlines the respective responsibilities of each party in terms of the preparation, organization and conduct of the conference, including staffing, security, logistical and other

of host Government agreements falling under General Assembly resolution 40/243". The host country agreement outlines the respective responsibilities of each party, and includes issues such as conference facilities, security, financial aspects and applicable privileges and immunities.

(Decision 16/27, para 2; ST/AI/342)

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			arrangements and financial aspects, as well as applicable privileges and immunities. (See the UNFCCC handbook for hosting conferences)		
5	Legal Capacity in the host States and international legal personality				
5.1	Legal Capacity in the host States	The Authority has such legal capacity as may be necessary for the exercise of its functions and the fulfilment of its purposes. (UNCLOS, Article 176; ISA Headquarters Agreement, Article 3; Protocol on the Privileges and Immunities of the International Seabed Authority, Article 3)	The UNFCCC secretariat possesses in the host country the legal capacity to: • contract; • acquire and dispose of movable and immovable property; • institute legal proceedings (UNFCCC Headquarters Agreement, Article 4 (1))	The CBD secretariat possesses juridical personality in Canada. It shall have the capacity to: • contract; • acquire and dispose of immovable and movable property; • institute legal proceedings. (CBD Headquarters Agreement, Article 2)	The Swiss Federal Council recognizes the international personality and legal capacity of the United Nations. (Host Government Agreement on the privileges and immunities of the United Nations, Article 1)
5.2	International legal personality	The Authority has international legal personality. (UNCLOS Article 176; ISA Headquarters Agreement, Article 3)	No express provision. "The secretariat was not a UN subsidiary organ and had also not been duly vested by the Parties with a clear juridical personality on the international plane" (Legal status of the secretariat - Note by the secretariat)	No express provision.	The Swiss Federal Council recognizes the international personality and legal capacity of the United Nations. (Host Government Agreement on the privileges and immunities of the United Nations, Article 1)
6	Scope of privileges and				

	immunities of the secretariats and their staff				
6.1	Scope of privileges and immunities of the secretariat	The ISA enjoys a range of privileges and immunities, set forth in UNCLOS, the ISA Headquarters Agreement and the Protocol on Privileges and Immunities of the ISA, including: Immunity from legal process for the Authority and its property and assets Immunity from search and any form of seizure Exemptions from restrictions, regulations, controls and moratoria Inviolability and protection of archives and official communications of the Authority Freedom of publication and broadcasting Exemption from taxes and customs duties Inviolability and protection of Headquarters Freedom of assembly (UNCLOS, Articles 177-183; ISA Headquarters Agreement, Articles 5-16; Protocol on Privileges and Immunities of the ISA, Article 7)	The UNFCCC secretariat enjoys a range of privileges and immunities, set forth in UNV Headquarters Agreement (applicable mutatis mutandis to the UNFCCC secretariat), including: Inviolability of the Headquarters Inviolability of archives and all documents Protection of the Headquarters and its vicinity Immunity from every form of legal process for the UNFCCC and its, funds, assets and other property Exemptions from taxes, duties, import and export restrictions Assistance in securing public and other services needed for the Headquarters Communications facilities (UNV Headquarters Agreement, Articles 5-12)	The CBD secretariat enjoys a range of privileges and immunities, set forth in the CBD Headquarters Agreement, including: • Inviolability of the premises of the secretariat and archives • Immunity from legal process for the CBD and its property, funds and assets • Exemption from taxes and duties • Communication facilities • Provision of conference and meeting facilities • Access to the premises of the secretariat • Protections for the interruption of public services (CBD Headquarters Agreement, Articles 3-9)	The Minamata Convention secretariat enjoys all privileges and immunities granted by the Swiss government to the United Nations, including: Inviolability of the premises, archives, property, funds and assets Immunity from jurisdiction and execution Exemption from financial controls, regulations or moratoria of any kind Exemptions from taxes, duties, import and export restrictions Communications facilities (Host Government Agreement on the privileges and immunities of the United Nations, Articles II-III)

