



CONVENTION ON BIOLOGICAL DIVERSITY

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OPEN-ENDED INTER-SESSIONAL MEETING ON THE
MULTI-YEAR PROGRAMME OF WORK OF THE
CONFERENCE OF THE PARTIES UP TO 2010
Montreal, 17-20 March 2003
Item 2.2 of the provisional agenda*

ANNOTATIONS TO THE PROVISIONAL AGENDA

Note by the Executive Secretary

INTRODUCTION

1. In its decision VI/28, on the multi-year programme of work of the Conference of the Parties up to 2010, the Conference of the Parties decided to hold an open-ended inter-sessional meeting to consider the multi-year programme of work for the Conference of the Parties up to 2010. In decision VI/21 ("Annex to The Hague Ministerial Declaration of the Conference of the Parties to the Convention on Biological Diversity"), the Conference of the Parties requested the President of the Conference of the Parties, in close cooperation with the Bureau and the Executive Secretary, to analyse the outcome of the World Summit on Sustainable Development (WSSD) as it relates to the Convention process and to report thereon to the Conference of the Parties at its seventh meeting. Given the Summit's relevance to the programme of work of the Conference of the Parties, including a commitment to negotiate and international regime on access and benefit-sharing under the framework of the Convention, it was decided that this matter should also be addressed at the inter-sessional meeting.

2. In decision VI/28, the Conference of the Parties also decided that the inter-sessional meeting should be of two days' duration, and should be held back-to-back with the eighth meeting of the Subsidiary Body on Scientific, Technical and Technological Advice. However, in light of the heavy agenda of the meeting, the Bureau decided that the duration of the inter-sessional meeting should be extended to four days and authorized the Executive Secretary to take appropriate measures to organize the meeting on that basis.

3. Accordingly, the Inter-sessional Meeting on the Multi-year Programme of Work of the Conference of the Parties up to 2010 will take place at the headquarters of the International Civil Aviation Organization (ICAO) in Montreal, from 17 to 20 March 2003. Registration of participants will commence at the venue of the meeting at 3 p.m. on Sunday, 16 March 2003.

* UNEP/CBD/MYPOW/1.

Logistical arrangements

4. The Secretariat has distributed an information note containing details of registration and logistical arrangements for the meeting, including information on travel, visa requirements, accommodation and other matters.

Participants

5. In accordance with Article 36, paragraph 3, of the Convention, for each Contracting Party that ratifies, accepts or approves the Convention or accedes thereto after the deposit of the thirtieth instrument of ratification, acceptance, approval or accession, the Convention shall enter into force on the ninetieth day after the date of deposit by such Contracting Party of its instrument of ratification, acceptance, approval or accession. Consequently, the Parties to the Convention at the opening of the meeting on 17 March 2003 will be those States and regional economic integration organizations that have deposited their instruments by 16 December 2002.

Observers

6. In accordance with rule 6 of the rules of procedure for meetings of the Conference of the Parties, the Secretariat will notify the United Nations, its specialized agencies and the International Atomic Energy Agency as well as any State not Party to the Convention of this meeting so that they may be represented as observers.

7. In accordance with rule 7 of the rules of procedure, the Secretariat has also notified bodies and agencies, whether governmental or non-governmental, qualified in fields relating to the conservation and sustainable use of biological diversity, which have informed the Secretariat of their wish to be represented at this meeting, so that any such bodies may be represented as observers. Such bodies or agencies who wish to be represented at the meeting, and who have not already informed the Secretariat thereof, are requested to do so.

Documentation

8. A provisional list of documents is provided in annex I below. In addition to normal distribution, documents will be made available on the Secretariat's world-wide web site at the following Internet address: <<http://www.biodiv.org>>.

9. Documentation to be prepared and distributed by the Secretariat at the expense of the Trust Fund for the Convention is confined to essential relevant documentation. Parties and observers who wish to make documentation available to the meeting are requested to bring sufficient copies to the meeting for distribution to participants or to make their own arrangements for the reproduction of such documents in Montreal.

Exhibitions and other events

10. Delegations and organizations interested in arranging events at the meeting, such as workshops, seminars, presentations, or receptions, are asked to contact the Secretariat before 17 February 2003, in order to make the necessary arrangements.

ITEM 1. OPENING OF THE MEETING BY THE PRESIDENT OF THE SIXTH MEETING OF THE CONFERENCE OF THE PARTIES

11. The President of the sixth meeting of the Conference of the Parties or her representative will open the meeting.

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12. The Executive Secretary of the Convention will make a statement highlighting the main issues before the meeting.

