



Convention on Biological Diversity

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AD HOC TECHNICAL EXPERT GROUP MEETING ON THE
SECOND ASSESSMENT AND REVIEW OF THE CARTAGENA
PROTOCOL ON BIOSAFETY
Vienna, 14–16 May 2012
Item 2 of the provisional agenda

ANNOTATIONS TO THE PROVISIONAL AGENDA

INTRODUCTION

1. The Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety (COP-MOP) is required, under Article 35 of the Cartagena Protocol on Biosafety, to undertake an evaluation of the effectiveness of the Protocol, including an assessment of its procedures and annexes, at least every five years. The Protocol entered into force on 11 September 2003 and its first review was conducted in 2008 by the fourth meeting of the COP-MOP. In this first review, it was noted that due to the limited operational experience gained by Parties in the implementation of the Protocol, there was insufficient basis for effective assessment and review of the Protocol.
2. At its fifth meeting, COP-MOP decided that the second assessment and review would focus primarily on evaluating the status of implementation of core elements of the Protocol. COP-MOP also decided that the evaluation would be based on information gathered through the second national reports, the Biosafety Clearing-House, the Compliance Committee, the capacity-building coordination mechanism and other relevant processes and organizations. The Executive Secretary was requested to collect and compile information on the implementation of the Protocol and to commission the analysis of the information with a view to facilitating the second assessment and review of the Protocol (decision BS-V/15).
3. Accordingly, the Executive Secretary commissioned a consultant to analyze the implementation of the Protocol based on information compiled from the second national reports. The consultant was requested to review the effectiveness of the Protocol, focusing primarily on evaluating the status of implementation of the core elements of the Protocol identified in the annex to decision BS-V/15.
4. The COP-MOP also decided, in paragraph 3 of decision BS-V/15, to establish a regionally balanced ad hoc technical expert group, subject to the availability of funds, to: (i) review the analysis of information; and (ii) submit its recommendations to the sixth meeting of the COP-MOP.
5. With the generous financial support from the Government of Japan and the offer of the Government of Austria to host it, the meeting of the Ad Hoc Technical Expert Group on the Second Assessment and Review of the Cartagena Protocol on Biosafety (AHTEG) will be held in Vienna, Austria, from 14 to 16 May 2012.

6. Among other things, the AHTEG will consider the report on the analysis of the implementation of the Protocol prepared by the consultant. It will be invited to provide technical advice on the second assessment and review of the effectiveness of the Protocol and make recommendations to the sixth meeting of the COP-MOP for its consideration.

ITEM 1. OPENING OF THE MEETING

7. The meeting will be opened by the Executive Secretary of the Secretariat of the Convention on Biological Diversity at 9 a.m. on Monday, 14 April 2012.

ITEM 2. ORGANIZATIONAL MATTERS

2.1 Election of officers

8. The AHTEG will be invited to elect a chairperson from among its members.

2.2 Adoption of the agenda

9. The meeting may wish to adopt its agenda on the basis of the provisional agenda proposed by the Executive Secretary (UNEP/CBD/BS/A&R/1/1).

2.3 Organization of work

10. The AHTEG may wish to consider the proposed organization of work as contained in annex I below. The language of the meeting will be English.

11. The list of documents for the meeting as contained in annex II below will be made available on the Secretariat's website at: www.cbd.int/doc/?meeting=BSAR-01.

ITEM 3. THE REQUIREMENTS OF ARTICLE 35 OF THE PROTOCOL ON ASSESSMENT AND REVIEW AND FOLLOW-UP PROCESSES

12. Under this agenda item, the Secretariat will recap the requirements under Article 35 of the Protocol, and the first assessment and review, and outline the process for the second assessment and review as specified in decision BS-V/15 of the COP-MOP. The session will include time for general questions and comments.

ITEM 4. INFORMATION ON THE STATUS OF IMPLEMENTATION OF THE CARTAGENA PROTOCOL ON BIOSAFETY

13. Under this agenda item, the Secretariat will make short presentations on major developments under the Protocol, including: (a) an overview of the status and trends in the implementation of various provisions of the Protocol based on the information contained in the second national reports; (b) the Compliance Committee and its supportive role to Parties in the implementation of the Protocol; (c) major developments relating to capacity-building, the financial mechanism and the BCH; and (d) progress reports on other issues and processes including liability and redress (Article 27), the development of guidance on risk assessment and risk management, implementation of the requirements on handling, transport, packaging and identification of living modified organisms (Article 18), and the strategic plan (2011-2020) adopted by COP-MOP, at its fifth meeting.

ITEM 5. ASSESSMENT AND REVIEW OF THE EFFECTIVENESS OF THE PROTOCOL BASED ON THE ANALYSIS OF INFORMATION ON ITS IMPLEMENTATION

14. Under this item, the consultant will present the analysis of the status of implementation of the various components of the Protocol specified in decision BS-V/15. Participants will then be invited to discuss the findings of the draft report and its conclusions and recommendations as contained in document UNEP/CBD/BS/A&R/1/2. The discussion will be organised around the elements and corresponding indicators for the second assessment and review identified in the Annex to decision BS-V/15, namely: coverage of the Protocol, domestic implementation of core procedures and annexes and international level procedures and mechanisms.