6.2 Scope of privileges and immunities of the secretariat's staff	Privileges and immunities of ISA secretariat staff are outlined in UNCLOS, the ISA Headquarters Agreement and Protocol on Privileges and Immunities of the ISA. They include: • Immunity from legal process with respect to acts performed by them in the exercise of their functions • Immunity from personal arrest or detention in relation to acts performed by them in their official capacity • Immunity from inspection and seizure of personal and official baggage • Exemption from taxation, certain fees, certain import restrictions • Exemption for themselves and spouses and dependent family members from immigration and movement restrictions • Exemption for themselves and spouses and dependent family members for the purpose of official business from any restrictions on movements and travel inside Jamaica	Privileges and immunities of UNFCCC secretariat staff are outlined in the UNV Headquarters Agreement (applicable mutatis mutandis to the staff of the UNFCCC secretariat). They include: • Immunity from legal process in respect of words spoken or written and all acts performed by them in their official capacity • Exemption from taxation, certain duties, certain import restrictions • Exemption from national service obligations • Exemption from immigration restrictions and alien registration, together with spouses and relatives dependent on them • The same privileges in respect of exchange facilities as are accorded to the members of comparable rank of the diplomatic missions • Enjoyment of the same protection and repatriation facilities, together with spouses and relatives dependent on them, as are accorded to members of diplomatic missions • Additional privileges and immunities for staff at level P5 or higher (and their family)	Privileges and immunities of CBD secretariat staff are outlined in the CBD Headquarters Agreement. They include: Immunity from legal process in respect of words spoken or written and any act performed in their official capacity Exemption from taxation, certain fees, certain import restrictions Immunity for themselves, their spouses and relatives dependent on them from immigration restrictions and alien registration Immunity from national service obligations Enjoyment of the same protection and repatriation facilities as are accorded to members of diplomatic missions for themselves, their spouses and relatives dependent on them The same privileges in respect of exchange facilities as are accorded to the members of comparable rank of the diplomatic missions Additional privileges for the executive-secretary (and their family) Additional privileges and immunities for staff at level P4 or higher (and their family)	Privileges and immunities of Minamata secretariat staff are outlined in the Host Government Agreement on the privileges and immunities of the United Nations. They include: Immunity from legal process in respect of words spoken or written and any act performed in their official capacity Exemption from taxation, certain fees, certain import restrictions Immunity or themselves, their spouses and relatives dependent on them from immigration restrictions and alien registration Immunity from national service obligations Enjoyment of the same protection and repatriation facilities as are accorded to members of diplomatic missions for themselves, their spouses and relatives dependent on them The same privileges in respect of exchange facilities as are accorded to the members of comparable rank of the diplomatic missions Additionally, certain senior staff members (and their family) enjoy the privileges and immunities, exemptions and facilities accorded to diplomatic agents [The

Certain privileges for 1961 Vienna Convention on The same exchange Access to the labour facilities as are accorded experts on mission market for dependents Diplomatic Relations applies by analogy] to the members of • Certain privileges for • Certain privileges for diplomatic missions locally recruited personnel Certain privileges for experts on mission experts on mission Exemption for Unimpeded entry into, exit (CBD Headquarters themselves and spouses (Host Government Agreement from, free movement and Agreement, Articles 11-13) and dependent family sojourn within the host on the privileges and immunities members from national country of the United Nations, Articles service obligations Issuance of identification V-VI) Enjoyment for cards themselves and spouses Access to the labour See also Offer by Switzerland to and dependent family market for family members host the permanent secretariat of members of the same (UNV Headquarters the Minamata Convention. protection and Agreement, Articles 14, 16, 17, (UNEP(DTIE)/Hg/INC.7/INF/5 repatriation facilities as 21, 22, 25) annex) are accorded to members of diplomatic missions Similar privileges and immunities for experts on mission of the Authority (UNCLOS, Article 182; ISA Headquarters Agreement, Articles 32 and 35; Protocol on Privileges and Immunities of the ISA, Articles 8-9)

