



**CONVENTION ON
BIOLOGICAL DIVERSITY**

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STATEMENT BY

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EXECUTIVE SECRETARY**

CONVENTION ON BIOLOGICAL DIVERSITY

TO

**THE SECOND MEETING OF THE INTERGOVERNMENTAL
COMMITTEE FOR THE CARTAGENA PROTOCOL ON
BIOSAFETY**

**Nairobi, Kenya
1 – 5 October 2001**

Honourable Minister,
Mr. Chairman,
Distinguished Delegates,
Ladies and Gentlemen,

I am pleased to welcome you to the second meeting of the Intergovernmental Committee for the Cartagena Protocol on Biosafety, being held here at UNEP headquarters in Nairobi. This is a venue that has now achieved international renown as a site for the exchange of legal, technical and scientific expertise, and has seen innumerable meetings of experts in different disciplines over the years. For those of us involved with the Convention on Biological Diversity, it has particular significance. It is the place where the Convention itself was concluded and the Biosafety Protocol opened for signature. It is also the place where the programme of work for ICCP was adopted by the Conference of the Parties at its fifth meeting and is a fitting location for it to be completed. Last week, Nairobi saw a further step forward toward the full implementation of the Biosafety Protocol, with the successful completion of the Open-ended Meeting of Experts on Compliance. I would therefore express my gratitude to the Executive Director of UNEP for his offer to host this meeting here and for the efforts that have been made to ensure its smooth organization. I would also wish to express my appreciation to the Government and people of Kenya for their customary generosity and hospitality, which will surely smooth the way for our work.

But organizing a meeting is one thing; ensuring the sort of broad participation necessary for its success is another. I would therefore take this opportunity to express my sincere gratitude to the Governments of Denmark, Italy, Japan, the Netherlands, New Zealand, Norway, the Republic of Korea, Sweden and Switzerland, who have contributed financially to enable the participation of developing countries and countries with economies in transition.

Mr. Chairman,

The adoption of the Biosafety Protocol was a momentous achievement. To date, it has been signed by 103 Parties to the Convention and ratified by five. This demonstrates that the process launched by the Convention is capable of addressing challenging issues. Last week, the Open-ended Expert Meeting on Compliance met here to address another challenging issue, one of the priority requirements for the effective implementation of the Protocol: promoting compliance of States with their obligations under the Protocol.

The meeting has succeeded in looking at the issue from all sides and produced a sort of clear text that will, I am confident, allow you to produce a focused and generally acceptable recommendation to the COP/MOP on procedures and mechanisms on compliance under the Protocol. With this, I think we can all agree that another immense step forward has been taken in preparing the groundwork for the entry into force and implementation of the Biosafety Protocol. The meeting is to be congratulated, with a special debt of gratitude going to Mr. Salamat for his even-handed chairmanship of this meeting.

Mr. Chairman,

The purpose of this body as defined by the COP is to prepare for the first Meeting of the Parties to the Protocol. That is no mean task, given, first, the expectations that the conclusion of the Protocol has raised, and, second, the vast amount of groundwork that needs to be completed before the Protocol can become fully operational.

As the COP emphasized at its fifth meeting here in Nairobi, for those countries to be able to fulfil their commitments under the Protocol, it is a matter of priority that the Biosafety Clearing-house (BCH) be launched no later than the entry into force of the Protocol and that capacity-building be undertaken as soon as possible as there is no point in ratifying the Protocol and not being able to effectively implement it. In fact, this could be detrimental.

It is therefore no accident that this body has identified and taken up the issue of information-sharing, with particular reference to the Biosafety Clearing-house and capacity-building as priority issues at its first meeting in Montpellier last year. The meeting also considered the issues of decision-making; handling, transport, packaging and identification; and compliance.

Matters for consideration by your meeting this week in preparation for COP/MOP-1 as reflected in the work plan adopted by COP-5 include: liability and redress; monitoring and reporting; Secretariat; and rules of procedure for meetings of the Conference of the Parties to the Convention on Biological Diversity serving as the meeting of the Parties to the Protocol. You have also been asked to consider other issues necessary for the effective implementation of the Protocol and to elaborate a provisional agenda for the first meeting of the Conference of the Parties to the Convention on Biological Diversity serving as the meeting of the Parties to the Protocol.

That in itself would represent a heavy workload. In addition, however, you will continue to deliberate on items considered at your first meeting, in Montpellier.

As you recall, the first meeting of the ICCP was a very productive one, marked by a spirit of focused and constructive enterprise that was termed by the Chair “the Montpellier spirit”. The period since that meeting has been busy, but I am glad to note that the momentum gathered in Montpellier has not flagged. A report on the inter-sessional work requested by ICCP at its first meeting will be presented this morning under item 3 of your agenda. At this point, I will simply highlight a few of the inter-sessional activities, which concern the priority issues identified by the Conference of the Parties and the ICCP. These activities include a number of expert meetings held in response to requests made by ICCP at Montpellier in order to advance work on a number of the key items in your programme of work and on your agenda this week. These meetings included:

- The Meeting of Technical Experts on Handling, Transport, Packaging and Identification of LMOs, which took place in Paris in June;
- The Open-ended Expert Meeting on the Capacity-building for the Cartagena Protocol, held in Havana in July;
- The International Workshop on Financial Support for the Creation and Implementation of national Biosafety Frameworks;
- The meetings of the Liaison Group of Technical Experts on the Biosafety Clearing-house which were held in Montreal in March and in Nairobi last week; and
- The Open-ended Meeting of Experts on a Compliance Regime under the Cartagena Protocol, which took place here in Nairobi last week.

