



**CONVENTION ON
BIOLOGICAL
DIVERSITY**

Distr.
GENERAL

UNEP/CBD/ICCP/2/2
25 July 2001

ORIGINAL: ENGLISH

**INTERGOVERNMENTAL COMMITTEE FOR THE
CARTAGENA PROTOCOL ON BIOSAFETY**

Second meeting

Nairobi, 1-5 October 2001

Item 3 of the provisional agenda*

**REPORT OF THE EXECUTIVE SECRETARY ON INTER-SESSIONAL WORK PURSUANT
TO DECISIONS EM-I/3 AND V/1 OF THE CONFERENCE OF THE PARTIES AND THE
RECOMMENDATIONS OF THE FIRST MEETING OF THE INTERGOVERNMENTAL
COMMITTEE FOR THE CARTAGENA PROTOCOL ON BIOSAFETY**

Note by the Executive Secretary

I. INTRODUCTION

1. In accordance with decision V/1 of the Conference of the Parties, the first meeting of the Intergovernmental Committee for the Cartagena Protocol on Biosafety (ICCP) was held in Montpellier, France, from 11 to 15 December 2000. The Committee addressed a number of issues that had been stipulated for consideration at its first meeting by the Conference of the Parties. The Committee adopted its report, which contain, *inter alia*, recommendations on action to be taken inter-sessionally with regard to issues discussed by the Committee at its first meeting (see UNEP/CBD/ICCP/1/9, annex I).

2. The present note contains the report of the Executive Secretary on the implementation of the recommendations of ICCP that were addressed to the Secretariat. It covers specifically the following matters that were considered by ICCP at its first meeting: information-sharing (Article 20); capacity building (Article 22); decision-making procedures (Article 10, paragraph 7); handling, packaging, transport and identification (Article 18); and compliance (Article 34).

3. In addition to the matters arising from the recommendations of the first meeting of ICCP, the note also provides information on other matters stipulated by previous decisions of the Conference of the Parties and recommendations of the Bureau of ICCP as being relevant for the work of the ICCP in its preparatory work for the first meeting of the Parties to the Protocol, namely: decision EM-I/3, paragraph 11, concerning designation of focal points for ICCP; decision EM-I/3, paragraph 3, regarding signature, ratification, accession, acceptance or approval of the Protocol; and the designation of national focal points and competent national authorities pursuant to paragraph 1 of article 19 of the Protocol.

* UNEP/CBD/ICCP/2/1

4. With regard to matters arising from the recommendations of the first meeting of ICCP on action to be taken inter-sessionally, the Executive Secretary sent a notification to all national focal points of the ICCP on 12 January 2001, conveying these recommendations and requesting Governments to provide the relevant information to the Secretariat to allow it to implement the inter-sessional work. Section II presents the current state of the implementation of the inter-sessional activities, item by item, as of 15 July 2001, on the basis of the requests addressed to the Executive Secretary contained in annex I of the report of the first meeting of ICCP (UNEP/CBD/ICCP/1/9).

II. INTER-SESSIONAL WORK PURSUANT TO RECOMMENDATIONS FROM THE FIRST MEETING OF ICCP

A. Information-sharing

5. At its first meeting, the Intergovernmental Committee recommended the development of a pilot phase of the Biosafety Clearing-House (BCH) established pursuant to Article 20 of the Protocol. The Committee defined the objectives of the pilot phase and identified the characteristics and elements required to implement it. ICCP also recommended a project plan to ensure the timely implementation of the pilot phase and requested the Executive Secretary to develop a project plan for completion of all tasks defined in the project plan in a timeframe that would allow for relevant consideration by the second meeting of the Committee.

6. The pilot phase of the Biosafety Clearing-House has been implemented in accordance with the project plan. A full progress report on the development and implementation of this pilot phase is provided in a note by the Executive Secretary on the subject (UNEP/CBD/ICCP/2/9), prepared for consideration by ICCP at its second meeting.

B. Capacity-building

7. In its consideration of the question of capacity-building at its first meeting, the Intergovernmental Committee recommended a number of actions to be taken inter-sessionally, namely: the convening of an open-ended expert meeting to further develop proposals on the implementation of capacity building provisions of the Protocol for consideration by the second meeting of ICCP; the convening, by UNEP and the GEF, in collaboration with the Secretariat, of a Workshop on Financial Support for the Creation and Implementation of National Biosafety Frameworks with a view to maximizing complementarities and synergies between various initiatives of bilateral, regional and multilateral funding institutions, including relevant non-biosafety initiatives; the compilation of information received from Governments, United Nations agencies, UNEP, GEF and non-governmental, private-sector and scientific organizations regarding capacity-building needs, priorities and existing initiatives as well as suggestions on capacity building for the implementation of the Protocol ; the development of a questionnaire to facilitate the submission of the information mentioned above.

