



## **Convention on Biological Diversity**

Distr.  
GENERAL

UNEP/CBD/BS/L&R/RW-LAC/1/3  
21 January 2012

ORIGINAL: ENGLISH

---

LATIN AMERICAN AND CARIBBEAN REGIONAL  
WORKSHOP ON THE NAGOYA – KUALA  
LUMPUR SUPPLEMENTARY PROTOCOL  
ON LIABILITY AND REDRESS TO THE  
CARTAGENA PROTOCOL ON BIOSAFETY  
Lima, 15-16 December 2011

### **REPORT OF THE WORKSHOP**

#### **INTRODUCTION**

1. The Latin American and Caribbean Regional Workshop on the Nagoya – Kuala Lumpur Supplementary Protocol on Liability and Redress to the Cartagena Protocol on Biosafety was held in Lima, Peru on 15-16 December 2011.
2. The workshop was attended by 27 participants - 24 of them from 12 Parties to the Cartagena Protocol on Biosafety and one non-Party. The following countries were represented: Antigua and Barbuda, Bolivia, Brazil, Costa Rica, Cuba, Dominican Republic, Guatemala, Honduras, México, Peru, Saint Kitts and Nevis, Saint Lucia and Uruguay. A participant from Asociación Desarrollo Medio Ambiental Sustentable (ADMAS), representing relevant non-governmental organizations, and a representative of the biotechnology industry group Global Industry Coalition (GIC), also attended. The full list of participants is contained in annex III below. Ms. Jimena Nieto Carrasco of Colombia also participated in her capacity as Co-Chair of the Open-ended Ad Hoc Working Group of Legal and Technical Experts on Liability and Redress in the Context of the Cartagena Protocol on Biosafety on the Supplementary Protocol, in which the negotiations for the Supplementary Protocol had taken place.
3. The objective of the workshop was to increase awareness and understanding of the Nagoya - Kuala Lumpur Supplementary Protocol and thereby expedite its signature and ratification and its implementation by the Parties to the Cartagena Protocol on Biosafety. Accordingly, presentations were made and discussions were held on various topics relevant to liability and redress in general, and the Supplementary Protocol in particular.
4. The workshop also provided a forum for participants to consider the decision BS-V/16 of the fifth meeting of the Parties to the Protocol on Biosafety, adopting a Strategic Plan for the Cartagena Protocol for the period 2011-2020, and decision BS\_V/14 on monitoring and reporting in which the Parties adopted a format for the second national report by each Party on the implementation of its obligations

/...

In order to minimize the environmental impacts of the Secretariat's processes, and to contribute to the Secretary-General's initiative for a C-Neutral UN, this document is printed in limited numbers. Delegates are kindly requested to bring their copies to meetings and not to request additional copies.

under the Cartagena Protocol on Biosafety and requested submission of national reports by the end of September 2011.

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

5. The workshop was opened by Dr. Manuel Pulgar-Vidal Otárola, Minister of Environment of Peru. The Minister welcomed the participants and thanked them for their presence at the workshop. He recalled his involvement and experience in the 1992 United Nations Conference on Environment and Development in Rio de Janeiro where the Convention on Biological Diversity has been opened for signature. He mentioned how pleased he had been to witness some of the major accomplishments that been made since that time within the framework of the Convention, in particular the adoption of the Cartagena Protocol on Biosafety and more recently the Nagoya – Kuala Lumpur Supplementary Protocol. Minister Pulgar-Vidal acknowledged members of the staff of the Biodiversity Team in the Ministry of Environment who worked tirelessly in organizing the workshop. He also expressed his appreciation to the Secretariat of the Convention on Biological Diversity for assisting Parties in their efforts to implement their obligations under the Convention on Biological Diversity and the Cartagena Protocol on Biosafety, and for organizing the workshop to raise understanding regarding the new Supplementary Protocol on Liability and Redress.

6. Mr. Worku Damena Yifru, Programme Officer for Biosafety Policy and Law in the Secretariat of the Convention on Biological Diversity, made some opening remarks on behalf of the Executive Secretary of the Convention. He welcomed the participants to the workshop and thanked the Government of Japan for its financial support that made it possible for the Secretariat to organize the workshop. He also paid tribute to the Government of Peru for hosting the workshop and providing excellent facilities.

7. Following the opening remarks, participants introduced themselves and indicated their expectations from the workshop. They also completed a form highlighting their expectations.

8. Participants adopted the workshop programme attached herewith as annex II.

## **ITEM 2. THE NAGOYA – KUALA LUMPUR SUPPLEMENTARY PROTOCOL ON LIABILITY AND REDRESS**

### ***2.1 Basic concepts and facts relevant to liability and redress***

9. Mr. Yifru of the Secretariat of the Convention on Biological Diversity made a presentation under this item. He highlighted some of the basic concepts that are relevant to the subject of liability and redress. He addressed the concepts liability, damage, including types of damage – traditional as well as the emerging types of damage. He outlined categories/types of liability; standards of care or liability; issues or elements that were commonly addressed in a liability regime; and general purposes of liability rules. Mr. Yifru also highlighted some of the international environmental liability instruments, the different approaches adopted by these instruments in defining damage and providing for liability rules, and their status.