7	Privileges and immunities for State representatives and related obligations for facilitating participation of representatives				
7.1	Privileges and immunities for State representatives	Privileges and immunities of representatives of States attending meetings of the Authority are outlined in UNCLOS, the ISA Headquarters Agreement and Protocol on Privileges and Immunities of the ISA. They include: Immunity from legal process, in respect of words spoken or written and all acts performed by them in their official capacity, and immunity from personal arrest or detention Inviolability of papers and documents, and right to use codes and receive papers or correspondence Exemptions in respect of themselves and their spouses from immigration restrictions, alien registration requirements or national service obligations Facilities as regards exchange restrictions and travelling facilities	Privileges and immunities of State representatives are outlined in the Convention on Privileges and Immunities of the United Nations (applied to UNFCCC secretariat through Article 4 of the UNV Headquarters Agreement). They include: • Immunity from legal process, and personal arrest or detention and seizure of personal bags, and, in respect of words spoken or written and all acts done by them in their capacity as representatives, immunity from legal process of every kind • Inviolability of papers and documents, and the right to use codes and receive papers or correspondence • Exemption in respect of themselves and their spouses from immigration restrictions, alien registration or national service obligations • Currency/exchange privileges	Privileges and immunities of representatives of Parties to the Convention are outlined in the CBD Headquarters Agreement. They include: Immunity from personal arrest or detention and seizure of personal bags, and immunity from legal process of every kind in respect of words spoken or written and all acts performed in their official capacity; Inviolability of papers and documents, and the right to use codes and receive papers or correspondence Exemption in respect of themselves and their spouses and members of their family from immigration restrictions and alien registration Currency/exchange privileges The same exemption from examination of personal baggage as accorded to diplomatic agents;	Privileges and immunities of State representatives are outlined in the Agreement on privileges and immunities. They include: • Immunity from legal process, and personal arrest or detention and seizure of personal bags, and, in respect of words spoken or written and acts done by them in their capacity as representatives, immunity from legal process of every kind • Inviolability of papers and documents, and the right to use codes and receive papers or correspondence • Exemption in respect of themselves and their spouses from immigration restrictions, alien registration or national service obligations • Currency/exchange privileges • The same immunities and facilities in respect of their personal baggage as are

		• Immunities and facilities in respect of their personal baggage, as are accorded to diplomatic envoys (UNCLOS, Article 182; Protocol on Privileges and Immunities of the ISA, Article 7) In addition: Permanent missions/observer missions established in Jamaica enjoy the same privileges and immunities as are accorded to a diplomatic mission in Jamaica. Members of the permanent mission or of the permanent observer mission have the same privileges and immunities as the Government accords to the members, having comparable rank, of a diplomatic mission in Jamaica. (ISA Headquarters Agreement, Articles 28-29)	Immunities and facilities in respect of their personal baggage, as are accorded to diplomatic envoys Such other privileges, immunities and facilities not inconsistent with the foregoing as diplomatic envoys enjoy, except with respect to customs duties, excise duties and sales tax (Convention on Privileges and Immunities of the United Nations, Article 4) Activities of the United Secretary (Convention on Privileges and Immunities of the United Nations, Article 4)	Such other privileges, immunities and facilities not inconsistent with the foregoing as diplomatic envoys enjoy, except with respect to customs duties, excise duties and sales tax (CBD Headquarters Agreement, Article 10)	accorded to diplomatic agents; • Such other privileges, immunities and facilities not inconsistent with the foregoing as diplomatic envoys enjoy, except with respect to customs duties, indirect or sales taxes (Host Government Agreement on privileges and immunities of the United Nations, Article IV)
7.2	Related obligations for facilitating participation of representatives	Visas, if required, for State representatives, Officials of the Authority, Officials of the UN, Officials of other organizations, persons on mission, and other individuals accredited to or invited by the Authority, must be granted without	Individuals on official business have the right of unimpeded entry into, exit from, free movement and sojourn within the host country. They are granted facilities for speedy travel. Visas, entry permits or licenses, where required, must	Visas, where required, must be granted free of charge and as promptly as possible. (CBD Headquarters Agreement, Article 8)	No express provision.

