



CONVENTION ON BIOLOGICAL DIVERSITY

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OPEN-ENDED TECHNICAL EXPERT GROUP ON
IDENTIFICATION REQUIREMENTS OF LIVING
MODIFIED ORGANISMS INTENDED FOR DIRECT
USE AS FOOD OR FEED, OR FOR PROCESSING
Montreal, 16-18 March 2005
Item 2.2 of the provisional agenda*

ADOPTION OF THE AGENDA

Annotations to the provisional agenda

INTRODUCTION

1. At its first meeting serving as the meeting of the Parties to the Protocol, the Conference of the Parties to the Convention on Biological Diversity considered, among other things, issues related to the identification/documentation of living modified organisms intended for direct use as food or feed, or for processing (LMOs-FFP). According to paragraph 2(a) of Article 18 of the Biosafety Protocol, the Conference of the Parties serving as the meeting of the Parties to the Protocol has to take a decision on the detailed requirements of identification measures no later than two years after the date of entry into force of the Protocol. In order to facilitate the appropriate and timely adoption of the decision envisaged in paragraph 2(a) of Article 18, the Conference of the Parties serving as the meeting of the Parties to the Protocol established, in its decision BS-I/6 A, an Open-ended Technical Expert Group on Identification Requirements of LMOs-FFP.
2. In the same decision, the Conference of the Parties requested the Executive Secretary to convene the meeting of the Open-ended Technical Expert Group and to submit the report and draft decision of the Group to the second meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol. Further to that request, the first meeting of the Expert Group will be held at the headquarters of the International Civil Aviation Organization, in Montreal, from 16 to 18 March 2005.
3. The meeting of the Expert Group has been preceded by a Workshop on Capacity-building and Exchange of Experiences regarding the Implementation of Paragraph 2 of Article 18 of the Protocol. The Workshop was convened in accordance with the decision BS-I/6 D of the Conference of the Parties serving as the meeting of the Parties to the Protocol and took place in Bonn, Germany, from 1 to 3 November 2004.
4. Following a request by the Conference of the Parties serving as the meeting of the Parties to the Protocol, Parties other Governments and relevant international organizations have submitted their views and information regarding issues that are relevant to identification of LMOs-FFP in the context of

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paragraph 2 (a) of Article 18. The Executive Secretary prepared a synthesis of the submissions, which will be made available for the Expert Group for its consideration.

5. The Expert Group is expected to examine issues specified in its terms of reference and to prepare and submit a draft of the decision that the Conference of the Parties serving as the meeting of the Parties to the Protocol is required to take under paragraph 2 (a) of Article 18, for consideration and possible adoption by the Conference of the Parties serving as the meeting of the Parties to the Protocol at its second meeting.

ITEM 1. OPENING OF THE MEETING

6. The meeting will be opened by the President or another member of the Bureau of the Conference of the Parties serving as the meeting of the Parties to the Protocol at 10 a.m. on Wednesday 16 March 2005. The Executive Secretary of the Convention on Biological Diversity will make introductory remarks.

ITEM 2. ORGANIZATIONAL MATTERS

2.1. Officers

7. The Bureau of the Conference of the Parties serving as the meeting of the Parties to the Protocol will serve as the Bureau of the Expert Group. In accordance with past practice, the President of the Bureau may propose that another representative chair the meeting on his behalf.

2.2. Adoption of the agenda

8. The meeting will be invited to adopt its agenda on the basis of the provisional agenda (UNEP/CBD/BS/OETEG-HTPI/1/1).

9. Item 3 of the provisional agenda is presented in two parts in order to reflect the prioritization of issues made by the Conference of the Parties serving as the meeting of the Parties to the Protocol in the terms of reference it provided to the Expert Group in the annex to decision BS-I/6 A, in the event it becomes not possible for the Expert Group to address all the issues specified therein.

2.3. Organization of work

10. The meeting may wish to consider the proposed organization and programme of its work as contained in annex I below.

11. The proposed organization of work provides for the meeting to be conducted entirely in plenary session. The Executive Secretary is making this proposal after consultations with the Bureau of the Conference of the Parties serving as the meeting of the Parties to the Protocol with a view to assisting the Expert Group fulfil its mandate within the three days available. However, the Expert Group may wish to consider setting up contact or drafting groups as the need arises, in order to further develop the discussions in plenary on specific issues and present the plenary with draft proposals for its consideration.

12. The meeting will operate on the basis of two sessions every day from 10 a.m. to 1 p.m. and from 3 p.m. to 6 p.m., with simultaneous interpretation into the six United Nations working languages. Should the Expert Group wish to establish contact or drafting groups, they will conduct their work without interpretation.

