



**CONVENTION ON  
BIOLOGICAL DIVERSITY**

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**STATEMENT BY**  
  
**HAMDALLAH ZEDAN**  
**EXECUTIVE SECRETARY**  
  
**CONVENTION ON BIOLOGICAL DIVERSITY**  
  
**TO**  
  
**THE OPEN-ENDED MEETING OF EXPERTS ON COMPLIANCE**  
  
**Nairobi, Kenya**  
**26 – 28 September 2001**

Honourable Minister of the Environment of Kenya,  
Distinguished Experts,  
Ladies and Gentlemen,

I am very pleased to welcome you all to this open-ended meeting of experts on the development of compliance procedures and mechanisms under the Cartagena Protocol on Biosafety. I would like to take this opportunity to express my gratitude to the Governments of Denmark, Japan, Korea, the Netherlands, New Zealand, Norway, Sweden, and Switzerland who have provided financial support for this meeting and to the Government of Kenya and UNEP for hosting it. It is always gratifying to be back in Nairobi, a country for which I hold fond personal memories, which I am sure is a sentiment shared by many of us present here today, and to enjoy the welcoming hospitality of the Government and people of Kenya as well as the warm climate and world renowned picturesque nature of the country.

The Protocol was adopted in Montreal in January 2000. To date, it has been signed by 103 Parties to the Convention and has 5 ratifications. This meeting is convened to address one of the priority requirements for the effective implementation of the Cartagena Protocol on Biosafety. As the number of multilateral environmental agreements has grown over the years, the international community has increasingly turned its attention and concern towards ensuring the compliance of States with their international obligations. Article 34 of the Protocol, therefore, requires the Conference of the Parties serving as the meeting of the Parties to the Protocol, at its first meeting, to consider and approve cooperative procedures and mechanisms to promote compliance with the provisions of the Protocol and to address cases of non-compliance.

In accordance with its work plan adopted by the fifth meeting of the Conference of the Parties to the Convention on Biological Diversity, the Intergovernmental Committee for the Cartagena Protocol on Biosafety (ICCP) has, at its first meeting, considered this issue, on the basis of a note prepared by the Secretariat on the development of compliance procedures and mechanisms under the Cartagena Protocol on Biosafety (Document UNEP/CBD/ICCP/1/7). In its recommendations, the ICCP decided that an experts meeting be convened to provide an in-depth consideration of this issue prior to ICCP-2. It also invited Parties and Governments to communicate their views in writing to the Executive Secretary regarding the elements and options for a compliance regime under the Protocol on the basis of a questionnaire prepared by the Secretariat and approved by the ICCP. The ICCP requested the Executive Secretary to prepare a synthesis report of the views submitted by Governments for consideration by this experts meeting. The Secretariat received written submissions from a number of Parties and Governments and has prepared a synthesis report of their views in document UNEP/CBD/BS/EM-COM/1/2.

The present effort to develop compliance procedures and mechanisms under the Protocol should benefit from developments and experiences in other international processes. These were reviewed in the Secretariat document prepared for ICCP-1. However, the process must be based on the specific provisions and requirements of the

Protocol. This experts meeting has an excellent opportunity to assist the ICCP in developing proposals regarding the nature and content of compliance procedures and mechanisms that respond to the specificities of the Protocol.

In order to assist this meeting in its task, the Secretariat has prepared draft elements, including alternative options, of a compliance regime under the Cartagena Protocol on Biosafety which is annexed to document UNEP/CBD/BS/EM-COM/1/2. The draft has been prepared on the basis of the outcome of the discussions on the matter at ICCP-1 and the written submissions by Parties and Governments. I would like to take this opportunity to thank those Parties and Governments that have submitted their views in accordance with the request made to them by the ICCP at its first meeting. This experts meeting is in a unique position to review the proposed elements and options and to make concrete proposals to the ICCP which will consider this issue among its agenda items when it convenes next week for its second meeting. The Bureau of the ICCP, at its meeting held in Havana on 9 and 10 of July 2001, has expressed the hope that this open-ended meeting of experts would comprehensively discuss the issue and develop clear and concrete proposals that would be easily endorsed by the ICCP. The Secretariat is prepared to provide you with the support necessary to attain this objective.

Finally, I wish you all a most successful meeting and I thank you for your kind attention.