### ***2.2 The negotiations on liability and redress and overview of the Supplementary Protocol***

10. This part of the workshop started with a presentation by Ms. Jimena Nieto, Co-Chair of the Open-ended Ad Hoc Working Group of Legal and Technical Experts on Liability and Redress in the Context of the Cartagena Protocol on Biosafety that had negotiated, over a six-year period, the international rules and procedures which were finally adopted in October 2010 as the Nagoya – Kuala Lumpur Supplementary Protocol on Liability and Redress to the Cartagena Protocol on Biosafety. Ms. Nieto took participants through the different phases of the negotiations. She outlined the key issues that had divided the negotiators, the turning points in the negotiation process, and the hard compromises that had been needed in order to achieve a legally binding international instrument on liability and redress for damage resulting from living modified organisms that had their origin in transboundary movements.

11. Ms. Nieto said that she and Mr. Rene Lefeber, the other Co-Chair of the Working Group, had had to maintain a difficult and delicate balance between ensuring effectiveness on the one hand and transparency on the other in the management of the negotiation process. She described in further detail the different phases of the last two years of the negotiations that followed the fourth meeting of the Parties to the Protocol, held in Bonn in May 2008. She described the first meeting of the group of friends of the co-chairs that took place in Mexico City in 2009 as a “setting the tone” event; the second one in Putrajaya, Malaysia, later in 2009 as “tense”; the third, in Kuala Lumpur in 2010, as “relaxed”; and the fourth and the last one in Nagoya, Japan, in 2010 as the final push for “consensus”. She said that the Supplementary Protocol offered a fair deal, providing minimum requirements and clear guidance on how to deal with damage to biological diversity in the event or likelihood of damage by living modified organisms.

12. Mr. Paulino Franco de Carvalho of Brazil, one of the negotiators of the Supplementary Protocol, made a presentation reflecting on the positions that his country had taken on the various issues brought up during the negotiations. He mentioned how his delegation had grappled with some of the issues such as the definition of damage, financial security, “products thereof”, and civil liability. He recalled that reaching clear understanding on the concept of damage had been an important milestone for his delegation’s continued commitment in the negotiations. Mr. Carvalho said that the negotiations presented, from his delegation’s point of view, very difficult balancing exercises among several factors, especially the need for legal precision, promoting environmental values, protecting economic interests, and attaining mutually acceptable political compromises.

13. Ms. Martha Elva German Sanchez of Mexico, made a presentation on her experience and her country’s position and role during the negotiations. She recalled some of the issues that had involved difficult negotiations. She said that the definition of response measures; the definition of operator; the question of including/excluding “products thereof” from the scope of the Supplementary Protocol, the concept of imminent threat of damage, had been some of the issues that had caused very serious concern to her delegation. She mentioned the efforts made by her delegation to make the provisions of the Supplementary Protocol consistent with science and the relevant practice of managing living modified organisms. Ms. German Sanchez stated that the rules that had finally been adopted represented the minimum possible to accommodate everyone around the negotiating table.

14. Ms. Georgina Catacora Vargas of Bolivia, who also participated in the negotiations, presented the perspective of her Government on the provisions of the Supplementary Protocol. She noted that the Supplementary Protocol fell short of accommodating the interests and positions of a number of developing countries, including Bolivia. She mentioned, among other things, the exclusion of civil liability rules and the absence of a provision on the recognition and enforcement of national judgments as some of the major gaps and weakness of the Supplementary Protocol. She said that the administrative approach, the definition of damage, and the provisions on financial security were inadequate to address damage resulting from the transboundary movements of living modified organisms. She indicated, however, that the Supplementary Protocol could still provide the opportunity for countries to take the necessary legislative measures that address damage resulting from these organisms taking into account their specific domestic circumstances.

15. Finally, Mr. Yifru of the Convention Secretariat made a presentation on the provisions and core requirements of the Supplementary Protocol. He gave an overview of the provisions of the Supplementary Protocol preceded by a summary of the situations that led to the negotiations. He described the objective of the Supplementary Protocol, which was, ultimately, to contribute to the conservation of biological diversity and the sustainable use of its components. He highlighted the main elements of the scope of the Supplementary Protocol; the elements that constitute damage as defined in the Supplementary Protocol; measures that need to be taken in response to damage - what type measures and who should take them, according to the Supplementary Protocol; and finally the implementation requirements and the application of civil liability rules in the context of the Supplementary Protocol.

16. At the end of the presentations, participants raised questions and made comments. Some of these include:

(a) The need for a common understanding of the provisions of the Supplementary Protocol – it was mentioned that a regional approach and sharing of experiences could be beneficial to develop common understanding and implementation;

(b) The development of an explanatory guide like the ones for the Convention and the Cartagena Protocol on Biosafety developed by IUCN–the International Union for Conservation of Nature and Natural Resources would be useful;

(c) The importance of initiating consultations at the national level while at the same time taking steps towards signing and ratifying the Supplementary Protocol. Questions were raised, in this connection, as to who was responsible for the initiation of such consultations and whether ratification would entail any additional financial burden to Parties. The Secretariat responded that national consultations depended on the legal and institutional systems that each country has, and while the Secretariat did not foresee any financial burden, it was a matter that would be decided by the Parties to the Supplementary Protocol once it had entered into force.

