



## CONVENTION ON BIOLOGICAL DIVERSITY

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BUREAU OF THE CONFERENCE  
OF THE PARTIES SERVING AS THE  
MEETING OF THE PARTIES TO THE  
CARTAGENA PROTOCOL ON BIOSAFETY  
Geneva, 26 January 2008

### MINUTES OF THE MEETING OF THE BUREAU OF THE CONFERENCE OF THE PARTIES SERVING AS THE MEETING OF THE PARTIES TO THE CARTAGENA PROTOCOL ON BIOSAFETY HELD IN GENEVA ON SUNDAY, 20 JANUARY 2008 AND 23 JANUARY 2008

#### INTRODUCTION

1. Meetings of the Parties to the Convention on Biological Diversity serving as the meeting of the Parties to the Cartagena Protocol on Biosafety (COP-MOP) Bureau were held on 20 and 23 January 2008 at the International Environment House and the United Nations Office in Geneva. The meetings were chaired by Mr. Fernando Coimbra of the Ministry of External Relations of Brazil, representing the President of the eighth meeting of the Conference of the Parties. The following Bureau members attended the meeting:

Mr. Deon Stewart (Bahamas)  
Mr. Karma Nyedrup (Bhutan)  
Mrs. Mary Fosi Mbantenkhu (Cameroon)  
Ms. Andrea Stefan (Croatia)  
Ms. Elleli Huerta Ocampo (Mexico)  
Mr. Ositadinma Anaedu (Nigeria)  
Ms. Tone Solhaug (Norway)  
Mr. Israel Pastor (Spain)  
Dr. Volodymyr Domashlinets (Ukraine)  
Mr. Abdul Hakim Aulaiah (Yemen)

2. The meetings were also attended by Mr. Jochen Flasbarth of Germany (as host of the fourth meeting of the COP-MOP and the ninth meeting of the Conference of the Parties), Ms. Jimena Nieto and Mr. Rene Lefeber, Co-Chairs of the *Ad Hoc* Open-ended Working Group of Legal and Technical Experts on Liability and Redress in the Context of the Cartagena Protocol on Biosafety, as well as the Executive Secretary of the Convention, Dr. Ahmed Djoghlaif and Mr. Charles Gbedemah, the Head of the Biosafety Division of the Secretariat.

#### ITEM 1 OPENING OF THE MEETING

3. The meetings were opened by Mr. Coimbra on behalf of the President of the Conference of the Parties, Her Excellency Ms. Marina Silva, Minister of Environment of Brazil.

#### ITEM 2 ADOPTION OF THE AGENDA

4. On 20 January 2008, the Bureau adopted the following agenda as proposed by the Executive Secretary following consultation with the Presidency:

1. Opening of the meeting.
2. Adoption of the agenda.
3. Preparations for and organization matters relating to the fourth meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol.
4. Work of the *Ad Hoc* Open-ended Working Group of Legal and Technical Experts on Liability and Redress in the Context of the Cartagena Protocol on Biosafety.
5. Other matters.
6. Closure of the meeting.

### ITEM 3 PREPARATIONS FOR THE FOURTH MEETING OF THE COP-MOP

5. The draft agenda of the fourth meeting of the COP-MOP and its annotations that had been presented to the Bureau for its consideration were then addressed. The Secretariat informed the Bureau that preparations for the COP-MOP were fully underway, and drew their attention to the fact that with financial support kindly provided by the Government of Germany and the African Union, a Regional Preparatory Meeting for African countries would be organised prior to the meeting.

6. The Secretariat noted that under decision BS-III/15 para 2, the Executive Secretary, was requested, under the guidance of the Bureau, to prepare a synthesis of the views submitted by Parties, other Governments as well relevant intergovernmental and non-governmental organizations and other stakeholders on the assessment and review of the Protocol as well as information contained in the first national reports submitted by Parties, and make it available to the fourth meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol. The Secretariat further noted that it had received only 20 responses from the Parties and 2 from governments. The Secretariat further explained that majority of the Parties had noted that they had not as yet developed fully their institutions and processes and have therefore not acquired enough experience on the review and assessment of the Protocol. The Bureau therefore recommended that the Secretariat send a reminder notification to Parties who have not made submissions to do so in order to broaden the information level for producing the synthesis report. The Secretariat was requested to submit the synthesis report to the Bureau for its comments prior to the COP-MOP/4.

