

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

Third meeting

Curitiba, Brazil, 13-17 March 2006

Item 8 of the provisional agenda*

COOPERATION WITH OTHER ORGANIZATIONS, CONVENTIONS AND INITIATIVES

Note by the Executive Secretary

I. INTRODUCTION

1. The medium-term programme of work adopted by the Conference of the Parties serving as the meeting of the Parties to the Protocol at its first meeting in decision BS-I/12 includes “cooperation with other organizations, conventions and initiatives” as a standing item to be considered by the Conference of the Parties serving as the meeting of the Parties to the Protocol at each of its meetings. At its second meeting, the Conference of the Parties serving as the meeting of the Parties to the Protocol thus considered this item and adopted decision BS-II/6 which requested a number of actions by the Executive Secretary aimed at enhancing, reinforcing, intensifying or establishing, as the case may be, cooperation with a number of organizations, conventions and initiatives whose activities may be relevant for the effective implementation of the Biosafety Protocol.

2. The present document provides an overview of the actions taken by the Executive Secretary in response to decision BS-II/6. It also provides an updated overview of the ongoing cooperative activities between the Secretariat and other organizations, conventions and initiatives relevant for the implementation of the Protocol initiated prior to the second meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol. In this regard, the meeting may wish to note that additional or complementary information on activities related to cooperation in regard of specific areas in the biosafety programme of work is also reported where relevant in the various pre-sessional papers for each item of the agenda for the third meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol.

* UNEP/CBD/BS/COP-MOP/3/1.

3. 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 provide further guidance on this item, as appropriate .

II. REVIEW OF COOPERATION EXPERIENCE

A. *Cooperation with the World Trade Organization*

4. 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 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.

5. 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 October 2005, observer status had not been granted in either committee.

6. 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 second meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol, the Secretariat continued to follow the discussions in the CTE in regular and in special session.

B. *Information-sharing and the Biosafety Clearing-House*

7. In its decision BS-II/2, 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 encouraged Parties, Governments and other users to continue to provide information through the Management Centre of the Biosafety Clearing-House, and/or to develop national, regional, subregional and institutional nodes that are interlinked and interoperable with the Central Portal, as appropriate.

8. In the multi-year programme of work for the Biosafety Clearing-House (decision BS-II/2, annex), organizations are invited to collaborate with the Secretariat through an invitation to provide input to the Secretariat on possible improvements for the structure and function of the Central Portal; through sharing information on, and experiences with, living modified organisms through the Biosafety Information Resource Centre on the Biosafety Clearing-House; and by taking into account identified capacity-building constraints and financial limitations of developing countries with regard to effective participation in the Biosafety Clearing-House.

9. Specific requests to relevant organizations to share information include a request for organizations with research activities related to socio-economic impacts of living modified organisms arising from the

impacts of these organisms on the conservation and sustainable use of biological diversity, to share information through the Biosafety Clearing-House, on their research methods and results, both positive and negative (decision BS-II/12), and a request for organizations to contribute further to the Biosafety Information Resource Centre, by registering risk assessment guidance materials and other scientific and technical information (decision BS-II/9).

10. 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.

11. As of 23 November 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.

12. 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.

13. The World Health Organization (WHO) submitted a paper relating some information on their activities of relevance to the Protocol. The Food and Agriculture Organization of the United Nations (FAO) informed the Secretariat of their activities in updating information in the BCH databases.

C. Cooperation with the Codex Alimentarius Commission, the Office International des Epizooties and the International Plant Protection Convention

14. In decision BS-II/6, the Conference of the Parties serving as the meeting of the Parties to the Protocol requested the Executive Secretary to reinforce cooperation with the Codex Alimentarius Commission, the Office International des Epizooties (OIE) and the International Plant Protection Convention on issues of mutual relevance;

15. The Secretariat has continued its close working relationship with the International Plant Protection. The Secretariat attended the seventh session of the Interim Commission on Phytosanitary Measures (ICPM), held in Rome from 4 to 8 April 2005. ICPM is the interim governing body of the revised International Plant Protection Convention (IPPC), and its key work focuses on the development of standards for plant protection, many of which are relevant to the Convention and the Biosafety Protocol. In addition, the Secretariat participated in the International Plant Health Risk Analysis Workshop in Niagara Falls, Canada from 24 to 28 October 2005, jointly organized by the IPPC Secretariat and the Canadian Food Inspection Agency. Furthermore, the IPPC Secretariat attended, as an observer, the meeting of the Ad Hoc Technical Expert Group on Risk Assessment under the Biosafety Protocol, which was held in Rome in November 2005. Finally, the secretariats met in October 2005, along with representatives of the bureaux of the respective governing bodies, to update the joint work plan between

the two secretariats that had been developed 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.

16. The Secretariat has also collaborated with the Codex Alimentarius Commission during the inter-sessional period. In particular, it attended the fifth session of the Ad Hoc Intergovernmental Task Force on Foods Derived from Biotechnology, which was held in Chiba, Japan, from 19 to 23 September 2005. In addition, a representative of the Secretariat of the Codex Alimentarius Commission participated in the above mentioned meeting of the Ad Hoc Technical Expert Group meeting on Risk Assessment under the Biosafety Protocol. Further cooperation with the Codex Alimentarius Commission is reported in paragraph 24 below dealing with issues related to Article 18 of the Protocol.

17. Regarding cooperation with the Office International des Epizooties, the Executive Secretary invited it to attend the meeting of the Ad Hoc Technical Expert Group meeting on risk assessment under the Biosafety Protocol, but they were unable to attend.