ITEM 2. ORGANIZATIONAL MATTERS

2.1. Election of officers

13. Based on the precedent of past inter-sessional meetings, it is recommended that the President of the Conference of the Parties, with support from the Bureau of the Conference of the Parties, preside over the meeting.

2.2. Adoption of the agenda

14. The meeting may wish to adopt its agenda on the basis of the provisional agenda as contained in document UNEP/CBD/MYPOW/1.

15. The provisional agenda has been prepared by the Executive Secretary in the light of the provisions of rule 8 of the rules of procedure for meetings of the Conference of the Parties, which apply, *mutatis mutandis*, to the current meeting. In preparing the provisional agenda, the Executive Secretary has benefited from the guidance of the Bureau of the Conference of the Parties.

2.3. Organization of work

16. In light of the number and complexity of the matters to be addressed, the meeting may wish to establish two working groups. A timetable and division of responsibilities between two working groups is proposed in annex II below.

17. It is proposed that the plenary hear the report of the President on item 3 (Assessment of the outcome of the World Summit on Sustainable Development as it relates to the Convention process) and hear general statements on this issue. It is further proposed that Working Group I consider item 3 in greater detail, as well as item 7 (International regime on Access and Benefit-sharing), and Working Group II consider item 4 (Implementation of the Convention and the Strategic Plan: information for future evaluation of progress), item 5 (Multi-year programme of work of the Conference of the Parties up to 2010), and item 6 (Legal and socio-economic aspects of technology transfer and cooperation). In addition, given the close relationship between different agenda items, such as the assessment of WSSD (item 3) and the multi-year programme of work (item 5), it will be necessary to ensure that each working group is kept informed of the nature of discussions in the other group.

18. Interpretation will be available for two working groups for morning and afternoon sessions. Interpretation will not, however, be available for evening sessions, should these be necessary.

ITEM 3: ANALYSIS OF THE OUTCOME OF THE WORLD SUMMIT ON SUSTAINABLE DEVELOPMENT AS IT RELATES TO THE CONVENTION PROCESS

19. By decision VI/21, paragraph 6, the Conference of the Parties requested the President of the Conference of the Parties, in close cooperation with the Bureau and the Executive Secretary, to analyse the outcome of the World Summit on Sustainable Development as it relates to the Convention process and to report thereon to the Conference of the Parties at its seventh meeting.

20. In accordance with the request of the Conference of the Parties, the President will report to the meeting on the outcome of the World Summit. In addition, the Executive Secretary has prepared a note

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(UNEP/CBD/MYPOW/2) to assist the meeting in its work. The note begins with a brief overview of the Summit and its results, with a particular emphasis on the WSSD Plan of Implementation. Section II provides an analysis of the content of the Plan of Implementation as regards biodiversity. Section III reviews the means of implementation and the possible implications for the Convention, and Section IV contains conclusions and recommendations. A table annexed to the document sets out the relationship between the elements of the Plan of Implementation dealing with biological diversity and decisions of the Conference of the Parties, including the Strategic Plan of the Convention.

21. Under this item, the meeting may wish to make recommendations to the Conference of the Parties at its seventh meeting on how the work programme of the Convention and the Strategic Plan should be adjusted to take into account, as appropriate, the results of the Summit.

ITEM 4. IMPLEMENTATION OF THE CONVENTION AND THE STRATEGIC PLAN: INFORMATION FOR FUTURE EVALUATION OF PROGRESS

22. In decision VI/26, the Conference of the Parties requested the Executive Secretary to provide appropriate information to the Parties at an inter-sessional meeting for consideration of the future evaluation of progress in the implementation of the Convention and the Strategic Plan, in accordance with the relevant provisions of the Convention.

23. To facilitate consideration of this item, the Executive Secretary has prepared a note (UNEP/CBD/MYPOW/3). The note begins with a review of the current national and thematic reporting under the Convention and a review of the overall needs in terms of evaluation of Strategic Plan. Section II examines the possible modalities and means for the evaluation of progress and reporting. Finally, section three contains suggested recommendations for action in this regard.

24. Under this item, the meeting may wish to make specific recommendations to the Conference of the Parties at its seventh meeting on the modalities and means for future evaluation of progress made in the implementation of the Convention and the Strategic Plan.