13. The documentation prepared for the meeting is listed in annex II below.

ITEM 3: EXAMINING ISSUES RELEVANT TO THE ELABORATION OF THE DETAILED REQUIREMENTS OF IDENTIFICATION OF

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**LIVING MODIFIED ORGANISMS INTENDED FOR DIRECT USE
AS FOOD OR FEED, OR FOR PROCESSING**

14. Under this item, the Expert Group is expected, in accordance with paragraph 1 of its terms of reference, to examine issues pertaining to the identification of living modified organisms that are intended for direct use as food or feed, or for processing and unique identification as mentioned in the second sentence of paragraph 2 (a) of Article 18 in relation to the “may contain” language of the first sentence of the same paragraph, and any other issues that may be relevant to the elaboration of the detailed requirements of identification/documentation of these organisms.

15. In so doing, the Expert Group may wish to consider: (i) the report and recommendations of the Meeting of Technical Experts on the Requirements of Paragraph 2 (a) of Article 18 that took place in Montreal from 18 to 20 March 2002 (UNEP/CBD/ICCP/3/7/Add.1); (ii) the Chair’s summary of the Working Group I discussion regarding paragraph 2 (a) of Article 18 at the third meeting of the Intergovernmental Committee for the Cartagena Protocol on Biosafety (UNEP/CBD/ICCP/3/10, annex, recommendation 3/6, annex II); (iii) decision BS-I/6 A of the first meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol; and (iv) the information and views provided by Parties to the Protocol, other Governments and relevant international organizations, in accordance with the request from the first meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol (UNEP/CBD/OETEG-HTPI/1/2 and UNEP/CBD/OETEG-HTPI/1/INF/1).

16. The specific issues identified by the Conference of the Parties serving as the meeting of the Parties to the Protocol for the Expert Group include:

(a) *Part I:*

- (i) The documentation to accompany living modified organisms that are intended for direct use as food or feed, or for processing for the purpose of Article 18, paragraph 2 (a);
- (ii) The information provided in the accompanying documentation;
- (iii) The extent and modality of using unique identifiers; and, if possible,

(b) *Part II:*

- (i) Thresholds for adventitious or unintentional presence of LMOs that may be needed to trigger identification requirements;
- (ii) Review available sampling and detection techniques, with a view to harmonization.

17. The Executive Secretary has prepared a note (UNEP/CBD/BS/OETEG-HTPI/1/2), which mainly consists of a synthesis of information and views submitted by Parties, other Governments and relevant international organizations, in accordance with the request from the Conference of the Parties serving as the meeting of the Parties to the Protocol.

18. The Secretariat will introduce the note on the synthesis of information and views. The Expert Group will also have before it an information document (UNEP/CBD/BS/OETEG-HTPI/1/INF/1) containing the full texts of the submissions. The report of the Workshop on Capacity-Building and Exchange of Experiences as Related to the Implementation of Paragraph 2 of Article 18 of the Biosafety Protocol (UNEP/CBD/BS/WS-CB-HTPI/1/2), is also available as information to the Expert Group. As the documents from previous meetings referred to in paragraph 15 above are already available on the website of the Secretariat (www.biodiv.org) and have been distributed to all Governments, only a limited number of copies will be made available during the meeting for distribution upon request.

ITEM 4: PREPARING A DRAFT DECISION FOR THE CONSIDERATION OF THE CONFERENCE OF THE PARTIES SERVING AS THE MEETING OF THE PARTIES TO THE BIOSAFETY PROTOCOL

19. As mentioned in the introduction section above, the terms of reference of the Expert Group requires the Group to prepare a draft decision regarding the detailed requirements of identification of LMOs-FFP for the consideration of the Conference of the Parties serving as the meeting of the Parties to the Protocol. In order to assist the meeting in this regard, section III of the note by the Executive Secretary includes options of elements for a draft decision.

20. The meeting is invited, under section IV of the note by the Executive Secretary on recommendations, to review the synthesis of information and views submitted in accordance with the request of the Conference of the Parties serving as the meeting of the Parties to the Protocol, and to consider the options of elements suggested in section III of the note, in its efforts to prepare a draft decision on the detailed requirements of identification of LMOs-FFP for submission to the Conference of the Parties serving as the meeting of the Parties to the Protocol for its consideration at its second meeting, and possible adoption.

ITEM 5: OTHER MATTERS

15. Under this item, the meeting may wish to consider any other matters of relevance raised by participants.

ITEM 8: ADOPTION OF THE REPORT

16. The meeting will be invited to consider and adopt its report on the basis of its draft report to be prepared and presented to it by the Rapporteur.