15. The AHTEG will also be invited to consider and make recommendations on how the impacts of transboundary movements of LMOs on biological diversity might be identified and assessed for the purpose of future evaluations of effectiveness of the Protocol under Article 35.

ITEM 6. RECOMMENDATIONS TO THE SIXTH MEETING OF THE CONFERENCE OF THE PARTIES SERVING AS THE MEETING OF THE PARTIES TO THE PROTOCOL

16. On the basis of the current status of the implementation of the Protocol and in the light of the discussions under agenda item 5 above, the AHTEG may wish to make recommendations to the COP-MOP regarding the effectiveness of the Protocol, its procedures and annexes. The AHTEG may identify the core elements which it considers to be effective or less effective, as appropriate. It may also wish to highlight the measures necessary to improve effectiveness.

17. The AHTEG will be invited to consider the suggestions contained in document UNEP/CBD/BS/A&R/1/3 regarding future evaluations of effectiveness of the Protocol including its processes and mechanisms and to provide advice and recommendations to the COP-MOP.

ITEM 7. OTHER MATTERS

18. In decision BS-V/15, the COP-MOP decided that it would conduct a mid-term evaluation of the Strategic Plan at its eighth meeting, in conjunction with the third assessment and review of the effectiveness of the Protocol. It decided to use, for this purpose, appropriate evaluation criteria to be proposed by the Executive Secretary at its seventh meeting (decision BS-V/16). On the basis of the preliminary discussion of this issue contained in document UNEP/CBD/BS/A&R/1/3, the AHTEG may wish to provide advice to the Executive Secretary on the development of appropriate criteria for this purpose.

19. Members of the AHTEG may also wish to raise and discuss any other matters relevant to the assessment and review under Article 35 of the Protocol.

ITEM 8. ADOPTION OF THE REPORT

20. The AHTEG will be invited to adopt its report, including recommendations, for submission to the sixth meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol for its consideration and appropriate action.

ITEM 9. CLOSURE OF THE MEETING

21. The meeting is expected to be closed at 5 p.m. on Wednesday 16 May 2012.

Annex I

ORGANIZATION OF WORK

Date and time	Agenda items
Monday 14 May 2012	
9.00 a.m. – 9.30 a.m.	1. Opening of the meeting.
9.30 a.m. – 9.45 a.m.	2. Organizational matters: 2.1. Election of officers; 2.2. Adoption of the agenda; 2.3. Organization of work.
9.45 a.m. – 10.15 a.m.	Coffee/Tea Break
10.15 a.m. – 12.30 p.m.	3. The requirements of Article 35 of the Protocol and the assessment and review and follow-up processes 4. Information on the status of implementation of the Cartagena Protocol on Biosafety
12.30 p.m. – 2.00 p.m.	Lunch Break
2.00 p.m. – 3.30 p.m.	5. Assessment and review of the effectiveness of the Protocol based on the analysis of information on its implementation
3.30 p.m. – 4.00 p.m.	Coffee/Tea Break
4.00 p.m. – 5.30 pm	Agenda item 5 (<i>continued</i>)
Tuesday 15 May 2012	
9 a.m. – 10.30 a.m.	Agenda item 5 (<i>continued</i>)
10.30 a.m. – 11 a.m.	Coffee/Tea Break
11 a.m. – 1 p.m.	Agenda item 5 (<i>continued</i>)
1 p.m. – 2 p.m.	Lunch Break
2 p.m. – 3.30 p.m.	Agenda item 5 (<i>continued</i>)
3.30 p.m. – 4 p.m.	Coffee/Tea Break

Date and time	Agenda items
4 p.m. – 5.30 p.m.	Agenda item 5 (<i>continued</i>)
Wednesday 16 May 2012	
9 a.m. – 10.30 a.m.	6. Recommendations to the sixth meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol
10.30 a.m. – 11 a.m.	<i>Coffee/Tea Break</i>
11 a.m. – 1 p.m.	Agenda item 6 (<i>continued</i>)
1 p.m. – 2 p.m.	<i>Lunch Break</i>
2 p.m. – 5 p.m.	7. Other matters 8. Adoption of the Report 9. Closure of the meeting

*Annex II***DOCUMENTS FOR THE AD HOC TECHNICAL EXPERT GROUP MEETING
ON THE SECOND ASSESSMENT AND REVIEW OF THE CARTAGENA
PROTOCOL ON BIOSAFETY***Working documents*

UNEP/CBD/BS/A&R/1/1	Provisional agenda
UNEP/CBD/BS/A&R/1/1/Add.1	Annotations to the provisional agenda
UNEP/CBD/BS/A&R/1/2	Second assessment and review of the effectiveness of the Cartagena Protocol on Biosafety (Article 35)
UNEP/CBD/BS/A&R/1/3	Outline of an approach to the mid-term review of the strategic plan and the third assessment and review of effectiveness
UNEP/CBD/BS/A&R/1/INF/1	Preliminary assessment of progress using the Strategic Plan indicators
UNEP/CBD/BS/COP-MOP/6/16	Monitoring and Reporting (Article 33): Analysis of information and trends contained in the second national reports
