

**Minutes of the meeting of the Bureau of the Intergovernmental
Committee for the Cartagena Protocol on Biosafety
16-17 December 2002**

Participation:

- ICCP Bureau members: Cameroon (Chair), France, Iran, Poland, Saint Kitts and Nevis, South Africa, Switzerland and Ukraine;
- President of the Bureau of COP-6;
- The representative of UNEP;
- The Executive Secretary of the CBD and other relevant staff of the Secretariat.

Agenda:

The meeting adopted the provisional agenda as attached hereto.

Deliberations of the meeting:

1. *Progress report on the implementation of the programme of work from ICCP-3 meeting*

The Secretariat briefed the Bureau on the status of implementation of the recommendations arising from the third meeting of the ICCP. The Bureau welcomed the progress made in this regard and noted that it looks forward to reviewing the documentation that will be prepared in advance of COP/MOP-1.

Regarding the roster of experts, the Secretariat informed the Bureau that information concerning the composition of the roster in terms of areas of expertise, and regional and gender breakdown, will be automatically updated daily on the BCH in the near future. Furthermore, this information will be distributed to Governments as part of the hard copy of the annual roster printout, and in the 4th quarterly report of the Secretariat each year. The Bureau also requested that the Secretariat should issue a Notification as soon as possible to convey this information to Governments.

Regarding the October 2002 Notification on the requirements of Parties at the time of entry into force of the Protocol, the Bureau recommended that the Secretariat re-issue an amended version closer to the time of entry into force, in a manner that presents the major requirements of Parties both at entry into force and thereafter.

The Bureau also noted the need to send a reminder to Parties, closer to the time of entry into force, concerning the submission of views and information prior to COP/MOP-1 in accordance with the notification issued by the Secretariat on 6 June 2002.

2. *Update on the capacity building project proposals prepared by the Secretariat*

The Secretariat briefed the Bureau on the developments related to the capacity building project proposals. After discussion, the Bureau underscored the following and agreed that:

- There is a need for all Parties to the Protocol to be able to use the BCH by the time of entry into force of the Biosafety Protocol as the BCH and the decision-making are key elements of the Protocol, without which the system would not function.
- A national BCH component is essential to enable Parties to provide information to the BCH in accordance with their obligations under the Protocol and to access the information available through the BCH for decision-making and as such is essential for the functioning of the Protocol.
- Every effort should be made to ensure that the BCH is fully operational/functional at the time of the entry into force of the Protocol.
- The intent and content of the SCBD proposals on the BCH fill an important gap in addressing the urgent needs of developing countries and countries with economies in transition with respect to the timely implementation and use of the BCH. They complement on-going GEF supported activities and financial resources should be made available for their implementation. The proposals should be further refined in close consultation with the GEF Secretariat and the Implementing Agencies.
- In the implementation phase of these proposals, the SCBD has an important role because of the mandate given to the Secretariat by both ICCP and the COP and the Secretariat's expertise in this area.
- The Secretariat should further develop the BCH proposals in consultation with the beneficiary countries taking into consideration the comments/views of Bureau members.
- The Executive Secretary should continue to explore with the CEO/GEF and its GEF/IAs agreeable modalities for GEF funding and implementation of these proposals.
- The Executive Secretary should report back and submit revised proposals to the ICCP and COP-6 Bureaux as soon as possible.

3. *Outcome of the meeting of the Liaison Group on capacity building for biosafety (held on 4-5 November 2002, Montreal)*

The Secretariat briefed the Bureau on the outcome of the Liaison Group meeting. The Bureau welcomed the informal summary report of the Liaison Group and recommended that further consultation would be worthwhile, recognizing that the status and role of such a group must be flexible to meet the needs of the secretariat in operationalization of the Coordination Mechanism once it is endorsed by COP/MOP. The Bureau suggested that other IGOs, in particular those involved in biosafety-related capacity building activities such as the FAO, be involved in the work of the Liaison Group. The Secretariat was encouraged to maximize input of Governments with regard to items to be included in the agenda of possible future meetings of the Liaison Group once its establishment is endorsed by COP/MOP-1. The Bureau also requested the Secretariat to inform all Governments of the main recommendations made by the Liaison Group.

4. *Outcome of the workshop on liability and redress in the context of the Cartagena Protocol on Biosafety (held on 2-4 December 2002, Rome)*

The Secretariat briefed the Bureau on the organization and outcomes of the workshop on liability and redress. The Bureau welcomed the draft report of the workshop and given the importance of the subject, encouraged the Executive Secretary to have the report translated into the six UN languages, and to make the report available as an information document to COP/MOP-1. The Bureau encouraged the possibility of a further workshop before COP/MOP-1, subject to availability of funds.

