



Convention on Biological Diversity

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COMPLIANCE COMMITTEE UNDER THE CARTAGENA PROTOCOL ON BIOSAFETY

Tenth meeting

Montreal, 29 – 31 May 2013

Item 2 of the provisional agenda*

ANNOTATIONS TO THE PROVISIONAL AGENDA

INTRODUCTION

1. The sixth meeting of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety (COP-MOP 6) took place in Hyderabad, India, from 1 to 5 October 2012. The meeting considered, among other things, the report and recommendation of the Compliance Committee, submitted by Mr. Jürg Bally, the Chair of the Committee at the time. The report, which also contained a recommendation in its annex, was agreed upon earlier by the Committee at its ninth meeting held in Montreal, from 30 May to 1 June 2012.
2. The recommendation of the Committee comprised 17 specific items clustered under broader items: compliance; monitoring and reporting; financial mechanism and resources; and assessment and review. The sixth meeting of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety considered each specific item under its relevant agenda items and adopted decisions.
3. The Secretariat has prepared and made available to members of the Committee a review document as regards the outcomes of the sixth meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol on matters related to compliance and the Compliance Committee. Members of the Committee have provided their preliminary reaction to the review document. The review document also includes a proposal of a work plan for the Committee for the biennium up to the seventh meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol.
4. Following consultations with members of the Committee, it was agreed that the tenth meeting of the Committee would be held from 29 to 31 May 2013, in Montreal. The provisional agenda for the meeting has been prepared taking into account the cyclical organization of work agreed by the Committee at its eighth meeting; the relevant decisions of the Parties to the Cartagena Protocol on Biosafety taken at their sixth meeting, in particular decision BS-VI/I; the work plan proposed in the review of the outcomes of the sixth 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/10/1.

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(UNEP/CBD/BS/CC/10/INF/1); and the overall functions of the Committee as specified in decision BS-I/7.

ITEM 1. OPENING OF THE MEETING

5. The meeting will be opened at 9.30 a.m. on Wednesday, 29 May 2013.

ITEM 2. ORGANIZATIONAL MATTERS

2.1. Election of officers

6. According to rule 12 of the rules of procedure for meetings of the Committee (decision BS-II/1), the Committee shall elect a Chair and a Vice-Chair for a term of two years with a possibility of re-election for one further two-year term. Mr. Jürg Bally and Ms. Liina Eek served for two terms (2009-2012) as Chair and Vice-Chair of the Committee, respectively. Their terms as officers as well as members of the Committee ended at the end of last year. The Committee will, therefore, be invited to elect a Chair and a Vice-Chair who can serve for the next two-year term.

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 Secretariat in document UNEP/CBD/BS/CC/10/1.

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 <http://www.cbd.int/doc/?meeting=BSCC-10>

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

ITEM 3. ASSESSMENT OF THE OUTCOMES OF THE SIXTH MEETING OF THE PARTIES TO THE CARTAGENA PROTOCOL ON BIOSAFETY WITH REGARD TO ITEMS RELEVANT TO COMPLIANCE

11. As indicated above, the Secretariat prepared and circulated, on 29 November 2012, a document reviewing the outcomes of the sixth meeting of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety which were considered to be relevant to the work of the Compliance Committee. Several members of the Committee have shared their preliminary comments on the review/assessment.

12. The Committee may wish to further examine some of the outcomes of the sixth meeting of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety based on the information contained in document UNEP/CBD/BS/CC/10/INF/1.¹ The Secretariat suggests

¹ The Secretariat will make available, in the context of item 4 below, a separate document as regards developments in the implementation of one of the priority areas i.e. putting in place appropriate legal and administrative framework for the implementation of the Protocol.

that the Committee further reviews, among other things, the potential that paragraph 2(n) of decision BS-VI/5 might have in the enhancement of the supportive role of the Committee. According to that paragraph, the Global Environment Facility (GEF) is invited to consider, within the four-year outcome-oriented framework of programme priorities for biodiversity for the sixth GEF replenishment period (2014–2018), nine programme priorities including “activities recommended by the Compliance Committee to assist eligible Parties to comply with their obligations under the Protocol”. The Secretariat will update the Committee on the status of consideration of the guidance by the GEF.

13. In this regard, the Committee may also wish to consider the following issues:

- (a) What further specific activities could be recommended for GEF assistance; and
- (b) Whether and how any concern or complaint of individual eligible Parties that may have faced difficulty in accessing GEF funding for activities recommended by the Compliance Committee should be addressed by the Committee.

14. Decision BS-VI/14 on monitoring and reporting is another decision adopted at the sixth meeting of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety which is relevant to compliance and is covered in the review document. Taking into account the recommendation of the Committee, COP-MOP 6 has urged the concerned Parties to duly submit all outstanding national reports. The Secretariat will make available a status report in this regard as document UNEP/CBD/BS/CC/10/2.

ITEM 4. REVIEW OF COMPLIANCE ON THE BASIS OF THE SECOND NATIONAL REPORTS, WITH A FOCUS ON THE PRIORITY ISSUES IDENTIFIED BY THE SIXTH MEETING OF THE PARTIES TO THE CARTAGENA PROTOCOL ON BIOSAFETY

15. According to the work plan agreed upon by the Committee at its eighth meeting, the Committee is expected to review compliance on the basis of second national reports, focusing on priority issues as identified by the Parties to the Protocol at their sixth meeting. In this regard, based on the Committee’s recommendation and consistent with the Strategic Plan adopted under decision BS-V/16, COP-MOP has agreed that the fulfillment of the obligation to introduce legal, administrative and other measures necessary for the implementation of the Protocol, is the topmost priority.

