



Convention on Biological Diversity

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CONFERENCE OF THE PARTIES TO THE CONVENTION
ON BIOLOGICAL DIVERSITY SERVING AS THE
MEETING OF THE PARTIES TO THE CARTAGENA
PROTOCOL ON BIOSAFETY

Fourth meeting
Bonn, 12-16 May 2008
Item 2 of the provisional agenda*

ORGANIZATIONAL MATTERS

Annotations to the provisional agenda

INTRODUCTION

1. At their third meeting, the Parties to the Cartagena Protocol on Biosafety adopted decision BS-III/18, in which they agreed to hold ordinary meetings every two years as specified in rule 4 of the rules of procedure for the Conference of the Parties to the Convention, which apply, *mutatis mutandis*, to the Conference of the Parties serving as the meeting of the Parties to the Protocol. The Parties further decided to hold their fourth meeting in conjunction with the ninth meeting of the Conference of the Parties to the Convention. At its eighth meeting, held in Curitiba, Brazil, from 20 to 31 March 2006, the Conference of the Parties was informed of, and accepted with appreciation, the offer made by the Government of the Federal Republic of Germany to host the fourth meeting of the Parties to the Protocol in conjunction with the ninth ordinary meeting of the Conference of the Parties to the Convention.

2. Accordingly, the fourth meeting of the Parties to the Cartagena Protocol on Biosafety will take place in Bonn, Germany, from 12 to 16 May 2008, back-to-back with the ninth meeting of the Conference of the Parties to the Convention, which will be convened from 19 to 30 May 2008 at the same venue, namely, the Maritim Hotel Bonn, Godesberger Allee, 53175, Bonn, Germany. Consultations among delegations and preparatory meetings of regional groups may be held on 11 May 2008. Registration for the meeting will commence at the venue on Sunday, 11 May 2008, from 9 a.m. to 6 p.m., and continue on Monday, 12 May 2008 from 8 a.m.

* UNEP/CBD/BS/COP-MOP/4/1.

I. ORGANIZATIONAL MATTERS

ITEM 1. OPENING OF THE MEETING

3. The meeting will be opened at 10 a.m. on 12 May 2008. It is expected that at the opening session, the Conference will hear one or more opening addresses to be made, by among others, representatives of the host country, the Executive Director of the United Nations Environment Programme (UNEP) and the Executive Secretary of the Convention on Biological Diversity.

ITEM 2. ORGANIZATION OF THE MEETING

2.1. Officers

4. The current Bureau of the Conference of the Parties to the Convention will serve as the Bureau of the fourth meeting of the Parties to the Protocol. In accordance with Article 29, paragraph 3, of the Protocol, any member of the Bureau of the Conference of the Parties representing a Party to the Convention but, at that time, not a Party to the Protocol, shall be substituted by a member to be elected by and from among the Parties to the Protocol.

5. From the experience gained in the last pre-session period, and because the meeting precedes the ninth meeting of the Conference of the Parties, there is also a need to elect reserve Bureau members, at least one from each region, for substitution, as appropriate, in the event that the Conference of the Parties elects Bureau members for the term that commences upon the closure of its ninth meeting, from Parties to the Convention who are not Parties to the Protocol.

2.2. Adoption of the agenda

6. In decision BS-I/12, the Parties adopted a medium-term programme of work for their second to the fifth meetings. In accordance with paragraph 2 of that decision and pursuant to rules 8 and 9 of the rules of procedure, the Executive Secretary has prepared a provisional agenda on the basis of issues identified in the medium-term programme of work and issues arising from previous decisions of the Parties for consideration at the fourth meeting (UNEP/CBD/BS/COP-MOP/4/1). The provisional agenda reflects the standing issues and the rolling substantive issues (i.e., other issues and derived activities necessary to implement the Protocol developed in accordance with decisions of the Parties) as stipulated in the medium-term programme of work.

7. The Parties will be invited to consider and adopt the provisional agenda circulated by the Executive Secretary.

2.3. Organization of work

8. The Parties may wish to consider the proposal for the organization of the work of the meeting as contained in annex I below, which provides for a plenary and two working groups. The Executive Secretary prepared this proposal in consultation with the Bureau, with a view to enabling the Parties to consider all the items on the agenda in the timeframe available. The proposal builds on the experience gained with the past three meetings of the Parties, during which a plenary and two working groups were established.

9. Interpretation will be available for the plenary and two working groups for morning and afternoon sessions. Interpretation will not, however, be available for evening sessions, should these be necessary.

10. The working and information documents prepared for the meeting are listed in annex II to this document.

ITEM 3. REPORT ON THE CREDENTIALS OF REPRESENTATIVES TO THE FOURTH MEETING OF THE CONFERENCE OF THE PARTIES SERVING AS THE MEETING OF THE PARTIES TO THE PROTOCOL ON BIOSAFETY

11. In accordance with rules 18 and 19 of the rules of procedure, the credentials of representatives to the meeting shall be examined by the Bureau, which will report thereon to the plenary for decision.

12. In order to assist Parties in fulfilling the requirements of rule 18, the Executive Secretary has prepared a sample format of appropriate credentials which has been distributed to national focal points as an annex to the letter of invitation to the meeting. In accordance with the rule, the “credentials shall be issued by the Head of State or Government or by the Minister for Foreign Affairs or, in the case of a regional economic integration organization, by the competent authority of that organization”.

13. The Parties to the Protocol will be invited to consider and adopt the report on credentials submitted to it by the Bureau.

