



**CONVENTION ON  
BIOLOGICAL  
DIVERSITY**

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CONFERENCE OF THE PARTIES SERVING AS  
THE MEETING OF THE PARTIES TO THE  
PROTOCOL ON BIOSAFETY

First meeting

Kuala Lumpur, 23-27 February 2004

Item 3 of the provisional agenda\*

**ADOPTION OF THE 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 CARTAGENA PROTOCOL ON BIOSAFETY**

*Note by the Executive Secretary*

1. Paragraph 5, Article 29, of the Cartagena Protocol on Biosafety provides that “the rules of procedure of the Conference of the Parties and the financial rules of the Convention shall be applied, *mutatis mutandis* under this Protocol, except as may be otherwise decided by consensus by the Conference of the Parties serving as the meeting of the Parties to this Protocol”. In accordance with the work plan of the Intergovernmental Committee for the Cartagena Protocol on Biosafety (ICCP), adopted by the Conference of the Parties to the Convention at its fifth meeting (decision V/1, annex, section B, item 5), the rules of procedure for meetings of the Conference of the Parties serving as the meeting of the Parties was addressed by ICCP at its second meeting.
2. As a result, ICCP adopted recommendation 2/5 (UNEP/CBD/BS/COP-MOP/1/3/Add.2, annex), which is reproduced in the annex to the present note.
3. The Conference of the Parties serving as the meeting of the Parties to the Protocol may wish to consider the recommendation of ICCP and take appropriate action thereon.

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\* UNEP/CBD/BS/COP-MOP/1/1

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*Annex*

**RULES OF PROCEDURE FOR MEETINGS OF THE CONFERENCE OF THE PARTIES  
SERVING AS THE MEETING OF THE PARTIES TO THE PROTOCOL**

***Recommendation 2/5 of ICCP to the Conference of the Parties serving as the  
meeting of the Parties to the Protocol***

*The Conference of the Parties serving as the meeting of the Parties to the Protocol,*

*Noting* that, according to Article 29, paragraph 5, of the Protocol, the rules of procedure of the Conference of the Parties to the Convention shall be applied, *mutatis mutandis*, under the Protocol, except as may be otherwise decided by consensus by the Conference of the Parties serving as the meeting of the Parties to the Protocol,

*Recognizing* that, when the rules of procedure of the Conference of the Parties to the Convention are applied *mutatis mutandis* under the Protocol, Articles 29, 30 and 31 of the Protocol, in particular, will affect the application of the rules of procedure to the Conference of the Parties serving as meeting of the Parties to the Protocol,

*Decides* by consensus that:

(a) When rule 21 of the rules of the procedure for meetings of the Conference of the Parties to the Convention is applied to the Conference of the Parties serving as the meeting of the Parties to the Protocol, this rule shall be supplemented by the following paragraph:

“Where a member of the Bureau of the Conference of the Parties to the Convention representing a Party to the Convention but, at that time, not a Party to the Protocol, is substituted by a member elected by and from among the Parties to the Protocol, the term of office of the substitute member shall expire at the same time as the term of office of the member of the Bureau he or she substitutes.”

(b) When the rules of procedure of the Conference of the Parties of the Convention are amended by the Conference of the Parties to the Convention, those amendments shall not apply to the Conference of the Parties serving as the meeting of the Parties to the Protocol, unless otherwise decided by the Conference of the Parties serving as the meeting of the Parties to the Protocol.

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