

Minutes of the meeting of the Joint Bureaux of COP and ICCP 18 December 2002

Participation:

- COP6 Bureau members: The Netherlands (President), Antigua and Barbuda, Bangladesh, Belgium, Colombia, Egypt, Malaysia, Russian Federation, Slovenia
- ICCP Bureau members: Cameroon (Chair), France, Iran, Poland, Saint Kitts and Nevis, South Africa, Switzerland and Ukraine;
- The representative of UNEP;
- The Executive Secretary of the CBD and other relevant staff of the Secretariat.

Agenda:

The meeting adopted the provisional agenda as attached hereto.

Deliberations of the meeting:

1. *Status of ratification of the Biosafety Protocol and resulting preparations for the first meeting of the Parties serving as the meeting of the Parties to the Protocol (COP/MOP-1)*

The Secretariat briefed the Bureaux on the status of ratification, and Bureaux members added information regarding the status within their respective constituencies. Upon consideration of the exchanges, it was concluded that many ratifications are expected in 2003, although it seems unlikely that the 50 instruments of ratification required for entry into force would be deposited by the 19th of January 2003.

2. *Scenarios and modalities of organization of COP/MOP-1*

The COP President invited the Executive Secretary and the Chair of the ICCP Bureau to brief the joint bureaux on the discussions of the ICCP Bureau on this agenda item, as reflected in the minutes of the ICCP Bureau meeting. The Bureaux agreed on the following:

Recognizing the provision of paragraph 6 of Article 29 of the Protocol which requires the convening of the first COP/MOP in conjunction with the first COP meeting scheduled after the Protocol enters into force,

Recalling COP Decision VI/1 which envisaged two scenarios for the convening of COP/MOP-1, namely that COP/MOP-1 be convened in conjunction with an Extraordinary COP in the event that the Protocol enters into force within one year of COP-6, or that COP/MOP-1 be convened in conjunction with COP-7 in the event that the Protocol enters into force more than one year after COP-6,

Recognizing the practical consideration of the desire to avoid a long delay between the entry into force of the Protocol and the convening of COP/MOP-1, and of the desire to avoid a lengthy meeting period that would result from consecutive meetings, the Bureau therefore explored other possible scenarios.

The Bureau is of the opinion that the Protocol and COP Decision VI/1 give guidance to the effect that COP/MOP-1 should be convened back-to-back with either an ExCOP or COP-7. Other scenarios, which give other interpretations to the wording “in conjunction with” (such as different timing or different locations for the meetings), could be identified, but can only be implemented if all Parties to the Convention agree to any such interpretations.

In addition, the representative of Malaysia expressed the willingness of his government to host COP/MOP-1 in conjunction with COP-7, subject to availability of funds, in support of the meeting.

Following discussions on this item, the Bureaux agreed to revisit this issue of the timing and location of COP/MOP-1 at their next meeting, once the date of entry into force of the Protocol is more predictable and following regional consultations.

3. Legal, institutional and procedural issues regarding the convening of COP/MOP-1

The COP President introduced this item based on an informal analysis presented by the Secretariat, and discussed the following issues:

- Modality of organization of COP/MOP-1 in conjunction with COP-7
- COP/MOP-1 Bureau
- Preparations for election and establishment of the Compliance Committee
- Frequency of the meetings of the COP/MOP

The Bureaux agreed to further consider the first two issues at the next joint meeting. The Bureaux noted the conclusion reached by the ICCP Bureau regarding the Compliance Committee as reflected in the minutes of the ICCP Bureau meeting. With regard to the frequency of meetings of the COP/MOP, the Bureaux recognized that this is an issue for consideration by COP/MOP-1, but noted that all regions should prepare themselves for contributing to this decision.

4. The need for further joint meetings of the Bureaux of COP-6 and ICCP before the first meeting of the COP/MOP

It was agreed that there would be another joint meeting of the Bureaux on Saturday 15 March 2003, in between the SBSTTA meeting and the meeting on the multi-year programme of work.

5. Other matters

Under this item, the COP President briefed the Bureaux on the deliberations of the ICCP Bureau on the capacity building project proposals prepared by the Secretariat, as reflected in the minutes of the meeting of the ICCP Bureau. The COP Bureau endorsed the position of the ICCP Bureau as on this matter as reproduced here.

- There is a need for all Parties to the Protocol to be able to use the BCH by the time of entry into force of the Biosafety Protocol as the BCH and the decision-

making are key elements of the Protocol, without which the system would not function.

- A national BCH component is essential to enable Parties to provide information to the BCH in accordance with their obligations under the Protocol and to access the information available through the BCH for decision-making and as such is essential for the functioning of the Protocol.
- Every effort should be made to ensure that the BCH is fully operational/functional at the time of the entry into force of the Protocol.
- The intent and content of the SCBD proposals on the BCH fill an important gap in addressing the urgent needs of developing countries and countries with economies in transition with respect to the timely implementation and use of the BCH. They complement on-going GEF supported activities and financial resources should be made available for their implementation. The proposals should be further refined in close consultation with the GEF Secretariat and the Implementing Agencies.
- In the implementation phase of these proposals, the SCBD has an important role because of the mandate given to the Secretariat by both ICCP and the COP and the Secretariat's expertise in this area.
- The Secretariat should further develop the BCH proposals in consultation with the beneficiary countries taking into consideration the comments/views of Bureau members.
- The Executive Secretary should continue to explore with the CEO/GEF and its GEF/IAs agreeable modalities for GEF funding and implementation of these proposals.
- The Executive Secretary should report back and submit revised proposals to the ICCP and COP-6 Bureaux as soon as possible.