

**Statement by the Executive Secretary
Dr. Ahmed Djoghla**

at the occasion of the
**WTO Committee on Trade and Environment in Regular Session
3 November 2008**

(to be delivered by the representative of the United Nations Environment Programme)

Mr. Chairman,
Distinguished delegates,

I am pleased to brief you on recent developments with regard to the Convention on Biological Diversity and its Cartagena Protocol on Biosafety that are of relevance to the work of the World Trade Organization and of this Committee.

As you know, the ninth meeting of the Conference of the Parties to the Convention on Biological Diversity (COP-9) was held in Bonn, Germany, from 19 to 30 May 2008. The fourth meeting of the Conference of the Parties serving as the Meeting of the Parties to the Cartagena Protocol on Biosafety (COP-MOP 4) took place from 12 to 16 May 2008, also in Bonn.

As part of the enhanced implementation of the Convention, a major effort is being made to achieve the target of a significant reduction of the current rate of biodiversity loss by 2010, adopted by Heads of State at the World Summit on Sustainable Development in 2002. In particular, the decision by Parties to adopt an international regime on access and benefit-sharing with regard to genetic resources will be a major contribution to the full and effective implementation of the Convention and its three objectives. The new developments related to this area are of particular importance to this committee.

ACCESS AND BENEFIT-SHARING (ABS)

You will recall that the COP, at its eighth meeting, instructed the Ad Hoc Open-ended Working Group on Access and Benefit-sharing (WGABS) to complete the negotiation of the international regime on access and benefit-sharing as soon as possible, and before the tenth meeting of the Conference of the Parties (COP-10).

The COP-9 decision on access and benefit-sharing establishes a roadmap for the finalization of the international regime by COP 10. It provides that three meetings of the WGABS, as the negotiating body of the international regime, will be held during the next biennium. The seventh meeting of the Working Group on ABS will be held in Paris, France, from 2 to 8 April 2009. The eighth meeting of the Working Group will be held at a venue to be confirmed, from 9 to 15 November 2009, back-to-back with the sixth meeting of the Working Group on Article 8(j). The ninth meeting of the Working Group will be held at a venue to be confirmed, from 18 to 24 March 2010.

Each meeting of the Working Group on ABS will be of seven consecutive days and will be preceded by two days of informal consultations.



ONE NATURE • ONE WORLD • OUR FUTURE
COP 9 MOP 4 Bonn Germany 2008

In addition, it was decided that three meetings of legal and technical experts would be held in order to inform the negotiation process on key substantive issues at the core of the negotiation process. They are meant to provide legal and technical advice including options and/or scenarios, where appropriate, in order to assist the Working Group on ABS.

The first of these expert groups will address concepts, terms, working definitions and sectoral approaches and will be held in Windhoek, Namibia, from 2 to 5 December 2008.

The following expert group will address issues related to compliance in the context of the international regime. It will be held in Tokyo, Japan, from 27 to 30 January 2008.

The third expert group meeting will address issues related to traditional knowledge associated with genetic resources and will be held in India, from 16 to 19 June 2008.

In addition to the adoption of a clear process for the finalization of the negotiation of the international regime, COP-9 also agreed on the basis for future negotiations. This text, annexed to decision IX/12, relates to the objective, scope, nature and main components of the international regime.

The international regime on access and benefit-sharing is to be adopted at COP-10 in Nagoya, Japan, in October 2010.

INVASIVE ALIEN SPECIES

You will recall that COP-8 identified gaps and inconsistencies in the international regulatory framework in relation to invasive alien species, and requested the Executive Secretary to consult with relevant international bodies and instruments, including the World Trade Organization, regarding whether and how to address the lack of international standards covering invasive alien species, in particular animals, that are not pests of plants under the International Plant Protection Convention. Consultations have subsequently been undertaken, *inter alia* with the Committee on Sanitary and Phytosanitary Measures by way of an informal information session in October 2006. The result of these consultations was further considered by COP-9.

COP-9 invited the Committee on Sanitary and Phytosanitary Measures to note the lack of international standards covering invasive alien species, as described above, and to consider ways and means so that the provisions in the Sanitary and Phytosanitary Agreement covering animal and plant health can be implemented to address risks from invasive alien species associated with international trade. I am pleased to inform you that this invitation was transmitted in form of a letter to the chairman of the SPS Committee, noting, as requested by COP, the desirability of a response to this invitation for consideration by the tenth meeting of the Conference of the Parties.

The COP also invited the International Plant Protection Convention to continue its efforts to expand, within its mandate, its actual coverage of invasive alien species which impact on biodiversity, and invited the International Committee of the World Organization for Animal Health (OIE) to note the lack of international standards covering invasive alien species as described above, and to consider whether and how it could contribute to addressing this gap.

The COP requested further collaboration with the secretariats of these organizations, including of the WTO, with a view to, *inter alia*, filling gaps and promoting coherence in the regulatory framework. I am pleased to inform you that, pursuant to this request, letters have been written to the heads of these organizations inviting their participation in a liaison group of international organizations working on invasive alien species issues. The date for the first meeting of the liaison group will be confirmed shortly.

THE BIOSAFETY PROTOCOL

Let me now turn to the Cartagena Protocol on Biosafety. As you know, the Protocol aims to ensure an adequate level of protection in the field of the safe transfer, handling and use of living modified

organisms (LMOs). As of 2 October 2008, there were 150 Parties to the Protocol. A number of decisions are of interest to the work of the WTO.

The fourth meeting of the Conference of the Parties serving as the Meeting of the Parties to the Protocol (COP-MOP 4) achieved a breakthrough in furthering the process for the elaboration of international rules and procedures in the field of liability and redress for damage resulting from transboundary movements of living modified organisms (LMOs). The Parties agreed to work towards international rules and procedures that will comprise both binding and non-binding elements.

As regards to risk assessment and risk management, the Parties agreed to the development of training activities thereon, in order to assist countries in preparing and evaluating risk assessment reports in accordance with the Protocol. An Ad Hoc Technical Expert Group on Risk Assessment and Risk Management will address the need for further guidance on specific aspects of risk assessment and risk management.

Parties also adopted measures to promote long-term biosafety education and training and to strengthen the coordination of capacity building. They also decided to convene an online conference with a view to identify existing standards with regard to the handling, packaging, transport and identification of LMOs, to identify any gaps in standards, and to suggest possible modalities to fill such gaps.

COOPERATION AND OBSERVER STATUS

COP-9 requested the Executive Secretary to renew the Convention's pending applications for observer status in relevant bodies of the World Trade Organization, and to continue, and further strengthen, liaison and cooperation with the World Trade Organization. The applications for observer status were renewed by way of a letter to the WTO Director-General.

Let me finalize by expressing my belief that observer status would be an important element in strengthening liaison and cooperation between trade and environment agreements, thus further enhancing the mutually supportiveness between the two regimes.

Thank you for your attention.