ITEM 9. CLOSURE OF THE MEETING

17. The meeting is expected to be closed at 5 p.m. on Friday 18 March 2005.

Annex I

**PROPOSED ORGANIZATION OF WORK FOR THE MEETING OF THE OPEN-ENDED
TECHNICAL EXPERT GROUP ON IDENTIFICATION OF LIVING MODIFIED ORGANISMS
INTENDED FOR DIRECT USE AS FOOD OR FEED, OR FOR PROCESSING**

	<i>Plenary</i>
<p><i>Wednesday</i> <i>16 March 2005</i> 10 a.m. to 10:30 a.m.</p>	<p><i>Agenda item:</i></p> <p>1. Opening of the meeting.</p>
<p>10:30 a.m. to 1 p.m.</p>	<p><i>Agenda items:</i></p> <p>2. Organizational matters:</p> <p>2.1. Officers;</p> <p>2.2. Adoption of the agenda;</p> <p>Organization of work.</p> <p>3. Examining issues relevant to the elaboration of the detailed requirements of identification of living modified organisms intended for direct use as food or feed, or for processing:</p> <p>Part I:</p> <p>(a) The documentation accompanying the living modified organisms;</p>
<p>3 p.m. to 5 p.m.</p>	<p><i>Agenda items:</i></p> <p>3. Examining issues relevant to the elaboration of the detailed requirements of identification of living modified organisms intended for direct use as food or feed, or for processing:</p> <p>Part I:</p> <p>(b) Information to be provided in the accompanying documentation;</p> <p>(c) The extent and modality of using unique identifiers;</p>

	<i>Plenary</i>
<p><i>Thursday</i> 17 March 2004 10 p.m. to 1 p.m.</p>	<p><i>Agenda item:</i></p> <p>3. Examining issues relevant to the elaboration of the detailed requirements of identification of living modified organisms intended for direct use as food or feed, or for processing:</p> <p>Part II:</p> <p>(d) Thresholds for adventitious or unintentional presence of LMOs that may be needed to trigger identification requirements;</p> <p>(e) Review available LMO sampling and detection techniques, with a view to harmonization.</p>
<p>3 p.m. to 5 p.m.</p>	<p><i>Agenda item:</i></p> <p>4. Preparing a draft decision for the consideration of the Conference of the Parties serving as the meeting of the Parties to the Biosafety Protocol.</p>
<p><i>Friday</i> 18 March 2005 10 a.m. to 1 p.m.</p>	<p><i>Continuation of agenda item 4</i></p>
<p>3 p.m. to 5 p.m.</p>	<p><i>Agenda items:</i></p> <p>5. Other matters.</p> <p>6. Adoption of the report.</p> <p>7. Closure of the meeting.</p>

Annex II

**LIST OF DOCUMENTS FOR THE MEETING OF THE OPEN-ENDED
TECHNICAL EXPERT GROUP ON IDENTIFICATION OF LIVING
MODIFIED ORGANISMS INTENDED FOR DIRECT USE AS FOOD OR FEED,
OR FOR PROCESSING**

<i>Symbol</i>	<i>Title</i>
UNEP/CBD/BS/OETEG-HTPI/1/1	Provisional agenda
UNEP/CBD/BS/OETEG-HTPI/1/1/Add. 1	Annotations to the provisional agenda
UNEP/CBD/BS/OETEG-HTPI/1/2	Synthesis of information and views regarding identification requirements for living modified organisms intended for direct use as food or feed, or for processing (Article 18, paragraph 2 (a))
UNEP/CBD/BS/OETEG-HTPI/1/INF/1	Compilation of views and relevant information on the requirements of paragraph 2(a) of Article 18 of the Cartagena Protocol on Biosafety

The following documents from previous meetings will be made available during the meeting

UNEP/CBD/BS/WS-CB-HTPI/1/2	Report of the Workshop on Capacity-Building and Exchange of Experiences as Related to the Implementation of Paragraph 2 of Article 18 of the Biosafety Protocol
UNEP/CBD/ICCP/3/7/Add.1	Report of the meeting of Technical Experts on the Requirements of Paragraph 2(a) of Article 18 of the Cartagena Protocol on Biosafety
UNEP/CBD/ICCP/3/10	Report of the Intergovernmental Committee for the Cartagena Protocol on Biosafety on the Work of its third meeting (recommendation 3/6, annex II-Summary by the Chair of Working Group I of the discussion under item 4.1.5: Handling, Transport, Packaging and Identification (Article 18, paragraph 2(a)))
UNEP/CBD/BS/COP-MOP/1/15	Report of the first meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol on Biosafety (decisions BS-I/6 A-D, pp. 85-97)