### ***2.3. Stakeholders' perspective on the significance of the Supplementary Protocol***

17. Under this item, Mr. Rodrigo Lima, General Manager of the Institute for International Trade Negotiations (ICONE) and a consultant for the Global Industry Coalition, made a presentation on behalf of the biotechnology industry. Mr. Lima outlined the ratification and implementation of the Nagoya – Kuala Lumpur Supplementary Protocol from the point of view of industry. He said that the Global Industry Coalition fully supported the ratification of the Supplementary Protocol because it was consistent with the guiding principles advocated by industry during the negotiations on liability and redress. He mentioned that those guiding principles were now embodied in the “Compact”, a contractual mechanism among biotechnological companies for response in the event of damage to biological diversity caused by the release of a living modified organism. He informed workshop participants that industry was preparing an “implementation guide” to the Supplementary Protocol which would be made available to the Secretariat and to Parties as soon as it was completed.

18. Dr. Antonietta Gutiérrez Rosatti of the Asociación Desarrollo Medio Ambiental Sustentable made a presentation on behalf of the non-governmental organizations that had followed the negotiations and contributed to the elaboration of international rules and procedures on liability and redress resulting from living modified organisms. She described the Supplementary Protocol as a minimum international standard that had gaps but also offered opportunities. She said that Parties had the opportunity to address the gaps and strengthen the liability and redress rules by including appropriate provisions in their domestic laws. She stated that the adoption of the Supplementary Protocol signalled an acknowledgement by the international community that living modified organisms might cause harm or damage, and thus measures had to be taken to redress damage. Dr. Gutiérrez Rosatti noted that the Supplementary Protocol could fill regulatory gaps in countries where there was no clear liability regime. As much was left to be addressed by domestic law, Parties should make sure that they developed and put in place national laws that reflected their context, needs and priorities. She also noted the need to work further at the international level on the issues of civil liability, financial security and capacity-building.

19. After the presentations, participants raised questions and made comments. It was mentioned that for countries, in particular developing countries, the pursuit of protecting the environment and biodiversity needed to take into account development or economic imperatives as well, and vice versa.

### ***2.4 Group exercise on scenarios of damage and cases of liability***

20. Following the presentations and discussions held throughout the day, participants were asked to deal with some exercises in the form of hypothetical cases that depict different scenarios of damage and

potential cases of liability. The purpose of the exercises was to enable participants to relate the provisions of the Supplementary Protocol to different hypothetical situations and to measure their understanding of the Supplementary Protocol in the context of its possible application or implementation at the domestic level.

21. Accordingly, participants formed three small groups and each group was assigned with a case. After discussions within the small groups, each group presented, through its rapporteur, its views and suggestions on how the issues highlighted in the cases might be resolved. Participants emphasized how the exercises had been useful in expanding their understanding of the issues arising from and in connection with the Supplementary Protocol. They suggested that more similar exercises involving more national experts could be the best methods to increase understanding of the complex concepts and requirements involved and thereby to expedite ratification and facilitate implementation of the Supplementary Protocol at the national as well as the regional level.

#### ***2.5. Experience/approaches within the region in providing rules on liability and redress***

22. Under this item, participants were asked to make a presentation on national experiences and the status of domestic laws that have relevance to liability and redress in general and liability and redress for damage caused by living modified organisms in particular. Accordingly, participants made presentations on their legal and administrative systems in the field of the safe development and use of living modified organisms. A number of participants provided information on their national biosafety laws or biosafety frameworks, taking note of the compilation prepared by the Secretariat on “Domestic biosafety or environmental laws and regulations which include provisions on liability and redress” (UNEP/CBD/BS/L&R/RW/LAC/1/2). They also briefed the workshop on the status of national discussions concerning the signature of the Supplementary Protocol. Some participants acknowledged that the information that had been made available through the Biosafety Clearing-House earlier by their respective countries was not up-to-date. They agreed to update or facilitate the updating of such information.

#### ***2.6. Signature and ratification***

23. Mr. Yifru of the Convention Secretariat made a presentation outlining the significance/importance of signing and ratifying the Supplementary Protocol. He also highlighted the procedures of signature, and ratification, approval, acceptance or accession that Parties to the Cartagena Protocol on Biosafety needed to consider as and when they decide to sign, and subsequently ratify or to accede to the Supplementary Protocol. He updated participants on the status of signature and ratification of the Supplementary Protocol.

### **ITEM 3. IMPLEMENTATION OF OTHER DECISIONS ADOPTED BY THE FIFTH MEETING OF THE CONFERENCE OF THE PARTIES SERVING AS THE MEETING OF THE PARTIES TO THE CARTAGENA PROTOCOL ON BIOSAFETY**

#### ***3.1. Strategic Plan***

24. Under this item, Ms. Paola Scarone of the Secretariat of the Convention on Biological Diversity made a presentation on the Strategic Plan for the Cartagena Protocol on Biosafety for the period 2011-2020 and on the multi-year programme of work annexed to the Strategic Plan, which had been adopted by the Parties to the Protocol at their fifth meeting.

25. Ms. Scarone drew the attention of participants to decision BS-V/16 of the fifth meeting of the Parties to the Cartagena Protocol. She highlighted the vision, mission and the strategic objectives of the Strategic Plan. She presented the structure, purpose and relationship among the strategic objectives, expected impacts, operational objectives, outcomes and indicators specified in the Strategic Plan, drew attention to the schedule and purpose of the mid-term evaluation of the Strategic Plan, and emphasized

the importance of national reports in providing the information necessary to measure achievements or identify limitations in its implementation.