II. STANDING ISSUES

ITEM 4. REPORT OF THE COMPLIANCE COMMITTEE

14. At their third meeting, the Parties considered the report of the second meeting of the Compliance Committee and reviewed and adopted recommendations submitted to them by the Committee. In their decision BS-III/1, the Parties to the Protocol requested the Compliance Committee to compile further information on the experience of other multilateral environmental agreements regarding cases of repeated non-compliance for consideration at the present meeting. The Committee was also requested, under decision BS-III/15, to prepare a report on general issues of compliance by Parties with their obligations under the Protocol and to make the report available six months prior to the fourth meeting of the Parties.

15. The Compliance Committee held its third meeting, in Kuala Lumpur from 5 to 7 March 2007. It reviewed, among other things, information compiled by the Secretariat on the experience of other multilateral environmental agreements regarding measures concerning cases of repeated non-compliance. The Committee agreed to further consider the matter at its fourth meeting, which was held in Montreal from 21 to 23 November 2007. At its fourth meeting, the Committee finalized the document on experiences regarding cases of repeated non-compliance, and also reviewed general issues of compliance based on information provided through the first regular national reports. The reports of the two meetings of the Committee are contained in documents UNEP/CBD/BS/CC/3/3 and UNEP/CBD/BS/CC/4/3, respectively, and can be accessed from the Secretariat’s website.

16. In consultation with members of the Committee, the Chair of the Committee subsequently consolidated the core elements of the outcomes and the recommendations made at those two meetings into a single document (UNEP/CBD/BS/COP-MOP/4/2), which will be before the Parties at their fourth meeting for consideration and action. This document also includes the Committee’s report on general issues of compliance.

17. The meeting will also have before it a compilation by the Compliance Committee of information on the experiences of other multilateral environmental agreements regarding cases of repeated non-compliance (UNEP/CBD/BS/COP-MOP/4/2/Add.1).

18. The Parties will also be invited to elect new members to the Compliance Committee in order to replace those who have resigned and those whose term comes to an end at the end of 2008.

ITEM 5. OPERATION AND ACTIVITIES OF THE BIOSAFETY CLEARING-HOUSE.

19. At their second meeting, the Parties to the Protocol reviewed the implementation of the Biosafety Clearing-House and adopted a multi-year programme for its work (decision BS-II/2, annex). This multi-year programme of work sets out a number of objectives for the operation of the Biosafety Clearing-House and highlights possible activities to achieve these objectives. It also identifies the main actor(s) for each activity, as well as timeframes during which the activities are to be implemented or completed, as the case may be. At their third meeting, the Parties to the Protocol took note of the first progress report on the operation of the Biosafety Clearing-House submitted to them after the adoption of the multi-year programme of work and took a further decision (BS-III/2).

20. Under this item, the Executive Secretary has prepared a note (UNEP/CBD/BS/COP-MOP/4/3) outlining a progress report on the on-going implementation of the multi-year programme of work. The note presents, among other things, information on the revamping of the Central Portal with the primary goal of facilitating on the basis of the elements contained in the multi-year programme of work, the use, user friendliness, input of information and participation in the BCH. The note also sets out the ongoing activities of the Biosafety Clearing-House including: (i) the outcomes of the external security audit of the Central Portal (decision BS-III/2, paragraph 14), (ii) the second survey of Biosafety Clearing-House users (decision BS-III/2, paragraph 16) and (iii) the assistance provided by the Informal Advisory Committee for the Biosafety Clearing-House (decision BS-I/3, annex).

21. The Parties to the Protocol will be invited to consider the progress report and may wish to provide, as appropriate, further guidance on the operation and activities of the Biosafety Clearing-House.

ITEM 6. STATUS OF CAPACITY-BUILDING ACTIVITIES AND THE USE OF THE ROSTER OF BIOSAFETY EXPERTS

22. In decision BS-I/5, the Parties to the Protocol adopted an Action Plan for Building Capacities for the Effective Implementation of the Protocol and established a Coordination Mechanism for its implementation. The Executive Secretary was requested to prepare a report on the progress made and lessons learned in the implementation of the Coordination Mechanism and the Action Plan for consideration by the second and third meetings of the Parties, respectively.

23. In addition, at their first meeting, the Parties took note of the preliminary set of criteria and indicators for monitoring implementation of the Action Plan that was prepared by the Executive Secretary. The Executive Secretary was requested to prepare, for consideration at the fourth meeting, a report on the operational experience in the use of the preliminary indicators and make proposals for their further development and improvement, on the basis of submissions from Parties, other Governments and relevant organizations.

24. At their second meeting, the Parties to the Protocol considered a progress report on the implementation of the Coordination Mechanism and requested the Executive Secretary to further develop the Mechanism. The second meeting also took a number of decisions regarding measures to address the capacity-building needs and priorities of countries and to enhance biosafety education and training.

25. At their third meeting, the Parties to the Protocol considered a report prepared by the Executive Secretary on the progress in, and effectiveness of, the implementation of the Action Plan

(UNEP/CBD/BS/3/4) and adopted an updated version of the Action Plan. In section 6 of the revised Action Plan, the Secretariat is required to prepare reports on the steps taken by countries, multilateral/bilateral and other international actors towards the implementation of the Action Plan and submit it to the meeting of the Parties for them to identify whether the actions listed in the Action Plan are being carried out successfully and effectively.

26. Under this item, the Parties to the Protocol are invited to consider a status report (UNEP/CBD/BS/COP-MOP/4/4) on the implementation of the Action Plan and on the steps taken by the Executive Secretary to further develop the Coordination Mechanism and provide, as appropriate, further guidance on the implementation of both the Action Plan and the Coordination Mechanism. The Parties to the Protocol are also invited to consider the report prepared by the Executive Secretary on the operational experience in using the preliminary indicators as well as the proposals for their further development and adopt a revised set of indicators (UNEP/CBD/BS/COP-MOP/4/4/Add.1).

