



## Convention on Biological Diversity

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ENGLISH ONLY

### COMPLIANCE COMMITTEE UNDER THE NAGOYA PROTOCOL

First meeting

Montreal, Canada, 6-8 April 2016

Item 2 of the provisional agenda\*

### ANNOTATIONS TO THE PROVISIONAL AGENDA

#### INTRODUCTION

1. Article 30 of the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization provides that the Conference of the Parties serving as the meeting of the Parties to the Protocol shall, at its first meeting, consider and approve cooperative procedures and institutional mechanisms to promote compliance with the provisions of the Protocol and to address cases of non-compliance. Accordingly, at their first meeting, the Parties to the Nagoya Protocol adopted decision NP-1/4, which includes procedures and mechanisms on compliance and establishes a Compliance Committee.

2. The Committee consists of 15 members nominated by Parties on the basis of three members from each of the five regional groups of the United Nations as well as two representatives of indigenous and local communities (ILC) nominated by such communities who serve as observers. The nominees are elected by the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol (COP-MOP). At its first meeting, COP-MOP elected the following members and ILC observers:

#### **Africa**

Mr. Ayman Tharwat Abdel Aziz

Ms. Naritiana Rakotoniaina Ranaivoson

Ms. Christine Echookit Akello‡

#### **Asia and the Pacific**

Mr. Luther M. Rangreji

Mr. Clark Peteru

Mr. Achmad Gusman Catur Siswandi

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\* UNEP/CBD/ABS/CC/1/1.

‡ These members have been elected to serve a half-term of two years.

**Central and Eastern Europe**

Ms. Elena Makeyeva

Ms. Elvana Ramaj

Ms. Elzbieta Martyniuk‡

**Latin America and the Caribbean**

Ms. Norma Munguía Aldaraca

Mr. Andres Valladolid Cavero

Mr. Indarjit Ramdass‡

**Western Europe and Others**

Mr. Kaspar Sollberger

Ms. Helge Elisabeth Zeitler

Sr. Alejandro Lago Candeira‡

**Indigenous and local communities**

Mr. Preston D. Hardison

Mr. Onel Masardule Arias

3. In decision NP-1/4, COP-MOP requested the Executive Secretary to arrange for at least one meeting of the Compliance Committee to be held prior to the second meeting of the Parties to the Protocol, including for the purpose of:

(a) Developing rules of procedure referred to in paragraph 8 of section B of the procedures and mechanisms on compliance with the provisions of the Nagoya Protocol;

(b) Identifying and considering the need for and modalities of support, including possibly through a flexible mechanism to provide advice or assistance to Parties, in particular developing country Parties, and, where appropriate and applicable, indigenous and local communities, to address challenges related to compliance with the provisions of the Nagoya Protocol, with a view to making effective use of the compliance mechanism;

(c) Submitting recommendations to the second meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol on the outcomes of its deliberations pursuant to sub-paragraph (b) above.

4. Following consultation with the Committee, the first meeting of the Compliance Committee will be held from 6 to 8 April 2016 at the offices of the Secretariat of the Convention on Biological Diversity. As provided for in section B, paragraph 12, of the compliance procedures and mechanisms in the annex to decision NP-1/4, the meeting of the Committee shall be open, unless the Committee decides otherwise.

**ITEM 1. OPENING OF THE MEETING**

5. The meeting will be opened at 9.30 a.m. on Wednesday, 6 April 2016.

**ITEM 2. ORGANIZATIONAL MATTERS**

**2.1. Election of officers**

6. Section B, paragraph 9, of the compliance procedures and mechanisms (annex to decision NP-1/4) provides that the Committee shall elect a Chair and a Vice-Chair who will rotate among the five regional groups of the United Nations. Accordingly, the members of the Compliance Committee will be invited to elect a Chair and a Vice-Chair.

## 2.2. Adoption of the agenda

7. The Committee may wish to adopt its agenda on the basis of the provisional agenda proposed by the Executive Secretary (UNEP/CBD/ABS/CC/1/1).

## 2.3. Organization of work

8. The Committee may wish to consider the proposed organization of work as contained in annex I below. The language of the meeting will be English.

9. A list of documents for the meeting is contained in annex II below. The documents will be made available on the Secretariat's website at <https://www.cbd.int/doc/?meeting=ABSCC-01>.

10. An information note has been made available containing details of logistical arrangements for the meeting, including information on travel, visa requirements, accommodation and other similar matters.

### **ITEM 3. DEVELOPMENT OF RULES OF PROCEDURE FOR MEETINGS OF THE COMPLIANCE COMMITTEE UNDER THE NAGOYA PROTOCOL**

11. According to decision NP-1/4, one of the purposes of the first meeting of the Committee is to develop its rules of procedure. To facilitate this work, the Executive Secretary has prepared a note containing draft rules of procedure (UNEP/CBD/ABS/CC/1/2) which is the result of examining the rules of procedure for equivalent committees under other multilateral environmental agreements, particularly the Cartagena Protocol on Biosafety, and taking into account the procedural aspects already addressed in the compliance procedures and mechanisms.

