



## Convention on Biological Diversity

Distr.  
GENERAL

UNEP/CBD/BS/GF-L&R/2/1/Add.1  
10 December 2009

ORIGINAL: ENGLISH

---

### GROUP OF THE FRIENDS OF THE CO-CHAIRS ON LIABILITY AND REDRESS IN THE CONTEXT OF THE CARTAGENA PROTOCOL ON BIOSAFETY

Second meeting

Kuala Lumpur, 8-12 February 2010

Item 2 of the provisional agenda\*

### ANNOTATIONS TO THE PROVISIONAL AGENDA

#### INTRODUCTION

1. The Group of the Friends of the Co-Chairs concerning liability and redress in the context of the Cartagena Protocol on Biosafety (hereinafter “Group of the Friends of the Co-Chairs”, or “the Group”) was established by the fourth meeting of Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety to further negotiate international rules and procedures in the field of liability and redress for damage resulting from transboundary movements of living modified organisms.
2. The Group held its first meeting in Mexico City from 23 to 27 February 2009. At that meeting, the Group further negotiated international rules and procedures on liability and redress for damage resulting from transboundary movements of living modified organisms in the context of the Protocol, based on the proposed operational texts contained in the annex to decision IV/12 of the fourth meeting of the Parties to the Protocol. The Group agreed to work towards, *inter alia*, a legally binding instrument in the form of a supplementary protocol with the understanding that the final decision in this regard would only be taken by the Conference of the Parties serving as the meeting of the Parties to the Protocol. It produced a draft text for a supplementary protocol on liability and redress to the Biosafety Protocol, which will serve as a basis for further negotiations.
3. Following the generous offer made by the Government of Malaysia, the second meeting of the Group is scheduled to take place from the 8 to 12 February 2010 in Kuala Lumpur.

---

\* UNEP/CBD/BS/GF-L&R/2/1.

## **ITEM 1. OPENING OF THE MEETING**

4. The meeting will be opened by one of the Co-Chairs at 10 a.m. on 8 February 2010. The opening of the meeting will be followed by welcoming remarks from a representative of the host Government.

## **ITEM 2. ORGANIZATIONAL MATTERS**

### ***2.1. Adoption of the agenda***

5. The Group may wish to adopt its agenda on the basis of the provisional agenda (UNEP/CBD/BS/GF-L&R/2/1) prepared by the Executive Secretary in consultation with the Co-Chairs.

### ***2.2. Organization of work***

6. The Group may wish to consider the proposed programme of its work as contained in annex I below. The Group is expected to have three sessions every day unless decided otherwise.

7. The documentation that will be made available for the meeting is listed in annex II below.

## **ITEM 3. FURTHER NEGOTIATIONS ON INTERNATIONAL RULES AND PROCEDURES IN THE FIELD OF LIABILITY AND REDRESS FOR DAMAGE RESULTING FROM TRANSBOUNDARY MOVEMENTS OF LIVING MODIFIED ORGANISMS IN THE CONTEXT OF THE CARTAGENA PROTOCOL ON BIOSAFETY**

8. Following its terms of reference as provided by the Parties to the Protocol, and its agreement specified in the report of its first meeting (paragraph 23, UNEP/CBD/BS/GF-L&R/1/4), the Group is expected to further negotiate international rules and procedures in the field of liability and redress for damage resulting from the transboundary movements of living modified organisms in the context of the Biosafety Protocol on the basis of Appendix I (containing two annexes), and Appendices II and III to its last report. These appendices will be put together and made available to the Group as document UNEP/CBD/BS/GF-L&R/2/2 for its use as the working document under this agenda item.

## **ITEM 4. OTHER MATTERS**

9. Under this item, the meeting may wish to consider any other matters of relevance raised by participants in the Group.

## **ITEM 5. ADOPTION OF THE REPORT**

10. The Group will be invited to consider and adopt its report on the basis of a draft report prepared by the Co-Chairs.

## **ITEM 6. CLOSURE OF THE MEETING**

11. The second meeting of the Group of the Friends of the Co-Chairs is expected to be closed by 10 p.m. on Friday, 12 February 2010.

*Annex I*

**PROPOSED ORGANIZATION OF WORK FOR THE SECOND MEETING OF THE GROUP  
OF THE FRIENDS OF THE CO-CHAIRS ON LIABILITY AND REDRESS IN THE CONTEXT  
OF THE CARTAGENA PROTOCOL ON BIOSAFETY**

<i>Date and time</i>	<i>Agenda item</i>
8 February 2010 (Monday) 10 to 10.10 a.m.	1. Opening of the meeting
10.10 to 10.20 a.m.	2. Organizational matters: 2.1. Adoption of the agenda; 2.2. Organization of work.
10.20 a.m. to 1 p.m. and 3 to 6 p.m. and 8 to 10 p.m.	3. Further negotiations on international rules and procedures in the field of liability and redress for damage resulting from transboundary movements of living modified organisms in the context of the Cartagena Protocol on Biosafety
9 February 2010 (Tuesday) 10 a.m. to 1 p.m. and 3 to 6 p.m. and 8 to 10 p.m.	3. Further negotiations on international rules and procedures in the field of liability and redress for damage resulting from transboundary movements of living modified organisms in the context of the Cartagena Protocol on Biosafety ( <i>continued</i> )
10 February 2010 (Wednesday) 10 a.m. to 1 p.m. and 3 to 6 p.m. and 8 to 10 p.m.	3. Further negotiations on international rules and procedures in the field of liability and redress for damage resulting from transboundary movements of living modified organisms in the context of the Cartagena Protocol on Biosafety ( <i>continued</i> )
11 February 2010 (Thursday) 10 a.m. to 1 p.m. and 3 to 6 p.m. and 8 to 10 p.m.	3. Further negotiations on international rules and procedures in the field of liability and redress for damage resulting from transboundary movements of living modified organisms in the context of the Cartagena Protocol on Biosafety ( <i>continued</i> )
12 February 2010 (Friday) 10 a.m. to 1 p.m. and 3 to 6 p.m.	3. Further negotiations on international rules and procedures in the field of liability and redress for damage resulting from transboundary movements of living modified organisms in the context of the Cartagena Protocol on Biosafety ( <i>continued</i> )
8 to 10 p.m.	4. Other matters 5. Adoption of the report 6. Closure of the meeting

*Annex II*

**LIST OF DOCUMENTS FOR THE SECOND MEETING OF THE GROUP OF THE FRIENDS  
OF THE CO-CHAIRS ON LIABILITY AND REDRESS IN THE CONTEXT OF THE  
CARTAGENA PROTOCOL ON BIOSAFETY**

<i>Symbol</i>	<i>Title</i>
UNEP/CBD/BS/GF-L&R/1/1	Provisional agenda
UNEP/CBD/BS/GF-L&R/1/1/Add.1	Annotations to the provisional agenda
UNEP/CBD/BS/GF-L&R/2/2	Liability and Redress: draft texts for further negotiations (Appendices I, II and III to the report of the first meeting of the Group of the Friends of the Co-Chairs)
UNEP/CBD/BS/GF-L&R/2/INF/1	Recent developments in international law relating to liability and redress, including the status of international environment-related liability instruments

-----