27. The meeting may also hear reports from organizations providing support for activities in capacity building for biosafety, including, among others, the Global Environment Facility and its implementing and/or executing agencies.

Roster of experts on biosafety

28. At their first meeting, the Parties to the Protocol adopted, in decision BS-I/4, Interim Guidelines for the Roster of Experts as well as Interim Guidelines for the Pilot Phase of the Voluntary Fund for the Roster of Experts on Biosafety. The Executive Secretary was requested to submit, for consideration at each meeting of the Parties to the Protocol, a report on the status and use of the roster and also a report on the status, operation and use of the pilot phase of the voluntary fund.

29. At its third meeting, the Parties to the Protocol considered the report prepared by the Executive Secretary on the status of the use of the roster of experts, and provided further guidance in decision BS-III/4 on measures to enhance its use and effectiveness. In paragraphs 1 and 2 of decision BS-III/4, the Parties to the Protocol requested the Liaison Group on Capacity-Building for Biosafety to develop, for consideration at their fourth meeting, draft criteria and minimum requirements (including minimum qualifications or experience), for experts to be included in the roster of biosafety experts and to explore the possibility of establishing a quality control mechanism for the roster, and if feasible, propose modalities of such mechanism.

30. The fourth meeting of the Parties to the Protocol will be invited to consider the report prepared by the Executive Secretary on the status and use of the roster as well as the position, operation and use of the pilot phase of the voluntary fund (UNEP/CBD/BS/COP-MOP/4/4/Add.2). The meeting will also review the reports of the Liaison Group (UNEP/CBD/BS/COP-MOP/4/INF/7 and 8) and make a decision, taking into consideration the recommendations of the Liaison Group with respect to the following issues: (i) draft criteria and minimum requirements (including minimum qualifications and experience) for experts to be listed on the roster; (ii) elements of a quality control mechanism for the roster; (iii) updated Interim Guidelines for the Roster of Experts which were adopted in decision BS-I/4; (iv) a revised nomination form for the roster and (v) other measures for improving the effectiveness and use of the roster.

ITEM 7. MATTERS RELATED TO THE FINANCIAL MECHANISM AND RESOURCES

31. At their third meeting, the Parties adopted decision BS-III/5 which included, *inter alia*, recommendations to the eighth meeting of the Conference of the Parties to the Convention on Biological Diversity regarding guidance to the financial mechanism with respect to biosafety. In paragraph 3 of that

decision, the Parties urged the Global Environment Facility (GEF) to expeditiously finalize, approve and implement the biosafety strategy based on the elements suggested in the document entitled “Elements for a Biosafety Strategy”, taking into account the guidance from the Conference of the Parties that incorporates elements of this decision. At its meeting in June 2006, the GEF Council adopted its Global Strategy for Financing Biosafety Activities (UNEP/CBD/BS/COP-MOP/4/INF/12).

32. The Global Environment Facility is expected to give a report on the implementation of the strategy to support activities for building capacities for the effective implementation of the Protocol.

33. To assist the Parties in their consideration of this item, the Executive Secretary has prepared a note (UNEP/CBD/BS/COP-MOP/4/5) providing the status of implementation of the guidance provided to the financial mechanism with respect to biosafety. The Parties will be invited to take note of the reports and to consider the need for additional recommendations to the Conference of the Parties to the Convention regarding further guidance to the financial mechanism.

ITEM 8. COOPERATION WITH OTHER ORGANIZATIONS, CONVENTIONS AND INITIATIVES

34. At their third meeting, the Parties adopted decision BS-III/6, on cooperation, and requested the Executive Secretary to: (a) continue pursuing, reinforcing and intensifying, as the case may be, cooperative arrangements with all the organizations referred to in decision BS-II/6; (b) explore the potential of, and endeavour to enhance synergies with, other processes and initiatives that can contribute to the effective implementation of the Protocol, in particular with regard to enhancing capacity-building; (c) report to the Parties to the Protocol at its fourth meeting on the implementation of this decision.

35. Under this item, therefore, the Executive Secretary will circulate a note to update the Parties on cooperative activities between the Secretariat and other organizations, conventions and initiatives relevant for the implementation of the Protocol including the Green Customs Initiative, Codex Alimentarius and the International Plant Protection Convention (UNEP/CBD/BS/COP-MOP/4/6). The Parties may wish to take note of the report and to provide, as appropriate, further guidance on cooperation, and/or to incorporate, as the case may be, the ongoing cooperation into its consideration of relevant items of its agenda.

ITEM 9. REPORT OF THE EXECUTIVE SECRETARY ON THE ADMINISTRATION OF THE PROTOCOL AND ON BUDGETARY MATTERS

36. In decision BS-III/7, the Parties adopted a programme budget for the distinct costs of the Secretariat services and for the biosafety work programme of the Cartagena Protocol for the biennium 2007-2008. In paragraph 12 of the decision, the Parties to the Protocol requested the Executive Secretary to prepare and submit, for its fourth meeting, a budget for the distinct costs of the Secretariat services for the biosafety work programme of the Protocol for the biennium 2009-2010, and to report on income and budget performance as well as any adjustments made to the Protocol budget for the biennium 2007-2008. Furthermore, in paragraph 13 of the same decision, the Parties to the Protocol requested the Executive Secretary, in presenting the proposed programme budget for the biennium 2009-2010, to use a tracking mechanism to review the 85:15 cost-sharing ratio for the Secretariat services between the Convention on Biological Diversity and the Protocol.