### **3.2. *Second national report***

26. Ms. Scarone also made a presentation on the obligation of Parties to the Protocol on Biosafety to submit their second national reports which had been due at the end of September 2011 in accordance with Article 33 of the Protocol and decision V/14 of the fifth meeting of the Parties to the Protocol. She recapped the important elements of the decisions of the Parties to date with regard to national reporting and informed participants of the rate of submission by Parties of their first and second national reports to date. After reminding participants of the objective of national reporting in general and the specific purposes of second national reports in particular, she presented current statistics on the rate of submission of national reports and drew the participants' attention to the tools available on the Biosafety Clearing-House for analysing reports submitted by Parties.

27. Participants raised questions and asked for some clarifications. It was noted that every Party represented in the workshop had already submitted its second national report. A question was raised as to whether and to what extent there was linkage between the Strategic Plan of the Cartagena Protocol on Biosafety and that of the Convention Biological Diversity. In that regard, it was noted that since the ultimate goal of the strategic plans was to support the conservation and sustainable use of biological diversity there were obvious linkages between the two plans. It was further noted that national-level action plans and operational strategies to implement the various targets or operational objectives might be the appropriate tools to effectively establish or maintain linkages and integration between the two strategic plans.

## **ITEM 4. CONCLUSIONS AND EVALUATION OF THE WORKSHOP**

28. Under this item, participants made various suggestions on follow up actions. A number of the participants supported the idea of further similar workshops and consultations at the regional level. It was noted that it was very important to present the provisions of the Supplementary Protocol in a way policymakers and the general public understood. In that regard, a number of participants reiterated their support to the idea of developing an explanatory guide to the Supplementary Protocol. Some underlined the need to look at the Supplementary Protocol in conjunction with the Cartagena Protocol on Biosafety. A number of others reminded that the need for more consultations and capacities should not be used as reason to postpone the ratification of the Supplementary Protocol. Some also indicated the need to call upon the Global Environment Facility to extend funding for eligible countries to implement their national biosafety frameworks that also include provisions on liability and redress, and existing projects may need to consider incorporating elements relevant to liability and redress for damage resulting from living modified organisms.

29. Participants have also expressed their satisfaction with the workshop materials that were made available to them and with the ways the workshop was organized and conducted. A number of participants found the exercises particularly useful and commendable. Some have stated that the workshop fully met their expectations.

30. In summary, the participants in the Latin America and Caribbean Regional Workshop on the Nagoya – Kuala Lumpur Supplementary Protocol on Liability and Redress:

(a) Noted that the workshop was useful and timely in enhancing their understanding of the requirements of the Nagoya – Kuala Lumpur Supplementary Protocol and provided them with information that would help expedite efforts being made in several countries in the region at the national level towards the signature and ratification of the Supplementary Protocol. In this regard, participants recognized, in particular, the exercises on hypothetical cases as a useful method to increase understanding of the Supplementary Protocol and the challenges it presents;

(b) Underlined the importance of such regional workshops in providing them with the opportunity to share information on experiences in regulatory approaches and best practices in implementing biosafety related policy, legal and administrative measures;

(c) Noted the importance of considering the early signature and subsequent ratification of the Supplementary Protocol as soon as possible, and of expediting the domestic consultation processes in their respective countries;

(d) Recognized the need to initiate preparations for the implementation of the Supplementary Protocol and to assess their existing domestic laws with a view to determine the adequacy of such laws to address damage and to provide for response measures in accordance with the Supplementary Protocol;

(e) Encouraged the Parties to the Protocol to consider inviting the Global Environment Facility and other donors to provide financial resources for building capacities and supporting developing countries in their efforts to promote understanding and implement the Supplementary Protocol as envisaged in section C of decision BS-V/11, including through existing national biosafety framework implementation projects;

(f) Invited the Secretariat to consider arranging for or facilitating the development of an explanatory guide on the provisions of the Supplementary Protocol. Stakeholders may also consider preparing and making available information on the Supplementary Protocol that contributes to a better understanding of its objectives and requirements by the general public;

(g) Agreed to make information available or work with their Biosafety Clearing-House national focal points to make information on national biosafety laws and regulations and any other information relevant to the implementation of the Cartagena Protocol on Biosafety, including any updating of such information, available to the Biosafety Clearing-House as required by the Cartagena Protocol on Biosafety;

(h) Expressed appreciation and gratitude to the Government of Peru for hosting the workshop and for the warm hospitality received; the Government of Japan for providing the financial resources that enabled them to participate in the workshop; and the Secretariat for organizing and conducting the workshop.

31. Participants also completed an evaluation of the workshop. The results of the evaluation are summarized in annex I below.

## **ITEM 5. CLOSURE OF THE WORKSHOP**

32. Ms. Maria Luisa Del Rio Mispireta, Director General of the Biodiversity Unit of the Ministry of Environment of Peru, conveyed the special message from the Minister of Environment. She thanked participants for their active participation. She assured participants that Peru would remain committed to work for the common good of the Latin American and Caribbean countries in matters related to biological diversity in general, and biosafety in particular. She thanked members of her team for their dedication and efficiency prior to and during the workshop. She also thanked the Secretariat for organizing and conducting the workshop in a very effective way. She expressed her confidence that the workshop met all the objectives and expectations of all participants.