ITEM 5. MULTI-YEAR PROGRAMME OF WORK OF THE CONFERENCE OF THE PARTIES UP TO 2010

25. At the close of its seventh meeting, to be held in Malaysia in 2004, the Conference of the Parties will have completed the medium-term programme of work for the period from the fourth meeting until the seventh meeting of the Conference of the Parties, which was adopted at its fourth meeting, in Bratislava, in 1998. For this reason, at its sixth meeting, in decision VI/28, the Conference of the Parties requested the Executive Secretary to prepare a multi-year programme of work for the Conference of the Parties up to 2010, covering the programme of work dealing with its eighth, ninth and tenth meetings. In the same decision, the Conference of the Parties also decided to convene an inter-sessional meeting to consider the multi-year programme of work for the Conference of the Parties up to 2010.

26. To facilitate consideration of this item, the Executive Secretary has prepared a note (UNEP/CBD/MYPOW/4). The note reviews the developments that led to the draft programme of work, which is annexed to the note. The draft programme of work is based on the views of SBSTTA as set out in its recommendation VII/12 and as reflected in the note by the Executive Secretary prepared for the sixth meeting of the Conference of the Parties (UNEP/CBD/COP/6/5/Add.2/Rev.1). The draft programme of work also takes fully into consideration the Strategic Plan of the Convention and submissions received from Parties.

27. Based on its review of the draft programme of work, the meeting may wish to make recommendations to the Conference of the Parties at its seventh meeting on a multi-year programme of work for the Conference of the Parties up to 2010.

ITEM 6. LEGAL AND ECONOMIC ASPECTS OF TECHNOLOGY TRANSFER AND COOPERATION

28. The issue of technology transfer and cooperation is to be reviewed by SBSTTA in preparation for the seventh meeting of the Conference of the Parties, which will take up this issue for in-depth consideration. However, the SBSTTA Bureau has indicated that SBSTTA is not well placed to address the legal and socio-economic aspects of the issue and that it would confine itself to a review of the technical and scientific aspects. The SBSTTA Bureau therefore requested that the legal and socio-economic aspects of transfer of technology and cooperation be examined by the Inter-Sessional Meeting on the Multi-Year Programme of Work of the Conference of the Parties up to 2010. At its meeting on 23-24 September 2002, the Bureau of the Conference of the Parties agreed to include this item on the agenda of the inter-sessional meeting but expressed the view that the mandate of SBSTTA covers advice on legal and socio-economic matters.

29. To facilitate consideration of this item, the Executive Secretary has prepared a note (UNEP/CBD/MYPOW/5). The note reviews the issue of technology transfer in the Convention process, it examines the role of legal frameworks and of socio-economic and financial aspects in promoting access to and transfer of technology. Finally, the note suggests conclusions and recommendations for future action under the Convention.

30. Under this item, the meeting may wish to make recommendations to the seventh meeting of the Conference of the Parties on how to facilitate technology transfer and cooperation for the purposes of the Convention.

ITEM 7. INTERNATIONAL REGIME ON ACCESS AND BENEFIT-SHARING

31. Paragraph 44 of the WSSD Plan of Implementation provides *inter alia* that “a more efficient and coherent implementation of the three objectives of the Convention and the achievement by 2010 of a significant reduction in the current rate of loss of biological diversity will require the provision of new and additional financial and technical resources to developing countries, and includes actions at all level to...negotiate within the framework of the Convention on Biological Diversity, bearing in mind the Bonn Guidelines, an international regime to promote and safeguard the fair and equitable sharing of benefits arising out of the utilization of genetic resources”.

32. The implementation of this commitment within the framework of the Convention raises a number of questions, which the meeting may wish to address. The first question relates to the determination of the exact nature and scope of the international regime contemplated. The meeting may also wish to discuss the process required to implement this commitment and a timetable for its completion, and make recommendations on these matters to the Conference of the Parties.

33. To facilitate discussions of this item, the Executive Secretary has prepared a note (UNEP/CBD/MYPOW/6) providing background information on the work on access and benefit-sharing carried out to date Convention. It examines the results of WSSD and highlights issues relating to an international regime on access and benefit-sharing. An overview of existing legal and policy frameworks dealing with access to genetic resources and more particularly the sharing of benefits derived from their use is also provided in an annex to the document. Finally, the note suggests possible options for future work in implementation of the commitment made at WSSD.

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34. In this connection, the meeting may also wish to consider how these developments may impact on the mandate of the Ad Hoc Open-ended Working Group on Access and Benefit-sharing, which is scheduled to meet in the fourth quarter of 2003.