8. Under item 4.8.3 of the provisional agenda, on capacity-building, the Executive Secretary has prepared a note (UNEP/CBD/ICCP/2/10) updating the activities undertaken by the Secretariat, in particular with respect to the organization of the Open-ended Expert Meeting on Capacity-building for the Cartagena Protocol on Biosafety, which was held in Havana from 11 to 13 July 2001. The Expert Meeting had before it a note (UNEP/CBD/BS/EM-CB/1/2) prepared by the Secretariat summarizing the submissions received from Governments in response to the questionnaire that was developed by the Secretariat (UNEP/CBD/BS/EM-CB/1/2, annex I), pursuant to the request of ICCP at its first meeting. The intention of the questionnaire was to facilitate the submission of information regarding capacity-building needs, priorities and existing programmes, as well as suggestions on capacity-building for

the implementation of the Protocol. The Expert Meeting developed a draft Action Plan for Building Capacities for the Effective Implementation of the Protocol, for consideration by ICCP at its second meeting. The report of the Expert Meeting is annexed to the above-mentioned note by the Executive Secretary on capacity-building (UNEP/CBD/ICCP/2/10).

9. With regard to the requests that were addressed to UNEP and GEF, it is expected that these organizations will be reporting to the Intergovernmental Committee at its second meeting on actions they have undertaken in fulfilment of the recommendations of the first meeting of ICCP.

C. Capacity-building (Roster of experts)

10. In paragraph 14 of decision EM-I/3, the Conference of the Parties established a regionally balanced roster of experts nominated by Governments, in fields relevant to risk assessment and risk management related to the Protocol, to provide advice and other support, as appropriate and upon request, to developing country Parties and Parties with economies in transition, to conduct risk assessment, make informed decisions, develop national human resources and promote institutional strengthening, associated with the transboundary movements of living modified organisms.

11. At its first meeting, ICCP considered the issue of the roster of experts with a view to operationalizing the roster. A draft nomination form for nominations of experts was prepared by the Secretariat and circulated at the meeting for comments. The Committee invited Governments to provide comments on the draft nomination form and to submit their nominations of experts to the Secretariat as soon as possible in accordance with the format to be provided by the Secretariat.

12. On the basis of comments received on the draft nomination form, the Secretariat prepared a revised form, which was sent to all national focal points in the notification of the Executive Secretary dated 3 May 2001. In the same notification, the Executive Secretary also reported to Governments on the experience gained during the development of the roster of experts pursuant to the request of the first meeting of ICCP.

13. As of 30 June 2001, 364 experts from a total of 54 countries had been nominated for inclusion in the roster (the list of these countries is contained in annex I to this note).

14. At its first meeting, ICCP had also requested the Executive Secretary to develop, on the basis of views/suggestions submitted by Governments regarding the development of the roster, draft rules of procedure or guidelines on how the roster of experts will be used by the Parties, including addressing issues relating to selection of experts, covering the costs of the expert time and services, and establishment of duties to be undertaken by the experts, for consideration at the second meeting of the Intergovernmental Committee. In fulfilment of this request, the Executive Secretary has prepared a note on the subject (UNEP/CBD/ICCP/2/10/Add. 1) for the consideration of the Committee at its second meeting.

D. Decision-making procedures

15. At its first meeting, the ICCP invited Governments to communicate their views by 30 April 2001 regarding the appropriate procedures and mechanisms to facilitate decision-making, in accordance with paragraph 7 of Article 10 of the Protocol. The Executive Secretary was requested to compile the views provided by Governments and to submit a synthesis report thereon for the consideration of the Intergovernmental Committee at its second meeting with a view to developing a recommendation for the

first meeting of the Conference of the Parties to the Convention serving as the meeting of the Parties to the Protocol.

16. To fulfil this requirement, the Executive Secretary has prepared a note (UNEP/CBD/ICCP/2/11), which synthesizes the views communicated by a number of Governments and proposes, based on these views, draft procedures and mechanisms to facilitate decision-making by Parties of import, for the consideration of the Intergovernmental Committee at its second meeting.