33. After further exchange of courtesies, the workshop was closed at 5:30 p.m. on Friday, 16 December 2011.

*Annex I***WORKSHOP EVALUATION**

1. At the end of the workshop, participants were asked to complete a workshop evaluation form. They were asked to rate, on a scale of 1 to 6, the extent to which the workshop had improved their understanding of: (i) the Nagoya – Kuala Lumpur Supplementary Protocol on Liability and Redress; and (ii) other decisions from the fifth meeting of the Parties to the Protocol – in particular decisions on the Strategic Plan and second national reports. The participants were also invited to provide an overall assessment of the workshop in terms of how well it was organized and conducted and the extent to which it had met their expectations. The results of the evaluation are summarized in the table below.

<b>Part 1: Nagoya – Kula Lumpur Supplementary Protocol on Liability and Redress</b>	<b>Average rating</b>	<b>Rating</b>	<b>Satisfaction (%)</b>
(i) Improving your understanding of the issues relevant to liability and redress?	6	Very useful	92%
(ii) Improving your understanding of the Nagoya – Kuala Lumpur Supplementary Protocol on Liability and Redress?	5	Very useful	88%
(iii) Improving your understanding of the context in which the Supplementary Protocol might be applicable?	5	Very useful	87%
(iv) Improving your understanding of the existing approaches and rules adopted by other countries concerning liability and redress?	4	Useful	69%
(v) Improving your understanding of the advantages and significance of the Supplementary Protocol?	5	Very useful	84%
(vi) Improving your understanding of the signature and ratification, approval, acceptance or accession processes/procedures?	5	Very useful	88%
<b>Part 2 Other COP-MOP decisions: Strategic Plan, Second National report</b>			
(i) Improving your understanding of the decisions from the fifth meeting of the Parties to the Biosafety Protocol?	5	Very useful	80%
(ii) Improving your understanding of the capacity needs to fulfil the requirements of the decisions?	5	Very useful	78%
(iii) Improving your understanding of the availability and analysis of second national reports submitted?	5	Very useful	83%
(iv) Improving your understanding of the Cartagena Protocol on Biosafety?	5	Very useful	86%
(v) Improving your knowledge of the status of implementation of the decisions by other countries?	5	Very useful	78%

<b>Part 3: Overall workshop assessment</b>	<b>Average rating</b>	<b>Rating</b>	
(i) Has the workshop met your expectations?	5	Fully	89%
(ii) How useful has the workshop been in improving your understanding of how your country could address damage resulting from living modified organisms?	5	Very useful	89%
(iii) Has the workshop encouraged you to initiate a process or expedite any existing process towards the signature and ratification of the Supplementary Protocol by your Government?	5	Yes	86%
(iv) How useful was the workshop for you as an individual?	6	Very useful	94%
(v) How well organised was the workshop?	6	Very well organized	96%
(vi) How did you find the balance between presentations and the discussions?	5	Very well balanced	89%
(vii) Overall, how would you rate the workshop?	6	Excellent	92%

2. In the written comments, most participants considered the group exercises to have been the most helpful part of the workshop. Additionally, a few identified the following, in particular, to have also been helpful:

- (a) The presentation on basic concepts and facts relevant to liability and redress;
- (b) The presentation on signature and ratification;
- (c) The presentation on the history of the negotiations by the former co-chair of the negotiating group.

3. Although most participants considered that all aspects of the workshop had been helpful, two participants considered the presentations on the status of implementation of other decisions adopted by fifth meeting of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety, as the least helpful aspect of the workshop.

4. All but one participant responded “yes” to the question of whether they would recommend to their Government to ratify the Supplementary Protocol. The participant that responded “no” indicated that it was due to the fact that the country was not involved in any use of living modified organism at the moment.

5. Regarding suggestions for improving future workshops, most participants noted that the workshop already met their expectations. A few, however, mentioned that additional hypothetical cases and an extra day for the workshop would be useful to consider.

*Annex II*

**WORKSHOP PROGRAMME**

<i>Date and time</i>	<i>Agenda item</i>	<i>Facilitator/Presenter</i>
<b>Thursday, 15 December 2011</b>		
9 a.m. – 9.30 a.m.	1. Opening of the workshop	<i>Manuel Pulgar-Vidal Otárola Minister of Environment of the Republic of Peru</i>
9.30 a.m. – 10 a.m. 10 a.m. – 10.15 a.m.	2. The Nagoya – Kuala Lumpur Supplementary Protocol on Liability and Redress  2.1. Basic concepts and facts relevant to liability and redress  <i>Discussion</i>	Facilitator: <i>Maria Luisa Del Rio Mispireta (Peru)</i>  Presenter: <i>Worku Damena Yifru (SCBD)</i>
10.15 a.m. – 10.30 a.m.	<b>Coffee/Tea Break</b>	
10.30 a.m. – 10.50 a.m.  10.50 a.m. – 11.45 a.m.  11.45 p.m. – noon Noon – 12.45 p.m.  12.45 – 1 p.m.	2.2. The negotiations on liability and redress and overview of the Supplementary Protocol 2.2.1. Steering the negotiations  2.2.2. Negotiators' perspective on key issues  <i>Discussion</i> Overview of the Supplementary Protocol  <i>Discussion</i>	Facilitator: <i>Josefina del Prado López-Herrera (Peru)</i>  Presenter: <i>Jimena Nieto (Colombia – former co-chair of the negotiating group)</i>  Presenters: <i>Mr. Paulino Franco de Carvalho ( Brazil), Ms. Martha Elva German Sanchez (Mexico), and Ms. Georgina Catacora Vargas (Bolivia)</i>  Presenter: <i>Worku Damena Yifru (SCBD)</i>
1 p.m. – 2.30 p.m.	<b>Lunch Break</b>	
2.30 p.m. – 2.50 p.m.  2.50 p.m. – 3.10 p.m. 3.10 p.m. – 3.45 p.m.	2.3. Stakeholders' perspective on the significance of the Supplementary Protocol 2.3.1. Biotech industry  2.3.2. Non-governmental organizations  <i>Discussion</i>	Facilitator: <i>Jimena Nieto (Colombia)</i>  Presenter: <i>Rodrigo Lima (Global Industry Coalition)</i>  Presenter: <i>Antonietta Gutiérrez Rosati (Asociación Desarrollo Medio Ambiental Sustentable)</i>
3.45 p.m. – 4 p.m.	<b>Coffee/Tea Break</b>	