7. The issue of identifying the two COP-MOP Working Group Co-Chairs was also addressed. It was agreed that there was a need to identify the two Co-Chairs from amongst the Bureau members or the Parties, with a balanced regional representation. The Bureau decided that it would review this issue at its next meeting.

8. The representative of the Government of Nigeria requested information on funds available for COP-MOP participation. The Executive Secretary responded that requests for funding had been sent out in order that, at a minimum, quorum would be reached. He underlined the fact that the earlier pledges were received, the better. On a related note, a number of Bureau members expressed concern about planning and the visa issuance process for members of their regions. The Bureau agreed that the Secretariat should send invitations to parties as soon as possible, so as to avoid delays in the visa issuance process for delegates even if the funding for participat is not yet available. Further to a suggestion by the representative of the Government of Croatia, the Bureau agreed that notifications should request Parties who would not be attending a meeting to advise the Secretariat as such as soon as possible, so that scarce resources could be used as effectively as possible.

### ITEM 4 WORK OF THE AD HOC OPEN-ENDED WORKING GROUP OF LEGAL AND TECHNICAL EXPERTS ON LIABILITY AND REDRESS IN THE CONTEXT OF THE CARTAGENA PROTOCOL ON BIOSAFETY

9. The Co-Chairs informed the Bureau that the fifth meeting of the *Ad Hoc* Open-ended Working Group of Legal and Technical Experts on Liability and Redress in the Context of the Cartagena Protocol on Biosafety will take place in Cartagena, Colombia from 12-19 March 2008, and that notifications had been sent out to this effect on 17 January. As nominations are requested by 15

February 2008, the Co-Chairs underlined that interested participants must submit their nominations on an urgent basis. The Bureau was advised that the Government of Colombia would facilitate the visa process for participants and that Colombian missions had been advised of the meeting.

10. The Co-Chairs then drew the attention of the Bureau to two concrete issues: one budget related; the other procedural.

11. The budget issue pertained to the fact that the fifth meeting of the *Ad Hoc* Open-ended Working Group of Legal and Technical Experts on Liability and Redress in the Context of the Cartagena Protocol on Biosafety was approved at COP 8 as an extra-budgetary funded meeting. The Secretariat indicated that the estimated cost of holding a 6-day meeting in Cartagena, Colombia comes to US \$1,000,000. It further informed that while fundraising efforts have generated enough funds to cover the conference services required to run the meeting, an insufficient amount of funds are available at present to allow for broader and balanced participation. Given that the issue of liability and redress is an important component of the COP-MOP agenda, it was recognized that the fifth meeting should be a success. The Co-Chairs noted that the success of the fifth meeting would largely depend on a balanced and effective participation of developing country Parties. The Co-Chairs therefore, requested the Bureau to consider using funds, in the order of US \$300,000, from against the balance remaining from previous WG-L&R meetings to cover the costs of up to 80 participants.

12. The Bureau decided to postpone to its next meeting the consideration of this proposal in order to ascertain its implications. At its resumed meeting held on 23<sup>rd</sup> January the Bureau adopted the following recommendation: "Pending the receipt of pledged contributions of partners and at the request of the co-chairs of the Working Group of legal and Technical Experts on Liability and Redress, the COP-MOP Bureau agreed, on an exceptional basis, to authorize the use of up to US\$ 280,000 for facilitating the participation of eligible countries to the Fifth meeting of the open-ended Ad Hoc Working Group on Liability and Redress in the context of the Cartagena Protocol on Biosafety scheduled to take place from 12 to 19 March 2008, Cartagena, Colombia".

13. With respect to the procedural issue, the Co-Chairs reminded the Bureau that, as per Article 27, a mandate which was agreed upon at COP-MOP1, work on liability and redress must be concluded by COP-MOP 4. The Co-chair sought therefore the Bureau advice on how best to handle the discussion of this agenda item at MOP4. After consideration of this issue and discussion of several options, the Bureau decided to consider the request made by the two co-chairs at its next meeting in the light of the outcome of the Cartagena meeting, while acknowledging that the two working groups of MOP-4 would take up the items under their purview as proposed in the Provisional Agenda of that conference.

#### ITEM 5 CLOSURE OF THE MEETING

14. Prior to closing the meeting, the representative of the Government of Bhutan raised the fact that, with respect to the Cartagena meeting, securing a transit visa through the United States was very difficult for many delegates. The representative of the Government of Spain took the floor to inform the Bureau that he would explore with his Government whether the transit visa process could be facilitated through Spain.

15. The meeting was closed at 18:15.