37. Under this item, the Parties will be invited to review the note prepared by the Executive Secretary (UNEP/CBD/BS/COP-MOP/4/7) on budgetary matters and on the administration of the Protocol and provide, as appropriate, further guidance and take necessary action.

III. SUBSTANTIVE ISSUES ARISING FROM THE MEDIUM-TERM PROGRAMME OF WORK AND PREVIOUS DECISIONS OF THE CONFERENCE OF THE PARTIES TO THE CONVENTION SERVING AS THE MEETING OF THE PARTIES TO THE CARTAGENA PROTOCOL ON BIOSAFETY

ITEM 10. HANDLING, TRANSPORT, PACKAGING AND IDENTIFICATION OF LIVING MODIFIED ORGANISMS (ARTICLE 18)

38. At their third meeting, the Parties to the Protocol took various decisions regarding matters covered by paragraphs 2 and 3 of Article 18 of the Protocol. In doing so, the Parties, *inter alia*, requested or invited submissions in relation to:

(a) The need for and modalities of developing standards with regard to identification, handling, packaging and transporting living modified organisms, i.e., paragraph 3 of Article 18: views and information on: (i) the adequacy of existing rules and standards for identification, handling, packaging and transport of goods and substances to address concerns relating to living modified organisms that are subject to transboundary movement, and (ii) on gaps that may exist that may justify a need to develop new rules and standards, or to call upon relevant international bodies to modify or expand their existing rules and standards, as appropriate (decision BS-III/9, paragraph 1); and

(b) Living modified organisms for direct use as food, feed or for processing, i.e. paragraph 2(a) of Article 18: information on experience gained with the use of sampling of living modified organisms and detection techniques and on the need for and modalities of developing criteria for acceptability of, and harmonizing, sampling and detection techniques (decision BS-III/10, paragraph 11).

39. The Parties to the Protocol had also requested in their decision BS-III/8, paragraph 1, for submissions on experience gained in the use of existing documentation accompanying transboundary movements of living modified organisms destined for contained use (paragraph 2(b), Article 18) and those for intentional introduction into the environment (paragraph 2(c), Article 18. This item will, however, be considered in the context of the item on “assessment and review” (item 15) as required by paragraph 2 of the same decision.

40. Under this item, the Parties will have before them notes (UNEP/CBD/BS/COP-MOP/4/8 and UNEP/CBD/BS/COP-MOP/4/9) by the Executive Secretary synthesizing the views and information submitted by Parties, other Governments and relevant international organizations in accordance with the requests and invitation referred to in paragraph 38 above as well as information documents compiling the views and/or the information received (UNEP/CBD/BS/COP-MOP/4/INF/2 and 3).

ITEM 11. RISK ASSESSMENT AND RISK MANAGEMENT (ARTICLES 15 AND 16)

41. In paragraph 4 (b) of their medium-term programme of work (decision I/12, annex), the Parties decided to consider at their second meeting risk assessment and risk management, in particular the following items: (i) clarification of the issues involved; (ii) the development of guidance and a framework for a common approach in risk assessment and risk management; and (iii) cooperation in identifying living modified organisms or specific traits that may have adverse effects on the conservation and sustainable use of biological diversity, taking also into account risks to human health, and taking

appropriate measures regarding the treatment of such living modified organisms or specific traits (Article 16, paragraph 5).

42. At their second meeting, the Parties established an Ad Hoc Technical Expert Group on Risk Assessment to address items (i) and (ii) referred in paragraph 4 (b) of the medium-term programme of work. In decision BS-II/9, the Parties also requested the Executive Secretary to organize regional workshops on capacity-building and exchange of experiences on risk assessment and risk management. At their third meeting, the Parties took note of the report of the Ad Hoc Technical Expert Group on Risk Assessment and adopted a number of its recommendations in decision BS-III/11.

43. At their fourth meeting, the Parties are invited, pursuant to paragraph 9 of decision BS-III/11, to consider the need for further guidance on specific aspects of risk assessment and risk management, and the appropriate modalities for development of any such guidance. They will also consider, pursuant to paragraph 4 (b) (iii) of the medium-term programme of work, modalities for cooperation in identifying living modified organisms or specific traits that may have adverse effects on the conservation and sustainable use of biological diversity, taking also into account risks to human health, and taking appropriate measures regarding the treatment of such living modified organisms or specific traits (Article 16, paragraph 5).

44. In considering this item, Parties will have before them a note prepared by the Executive Secretary (UNEP/CBD/COP-MOP/4/10), together with, as information documents, reports of the regional workshops, organized by the Secretariat, on capacity-building and exchange of experiences on risk assessment and risk management (UNEP/CBD/BS/COP-MOP/4/INF/14, 15, 16 and 17). The report of another workshop, organized by Canada and Norway, on Risk Assessment for Emerging Applications of Living Modified Organisms (fish, trees, pharmacrops and viruses), which was held in Montreal from 4 to 6 June 2007 will also be made available as information document (UNEP/CBD/BS/COP-MOP/4/INF/13).

ITEM 12. LIABILITY AND REDRESS (ARTICLE 27)

45. At its third meeting, the Parties to the Protocol agreed to the convening of three five-day meetings of the Ad Hoc Open Ended Working Group of Legal and Technical Experts on Liability and Redress before the fourth meeting of the Parties. Accordingly the Working Group held its third and fourth meetings from 19 to 23 February 2007 and from 22 to 26 October 2007, respectively. The reports of those meetings have been circulated as documents UNEP/CBD/BS/WG-L&R/3/3 and UNEP/CBD/BS/WG-L&R/4/3 and can be accessed from the Secretariat's website. The next meeting of the Working Group is planned to take place from 12 to 19 March 2008, in Cartagena, Colombia depending on the availability of funds.