<i>Date and time</i>	<i>Agenda item</i>	<i>Facilitator/Presenter</i>
4 p.m. – 5 p.m.	2.4 Group exercise on scenarios of damage and cases of liability <i>Discussions in small groups</i>	Facilitator: <i>Worku Damena Yifru (SCBD)</i> Workshop participants
<b>Friday, 16 December 2011</b>		
9 a.m. – 9.30 a.m.	2.4 Group exercise on scenarios of damage and cases of liability <i>(continued)</i>	Facilitator: <i>Worku Damena Yifru (SCBD)</i>
9.30 a.m. – 10.30 a.m.	<i>Reports from the small groups and discussion</i>	Group rapporteurs
10.30 a.m. – 11 a.m.	<i>Coffee/Tea Break</i>	
11 a.m. – noon	2.5 Experience/approaches within the region in providing rules on liability and redress	Facilitator: <i>Dino Delgado Gutiérrez (Peru)</i> Presenters: <i>Workshop participants</i>
Noon – 12.30 p.m. 12.30 p.m. – 1 p.m.	2.6 Signature and ratification <i>Discussion</i>	Presenter: <i>Worku Damena Yifru (SCBD)</i>
1 p.m. – 2.30 p.m.	<i>Lunch Break</i>	
2.30 p.m. – 3.30 p.m.	3. Implementation of other decisions adopted by the fifth meeting of the Parties to the Protocol	Facilitator: <i>Santiago Pastor Soplin (Peru)</i>
	3.1 Strategic plan	
	3.2 Second national report on the implementation of the Cartagena Protocol on Biosafety	Presenter: <i>Paola Scarone (SCBD)</i>
3.30 p.m. – 4 p.m.	<i>Discussion</i>	
4 p.m. – 4.15 p.m.	<i>Coffee/Tea Break</i>	
4.15 p.m. – 4.50 p.m.	4. Conclusions of the workshop and evaluation	Facilitator: <i>Jimena Nieto (Colombia)</i>
4.50 p.m. – 5 p.m.	5. Closure of the workshop	<i>Maria Luisa Del Rio Mispireta (Peru)</i>

*Annex III*

**LIST OF PARTICIPANTS**

**Parties to the Cartagena Protocol on Biosafety**

**Antigua and Barbuda**

1. Ms. Diann Black-Layne  
Ambassador and Chief Environment Officer  
Environment Division  
Ministry of Agriculture, Land and Environment  
Independence Avenue  
St. John's  
Antigua and Barbuda  
Tel.: +1 268-464 6410  
Fax: +1 268 462-4625  
E-Mail: [dcblack11@gmail.com](mailto:dcblack11@gmail.com), [dcblack11@yahoo.com](mailto:dcblack11@yahoo.com)

**Bolivia**

2. Ms. Georgina Catacora Vargas  
Asesora  
Viceministerio de Medio Ambiente, Biodiversidad, Cambios  
Climáticos y Gestión y Desarrollo Forestal  
Avenida Camacho No 1471; 2 Piso  
La Paz  
Bolivia  
Tel.: +47 9415 3751/+591 76406030  
E-Mail: [g.catacora@gmail.com](mailto:g.catacora@gmail.com)

**Brazil**

3. Mr. Paulino Franco de Carvalho  
Minister  
Head of the Environment Division  
Ministry of External Relations  
Esplanada dos Ministerios, Bloco H, Anexo I  
Brasília 70170-900  
Brazil  
Tel.: +5561 3411 8447  
E-Mail: [dema@itamaraty.gov.br](mailto:dema@itamaraty.gov.br),  
Web: [www.mre.gov.br](http://www.mre.gov.br)
4. Mrs. Laila Sofia Mouawad  
Health Expert  
National Health Surveillance Agency  
SIA Tucho OS  
Brasília  
Brazil  
Tel.: +55 61 3462 4016  
E-Mail: [laila.mouawad@anvisa.gov.br](mailto:laila.mouawad@anvisa.gov.br)  
Web: [www.anvisa.gov.br](http://www.anvisa.gov.br)

**Colombia**

5. Dra. Jimena Nieto Carrasco\*  
Profesora de Derecho Internacional Ambiental  
Universidad de los Andes  
Carrera 1 Este N 78-06  
Bogotá  
Colombia  
Tel.: +571 3132811  
E-Mail: [jimenanieto@hotmail.com](mailto:jimenanieto@hotmail.com)

**Costa Rica**

6. Dr. Alex May Montero  
Investigador MAG, Coordinador Comisión de Bioseguridad  
Ministerio de Agricultura y Ganadería  
Apdo. 3006 - Barreal de Heredia  
San José  
Costa Rica  
Tel.: +506 898 10685  
E-Mail: [alexmay@sfe.go.cr](mailto:alexmay@sfe.go.cr), [alexmaymontero@gmail.com](mailto:alexmaymontero@gmail.com)

