



THIRD MEETING OF THE INTERGOVERNMENTAL COMMITTEE ON THE CARTAGENA PROTOCOL ON BIOSAFETY: 22 - 26 APRIL 2002

The third meeting of the Intergovernmental Committee for the Cartagena Protocol on Biosafety (ICCP) to the Convention on Biological Diversity (CBD) was held at the Netherlands Congress Centre in The Hague, the Netherlands, from 22-26 April 2002. Approximately, 580 participants from 147 countries and 100 intergovernmental, non-governmental and industry organizations attended. Delegates met in Plenary, two working groups and two contact groups. Working Group I addressed: information sharing; handling, transport, packaging and identification (HTPI); monitoring and reporting; and other issues necessary for the Protocol's effective implementation. Working Group II addressed: liability and redress; compliance; and capacity building, including the roster of experts. ICCP-3 adopted thirteen recommendations, which will be considered by the first Conference of the Parties serving as the Meeting of the Parties (MOP).

The most contentious areas of discussion at ICCP-3 concerned compliance, liability and redress, and HTPI, particularly regarding provisions in Article 18.2 on documentation for living modified organisms (LMOs) for food, feed or processing (LMO-FFPs), contained use and intentional introduction. Many delegates highlighted difficulties with the pace and sense of urgency of ICCP-3, noting its role as an interim preparatory body until the Protocol enters into force. Extensive, contentious discussions over process and texts to be transmitted to MOP-1 had many noting the end of the "Montpellier spirit," which reflected the goodwill established at ICCP-1. Looking ahead, most participants eagerly await the Protocol's entry into force as a means to re-engage in substantive decision-making regarding elements and procedures for the Protocol's implementation. MOP-1 will be held in conjunction with an extraordinary Conference of the Parties (COP) if the Protocol enters into force within a year, or in conjunction with CBD COP-7 in 2004, if later.

A BRIEF HISTORY OF THE CARTAGENA PROTOCOL

The Convention on Biological Diversity, negotiated under UNEP's auspices, was adopted on 22 May 1992, and entered into force on 29 December 1993. There are currently 183 Parties to the Convention. Article 19.3 of the CBD provides for Parties to consider the need for and modalities of a protocol setting out procedures in the field of the safe transfer, handling and use of LMOs that may have an adverse effect on biodiversity and its components.

The Cartagena Protocol on Biosafety addresses the safe transfer, handling and use of LMOs that may have an adverse effect on biodiversity, taking into account human health, with a specific focus on transboundary movements. It establishes an advance informed agreement (AIA) procedure for imports of LMOs for intentional introduction into the environment, and also incorporates the precautionary principle and mechanisms for risk assessment and risk management. The Protocol further establishes a Biosafety Clearing-House (BCH) to facilitate information exchange, and contains provisions on capacity building and financial resources with special attention to developing countries and those without domestic regulatory systems. Currently, the Protocol has 103 signatories with 17 States having ratified or acceded to the Protocol (Bolivia, Bulgaria, the Czech Republic, Djibouti, Fiji, Kenya, Lesotho, Liberia, Mauritius, Nauru, the Netherlands, Norway, Spain, St. Kitts and Nevis, Switzerland, Trinidad and Tobago, and Uganda).

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COP-1: The first Conference of the Parties to the CBD (COP-1) (November - December 1994; Nassau) established an Open-ended *Ad Hoc* Group of Experts on Biosafety, which met in Madrid from 24-28 July 1995. Most experts favored the development of an international framework on biosafety under the CBD, and the meeting developed lists of elements receiving unanimous and partial support.

COP-2: At CBD COP-2 (November 1995; Jakarta), delegates considered the need for and modalities of a protocol. Amidst debate over the Protocol's scope, the COP adopted compromise language (Decision II/5) calling for "a negotiation process to develop in the field of the safe transfer, handling and use of living modified organisms, a protocol on biosafety, specifically focusing on transboundary movement of any LMO that may have an adverse effect on biological diversity." COP-2 established an Open-ended *Ad Hoc* Working Group on Biosafety (BSWG) to elaborate the Protocol based on elements from the Madrid report.