46. The Working Group is expected to complete its work in accordance with its terms of reference as provided in decision BS-I/8, and submit its final report, together with the proposed international rules and procedures in the field of liability and redress pursuant to Article 27 of the Protocol, to the fourth meeting of the Parties to the Protocol. The report of the Working Group (UNEP/CBD/BS/COP-MOP/4/11) will be made available to the Parties to the Protocol, for their consideration and appropriate action.

ITEM 13. SUBSIDIARY BODIES (ARTICLE 30)

47. The Parties to the Protocol considered the question of subsidiary bodies at their first meeting. At their third meeting, the Parties to the Protocol decided to consider potential mechanisms for the provision of scientific and technical advice, including, *inter alia*, the potential designation or establishment of a

permanent subsidiary body, or use of subsidiary bodies or mechanisms that may be created on an ad hoc basis, and requested the Executive Secretary to prepare a pre-sessional document for the present meeting which includes: (i) a review of the findings of the Ad Hoc Open-Ended Working Group on Review of Implementation of the Convention, and any associated decisions by the eighth meeting of the Conference of the Parties; and (ii) cost estimates for various potential mechanisms for the provision of scientific and technical advice.

48. In response to this request and with a view to assisting the Parties to the Protocol in their consideration of this item, the Executive Secretary will make available a background document (UNEP/CBD/BS/COP-MOP/4/12), which identifies some potential mechanisms for the provision of scientific and technical advice to the Parties to the Protocol and that includes the costs associated with each mechanism. The Secretariat has reviewed the results of the work of the Ad Hoc Open-Ended Working Group on Review of Implementation of the Convention and associated decisions of the Conference of the Parties, and found no information that is directly relevant to the establishment of a subsidiary body or the use of existing mechanisms.

49. The Parties may wish to consider the mechanisms and their associated costs that will be described in the note of the Executive Secretary and take an appropriate decision regarding the need for, and the nature and functions of, any subsidiary body that provides scientific and technical advice in the context of the Biosafety Protocol.

ITEM 14. MONITORING AND REPORTING (ARTICLE 33)

50. Article 33 of the Protocol requires each Party to monitor the implementation of its obligations under the Protocol and to report, at intervals determined by the Parties to the Protocol, on measures that it has taken to implement the Protocol.

51. At their first meeting, the Parties, in paragraph 6 (a) of the medium-term programme of work, decided that the first regular national reports by Parties on the implementation of the Protocol as stipulated in Article 33 would be considered at their fourth meeting. In that regard, the Parties requested at their third meeting that Parties submit their first regular national report, covering the period between the date of the entry into force of the Protocol for each Party and the reporting date (decision BS-III/14, paragraph 3). Accordingly, the submission of first regular national reports was due on 11 September 2007.

52. In accordance with the request of the Parties to the Protocol and with the view to assist the meeting in its consideration of this item, the Executive Secretary has prepared a note (UNEP/CBD/BS/COP-MOP/4/13) which analyses the information contained in the first national reports received by the Secretariat. The meeting will also have before it an information document (UNEP/CBD/BS/COP-MOP/4/INF/11) containing detailed information supporting the analysis.

53. The Parties to the Protocol may wish to consider issues arising out of the analysis of the first national regular reports as regards measures taken by Parties to implement the Protocol and provide further guidance or take the necessary action, as appropriate. The Parties to the Protocol may also consider the interconnection between the reports and capacity-building; promoting compliance, taking into account recommendations from the Compliance Committee in this regard; and assessment and review of the effectiveness of the implementation of the Protocol, for further guidance, as appropriate.

ITEM 15. ASSESSMENT AND REVIEW (ARTICLE 35)

54. Article 35 of the Protocol provides that the Parties to the Protocol undertake, five years after the entry into force of the Protocol, and at least every five years thereafter, an evaluation of the effectiveness of the Protocol, including an assessment of its procedures and annexes.

55. In that regard, the Parties, in their medium-term programme of work, decided to consider review of implementation of the Protocol at their fourth meeting (decision BS-I/12, annex, paragraph 6 (b)). In accordance with that decision, the Parties agreed to: (i) consider and adopt, as required, amendments to the Protocol and its annexes, as well as additional annexes, that are deemed necessary for the implementation of the Protocol (Article 35 and Article 29, paragraph 4 (e)); (ii) review the decision-making procedures and mechanisms adopted in accordance with paragraph 7 of Article 10; and (iii) review the compliance procedures and mechanisms.

56. At their third meeting, the Parties to the Protocol initiated the process of evaluation of the effectiveness of the Protocol, including an assessment of its procedures and annexes with a view to meet the requirement under Article 35. The Parties to the Protocol invited, in paragraph 1 of decision BS-III/15, Parties, other Governments as well relevant intergovernmental and non-governmental organizations and other stakeholders to submit to the Secretariat their views, which should: (i) evaluate the effectiveness of the Protocol, including an assessment of procedures and annexes, taking into account the items specified in paragraph 6 (b) of the medium-term programme of work contained in the annex to decision BS-I/12; and (ii) assess the procedures and annexes under the Protocol, with a view to identifying difficulties arising from implementation as well as suggestions for appropriate indicators and/or criteria for evaluating effectiveness and ideas on the modalities of the evaluation;

57. At the same meeting, the Parties also requested the Executive Secretary to compile information that may be received from Parties, other Governments and relevant organisations on their experience with the use of a commercial invoice or other documents to accompany transboundary movements of living modified organisms for contained use and for intentional introduction into the environment (Article 18, paragraph 2 (b) and paragraph 2 (c)), and prepare a synthesis report for consideration of this matter in the context of the process of review of the implementation of the Protocol as provided for under Article 35 (paragraphs 1 and 2, decision BS-III/8). The Parties to the Protocol intend to address this matter with the view to future consideration of a stand-alone document.