5. *Update on the development of the BCH and preparations for the advisory meeting of technical experts on the BCH*

The Secretariat made a presentation on the revised version of the BCH and also circulated a draft agenda for the advisory meeting of technical experts on the BCH that had been recommended during the previous Bureau meeting. The Bureau welcomed the improvements made to the BCH, and discussed the preparations for the meeting of technical experts on the BCH, including input from relevant IGOs. The Bureau noted that although the development of the BCH should be flexible and continuous, it agreed with the Secretariat's intention to make minimal changes after the new site is made public early next year. In that regard, the Bureau recommended that the technical expert meeting be convened only after sufficient time has been allowed for governments and experts to test the updated BCH and provide relevant feedback. The Bureau suggested that interoperability and controlled vocabulary be also addressed by the meeting. The Secretariat noted that convening of the meeting was dependent on the availability of funds.

Finally, the Bureau discussed and agreed that although the pilot phase of the BCH does not become endorsed as the BCH until so decided by COP/MOP-1, the pilot phase will be operational and will act as the BCH from the date of entry into force of the Protocol, in line with the requirements of the Protocol.

6. *Status of ratification of the Biosafety Protocol and resulting preparations for the first meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol (COP/MOP-1)*

The Secretariat briefed the Bureau on the status of ratification, and Bureau members added information regarding the status within their respective constituencies.

The Bureau then considered a number of possible scenarios and modalities for organizing and convening COP/MOP-1, and agreed on the following:

Recognizing the provision of paragraph 6 of Article 29 of the Protocol which requires the convening of the first COP/MOP in conjunction with the first COP meeting scheduled after the Protocol enters into force,

Recalling COP Decision VI/1 which envisaged two scenarios for the convening of COP/MOP-1, namely that COP/MOP-1 be convened in conjunction with an Extraordinary COP in the event that the Protocol enters into force within one year of COP-6, or that COP/MOP-1 be convened in conjunction with COP-7 in the event that the Protocol enters into force more than one year after COP-6,

Recognizing the practical consideration of the desire to avoid a long delay between the entry into force of the Protocol and the convening of COP/MOP-1, and of the desire to avoid a lengthy meeting period that would result from consecutive meetings, the Bureau therefore explored other possible scenarios.

The Bureau is of the opinion that the Protocol and COP Decision VI/1 give guidance to the effect that COP/MOP-1 should be convened back-to-back with either an ExCOP or COP-7. Other scenarios, which give other interpretations to the wording “in conjunction with” (such as different timing or different locations for the meetings), could be identified, but can only be implemented if all Parties to the Convention agree to any such interpretations.

In addition, regarding the need for preparation towards the establishment of the Compliance Committee at COP/MOP-1, the Bureau recommended that the Secretariat issue a notification, closer to the time of entry into force, inviting Parties to the Protocol to prepare for nomination of members to the Compliance Committee at COP/MOP-1. The notification should indicate that competence in the area of compliance should be an important consideration in making nominations.

7. *Preparation for the joint meeting of the Bureaux of COP-6 and ICCP*

The Bureau discussed preparation for the joint meeting based on the provisional agenda attached hereto. The Bureau agreed that under the item of Other Matters, the outcome of the ICCP Bureau meeting with regard to the capacity building project proposals would be reported to the COP Bureau for consideration.

The major substantive items on the agenda for the joint meeting relate to the scenarios and modalities for the organization of COP/MOP-1 (agenda item 6 above). In this regard,

the Bureau agreed to make the results of the deliberations of the ICCP Bureau on this subject available to the joint meeting.

8. *Date and venue for the next meeting of the Bureau of the ICCP*

The ICCP Bureau agreed that its next meeting would be a joint meeting with the COP-6 Bureau in March 2003.

9. *Other matters*

- i. *Format for minutes of ICCP Bureau meetings* – the Bureau agreed that minutes of future meetings should contain only a short introduction of each item and the conclusions reached by the Bureau.
- ii. *Cooperation with other organizations* – the Secretariat briefed the Bureau on recent activities related to cooperation with the IPPC, the WTO, and UNEP-GEF. The Bureau welcomed the report and encouraged continued collaboration.
- iii. *Logo for the Protocol* – the Bureau noted that the logo for the Protocol should be implemented at entry into force of the Protocol.
- iv. *Any other matter* – no other matter was raised.