12. The Committee is invited to develop its rules of procedure on the basis of the note by the Executive Secretary and submit them to COP-MOP for its consideration and approval at its second meeting in accordance with section B, paragraph 8, of the procedures and mechanisms on compliance.

### **ITEM 4. NEED FOR AND MODALITIES OF SUPPORT TO ADDRESS CHALLENGES RELATED TO COMPLIANCE WITH THE PROVISIONS OF THE NAGOYA PROTOCOL WITH A VIEW TO MAKING EFFECTIVE USE OF THE COMPLIANCE MECHANISM**

13. Paragraph 2(b) of decision NP-1/4 provides that the first meeting of the Compliance Committee is to identify and consider "the need for and modalities of support, including possibly through a flexible mechanism to provide advice or assistance to Parties, in particular developing country Parties, and, where appropriate and applicable, indigenous and local communities to address challenges related to compliance with the provisions of the Nagoya Protocol, with a view to making effective use of the compliance mechanism". The Committee is to submit recommendations to the Parties to the Protocol at their second meeting on the outcomes of its deliberations on to this matter. COP-MOP invited the submission of views by Parties, other Governments, international organizations, indigenous and local communities and relevant stakeholders on matters raised in paragraph 2(b) in order to assist the Compliance Committee in its consideration of this matter.

14. By notification 2015-049 of 5 May 2015,<sup>1</sup> the Executive Secretary invited the submission of views on matters raised in paragraph 2(b) of decision NP-1/4. The Executive Secretary has prepared a

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<sup>1</sup> <https://www.cbd.int/doc/notifications/2015/ntf-2015-049-abs-en.pdf>

synthesis of the views submitted (UNEP/CBD/ABS/CC/1/3), and the full text of the submissions has been made available online at [https://www.cbd.int/abs/support\\_submissions.shtml](https://www.cbd.int/abs/support_submissions.shtml).

15. The Committee may wish to consider the views submitted and develop recommendations on this matter to be submitted to the second meeting of the Parties to the Protocol.

**ITEM 5. FUTURE WORK OF THE COMPLIANCE COMMITTEE**

16. The Committee may wish to consider what work it could undertake in the next intersessional period in the light of the functions listed in section C of the annex to decision NP-1/4 and the procedures listed in section D of the annex to decision NP-1/4. The Executive Secretary has prepared a note (UNEP/CBD/ABS/CC/1/4) outlining some relevant areas of work in 2017-2018 that the Committee may wish to bear in mind in its consideration of this matter.

**ITEM 6. OTHER MATTERS**

17. Under this item, members of the Compliance Committee may wish to raise and discuss any other matters of relevance to the Committee.

**ITEM 7. ADOPTION OF THE REPORT**

18. The Committee will consider and adopt the report on the meeting, which will be submitted to the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol at its second meeting for its consideration.

**ITEM 8. CLOSURE OF THE MEETING**

19. The first meeting of the Compliance Committee is expected to close at 5 p.m. on Friday, 8 April 2016.

*Annex I*

**PROPOSED ORGANIZATION OF WORK**

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<b>Date and time</b>	<b>Agenda item</b>
<b>6 April 2016</b>	
9.30 a.m. to 10 a.m.	1. Opening of the meeting 2. Organizational matters: 2.1. Election of officers 2.2. Adoption of the agenda 2.3. Organization of work
10 a.m. to 12.30 p.m.	3. Development of rules of procedure for meetings of the Compliance Committee under the Nagoya Protocol
2.30 to 5.30 p.m.	Agenda item 3 ( <i>continued</i> )
<b>7 April 2016</b>	
9.30 a.m. to 12.30 p.m.	4. Need for and modalities of support to address challenges related to compliance with the provisions of the Nagoya Protocol with a view to making effective use of the compliance mechanism
2.30 to 5.30 p.m.	Agenda item 4 ( <i>continued</i> ) 5. Future work of the Compliance Committee
<b>8 April 2016</b>	
9.30 a.m. to 12.30 p.m.	Agenda item 5 ( <i>continued</i> ) 6. Other matters
2.30 to 5:30 p.m.	7. Adoption of the report 8. Closure of the meeting

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*Annex II*

**LIST OF DOCUMENTS**

<i>Symbol</i>	<i>Title</i>
UNEP/CBD/ABS/CC/1/1	Provisional agenda
UNEP/CBD/ABS/CC/1/1/Add.1	Annotations to the provisional agenda
UNEP/CBD/ABS/CC/1/2	Development of rules of procedure for meetings of the Compliance Committee under the Nagoya Protocol
UNEP/CBD/ABS/CC/1/3	Synthesis of views on the need for and modalities of support to address challenges related to compliance with the provisions of the Nagoya Protocol with a view to making effective use of the compliance mechanism
UNEP/CBD/ABS/CC/1/4	Activities foreseen under the Nagoya Protocol for 2017-2018 of potential relevance to the future work of the Compliance Committee

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