



Convention on Biological Diversity

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COMPLIANCE COMMITTEE UNDER THE CARTAGENA PROTOCOL ON BIOSAFETY

Eighth meeting

Montreal, 5-7 October 2011

Item 2 of the provisional agenda*

ANNOTATIONS TO THE PROVISIONAL AGENDA

INTRODUCTION

1. The Compliance Committee under the Cartagena Protocol on Biosafety held its seventh meeting from 8 to 10 September 2010 in Montreal. The Committee agreed, among other things, on the recommendations that it needed to submit to the fifth meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol.
2. The fifth meeting of the Parties to the Protocol took place from 11 to 15 October 2010 in Nagoya, Japan. The meeting considered the report and recommendations of the Compliance Committee submitted by Mr. Jürg Bally, the Chair of the Committee. The meeting of the Parties adopted decision BS-V/1 on compliance. It also adopted other decisions relevant to compliance under other items of its agenda on the basis of elements of the recommendations from the Compliance Committee.
3. Following the fifth meeting of the Parties to the Protocol, the Chairperson of the Compliance Committee prepared, with the assistance of the Secretariat, a document reviewing the outcome of the meeting (UNEP/CBD/BS/CC/8/INF/1). The review includes also a proposal of a work plan for the Committee for the biennium up to the sixth meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol.
4. The eighth meeting of the Committee, which is its first meeting since the fifth meeting of the Parties to the Protocol, will be held in Montreal from 5 to 7 October 2011 at the premises of the Secretariat. It will be held in open session as agreed by members of the Committee at their fourth meeting.
5. The provisional agenda for the present meeting has been developed taking into account, as appropriate, the work plan for the Committee for the current biennium as proposed by the Chairperson of the Committee earlier, the overall functions of the Committee as specified in decision BS-I/7 that established the Compliance Procedures and Mechanisms under the Cartagena Protocol on Biosafety and relevant decisions previously taken by the Committee.

* UNEP/CBD/BS/CC/8/1.

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ITEM 1. OPENING OF THE MEETING

6. The meeting will be opened by Mr. Jürg Bally, Chair of the Committee, at 9.30 a.m. on Wednesday, 5 October 2011.

ITEM 2. ORGANIZATIONAL MATTERS

2.1. 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 in consultation with the Chair of the Committee (UNEP/CBD/BS/CC/8/1).

2.2. 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 <http://www.cbd.int/doc/?meeting=BSCC-08>

10. An information note will also be made available for members of the Compliance Committee containing details logistical arrangements for the meeting, including information on travel, visa requirements, accommodation and other similar matters.

ITEM 3. SOME CONSIDERATIONS ON THE POSSIBLE MODALITIES OF IMPLEMENTATION OF THE SUPPORTIVE ROLE OF THE COMPLIANCE COMMITTEE AS MODIFIED BY DECISION BS-V/1

11. As indicated above, the fifth meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol adopted a number of decisions related to compliance. These decisions were based on or take into account recommendations from the Compliance Committee. The Committee may wish to discuss the effects of these decisions in particular decision BS-V/1 on the work of the Committee on the one hand, and the overall improvement of Parties' compliance with their obligations under the Cartagena Protocol on Biosafety, on the other.

12. Decision BS-V/1 expands the grounds whereby the compliance procedures under the Protocol may be activated. According to section IV of the compliance procedures (decision BS-I/7) the Compliance Committee was supposed to receive submissions relating to compliance only from a Party with respect to itself or with respect to another Party. In light of decision BS-V/1, however, the Committee may also consider cases concerning the compliance of a Party that fails to submit its national report, or a Party, which, information received through a national report or the Biosafety Clearing-House shows that it is faced with difficulties to comply with its obligations under the Protocol. The decision limits the measures that the Committee may consider taking as a result of instances where submission has been made by a Party with respect to its own compliance or information shows that a Party is faced with difficulties to comply with its obligations.