**Cuba**

7. Ms. Lenia Arce Hernández  
Head, Safeguard Department and Legal Adviser  
Centro Nacional de Seguridad Biológica  
Ministerio de Ciencia, Tecnología y Medio Ambiente  
Calle 28 No. 502 e/5ta y 7ma Miranmar  
Habana  
Cuba  
Tel.: +53 7 2031935 - 38 - +537 202 3281  
Fax: +53 7 2031664  
E-Mail: [lenia@orasen.co.cu](mailto:lenia@orasen.co.cu), [leniarce2004@yahoo.es](mailto:leniarce2004@yahoo.es),  
[leniarce2004@gmail.com](mailto:leniarce2004@gmail.com)

**Dominican Republic**

8. Lic. Lida Virginia Maria Sibilio Ayala  
Abogada  
Dirección Legal  
Ministerio de Medio Ambiente y Recursos Naturales  
Santo Domingo  
Dominican Republic  
Tel.: +809 807-1116 Ext. 6470  
E-Mail: [Virginia.Sibilio@ambiente.gob.do](mailto:Virginia.Sibilio@ambiente.gob.do)  
Web: [www.ambiente.gob.do](http://www.ambiente.gob.do)

---

\* Participating in her capacity as Co-Chair of the Open-ended Ad Hoc Working Group of Legal and Technical Experts on Liability and Redress in the Context of the Cartagena Protocol on Biosafety.

## Guatemala

9. Dr. César Azurdia Pérez  
Project Coordinator  
GEF CONAP Project National Coordinator  
Consejo Nacional de Areas Protegidas (CONAP)  
5a. Av. 6-06, Zona 1, Edificio IPM, 6to. Nivel  
Edificio IPM  
Guatemala City 01001  
Guatemala  
Tel.: +502 242 267 00 ext.2009  
Fax: +502 242 267 00 ext.2000  
E-Mail: [cazurdia@conap.gob.gt](mailto:cazurdia@conap.gob.gt), [raxtul@yahoo.com](mailto:raxtul@yahoo.com);  
[cesar.azurdia@gmail.com](mailto:cesar.azurdia@gmail.com)  
Web: [www.conap.gob.gt](http://www.conap.gob.gt)

## Honduras

10. Ing. José Luis Matamoros Arrazola  
Técnico de Campo  
Departamento de Certificación de Semillas, SENASA  
Secretaría de Agricultura y Ganadería  
Ave. la FAO - Colonia Loma Linda Norte  
Boulevard Miraflores  
Tegucigalpa  
Honduras  
Tel.: +504 2232-6213  
Fax: +504 2235-8425  
E-Mail: [josematamoros22@yahoo.com](mailto:josematamoros22@yahoo.com)

## Mexico

11. Ms. Elvira Espinosa Gutiérrez  
Directora  
Política y Normativa  
Comisión Intersecretarial de Bioseguridad de los Organismos  
Genéticamente Modificados  
San Borja 938, Del Valle, Benito Juárez  
México D.F. 03100  
Mexico  
Tel.: +52 55 5575 6878  
E-Mail: [eespinosa@conacyt.mx](mailto:eespinosa@conacyt.mx)
12. Ms. Martha Elva German Sanchez  
Directora de Vinculación Sectorial y Análisis Económico  
Ministry of Economy  
Insurgentes Sur No.1940, colonia Florida. Del. Álvaro  
Obregón  
Mexico DF 01030  
Mexico  
Tel.: +52 55 5229 6100 Ext. 34205  
E-Mail: [martha.german@economia.gob.mx](mailto:martha.german@economia.gob.mx)

## Peru

13. Ms. Maria Luisa Del Rio Mispireta  
Directora General  
Dirección General de Diversidad Biológica  
Ministry of Environment of Peru  
Ave. Javier Prado Oeste 1440  
San Isidro  
Lima 41  
Peru  
Tel.: +51 1 611 6000 ext. 1340  
Fax: +51 1611 6034  
E-Mail: [mldelrio@minam.gob.pe](mailto:mldelrio@minam.gob.pe)
14. Ms. Josefina del Prado Chávez-Herrera  
Especialista en Negociaciones Ambientales Internacionales  
Oficina de Cooperación y Negociaciones Internacionales  
Ministry of Environment of Peru  
Ave. Javier Prado Oeste 1440  
San Isidro  
Lima 41  
Peru  
Tel.: +511 611 6000 ext. 1431  
E-Mail: [jdelprado@minam.gob.pe](mailto:jdelprado@minam.gob.pe), [jdelprado@hotmail.com](mailto:jdelprado@hotmail.com)
15. Mr. Santiago Pastor Soplin  
Coordinador Del Grupo Nacional Técnico de Bioseguridad de  
la Comisión Nacional  
Dirección General de Diversidad Biológica  
Ministry of Environment of Peru  
Ave. Javier Prado Oeste 1440  
San Isidro  
Lima 41  
Peru  
Tel.: +51 1 611 6000 anexo 1340  
E-Mail: [spastor@minam.gob.pe](mailto:spastor@minam.gob.pe)
16. Ms. Eliana Yglesias Gálvez  
Biosafety Specialist  
Dirección General de Diversidad Biológica  
Ministry of Environment of Peru  
Ave. Javier Prado Oeste 1440  
San Isidro  
Lima 41  
Peru  
Tel.: +51 1 611 6000 ext 1340  
E-Mail: [eyglesias@minam.gob.pe](mailto:eyglesias@minam.gob.pe)
17. Ms. Emma Rivas Seoane  
Dirección General de Diversidad Biológica  
Ministry of Environment of Peru  
Ave. Javier Prado Oeste 1440  
San Isidro  
Lima 41  
Peru  
Tel.: +51 1 611 6000 ext 1002  
E-Mail: [erivas@minam.gob.pe](mailto:erivas@minam.gob.pe)