58. The meeting will have before it for consideration and appropriate decision a synthesis of the views and/or information received by the Executive Secretary in response to the request of the Parties to the Protocol (UNEP/CBD/BS/COP-MOP/4/14) as well as an information document compiling the views and/or information received (UNEP/CBD/BS/COP-MOP/4/INF/10).

59. Under this item, the Parties may also wish to have preliminary discussions on both the possible development of a strategic plan for the Protocol, which could be adopted at their fifth meeting in 2010, as well as the overall review of the medium-term programme of work and the consideration of a long-term programme of work, issues identified by the medium-term programme of work for discussion at the Parties' fifth meeting.

ITEM 16. SOCIO-ECONOMIC CONSIDERATIONS (ARTICLE 26, PARAGRAPH 2)

60. In decision BS-II/12, the Parties to the Protocol requested, among other things, Parties, other Governments and relevant international organizations to provide to the Executive Secretary their views and case-studies, where available, concerning socio-economic impacts of living modified organisms.

The Parties to the Protocol also requested the Executive Secretary to prepare a synthesis of the views to be submitted for consideration at their fourth meeting.

61. Accordingly, the present meeting will have before it a synthesis of views (UNEP/CBD/BS/COP-MOP/4/15) concerning socio-economic impacts of living modified organisms for its consideration and appropriate action. The full text of the views and case-studies will also be compiled and made available in an information document (UNEP/CBD/BS/COP-MOP/4/INF/1).

ITEM 17. PUBLIC AWARENESS AND PARTICIPATION (ARTICLE 23, PARAGRAPH 1)

62. In paragraph 4 (f) (i) of their medium-term programme of work, the Parties agreed to consider, at their second meeting, “options for cooperation by Parties, as appropriate, with other States and international bodies, on the promotion and facilitation of public awareness, education and participation concerning the safe transfer, handling and use of living modified organisms in relation to the conservation and sustainable use of biological diversity, taking into account also risks to human health (Article 23, paragraph 1 (a))”. In paragraph 17 of decision BS-I/5, the Parties also welcomed the Outreach Strategy for the Cartagena Protocol on Biosafety (2003-2005) developed by the Executive Secretary and requested him to advance its implementation with the view to promoting awareness of the Protocol and fostering active participation and support of a broad range of stakeholders in the implementation of the Protocol.

63. At their second meeting, the Parties adopted decision BS-II/13 on public awareness and participation. In paragraph 12 of that decision, the Executive Secretary was requested to continue promoting public awareness and education on the Protocol including through, *inter alia*, the above-mentioned Outreach Strategy. In paragraph 13 of the same decision, the Parties decided to consider, and review progress on the implementation of paragraph 1 (a) of Article 23 at their fifth meeting.

64. In order to facilitate the review of progress on the implementation of paragraph 1 (a) of Article 23, and the development, as appropriate, of a comprehensive programme of work on public awareness, education and participation concerning the safe transfer, handling and use of living modified organisms at their fifth meeting, the Parties to the Protocol will at this meeting be invited to consider an interim report (UNEP/CBD/BS/COP-MOP/4/16) prepared by the Executive Secretary on the initiatives undertaken by governments, including the experiences gained and lessons learned during the development of the public awareness and participation components of the national biosafety frameworks. They will also consider a synthesis of the capacity needs and gaps with respect to public awareness, education and participation concerning the safe transfer, handling and use of living modified organisms on the basis of the information submitted by Governments to the Biosafety Clearing-House and in the first national reports. Furthermore, the Parties will be invited to consider a new outreach strategy for the Protocol developed by the Executive Secretary (UNEP/CBD/BS/COP-MOP/4/INF/10) and provide, as appropriate, guidance on its implementation.

ITEM 18. OPTIONS FOR IMPLEMENTATION OF THE NOTIFICATION REQUIREMENT UNDER ARTICLE 8

65. In paragraph 4 (a) of the medium-term programme of work, the Parties decided to consider at their second meeting an item on notification (Article 8). At their second meeting, the Parties decided to keep the item under review with a view to elaborating and developing, if appropriate, at their fourth meeting, modalities of implementation with respect to the requirements under Article 8 of the Protocol, taking into account the information on national implementation and experiences gathered through national reports and the Biosafety Clearing-House.

66. In order to assist the Parties to the Protocol in its review of the implementation of the notification requirements under Article 8 of the Protocol, the Executive Secretary will make available a background document (UNEP/CBD/BS/COP-MOP/4/17), which synthesizes information on national implementation and experiences on this matter as provided through the first regular national reports.

IV. FINAL MATTERS

ITEM 19. OTHER MATTERS

67. Under this item, the Parties to the Protocol may wish to consider other matters raised and accepted for discussion in accordance with the rules of procedure.

ITEM 20. DATE AND VENUE OF THE FIFTH MEETING OF THE CONFERENCE OF THE PARTIES SERVING AS THE MEETING OF THE PARTIES TO THE PROTOCOL ON BIOSAFETY

68. In accordance with rule 4, paragraph 2 of the rules of procedure, the Parties to the Protocol are expected to decide on the date and venue of their next ordinary meeting.

ITEM 21. ADOPTION OF THE REPORT

69. Under this item, the Parties will be invited to consider and adopt the report of the meeting, on the basis of the draft report that will be presented by the Rapporteur. In accordance with established practice, the Parties may wish to authorize the Rapporteur to complete the final report after the meeting, with the guidance of the President and the assistance of the Secretariat.