16. In paragraph 2 of decision BS-VI/1, the sixth meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol requested Parties that have not yet put in place operational biosafety frameworks to submit information on the difficulties they are faced with in this regard, and the plans and timelines they envisage, as appropriate, for the purpose of taking the necessary measures. Under paragraph 3 of the same decision, COP-MOP requested the Executive Secretary to compile the information submitted by the concerned Parties and to forward it to the Compliance Committee for its consideration and appropriate action.

17. Accordingly, a synthesis of information received by the Secretariat from some of the concerned Parties will be made available as document UNEP/CBD/BS/CC/10/3 to facilitate discussion and appropriate action by the Committee under this item.

ITEM 5. REVIEW OF GENERAL ISSUES OF COMPLIANCE

18. At its last meeting, the Compliance Committee had identified general issues of compliance in three areas. These issues were related to obligations under the Protocol to: (i) introduce legal, administrative and other measures necessary for the implementation of the Protocol; (ii) make

information available to the Biosafety Clearing-House (BCH) as required under the various provisions of the Protocol; and (iii) promote public awareness, education and participation, including using the programme of work adopted by COP-MOP.

19. The Committee submitted recommendations to the sixth meeting of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety relating to the areas referred to in (i) and (iii) above and requested the Secretariat to work with the concerned Parties, as regards the issue referred to in (ii) above, by encouraging them to update and complete the information that they were required to make available to the BCH and to report on the outcome to the Committee (paragraph 15 of the report of the ninth meeting of the Committee).

20. As mentioned in paragraphs 15-17 above, the Committee will have before it, as regards area (i), a synthesis document on the response received from some of the concerned Parties following decisions adopted during the sixth meeting of the Parties to the Protocol, on any progress reported regarding the adoption of national biosafety frameworks.

21. The Secretariat will provide a report as regards area (iii) above, on activities carried out to support Parties in the fulfilment of obligation to promote public awareness, education and participation in the safe transfer, handling and use of living modified organisms. The report will be made available as document UNEP/CBD/BS/CC/10/4.

22. The document will also provide a report of the activities the Secretariat has undertaken in relation to area (ii) above in response to the Committee's request to encourage Parties to make available up-to-date and complete information to the BCH.

ITEM 6. OTHER MATTERS

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

ITEM 7. ADOPTION OF THE REPORT

24. The Committee will consider and adopt its report.

ITEM 8. CLOSURE OF THE MEETING

25. It is expected that the meeting will be closed at 5 p.m. on Friday, 31 May 2013.

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

<i>Date and time</i>	<i>Agenda item</i>
29 May 2013 9.30 a.m. to 10.30 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.
10.30 a.m. to 12.30 p.m.	3. Assessment of the outcomes of the sixth meeting of the Parties to the Cartagena Protocol on Biosafety with regard to items relevant to compliance
2.30 p.m. to 5.30 p.m.	Continuation of agenda item 3
30 May 2013 9.30 a.m. to 12.30 p.m.	4. Review of compliance on the basis of the second national reports, with a focus on the priority issues identified by the sixth meeting of the Parties to the Cartagena Protocol on Biosafety
2.30 p.m. to 5.30 p.m.	Continuation of agenda item 4
31 May 2013 9.30 a.m. to 12.30 p.m.	5. Review of general issues of compliance
2.30 p.m. to 5 p.m.	6. Other matters 7. Adoption of the report 8. Closure of the meeting

Annex II

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

<i>Symbol</i>	<i>Title</i>
UNEP/CBD/BS/CC/10/1	Provisional agenda
UNEP/CBD/BS/CC/10/1/Add.1	Annotations to the provisional agenda
UNEP/CBD/BS/CC/10/2	Status of compliance in the submission of national reports
UNEP/CBD/BS/CC/10/3	Synthesis of submissions from Parties regarding obligation to take legal, administrative and other measures necessary for the implementation of the Protocol
UNEP/CBD/BS/CC/10/4	General issues of compliance: report on follow-up activities
UNEP/CBD/BS/CC/10/INF/1	Review of the outcomes of the sixth 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

The following documents and COP-MOP decisions are recommended, as reference, to the new members of the Committee:

UNEP/CBD/BS/CC/9/4	Report of the Compliance Committee under the Cartagena Protocol on Biosafety on the work of its ninth meeting http://www.cbd.int/doc/?meeting=BSCC-09
UNEP/CBD/BS/COP-MOP/6/2	Report of the Compliance Committee under the Cartagena Protocol on Biosafety on the work of its eighth and ninth meetings http://www.cbd.int/doc/meetings/bs/mop-06/official/mop-06-02-en.doc
Decision BS-I/7	Establishment of procedures and mechanisms on compliance under the Cartagena Protocol on Biosafety http://bch.cbd.int/protocol/decisions/?decisionID=8289
Decision BS-V/1	Report of the Compliance Committee http://bch.cbd.int/protocol/decisions/?decisionID=12314