18. Mr. Dino Delgado Gutiérrez  
Especialista Legal en Bioseguridad y Recursos Genéticos  
Dirección General de Diversidad Biológica  
Ministry of Environment of Peru  
Ave. Javier Prado Oeste 1440  
San Isidro  
Lima 41  
Peru  
Tel.: +511 611 6000 ext. 1340  
E-Mail: [ddelgado@minam.gob.pe](mailto:ddelgado@minam.gob.pe)

19. Mr. José Luis Vasquez  
Especialista en Biotecnología  
Dirección General de Diversidad Biológica  
Ministry of Environment of Peru  
Ave. Javier Prado Oeste 1440  
San Isidro  
Lima 41  
Peru  
Tel.: +511 611-6000, ext.1002  
E-Mail: [jvasquez@minam.gob.pe](mailto:jvasquez@minam.gob.pe)

20. Ms. Julia Salazar  
Servicio Nacional de Sanidad Agraria  
Av. La Molina N° 1915  
Lima 12  
Peru  
Tel.: +51 1 313 3300 ext 2600  
E-Mail: [jsalazar@senasa.gob.pe](mailto:jsalazar@senasa.gob.pe)  
Web: [www.senasa.gob.pe](http://www.senasa.gob.pe)

21. Mr. Jorge Alcantara  
Instituto Nacional de Innovación Agraria  
Av. Molina No. 1981  
La Molina  
Lima  
Peru  
Tel.: +51 1 349 2600  
E-Mail: [jalcantara@inia.gob.pe](mailto:jalcantara@inia.gob.pe)  
Web: [www.inia.gob.pe](http://www.inia.gob.pe)

22. Ing. Teofilo Pichilingue  
Engineer  
Viceministerio de Pesquería  
Av. German Schreiber 198  
Esq. Gamarra y General Valle S/N  
Chucuito - Callao  
San Isidro  
Lima  
Peru  
Tel.: +511 616 2222 ext. 1154  
E-Mail: [tpn@produce.gob.pe](mailto:tpn@produce.gob.pe)  
Web: <http://www.produce.gob.pe>

### Saint Kitts and Nevis

23. Mr. Randolph Edmead  
Director  
Department of Physical Planning and Environment  
(Sustainable Development)  
Bladen Commercial Development  
Wellington Road  
Basseterre  
Saint Kitts and Nevis  
Tel.: +1 869 465 2277  
Fax: +1 869 465 5842  
E-Mail: [phyplskb@sisterisles.kn](mailto:phyplskb@sisterisles.kn), [raedmead@yahoo.com](mailto:raedmead@yahoo.com)

### Saint Lucia

24. Ms. Anita James  
Biodiversity Coordinator  
Ministry of Agriculture, Lands, Forestry and Fisheries  
Sir Stanislaus James Building, 5th Floor  
Waterfront  
Castries  
Saint Lucia  
Tel.: +1 758 468 4122 / 27  
Fax: +1 758 453 2035  
E-Mail: [biodivproject@biodivslu.org](mailto:biodivproject@biodivslu.org), [anitavja@yahoo.com](mailto:anitavja@yahoo.com)  
Web: <http://www.maff.egov.lc>

## Non-Parties

### Uruguay

25. Ms. Alicia Aguerre  
Jefa del Departamento de Biodiversidad  
Dirección Nacional de Medio Ambiente (DINAMA)  
Ministerio de Vivienda, Ordenamiento Territorial y Medio Ambiente  
Galicia 1133 Entrepiso  
Montevideo  
Uruguay  
Tel.: 5982 917.07.10 ext. 4413  
Fax: 5982 917.07.10 ext. 4410  
E-Mail: [alicia.aguerre@dinama.gub.uy](mailto:alicia.aguerre@dinama.gub.uy), [aliciaaguerre@gmail.com](mailto:aliciaaguerre@gmail.com)  
Web: <http://www.dinama.gub.uy>

## Non-Governmental Organizations

### Asociación Desarrollo Medio Ambiental Sustentable

26. Dra. Antonietta Gutiérrez-Rosati  
Presidente  
Asociación Desarrollo Medio Ambiental Sustentable  
Avenida La Molina 2135, Sol de la Molina  
Lima 12  
Peru  
Tel.: +51 1 479 2866  
E-Mail: [antoniettaornella@gmail.com](mailto:antoniettaornella@gmail.com)

## Business

### Global Industry Coalition (GIC)

27. Mr. Rodrigo Lima  
General Manager  
Institute for International Trade Negotiations  
Global Industry Coalition  
Av. General Furtado do Nascimento, 740/cj. 81 - Alto de Pinheiros  
São Paulo São Paulo State 05465-070  
Brazil  
Tel.: (55 11) 3021-0403  
E-Mail: [rlima@iconebrasil.org.br](mailto:rlima@iconebrasil.org.br)

-----