ITEM 22. CLOSURE OF THE MEETING

70. It is expected that the fourth meeting of the Parties to the Protocol will be closed by its President in the afternoon of Friday, 16 May 2008.

Annex I

PROPOSED ORGANIZATION OF WORK FOR THE FOURTH MEETING OF THE CONFERENCE OF THE PARTIES SERVING AS THE MEETING OF THE PARTIES TO THE PROTOCOL ON BIOSAFETY

	<i>Plenary</i>	<i>Working Group I</i>	<i>Working Group II</i>
<p><i>Monday</i> <i>12 May 2008</i> 10 a.m to 11 a.m.</p>	<p><i>Agenda item:</i></p> <p>1. Opening of the meeting.</p>		
<p>11 a.m to 1 p.m.</p>	<p><i>Agenda items:</i></p> <p>2. Organizational matters: 2.1. Officers; 2.2. Adoption of the agenda; 2.3. Organization of work.</p> <p>3. Report on the credentials of representatives to the fourth meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol on Biosafety</p> <p>4. Report of the Compliance Committee</p> <p>7. Matters related to the financial mechanism and resources.</p> <p>8. Cooperation with other organizations, conventions and initiatives.</p>		

	<i>Plenary</i>	<i>Working Group I</i>	<i>Working Group II</i>
	<p>9. Report of the Executive Secretary on the administration of the Protocol and on budgetary matters.</p> <p>12. Report of the Open-ended Ad Hoc Working Group of Legal and Technical Experts on Liability and Redress in the Context of the Cartagena Protocol on Biosafety</p>		
3 p.m. to 6 p.m.		<p><i>Agenda items:</i></p> <p>4. Report of the Compliance Committee</p> <p>10. Handling, transport, packaging and identification of LMOs (Article 18)</p> <p>12. Liability and redress (Article 27)</p> <p>16. Socio-economic considerations (Article 26, para. 2)</p> <p>18. Options for implementation of the notification requirements under Article 8</p>	<p><i>Agenda items:</i></p> <p>5. Operation and activities of the Biosafety Clearing-House</p> <p>6. Status of capacity-building activities and the use of the roster of biosafety experts.</p> <p>11. Risk assessment and risk management (Articles 15 and 16)</p> <p>13. Subsidiary bodies (Article 30)</p> <p>14. Monitoring and reporting (Article 33)</p> <p>15. Assessment and review (Article 35)</p> <p>17. Public awareness and participation (Article 23)</p>
<i>Tuesday</i> <i>13 May 2008</i> 10 a.m. to 1 p.m.		<p><i>Agenda items:</i></p> <p>Continuation of agenda items 4, 10, 12, 16 and 18</p>	<p><i>Agenda items:</i></p> <p>Continuation of agenda items 5, 6, 11, 13, 14, 15 and 17</p>
3 p.m. to 6 p.m.		<p><i>Agenda items:</i></p> <p>Continuation of agenda items 4, 10, 12, 16 and 18</p>	<p><i>Agenda items:</i></p> <p>Continuation of agenda items 5, 6, 11, 13, 14, 15 and 17</p>

	<i>Plenary</i>	<i>Working Group I</i>	<i>Working Group II</i>
<i>Wednesday</i> <i>14 May 2008</i> 10 a.m. to 11 a.m.	Plenary to review progress of the working groups		
11 a.m. to 1 p.m.	<i>Agenda items:</i> Continuation of agenda items 3, 4, 7, 8, 9 and 12		
3 p.m. to 6 p.m.		<i>Agenda items:</i> Continuation of agenda items 4, 10, 12, 16 and 18	<i>Agenda items:</i> Continuation of agenda items 5, 6, 11, 13, 14, 15 and 17
<i>Thursday</i> <i>15 May 2008</i> 10 a.m. to 1 p.m.		<i>Agenda items:</i> Continuation of agenda items 4, 10, 12, 16 and 18	<i>Agenda items:</i> Continuation of agenda items 5, 6, 11, 13, 14, 15 and 17
3 p.m. to 6 p.m.		<i>Agenda items:</i> Continuation of agenda items 4, 10, 12, 16 and 18	<i>Agenda items:</i> Continuation of agenda items 5, 6, 11, 13, 14, 15 and 17
<i>Friday</i> <i>16 May 2008</i> 10 a.m. to 1 p.m. <i>and</i> 3 p.m. to 6 p.m.	<i>Agenda items:</i> 19. Other matters. 20. Date and venue for the fifth meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol. 21. Adoption of the report. 22. Closure of the meeting		