		charge and as promptly as possible. (ISA Headquarters Agreement, Article 26, Protocol on Privileges and Immunities of the ISA, Article 7)	be granted free of charge and as promptly as possible. Arrangements must also be made to ensure that visas, entry permits or licenses, where required, are delivered at the port of entry to the Federal Republic of Germany to those persons who were unable to obtain them elsewhere prior to their arrival. (UNV Headquarters Agreement, Article 21; UNFCCC, Article 3 (3))		
8	Appointment process of the heads of the secretariats	The Secretary-General is elected for a four-year term by the ISA Assembly from among the candidates proposed by the Council and may be re-elected. (UNCLOS, Article 166; ISBA/A/6, Rule 88)	The Executive-Secretary is appointed by the Secretary-General, after consultation with the Conference of the Parties through its Bureau. (Decision 14/CP.1, para 7) The practice of the UNFCCC secretariat with respect to appointments at the Under-Secretary General and Assistant Secretary-General levels align with the principles and practices of the UN. (FCCC/SBI/2017/INF.6)	The Executive Secretary is appointed by the Secretary-General of the United Nations as recommended by the Executive Director of UNEP, in consultation with the Conference of the Parties through its Bureau. (Decision VII/34 para 5; Decision X/45, Annex, Section II) See also Decision 16/30 emphasizing the need for inclusive, transparent and objective processes in the appointment of future executive secretaries and clarifying the actions that must	The Executive-Secretary is appointed by the Executive Director of UNEP, after consultation with the Conference of the Parties through its Bureau. (Based on existing practice of the secretariat)

9	Accountability mechanism - audit and oversight			the Conference of the Parties considers itself duly consulted in the process of appointing the Executive Secretary of the Convention.	
		independent audit processes. The ISA Assembly appoints an internationally recognized independent auditor with experience in the audit of international organizations, who audits the organization and prepare a report for consideration by the Finance Committee. (ISA Financial Regulations,	to its institutional linkages, is subject to the internal and external audit processes of the United Nations. This includes the accounts and financial management of all funds governed by the UNFCCC secretariat's financial procedures. (Decision 15/CP.1, Annex I, para 18)	the internal and external processes of the UN. (Decision I/6, Annex I, para 14; Administrative and Financial matters) Internal audit processes are undertaken by the Office of Internal Oversight Services. (United Nations Financial Regulations, Regulation 5.15)	Convention/UNEP is subject to the internal and external processes of the UN. (Decision MC-1/10, Rule 5) Internal audit processes are undertaken by the Office of Internal Oversight Services. (United Nations Financial Regulations, Regulation 5.15)
		The Secretary-General must establish control mechanisms. (ISA Financial Regulations, Regulation 10) *** The Secretary-General of the ISA is required to report annually to the ISA Assembly on the work of the Authority. (UNCLOS, Article 166 (4); see for example	The internal audit process is undertaken by the Office of Internal Oversight Services. (United Nations Financial Regulations, Regulation 5.15) The external audit process involves regular auditing by the United Nations Board of Auditors after the close of the financial period. The auditors provide recommendations which are responded to by the UNFCCC secretariat.	The audit process may have a broad scope, including assessing the adequacy and effectiveness of governance, risk management, and control processes. (OIOS Report 2019/095) The external audit process involves regular auditing by the United Nations Board of Auditors, as part of its audit of UNEP. (A/79/5/Add.7)	The external audit process involves regular auditing by the United Nations Board of Auditors, as part of its audit of UNEP. (A/79/5/Add.7) *** The Minamata Convention secretariat is required to prepare and make available to the Parties periodic reports based on information received pursuant to articles 15 and 21 and other available information.