I would like to take this opportunity to reiterate my gratitude to the Governments of France and Canada for hosting and co-hosting the Paris meeting, to the Government of Cuba for hosting the meeting in Havana and to UNEP for hosting last week's meeting.

The Committee will have the opportunity to hear more about the outcomes and achievements of the various inter-sessional meetings from their respective chairs. I would only like to note that it was a very challenging task for the Secretariat to organize and prepare adequately for all those meetings among the other numerous meetings organized by the Secretariat. I am confident that the outcomes of these meetings will greatly help in expediting the work of the ICCP, as they all provided a forum for the sort of in-depth and expert consideration of individual issues that is not feasible within a larger body.

Mr. Chairman,
Distinguished Delegates,

You will all recall that one of the priority issues facing the ICCP at its first meeting was the operationalization of the Biosafety Clearing-House, without which it will be simply impossible to implement the Protocol as it was intended to be implemented by Parties

once it enters into force. I am therefore pleased to join the Chairman in reporting that, following the guidance given by this body in Montpellier and by the ICCP Bureau, the pilot phase of the Biosafety Clearing-House has been launched in April this year. This was made possible with the financial support from the Governments of the United Kingdom and the United States of America. I would like to thank the ICCP Bureau and the Liaison Group of Technical Experts on the Biosafety Clearing-House for their advice and guidance that has facilitated the development of the pilot phase. I am sure that the Chairman of the Liaison Group will provide you with further details on the subject when he delivers his report to this plenary session.

The development of the Biosafety Clearing-house has been undertaken in close collaboration with other organizations including OECD, UNIDO and ICGB, and memoranda of cooperation are being drawn between them and the Secretariat. The Secretariat had the opportunity to demonstrate the operation of the system at the expert meeting in Havana, and I am pleased to announce that there will be an ongoing hands-on demonstration throughout this week, in conference room 5. I would urge all delegates, particularly national focal points, to attend the hands-on demonstrations, and to make their views known to the Secretariat on the system that has been established and on what can be done for its continued improvement and development.

The Secretariat also organized two regional meetings on the Biosafety Clearing-House, one for Africa and one for Latin America and the Caribbean. These meetings were intended to provide the countries of those regions with an opportunity to identify their needs and expectations with regard to the establishment of the pilot phase. The reports and recommendations of the two meetings are available at this meeting. I wish to thank most sincerely the Government of Peru for hosting the meeting for the Latin America and Caribbean region and the Government of the United States of America for providing the funds that not only allowed the Secretariat to organize that meeting but also will enable it to organize similar meetings for the Asia and the Pacific region and the Central and Eastern European region some time between November this year and next February.

Distinguished Delegates,

With regard to the other items on the agenda before you, the Secretariat has prepared background papers in close consultation with the ICCP Bureau and in some cases with extensive input from governments. The underlying common purpose of these papers is to provide the Committee with the background information necessary to address its agenda in the focused and expeditious fashion that made its first meeting such a success. We continue to recognize that, as we move toward the entry into force and implementation of the Biosafety Protocol, we are venturing into uncharted territory and therefore can benefit from the experience gained in other fora. The idea is not to copy or borrow from other processes, as the Protocol has its own specificities, but rather to gain from the experience of other bodies. We hope that these background papers would facilitate your discussions.

Mr. Chairman,
Distinguished Delegates,
Ladies and Gentlemen,

Looking back at the period that has passed since the Biosafety Protocol was adopted, we can see that remarkable progress has been made in preparing for its implementation. However, much work remains to be done and many issues remain to be clarified to facilitate ratification by as many Parties as possible. The Secretariat has tried to provide information notes to explain the legal, institutional and financial issues related to the Protocol in order to help countries better understand it and promote its ratification. As indicated earlier, to date, only five countries have become the Parties to the Protocol, namely: Bulgaria, Fiji, Norway, Saint Kitts and Nevis, and Trinidad and Tobago. Others indicated to us that ratification process has already started. While I congratulate these Governments for their commitment, I would like to urge others to follow them to ensure that the Protocol enters into force as soon as possible.

In this context, the second meeting of the ICCP is crucial in fostering an accelerated ratification of the Protocol because it will address some of the issues felt by many as

being essential to this process. I would therefore like to echo the call of the Chair encouraging this body to maintain the “Montpellier spirit”.

May I take this opportunity to thank my colleagues, the staff members of the Secretariat, for their hard work and dedication in the preparation for this meeting. I assure you of my personal support and that of all the staff of the Secretariat, both those of us who are here and those who remained in Montreal.

Thank you for your attention and wish you all a most successful and productive meeting.