E. Handling, transport, packaging and identification (Article 18)

17. In its consideration of this item at its first meeting, ICCP requested the Executive Secretary to convene a meeting of government-nominated technical experts in handling, transport, packaging and identification, taking into account the need for regional representation, transparency, equity and the need for cooperation with relevant intergovernmental organizations, to consider on the basis of information submitted by Governments and relevant international organizations, the needs and modalities for developing measures for Parties to meet their future obligations pursuant to paragraphs 2(b) and 2(c) of Article 18, and to prepare a report on their deliberations and recommendations for consideration by the Intergovernmental Committee at its second meeting.

18. Following the generous offer made by the Governments of France and Canada to provide financial support and the further offer of France to host and Canada to co-host it, the Meeting of Technical Experts on Handling, Transport, Packaging and Identification of Living Modified Organisms was held in Paris from 13 to 15 June 2001. It was attended by 74 experts from Governments and relevant organizations, including intergovernmental organizations, non-governmental organizations and industry representatives, selected by the Executive Secretary in consultation with the Bureau of the ICCP, taking into account the need for regional representation, transparency, equity and the need for cooperation with relevant intergovernmental organizations. The report of the Meeting of Technical Experts is annexed to the note by the Executive Secretary (UNEP/CBD/ICCP/2/12) on handling, transport, packaging and identification of living modified organisms prepared for consideration and further action by ICCP, as appropriate, under item 4.8.4 of the provisional agenda.

F. Compliance

19. At its first meeting, the ICCP invited Governments to communicate their views, through the Executive Secretary, in writing by 30 March 2001, regarding elements and options for a compliance regime under the Protocol on the basis of a questionnaire that was made available at the first meeting of the Committee (UNEP/CBD/ICCP/1/7, annex).

20. ICCP requested the Executive Secretary to compile the views submitted and prepare a synthesis report for consideration of experts with relevant who will meet during the inter-sessional period to review the synthesis report. ICCP further specified that this meeting of experts should be open-ended, of three-days duration and held back-to-back with the second meeting of the Committee.

21. Accordingly, the Open-ended Meeting of Experts on a Compliance Regime under the Cartagena Protocol on Biosafety will be held in Nairobi from 26 to 28 September 2001, immediately prior to, and at the same venue as, the second meeting of the Committee. The Meeting will have before it the synthesis of views on elements and options for a compliance regime submitted by Governments (UNEP/CBD/BS/EM-COM/1/2). The report of the Open-ended Meeting of Experts will be made available to the second meeting of the ICCP as an addendum (UNEP/CBD/ICCP/2/13/Add.1) to the note

by the Executive Secretary prepared under item 4.8.5 of the provisional agenda (“Compliance”) (UNEP/CBD/ICCP/2/13).

III. OTHER MATTERS OF RELEVANCE TO THE WORK OF ICCP

A. *Status of signature and ratification of the Protocol*

22. In its decisions EM-I/3 and V/1, the Conference of the Parties called upon Parties to the Convention on Biological Diversity to sign the Protocol at the earliest opportunity and thereafter to deposit instruments of ratification, acceptance or approval or instruments of accession, as appropriate, as soon as possible. In accordance with the provisions of Article 36, the Protocol was open for signature on 15 May 2000 during the fifth meeting of the Conference of the Parties in Nairobi and remained so until 4 June 2001 at the United Nations Headquarters in New York. As of 15 July 2001, 103 Parties to the Convention had signed the Protocol, three Parties had ratified it (namely Bulgaria, Norway and Fiji) and two Parties had acceded to it (namely Trinidad and Tobago and St Kitts and Nevis). A full list of signatories, ratifications and accessions is contained in annex II to the present note.

B. *Designation of focal points for the ICCP*

23. As of 15 July 2001, 75 Parties to the Convention on Biological Diversity had designated a focal point for the ICCP. The list of these countries is contained in annex III below.

C. *Designation of national focal points and competent national authorities*

24. Under the provisions of Article 19 of the Protocol, each Party is expected to designate one national focal point to be responsible on its behalf for liaison with the Secretariat. Each Party is also required to designate one or more competent national authorities, which shall be responsible for performing the administrative functions required by the Protocol and which shall be authorized to act on its behalf with respect to those functions.

25. Notwithstanding the notifications submitted to the Secretariat by Governments in response to the requirements of paragraph 11 of decision EM-I/3 with respect to national focal points for the ICCP reported in paragraph 22 above, as of 15 July 2001, the Secretariat had received notifications from the following 17 Parties to the Convention on Biological Diversity concerning specifically competent national authorities pursuant to paragraph 2 of Article 19: Antigua and Barbuda, Benin, Bulgaria, China, Denmark, Estonia, Finland, Germany, Italy, Japan, Norway, Peru, Sweden, Turkey, Uganda, United Kingdom of Great Britain and Northern Ireland, and Venezuela.

