



CBD



CONVENTION ON BIOLOGICAL DIVERSITY

Distr.
GENERAL

UNEP/CBD/BS/COP-MOP/2/6
25 February 2005

ORIGINAL: ENGLISH

CONFERENCE OF THE PARTIES TO THE CONVENTION ON BIOLOGICAL DIVERSITY SERVING AS THE MEETING OF THE PARTIES TO THE CARTAGENA PROTOCOL ON BIOSAFETY

Second meeting

Montreal, 30 May-3 June 2005

Item 8 of the provisional agenda*

COOPERATION WITH OTHER ORGANIZATIONS, CONVENTIONS AND INITIATIVES

Note by the Executive Secretary

I. INTRODUCTION

1. The Conference of the Parties serving as the meeting of the Parties to the Protocol, at its first meeting, referred to cooperation and synergy with other organizations, conventions and initiatives, in several decisions. Activities related to cooperation that have been carried out in response to decisions of the first meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol are reported on in the various pre-sessional papers for each item of the agenda for the second meeting.

2. The present document provides an overview of cooperative activities between the Secretariat and other organizations, conventions and initiatives relevant for the implementation of the Protocol. The Conference of the Parties serving as the meeting of the Parties to the Protocol is invited to take note of the updated information and to incorporate, as appropriate, the ongoing cooperation into its consideration of relevant items of its agenda.

II. REVIEW OF COOPERATION EXPERIENCE

A. Cooperation with the World Trade Organization

3. The preamble of the Biosafety Protocol recognizes that trade and environment agreements should be mutually supportive with a view to achieving sustainable development. Prior to entry into force of the Protocol, the Conference of the Parties to the Convention, in its decision VI/20, recognized the importance of cooperation with the World Trade Organization (WTO) on matters related to the Protocol, and emphasized the need for mutual supportiveness with the relevant WTO agreements, in particular the

* UNEP/CBD/BS/COP-MOP/2/1.

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Agreement on Sanitary and Phytosanitary Measures (SPS) and the Agreement on Technical Barriers to Trade (TBT). In the same decision, the Conference of the Parties requested the Executive Secretary to apply for observer status in the meetings of the WTO committees on those agreements.

4. At its seventh meeting, the Conference of the Parties, in its decision VII/26, requested the Executive Secretary to renew his applications for observer status in relevant bodies of WTO. Accordingly, the application for observer status in the SPS and TBT Committees was renewed in March 2004 through a letter from the Executive Secretary to the WTO Director-General. As of 31 January 2005, observer status had not been granted in either committee.

5. The Secretariat of the Convention on Biological Diversity holds observer status in the WTO Committee on Trade and Environment (CTE) in regular session and is invited, on a regular basis, to the meetings of the CTE in special (negotiating) session. During the period since the first meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol, the Secretariat participated in a number of meetings of the CTE in regular and in special session and briefed participants on decisions of the seventh meeting of the Conference of the Parties and the first meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol of relevance to the work of the CTE, as well as on recent developments in implementing these decisions.

6. Moreover, the Secretariat prepared an overview of the decisions of the seventh meeting of the Conference of the Parties and the first meeting of the Parties to the Protocol that are of relevance to WTO, which was circulated to the Committee on Trade and Environment as document WT/CTE/W/235. A later update on recent developments in implementing these decisions was circulated as document TN/TE/INF/9.

7. During the inter-sessional period, the Secretariat was also asked to provide some information to the WTO panel that was established to hear a complaint by the United States, Canada and Argentina against the European Union on measures affecting the approval and marketing of biotech products.

B. Information-sharing and the Biosafety Clearing-House

8. In its decision BS-I/3, the Conference of the Parties serving as the meeting of the Parties to the Protocol invited relevant international, regional, subregional and national organizations and entities willing to offer their cooperation as active partners in the implementation of the Biosafety Clearing-House to communicate the details of their offer, and requested the Executive Secretary to enter into collaborative arrangements and to report to its second meeting on the results of such arrangements.

9. In addition, the modalities of operation of the Biosafety Clearing-House (decision BS-I/3, annex) specifies that the Secretariat, as administrator of the central portal, shall enter into administrative arrangements with relevant international, regional, subregional and national organizations and entities, as appropriate.

10. As of 31 January 2005, the Secretariat has entered into collaborative arrangements regarding information-sharing and the Biosafety Clearing-House, in the form of memoranda of cooperation, with the Organisation for Economic Co-operation and Development (OECD) and the International Centre for Genetic Engineering and Biotechnology (ICGEB). In addition, a memorandum of cooperation has been signed between the Secretariat and the Food and Agriculture Organization of the United Nations (FAO), which includes an element of cooperation between the Biosafety Clearing-House and the information-sharing mechanisms under the International Plant Protection Convention.

11. With regard to capacity-building to enable the active participation of countries in the Biosafety Clearing-House, the Secretariat has worked closely with the add-on project of the Division of Global

Environment Facility Coordination of the United Nations Environment Programme (UNEP/GEF) related to capacity-building for the Biosafety Clearing-House, by providing expertise including peer-reviews of the materials for that project.

12. Finally, relevant organizations including the OECD, FAO, industry, and non-governmental organizations were invited to attend the first meeting of the Informal Advisory Committee for the Biosafety Clearing-House as observers.

C. Capacity-building

13. In its decision BS-I/5, the Conference of the Parties serving as the meeting of the Parties to the Protocol emphasized the need for a coordinated approach towards capacity-building at all levels in order to develop possible synergies and promote partnerships among different capacity-building efforts and funding initiatives for the effective implementation of the Protocol.