		ISBA/29/A/2, 2024 Annual report)	(FCCC/SBI/2024/INF.7, FCCC/SBI/2024/INF.7/Add.1)	The CBD secretariat is required to prepare reports on the execution of its functions	(Minamata Convention, Article 24 (2) (e))
			***	under the Convention and	The Executive Director of
			The UNFCCC secretariat	present them to the Conference	UNEP reports back to the
			reports regularly to the Conference of the Parties on	of the Parties.	Conference of the Parties on activities carried out by UNEP
			the secretariat's activities, key	(CBD, Article 24 (1) (c)); see for example CBD/COP/15/6)	in relation to work on mercury
			achievements in the UNFCCC	,	and to outline progress towards the decisions adopted by the
			process and financial performance.	The Executive Director of UNEP reports back to the	Conference of the Parties at
			(UNFCCC, Article 8 (2) (d);	Conference of the Parties on	previous meetings.
			see for example FCCC/SBI/2024/9)	activities carried out by UNEP	(See for example UNEP/MC/COP.5/INF/29,
			FCCC/SBI/2024/9)	in response to decisions adopted by the Conference of	UNEP/MC/COP.4/INF/15/Rev.1)
				the Parties at previous	
				meetings.	
				(See for example CBD/COP/16/INF/16,	
				CBD/COP/15/INF/20)	
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10	Modalities of cooperation with				
	other relevant				
	IFBs				
		The Secretary-General may	The UNFCCC secretariat	The CBD secretariat	The Conference of the Parties to
		make suitable arrangements, with the approval of the	ensures coordination with the secretariats of other	coordinates with other relevant international bodies and, in	the Minamata Convention cooperates, where appropriate,
		Council for consultation and	international bodies.	particular, to enter into such	with competent international
		cooperation with	(UNFCCC, Article 8 (2) (e))	administrative and contractual	organizations and
		international and non-		arrangements as may be	intergovernmental and non-
		governmental organizations	The UNFCCC secretariat has	required for the effective	governmental bodies. The
		recognized by the Economic and Social Council of the	entered into MOUs and other legal instruments with a range	discharge of its functions. (CBD, Article 24 (1) (d))	secretariat also coordinates, as appropriate, with the secretariats
		United Nations.	of other international	(CDD, Article 27 (1) (u))	of relevant international bodies,
		(UNCLOS, Article 169 (1))	organizations.	The Conference of the Parties	particularly other chemicals and
				has emphasized the importance	waste conventions. In paragraph
		The ISA has entered into	The UNFCCC secretariat	of collaboration particularly	2 of article 16, on health
		MOUs with a range of other international organizations.	reports on ongoing cooperative activities with United Nations	with other biodiversity-related conventions.	aspects, the Minamata Convention specifies that the
		miemanonai organizadons.	activities with United Nations	conventions.	Convention specifies that the

		(Memorandums of Understanding) The Secretary-General reports to the Assembly on its ongoing collaborations. (ISBA/29/A/2, para 58; ISBA/30/A/2, paras 63-70)	entities and other international organizations. (FCCC/SBSTA/2024/INF.1)	(See for example, Decision II/3, Decision XIII/24 and more recently Decision 15/13 and Decision 16/35) The CBD secretariat reports on ongoing cooperative activities with United Nations entities and other international organizations (See for example CBD/NP/MOP/5/8; Cooperation with other conventions, organizations and initiatives)	Conference of the Parties to the Minamata Convention, in considering health-related issues or activities, should consult and collaborate with the World Health Organization, the International Labour Organization and other relevant intergovernmental organizations, as appropriate, and should promote cooperation and exchange of information with those organizations, as appropriate. (Minamata Convention Articles 16 (2), 23 (5) (b), 24 (2) (c)) The Minamata secretariat reports on ongoing cooperative activities with United Nations entities and other international organizations. (UNEP/MC/COP.3/18; UNEP/MC/COP.5/21)
11	Arrangements for equitable representation of developing States in the secretariats				
		The ISA staff recruitment policies require that the paramount consideration in the recruitment and employment of staff is the necessity of securing the highest standards of	The Staff Regulations and Rules of the United Nations apply to the staff of the UNFCCC secretariat. The paramount consideration in the appointment, transfer or	The Staff Regulations and Rules of the United Nations apply to the staff of the CBD secretariat. The paramount consideration in the appointment, transfer or	The Staff Regulations and Rules of the United Nations apply to the staff of the Convention secretariat. The paramount consideration in the appointment, transfer or

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Total budget: Total budget:
USD\$ 4 787 000 (1995) USD\$ 3 916 524 (2018)
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the Conference (16th Meeting of the (5th Meeting of the Conference
Conference of the Parties) of the Parties)
Total budget: Total budget:
USD\$ 21 682 100 (2025) USD\$ 3 462 127 (2024)
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.28, Table 1) Note: The 2025/2026 budget is (Decision MC-5/20)
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first years of its	2025-26 Budget	Note: The above reflects the	
operation (1994-	(29th Session of the ISA)	budget for the core trust funds	
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United Nations	USD\$ 13 335 500 (2026)		
Secretary-General	(ISBA/29/A/3/Add.1-		
and approved by	ISBA/29/C/11/Add.1)		
the General	Note: The above reflects the		
Assembly. All	general administrative		
relevant figures	budget for the Authority		
have been			
included.			
Note 2: All figures			
presented			
correspond to the			
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