IV. ACTION BY THE INTERGOVERNMENTAL COMMITTEE

26. With respect to matters covered by this report, possible action by the Intergovernmental Committee with regard to ratification, designation of national focal points for the ICCP and the designation of national focal points and competent national authorities under the Protocol is included in the draft elements of the recommendation in section V of the note by the Executive Secretary prepared under item 4.6 of the provisional agenda (“Consideration of other issues necessary for the effective implementation of the Protocol”) (UNEP/CBD/ICCP/2/7).

Annex I

**LIST OF COUNTRIES THAT HAVE SUBMITTED EXPERTS NOMINATIONS FOR THE
ROSTER OF EXPERTS**

(As of 30 June 2001)

- | | |
|--------------------------------|--------------------------------------|
| 1. Argentina | 2. Armenia |
| 3. Australia | 4. Austria |
| 5. Bahamas | 6. Bahrain |
| 7. Bangladesh | 8. Belarus |
| 9. Bolivia | 10. Cameroon |
| 11. Canada | 12. Central African Republic |
| 13. Chile | 14. China |
| 15. Colombia | 16. Cuba |
| 17. Czech Republic | 18. Democratic Republic of the Congo |
| 19. Denmark | 20. Dominican Republic |
| 21. Estonia | 22. Ethiopia |
| 23. European Commission | 24. Fiji |
| 25. Germany | 26. Guatemala |
| 27. Iran (Islamic Republic of) | 28. Jamaica |
| 29. Japan | 30. Kyrgyzstan |
| 31. Lebanon | 32. Morocco |
| 33. Namibia | 34. Netherlands |
| 35. New Zealand | 36. Norway |
| 37. Pakistan | 38. Paraguay |
| 39. Poland | 40. Republic of Korea |
| 41. Russian Federation | 42. Saudi Arabia |
| 43. Senegal | 44. Seychelles |
| 45. Slovenia | 46. Sri Lanka |
| 47. Sudan | 48. Sweden |
| 49. Switzerland | 50. Syrian Arab Republic |
| 51. Thailand | 52. Tunisia |
| 53. Turkey | 54. Viet Nam |

*Annex II***LIST OF SIGNATORIES, RATIFICATIONS AND ACCESSIONS TO THE PROTOCOL
(As of 15 July 2001)**

	Country	Signature Date	Ratification Date
1	Algeria	May 25, 2000	
2	Antigua and Barbuda	May 24, 2000	
3	Argentina	May 24, 2000	
4	Austria	May 24, 2000	
5	Bahamas	May 24, 2000	
6	Bangladesh	May 24, 2000	
7	Belgium	May 24, 2000	
8	Benin	May 24, 2000	
9	Bolivia	May 24, 2000	
10	Botswana	June 01, 2001	
11	Bulgaria	May 24, 2000	October 13, 2000
12	Burkina Faso	May 24, 2000	
13	Cameroon	February 09, 2001	
14	Canada	April 19, 2001	
15	Central African Republic	May 24, 2000	
16	Chad	May 24, 2000	
17	Chile	May 24, 2000	
18	China	August 08, 2000	
19	Colombia	May 24, 2000	
20	Congo	November 21, 2000	
21	Cook Islands	May 21, 2001	
22	Costa Rica	May 24, 2000	
23	Croatia	September 08, 2000	
24	Cuba	May 24, 2000	
25	Czech Republic	May 24, 2000	
26	Democratic People's Republic of Korea	April 20, 2001	
27	Denmark	May 24, 2000	
28	Ecuador	May 24, 2000	
29	Egypt	December 20, 2000	
30	El Salvador	May 24, 2000	
31	Estonia	September 06, 2000	
32	Ethiopia	May 24, 2000	
33	European Community	May 24, 2000	
34	Fiji	May 02, 2001	June 05, 2001
35	Finland	May 24, 2000	
36	France	May 24, 2000	
37	Gambia	May 24, 2000	
38	Germany	May 24, 2000	
39	Greece	May 24, 2000	
40	Grenada	May 24, 2000	
41	Guinea	May 24, 2000	
42	Haiti	May 24, 2000	
43	Honduras	May 24, 2000	
44	Hungary	May 24, 2000	
45	Iceland	June 01, 2001	
46	India	January 23, 2001	
47	Indonesia	May 24, 2000	