14. In the same decision, the Conference of the Parties serving as the meeting of the Parties to the Protocol adopted a Coordination Mechanism for the implementation of the Action Plan for Building Capacities for the Effective Implementation of the Cartagena Protocol on Biosafety.

15. In this regard, the Secretariat is cooperating and collaborating with several organizations (United Nations and intergovernmental organizations, non-governmental organizations, industry and academia), that are supporting capacity-building initiatives in biosafety, including through the liaison group on capacity-building, the coordination meetings, and the biosafety capacity-building network. 1/

16. The UNEP/GEF project on development of national biosafety frameworks has been a particular focus of collaboration between the Secretariat and UNEP/GEF, as Secretariat staff have provided expertise at regional meetings organized under the project and have peer-reviewed many of the draft biosafety frameworks as they have been developed.

D. Handling, transport, packaging and identification

17. In its decision BS-I/6, the Conference of the Parties serving as the meeting of the Parties to the Protocol invited relevant international organizations to provide views and experiences to the Executive Secretary regarding implementation of paragraph 2 (a) of Article 18, as well as experiences on the implementation of paragraphs 2 (b) and 2 (c) of the same article.

18. In this regard, organizations such as OECD, the Global Industry Coalition (GIC), the International Gene-Trap Consortium (IGTC) and several non-governmental organizations have made contributions to and/or participated in inter-sessional meetings related to paragraph 2 of Article 18 of the Protocol.

19. In addition, the same decision welcomed the development and adoption of the OECD Guidance for the Designation of a Unique Identifier for Transgenic Plants, and encouraged OECD and other organizations involved in the development of unique identification systems for living modified organisms to initiate or enhance their activities towards the development of a harmonized system of unique identifiers for genetically modified micro-organisms and animals. The Secretariat is in regular contact with the OECD Secretariat in order to keep abreast of developments with regard to further work on this topic.

1/ Further information on this subject may be found in the note by the Executive Secretary on the status of capacity-building activities (UNEP/CBD/BS/COP-MOP/2/4).

E. Liability and redress

20. In decision BS-I/8, the Conference of the Parties serving as the meeting of the Parties to the Protocol invited international organizations to provide views on the questionnaire related to Liability and Redress, for inclusion in a synthesis report.

21. In this regard, several organizations have made submissions and have participated in the inter-sessional activities on this topic, such as the meeting of Technical Group of Experts on Liability and Redress in the Context of the Biosafety Protocol, which was held in October 2004 in Montreal.

F. Scientific and technical collaboration including risk assessment and risk management

22. Risk assessment and risk management, and other scientific and technical issues, are items on the agenda of the second meeting of the Conference of the Parties to the Convention serving as the meeting of the Parties to the Protocol, in accordance with the medium-term programme of work (decision BS-I/12, annex, paragraph 4 (b)).

23. At its first meeting, the Conference of the Parties to the Convention serving as the meeting of the Parties to the Protocol invited international organizations to provide relevant information to the Executive Secretary regarding risk assessment and risk management, for inclusion in a report of existing guidance materials. In this regard, the Secretariat has liaised with many relevant organizations engaged in activities related to risk assessment and risk management of living modified organisms in order to obtain relevant information. This information has been compiled in an information document (UNEP/CBD/BS/COP-MOP/2/INF/2).

24. The OECD Working Group for the Harmonization of Regulatory Oversight in Biotechnology held its 15th meeting in Paris in June 2004, and its 16th meeting, also in Paris, in February 2005. The Secretariat attended both meetings as an observer in an effort to maximize synergies in work related to risk assessment.

25. The Secretariat also attended the sixth session of the Interim Commission on Phytosanitary Measures (ICPM), held in Rome from 29 March to 2 April 2004. ICPM is the interim governing body of the revised International Plant Protection Convention (IPPC), and its key work focuses on development of standards for plant protection, many of which are relevant to the Convention and the Biosafety Protocol. The secretariats of the Convention on Biological Diversity and IPPC developed a joint work plan in May 2004 in accordance with decision VII/13 of the Conference of the Parties to the Convention on Biological Diversity. The joint work plan covers all issues of mutual relevance, under both the Convention on Biological Diversity and the Biosafety Protocol.

26. The Secretariat and the World Organization for Animal Health (OIE) have cooperated on a study to identify key issues of mutual relevance between the Biosafety Protocol and OIE, including risk assessment and management.

27. Since the first meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol, the Secretariat has also participated in key meetings of scientific associations in an effort to engage the scientific community in Protocol-related processes. In particular, Secretariat staff made presentations to the International Society for Biosafety Research at the eighth International Symposium on the Biosafety of Genetically Modified Organisms, held in Montpellier in September 2004, and to the Society for Conservation Biology at its 2004 annual meeting, held in New York on 31 July and 1 August 2004.

28. The Secretariat is a member of the Advisory Board of the GMO Guidelines Project (under the auspices of the International Organization of Biological Control), and continued to provide inputs to that project.

29. The Secretariat also provided inputs to the initial development of an FAO Code of Conduct on Biotechnology. Subsequently, the Secretariat attended the tenth regular session of the Commission on Genetic Resources for Food and Agriculture, which considered, *inter alia*, biosafety issues as well as the FAO Code of Conduct on Biotechnology.

III. RECOMMENDATIONS

30. The Conference of the Parties serving as the meeting of the Parties to the Protocol may wish to consider whether there are aspects of cooperation with other organizations, conventions and initiatives, which are not adequately addressed in the agenda of its second meeting, and may wish to specify activities to address those aspects.