35. Under this agenda item, the meeting may wish to make recommendations to the Conference of the Parties at its seventh meeting on the issues mentioned above.

ITEM 8. OTHER MATTERS

36. The meeting may wish to consider other items raised and accepted in accordance with rule 12 of the rules of procedure for meetings of the Conference of the Parties and paragraph 7 of decision IV/16 of the Conference of the Parties.

ITEM 9. ADOPTION OF THE REPORT

37. The meeting will consider and adopt its report, which will be presented by the President of the Conference of the Parties to the seventh meeting of the Conference of the Parties for its consideration.

ITEM 10. CLOSURE OF THE MEETING

38. The meeting is expected to be closed on Thursday, 20 March 2003 at 6 p.m.

Annex I

**PROVISIONAL LIST OF DOCUMENTS FOR THE OPEN-ENDED INTER-
SESSIONAL MEETING ON THE MULTI-YEAR PROGRAMME OF WORK
OF THE CONFERENCE OF THE PARTIES UP TO 2010**

<i>Symbol</i>	<i>Title</i>
UNEP/CBD/MYPOW/1	Provisional agenda
UNEP/CBD/MYPOW /1/Add.1	Annotated provisional agenda
UNEP/CBD/MYPOW/2	Analysis of the outcome of the World Summit on Sustainable Development (WSSD) as it relates to the Convention Process
UNEP/CBD/MYPOW/3	Implementation of the Convention and the Strategic Plan: information for future evaluation of progress
UNEP/CBD/MYPOW/4	Proposals for a multi-year programme of work for the Convention on Biological Diversity up to 2010
UNEP/CBD/MYPOW/5	Review of the legal and socio-economic aspects of technology transfer and cooperation
UNEP/CBD/MYPOW/6	Proposals for an international regime on access and benefit-sharing

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*Annex II***PROVISIONAL ORGANIZATION OF WORK**

	PLENARY	WORKING GROUP I	WORKING GROUP II
Monday, 17 March 2003 10 a.m. – 1 p.m.	<ol style="list-style-type: none"> 1. Opening of the meeting 2. Organizational matters 3. Analysis of the outcome of the World Summit on Sustainable Development (WSSD) as it relates to the Convention process 		
3 p.m. – 6 p.m.		<ol style="list-style-type: none"> 3. Analysis of the outcome of the World Summit on Sustainable Development (WSSD) as it relates to the Convention process 	<ol style="list-style-type: none"> 4. Implementation of the Convention and the Strategic Plan: information for future evaluation of progress 5. Multi-year programme of work of the Conference of the Parties up to 2010 6. Legal and socio-economic aspects of technology transfer and cooperation
Tuesday, 18 March 2003 10 a.m. – 1 p.m.		<ol style="list-style-type: none"> 3. Analysis of the outcome of the World Summit on Sustainable Development (WSSD) as it relates to the Convention process <i>(continued)</i> 	<ol style="list-style-type: none"> 4. Implementation of the Convention and the Strategic Plan: information for future evaluation of progress <i>(continued)</i> 5. Multi-year programme of work of the Conference of the Parties up to 2010 <i>(continued)</i> 6. Legal and socio-economic aspects of technology transfer and cooperation <i>(continued)</i>

	PLENARY	WORKING GROUP I	WORKING GROUP II
3 p.m. – 6 p.m.		7. International regime on access and benefit-sharing	4. Implementation of the Convention and the Strategic Plan: information for future evaluation of progress <i>(continued)</i> 5. Multi-year programme of work of the Conference of the Parties up to 2010 <i>(continued)</i> 6. Legal and socio-economic aspects of technology transfer and cooperation <i>(continued)</i>
Wednesday, 19 March 2003 10 a.m. – 1 p.m. <i>and</i> 3 p.m. – 6 p.m.		7. International regime on access and benefit-sharing <i>(continued)</i>	4. Implementation of the Convention and the Strategic Plan: information for future evaluation of progress <i>(continued)</i> 5. Multi-year programme of work of the Conference of the Parties up to 2010 <i>(continued)</i> 6. Legal and socio-economic aspects of technology transfer and cooperation <i>(continued)</i>
Thursday, 20 March 2003 10 a.m. – 1 p.m.	8. Other matters		
3 p.m. – 6 p.m.	9. Adoption of the report 10. Closure of the meeting		