	Country	Signature Date	Ratification Date
48	Iran (Islamic Republic of)	April 23, 2001	
49	Ireland	May 24, 2000	
50	Italy	May 24, 2000	
51	Jamaica	June 04, 2001	
52	Jordan	October 11, 2000	
53	Kenya	May 15, 2000	
54	Kiribati	September 07, 2000	
55	Lithuania	May 24, 2000	
56	Luxembourg	July 11, 2000	
57	Madagascar	September 14, 2000	
58	Malawi	May 24, 2000	
59	Malaysia	May 24, 2000	
60	Mali	April 04, 2001	
61	Mexico	May 24, 2000	
62	Monaco	May 24, 2000	
63	Morocco	May 25, 2000	
64	Mozambique	May 24, 2000	
65	Myanmar	May 11, 2001	
66	Namibia	May 24, 2000	
67	Nepal	March 02, 2001	
68	New Zealand	May 24, 2000	
69	Nicaragua	May 26, 2000	
70	Niger	May 24, 2000	
71	Nigeria	May 24, 2000	
72	Norway	May 24, 2000	May 10, 2001
73	Pakistan	June 04, 2001	
74	Palau	May 29, 2001	
75	Panama	May 11, 2001	
76	Paraguay	May 03, 2001	
77	Peru	May 24, 2000	
78	Philippines	May 24, 2000	
79	Poland	May 24, 2000	
80	Portugal	May 24, 2000	
81	Republic of Korea	September 06, 2000	
82	Republic of Moldova	February 14, 2001	
83	Romania	October 11, 2000	
84	Rwanda	May 24, 2000	
85	Saint Kitts and Nevis		May 23, 2001 (accession)
86	Samoa	May 24, 2000	
87	Senegal	October 31, 2000	
88	Seychelles	January 23, 2001	
89	Slovak Republic	May 24, 2000	
90	Slovenia	May 24, 2000	
91	Spain	May 24, 2000	
92	Sri Lanka	May 24, 2000	
93	Sweden	May 24, 2000	
94	Switzerland	May 24, 2000	
95	The former Yugoslav Republic of Macedonia	July 26, 2000	
96	The Netherlands	May 24, 2000	
97	Togo	May 24, 2000	
98	Trinidad and Tobago		October 05, 2000 (accession)
99	Tunisia	April 19, 2001	

	Country	Signature Date	Ratification Date
100	Turkey	May 24, 2000	
101	Uganda	May 24, 2000	
102	United Kingdom of Great Britain and Northern Ireland	May 24, 2000	
103	Uruguay	June 01, 2001	
104	Venezuela	May 24, 2000	
105	Zimbabwe	June 04, 2001	

*Annex III***LIST OF COUNTRIES AND REGIONAL ECONOMIC INTEGRATION ORGANIZATIONS
THAT HAVE DESIGNATED A FOCAL POINT FOR THE ICCP***(As of 15 July 2001)*

1. Antigua and Barbuda	2. Argentina
3. Armenia	4. Australia
5. Austria	6. Bahrain
7. Barbados	8. Belarus
9. Belgium	10. Benin
11. Bolivia	12. Bulgaria
13. Cameroon	14. Canada
15. Central African Republic	16. Chile
17. China	18. Colombia
19. Comoros	20. Congo
21. Costa Rica	22. Côte d'Ivoire
23. Cuba	24. Czech Republic
25. Democratic Republic of the Congo	26. Denmark
27. Djibouti	28. Ecuador
29. Estonia	30. European Community
31. Fiji	32. France
33. Germany	34. India
35. Indonesia	36. Iran (Islamic Republic of)
37. Israel	38. Italy
39. Jamaica	40. Japan
41. Jordan	42. Kenya
43. Kiribati	44. Lao People's Democratic Republic
45. Lebanon	46. Malta
47. Mauritania	48. Mexico
49. Morocco	50. Namibia
51. Republic of Korea	52. New Zealand
53. Niger	54. Norway
55. Oman	56. Poland
57. Portugal	58. Qatar
59. Saudi Arabia	60. Senegal
61. Seychelles	62. Slovak Republic
63. Slovenia	64. Sri Lanka
65. Sudan	66. Sweden
67. Switzerland	68. Togo
69. Tunisia	70. Turkey
71. Uganda	72. Ukraine
73. United Kingdom of Great Britain and Northern Ireland	74. Venezuela
75. Viet Nam	

/...