



**CONVENTION ON
BIOLOGICAL
DIVERSITY**

Distr.
GENERAL

UNEP/CBD/ICCP/1/INF/7
13 December 2000

ENGLISH ONLY

INTERGOVERNMENTAL COMMITTEE FOR THE
CARTAGENA PROTOCOL ON BIOSAFETY
First meeting
Montpellier, France, 11-15 December 2000

**SCENARIOS FOR THE FIRST MEETING OF THE CONFERENCE OF THE PARTIES
TO THE CONVENTION SERVING AS THE MEETING OF THE PARTIES TO THE
PROTOCOL (MOP 1)**

Information note by the ICCP Bureau

Many delegates have raised questions regarding the timing of the first meeting of the Conference of the Parties (COP) serving as the Meeting of the Parties to the Protocol (MOP). The Bureau has prepared this information note to explain some likely scenarios for the timing of this meeting.

I. Background

- Paragraph 6, Article 29 of the Cartagena Protocol on Biosafety stipulates that MOP 1 **shall** be convened in conjunction with the first meeting of the COP that is scheduled after the date of the entry into force of the Protocol. (Note the use of the mandatory “shall”).
- In terms of Article 37, the Protocol shall enter into force 90 days after the deposit of the 50th instrument of ratification, acceptance, approval or accession.
- COP 6 is scheduled to take place at The Hague from 8 to 26 April 2002.
- In order to maintain momentum on the biosafety issue, there is need to avoid a situation where more than 12 months would elapse after the entry into force of the Protocol before convening MOP 1. This view was expressed by the ICCP Bureau at its previous meetings.
- *Planning assumption:* The scenarios for MOP 1 outlined hereunder should take into consideration the planning assumption that the Executive Secretary will require at least six months to adequately prepare for MOP 1.

II. Scenarios

In light of the above, three scenarios are presented hereunder.

/...

Scenario A:

- **MOP 1 is held in conjunction with COP 6:** Technically, for this to happen, the 50th instrument of ratification etc. must be deposited, at a minimum, on 8 January 2002 so as to enable the Protocol to enter into force by 8 April 2002 (that is by the time of COP 6). The COP Bureau in consultation with the ICCP Bureau will need to monitor the situation as it develops and provide guidance to the Executive Secretary in this regard in order to facilitate preparations for MOP 1, taking into consideration the fact that adequate preparations for MOP 1 may require at least six months.

Scenario B

- **The 50th instrument of ratification etc. is deposited after 8 January 2002 but before or during COP 6:** This means that although the Protocol would enter into force during or after COP 6, COP 6 would be aware of the specific date of its entry into force. In the event, COP 6 could take a decision regarding the dates for MOP 1. In view of the mandatory language of Article 29(6), COP 6 could decide that MOP 1 be convened in conjunction with an extraordinary meeting of the Conference of the Parties to be held during the inter-sessional period between COP 6 and COP 7. It should be noted in this regard that Article 29(6) does not state that MOP 1 shall be convened only in conjunction with an **ordinary** meeting of the Conference of the Parties.

Scenario C

- **The 50th instrument of ratification etc. is deposited after COP 6:** COP 6 could anticipate the entry into force of the Protocol taking into consideration the number of ratifications etc. by the time of COP 6. In this regard, COP 6 could decide that in the event that the Protocol enters into force within one year of COP 6, the Executive Secretary in consultation with the bureaus of COP 6 and the ICCP shall convene MOP 1 together with an extraordinary meeting of the Conference of the Parties. In the absence of any such decision, MOP 1 would naturally be held in conjunction with COP 7.