D. Cooperation with the Aarhus Convention on public awareness and participation

18. In its decision BS-II/6, the Conference of the Parties serving as the meeting of the Parties to the Protocol requested the Executive Secretary to intensify cooperation with the secretariat of the Aarhus Convention in the United Nations Economic Commission for Europe on matters of public awareness and participation.

19. Pursuant to that decision, the Executive Secretary sent a letter to the Secretary of the Aarhus Convention in June 2005 conveying decision BS-II/13 taken by the Conference of the Parties serving as the meeting of the Parties to the Protocol on public awareness and participation. Detailed elements of the collaborative efforts between the two the Protocol and the Aarhus Convention in this regard are currently being worked out, following up on earlier contacts between the two secretariats regarding a possible memorandum of understanding. It is anticipated that significant developments in the cooperation between the Aarhus Convention and the Biosafety Protocol will have occurred at the time of the consideration and review of progress on the implementation of Article 23, paragraph 1 (a) of the Protocol by the fifth meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol.

E. Capacity-building

20. In its decision BS-II/3, the Conference of the Parties serving as the meeting of the Parties to the Protocol reaffirmed the critical importance of capacity-building for the effective implementation of the provisions of the Protocol and welcomed the progress in the implementation of the Coordination Mechanism established in decision BS-I/5.

21. In order to continue to enhance the implementation of the Coordination Mechanism, the Secretariat is pursuing the cooperation and collaboration initiated 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/} In this regard, a Coordination Meeting and a meeting of the Liaison Group was held in Tromsø, Norway in January 2006.

^{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/3/4).

The reports of both meetings will be made available to the third meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol

F. Handling, transport, packaging and identification

22. Pursuant to the request made to the Executive Secretary in decision BS-II/9 of the Conference of the Parties serving as the meeting of the Parties to the Protocol at its second meeting, the Secretariat wrote to the following customs and transport related organizations with a view to initiating or strengthening cooperation/consultation regarding standards for identification, handling, packaging and transport practices of living modified organisms: (i) United Nations Economic Commission for Europe, in its capacity as the secretariat for the United Nations Transport of Dangerous Goods Sub-Committee; (ii) International Organization for Standardization (ISO); (iii) Universal Postal Union; (iv) World Customs Organization; and (v) the International Air Transport Association. The initiative by the Secretariat was taken in accordance with the request that the second meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol made to the Executive secretary to establish cooperation with these organizations with a view to developing a harmonized approach for the handling and transportation of living modified organisms in preparation for the consideration of the need for and modalities of developing standards as specified under Article 18, paragraph 3 of the Protocol (decision BS-II/6, paragraph (f)).

23. The United Nations Commission for Europe (UNECE) provided an extensive point-by-point response to the queries by the Secretariat. According to UNECE, it would not be desirable for the Conference of the Parties serving as the meeting of the Parties to the Protocol to develop transport requirements or standards besides the existing requirements/standards regarding identification, handling, packaging and transport operations for all types of dangerous goods which are, at present, integrated in a well-functioning specific international transport regulatory framework. The details of the UNECE response are discussed in a note by the Executive Secretary on Article 18, paragraph 3 (UNEP/CBD/COP-MOP/3/8/Add.2).

24. On the other hand, the Secretariat had also invited the Codex Alimentarius Commission, specifically its Committee on Methods of Analysis and Sampling, and the Joint Research Centre, Institute for Health and Consumer Protection of the European Commission, for cooperation and update of developments regarding living modified organisms sampling and detection techniques. In its response, the Codex Alimentarius Commission expressed its willingness to strengthen cooperation with the Secretariat in areas of common interest. It offered to include the Secretariat in the electronic Codex mailing list so as to facilitate exchange of information by allowing the Secretariat to receive the links to all Codex working documents. Codex also informed the Secretariat that the Committee on Methods of Analysis and Sampling was currently working on Criteria for the Methods for Detection and Identification of Foods Derived from Biotechnology and a revised document on that subject would be prepared in early 2006 for consideration by the 27th session of the Committee, in Budapest, from 15 to 19 May 2006.

25. At the time of finalizing this note, no response had been received as yet from the other organizations mentioned in paragraph 22 above.

G. Other Scientific and Technical Cooperation

26. The Secretariat also attended, in September 2005, a workshop on seed certification and modern biotechnology in Paris organized by the Organisation for Economic Co-operation and Development (OECD). The secretariat also continued its collaboration with the OECD Working Group on

Harmonization of Regulatory Oversight in Biotechnology, but was unable to attend the 17th meeting of the Group in October 2005 due to other commitments.

27. The Secretariat has also continued to participate in key meetings of scientific and other organizations in an effort to engage such organizations in Protocol-related processes. Since the report to the second meeting of the Conference of the Parties was prepared, the Secretariat made a presentation to public research scientists involved in the Public Research and Regulatory Initiative, at a seminar held in St. Louis, United States, in March 2005. The Secretariat also provided inputs to, but did not attend, a workshop co-organized by the Scientific and Technical Advisory Panel of the Global Environment Facility and the World Fish Centre, regarding preparation of a book on environmental risk assessment of transgenic fish, which was held in Penang, Malaysia in October 2005.

III. RECOMMENDATION

28. The Conference of the Parties serving as the meeting of the Parties to the Protocol may wish to take note of the report provided in this note and consider whether there are aspects of cooperation with other organizations, conventions and initiatives that are not adequately addressed in the agenda of its third meeting, and may wish to specify activities to address those aspects.