13. In the document that was circulated earlier to members of the Committee reviewing the outcomes of the fifth meeting of the Parties to the Protocol, it was suggested that the Committee may wish to consider developing a strategy or guidelines on how to implement the compliance procedures as modified by decision BS-V/1. This agenda item, therefore, offers an opportunity for such consideration by the Committee. In order to facilitate the discussion, the Secretariat will make available a document

(UNEP/CBD/BS/CC/8/2) outlining some thoughts and information on possible modalities of implementation of the supportive role of the Committee as modified by decision BS-V/1.

14. The review of the outcomes of the fifth meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol will also be made available to this meeting as information document (UNEP/CBD/BS/CC/8/INF/1) with a view to facilitate deliberations under this agenda item.

ITEM 4. REVIEW OF GENERAL ISSUES OF COMPLIANCE

15. This item has been included in the agenda of the present meeting consistent with the agreement made by the Committee at its fifth meeting to have a standing agenda item on “review of general issues of compliance” at its future meetings (UNEP/CBD/BS/CC/5/4, para. 23).

16. It is recalled that the Committee had agreed, at its seventh meeting, to consider including in its work programme for the current biennium the status of implementation of obligations related to public awareness and participation. In that regard, the Committee could consider “public awareness and participation” in the context of this agenda item. However, since more information on the status of implementation of all obligations under the Protocol, including the obligation to promote public awareness and participation is supposed to be made available by each Party through the second national report which is due by the end of September 2011, it is suggested that the Committee considers this item at its next meeting.

ITEM 5. OTHER MATTERS

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

18. Decision BS-V/15 of the fifth meeting of the Parties to the Protocol, envisages that the next evaluation of the effectiveness of the Protocol that needs to be undertaken periodically in accordance with Article 35 of the Protocol would be based on information gathered from different sources, including information that may be made available through the Compliance Committee. In that respect, the Committee may wish to consider, under this agenda item, issues related with “assessment and review”, including the Committee’s possible contribution to the process.

ITEM 6. ADOPTION OF THE REPORT

19. The Committee will consider and adopt its report.

ITEM 7. CLOSURE OF THE MEETING

20. It is expected that the meeting will be closed at 5 p.m. on Friday, 7 October 2011.

*Annex I***PROPOSED ORGANIZATION OF WORK FOR THE EIGHTH MEETING OF THE COMPLIANCE COMMITTEE UNDER THE BIOSAFETY PROTOCOL**

<i>Date and time</i>	<i>Agenda item</i>
<i>5 October 2011</i> 9.30 a.m. to 9.45 a.m.	1. Opening of the meeting 2. Organizational matters: 2.1 Adoption of the agenda; 2.2. Organization of work.
9.45 a.m. to 12.30 p.m.	3. Some considerations on the possible modalities of implementation of the supportive role of the Committee as modified by decision BS-V/1
2.30 p.m. to 5.30 p.m.	Continuation of agenda item 3
<i>6 October 2011</i> 9.30 a.m. to 12.30 p.m.	Continuation of agenda item 3
2.30 p.m. to 5.30 p.m.	4. Review of general issues of compliance
<i>7 October 2011</i> 9.30 a.m. to 12.30 p.m.	5. Other matters
2.30 p.m. to 5 p.m.	6. Adoption of the report 7. Closure of the meeting.

Annex II

**LIST OF DOCUMENTS FOR THE EIGHTH MEETING OF THE COMPLIANCE
COMMITTEE UNDER THE BIOSAFETY PROTOCOL**

<i>Symbol</i>	<i>Title</i>
UNEP/CBD/BS/CC/8/1	Provisional agenda
UNEP/CBD/BS/CC/8/1/Add.1	Annotations to the provisional agenda
UNEP/CBD/BS/CC/8/2	Some considerations on the possible modalities of implementation of the supportive role of the Committee as modified by decision BS-V/1
UNEP/CBD/BS/CC/8/INF/1	Review of the outcomes of the fifth meeting of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety as they relate to the work of the Compliance Committee
UNEP/CBD/BS/CC/7/3	Report of the Compliance Committee under the Cartagena Protocol on Biosafety on the work of its seventh meeting