Annex II

**PROVISIONAL LIST OF DOCUMENTS FOR THE FOURTH MEETING 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**

A. Working documents

<i>Symbol</i>	<i>Title</i>
UNEP/CBD/BS/COP-MOP/4/1	Provisional agenda
UNEP/CBD/BS/COP-MOP/4/1/Add.1	Annotations to the provisional agenda
UNEP/CBD/BS/COP-MOP/4/2	Report of the Compliance Committee
UNEP/CBD/BS/COP-MOP/4/2/Add.1	Compilation of further information on the experiences of other multilateral environmental agreements regarding cases of repeated non-compliance
UNEP/CBD/BS/COP-MOP/4/3	Operation and activities of the Biosafety Clearing-House
UNEP/CBD/BS/COP-MOP/4/4	Status of capacity-building activities
UNEP/CBD/BS/COP-MOP/4/4/Add.1	Report on the operational experience in the use of the preliminary set of indicators for monitoring implementation of the capacity-building Action Plan and proposals for their further development and refinement
UNEP/CBD/BS/COP-MOP/4/4/Add.2	Report on the use of the roster of experts on biosafety
UNEP/CBD/BS/COP-MOP/4/5	Matters related to the financial mechanism and resources
UNEP/CBD/BS/COP-MOP/4/6	Cooperation with other organizations, conventions and initiatives
UNEP/CBD/BS/COP-MOP/4/7	Report of the Executive Secretary on the administration of the Protocol and on budgetary matters
UNEP/CBD/BS/COP-MOP/4/8	Handling, transport, packaging and identification: Synthesis of views and information on the need for and modalities of developing rules standards in the context of paragraph 3 of Article 18
UNEP/CBD/BS/COP-MOP/4/9	Handling, transport, packaging and identification: Synthesis of information on experience gained with the use of techniques for sampling and detection of living modified organisms (paragraph 2(a), Article 18)
UNEP/CBD/BS/COP-MOP/4/10	Risk assessment and risk management (Articles 15 & 16)
UNEP/CBD/BS/COP-MOP/4/11	Report of the Open-ended Ad Hoc Working Group of Legal and Technical Experts on Liability and Redress in the context of the Biosafety Protocol (Article 27)
UNEP/CBD/BS/COP-MOP/4/12	Subsidiary bodies (Article 30)
UNEP/CBD/BS/COP-MOP/4/13	Monitoring and reporting (Article 33): analysis of information from the first regular national reports.

<i>Symbol</i>	<i>Title</i>
UNEP/CBD/BS/COP-MOP/4/14	Assessment and review (Article 35)
UNEP/CBD/BS/COP-MOP/4/15	Socio-economic considerations (Article 26, paragraph 2)
UNEP/CBD/BS/COP-MOP/4/16	Interim report on the status of implementation of public awareness, education and participation concerning the safe transfer, handling and use of living modified organisms (Article 23, paragraph 1 (a))
UNEP/CBD/BS/COP-MOP/4/17	Review of options for implementation of the notification requirements (Article 8)

B. Information documents (preliminary list)

<i>Symbol</i>	<i>Title</i>
UNEP/CBD/BS/COP-MOP/4/INF/1	Socio-economic considerations (Article 26): compilation of views and case studies on socio-economic impacts of living modified organisms
UNEP/CBD/BS/COP-MOP/4/INF/2	Handling, transport, packaging and identification: compilation of submissions of information on experience gained with the use of techniques for the sampling and detection of living modified organisms (paragraph 2(a) of Article 18)
UNEP/CBD/BS/COP-MOP/4/INF/3	Handling, transport, packaging and identification: compilation of submission of views and information with respect to the need for and modalities of developing standards as specified in paragraph 3 of Article 18
UNEP/CBD/BS/COP-MOP/4/INF/4	Compilation of submission on the operational experience in the use of the preliminary criteria and indicators for monitoring implementation of the capacity-building Action Plan and proposals for their further development and refinement
UNEP/CBD/BS/COP-MOP/4/INF/5	Capacity-building: Report of the Third Coordination Meeting for Governments and Organizations Implementing or Funding Biosafety Capacity-building Activities, held 26-28 February 2007 in Lusaka
UNEP/CBD/BS/COP-MOP/4/INF/6	Report of the Second International Meeting of Academic Institutions and Organizations Involved in Biosafety Education and Training, held 16-18 April 2007 in Kuala Lumpur, Malaysia.
UNEP/CBD/BS/COP-MOP/4/INF/7	Report of the fourth meeting of the Liaison Group on Capacity-building for Biosafety, held 26-28 February 2007 in Lusaka, Zambia
UNEP/CBD/BS/COP-MOP/4/INF/8	Report of the fifth meeting of the Liaison Group on Capacity-building for Biosafety

<i>Symbol</i>	<i>Title</i>
UNEP/CBD/BS/COP-MOP/4/INF/9	Update on ongoing biosafety capacity-building initiatives: a compilation of submissions made by Parties, other Governments and relevant organizations
UNEP/CBD/BS/COP-MOP/4/INF/10	Assessment and review (Article 33): compilation of submission of views
UNEP/CBD/BS/COP-MOP/4/INF/11	Summary of responses submitted in the first regular national reports
UNEP/CBD/BS/COP-MOP/4/INF/12	GEF Global Strategy for Financing Biosafety Activities
UNEP/CBD/BS/COP-MOP/4/INF/13	Report of the Canada/Norway Workshop on Risk Assessment for Emerging Applications of Living Modified Organisms (fish, trees, pharmacrops and viruses), held in Montreal, Canada, 4–6 June 2007.
UNEP/CBD/BS/COP-MOP/4/INF/14	Report of the African regional workshop on capacity-building and exchange of experiences on risk assessment and risk management of living modified organisms, held 23-25 August 2007 in Addis Ababa
UNEP/CBD/BS/COP-MOP/4/INF/15	Report of the Central and Eastern Europe regional workshop on capacity-building and exchange of experiences on risk assessment and risk management of living modified organisms, held 26-28 November 2007 in Chisinau, Republic of Moldova
UNEP/CBD/BS/COP-MOP/4/INF/16	Report of the Latin America and the Caribbean regional workshop on capacity-building and exchange of experiences on risk assessment and risk management of living modified organisms
UNEP/CBD/BS/COP-MOP/4/INF/17	Report of the Asia-Pacific regional workshop on capacity-building and exchange of experiences on risk assessment and risk management of living modified organisms
UNEP/CBD/BS/COP-MOP/4/INF/18	Outreach Strategy for the Cartagena Protocol on Biosafety (2008-2010)