BIOSAFETY WORKING GROUP: The BSWG met six times between 1996 and 1999, under the chairmanship of Veit Koester (Denmark). During the first two meetings delegates defined issues and terms and articulated positions. By the third meeting, in October 1997, delegates had produced a consolidated draft text to serve as the basis for negotiation. The fourth and fifth meetings focused on reducing and refining options for each article of the draft Protocol. The final meeting of the BSWG (February 1999; Cartagena) was intended to complete negotiations on the Protocol for submission to the first Extraordinary Meeting of the Conference of the Parties (ExCOP) immediately following BSWG-6.

EXCOP: The first ExCOP (February 1999; Cartagena) convened immediately after BSWG-6, under the guidance of ExCOP President Juan Mayr, Minister of Environment of Colombia, and sought to develop a compromise package over two days of non-stop negotiations. Unable to do so, the ExCOP adopted a decision to suspend the meeting, and agreed to resume following further consultations. Outstanding issues included: inclusion of commodities within the Protocol's scope; the Protocol's relation to other agreements, especially those related to trade; the application of the AIA procedure, particularly with regard to the precautionary principle; and requirements for documentation and identification.

INFORMAL CONSULTATIONS: After the meeting's suspension, three sets of informal consultations (Montreal, July 1999; Vienna, September 1999; and Montreal, January 2000) were held under ExCOP President Mayr's chairmanship and addressed outstanding issues. These meetings included spokespersons from the five major negotiating groups: the Central and Eastern European Countries (CEE); the Compromise Group (Japan, Mexico, Norway, Republic of Korea and Switzerland); the European Union (the EU); the Like-Minded Group (the majority of developing countries); and the Miami Group (Argentina, Australia, Canada, Chile, the US and Uruguay).

RESUMED EXCOP: The resumed ExCOP (January 2000, Montreal) followed the final set of informal consultations and, after seven days of intensive negotiations, adopted the Cartagena Protocol on Biosafety in the early morning hours of 29 January 2000. The ExCOP also established the ICCP, under the chairmanship of Amb. Philémon Yang (Cameroon) and advisement of an ICCP Bureau, to undertake preparations for MOP-1. The ExCOP requested the CBD's Executive Secretary to start preparatory work on the development of a Biosafety

Clearing-House (BCH), and established a regionally balanced roster of experts to be nominated by governments to provide advice and support upon request.

COP-5: At COP-5 (May 2000, Nairobi), a high-level segment on the Protocol was held, which included a Ministerial Roundtable on capacity building to facilitate implementation. During a special ceremony, 67 countries and the European Community signed the Protocol. COP-5 also considered and adopted a work plan for the ICCP's first two meetings.

ICCP-1: The first meeting of the ICCP (December 2000, Montpellier, France) discussed information sharing and the BCH, capacity building, the roster of experts, decision-making procedures, HTPI, and compliance. The meeting reflected a congenial "Montpellier spirit" as a positive force in building confidence and political momentum. ICCP-1 concluded with recommendations for intersessional activities and synthesis reports for each substantive item to be further considered by ICCP-2.

ICCP-2: The second meeting of the ICCP (October 2001, Nairobi) developed recommendations on issues including: information sharing; HTPI; monitoring and reporting; capacity building; the roster of experts; guidance to the financial mechanism; decision-making procedures; liability and redress; compliance; consideration of other issues necessary for the Protocol's implementation; the Secretariat; Rules of Procedure; cooperation with the International Plant Protection Convention under other matters; and preparatory work for MOP-1. ICCP-2 highlighted continued concerns regarding capacity building and information sharing as essential elements for the Protocol's ratification and implementation at the national level.

COP-6: COP-6 (April 2002, The Hague) immediately preceded ICCP-3, and adopted decisions relevant to the Protocol on: the CBD's Strategic Plan; the statement to the World Summit on Sustainable Development (WSSD); capacity building; the budget; and applications for CBD Secretariat observer status to the WTO Committees on Sanitary and Phytosanitary Standards and on Technical Barriers to Trade. COP-6 also decided that if the Protocol enters into force within a year, the MOP-1 will be held with an extraordinary COP. If the Protocol enters into force later, then MOP-1 will be held in conjunction with COP-7, after a potential ICCP-4.

ICCP-3 REPORT

On Monday, ICCP Chair Amb. Philémon Yang (Cameroon) explained that the need for a third meeting of the ICCP resulted from the fact that the Protocol had not entered into force in time to convene MOP-1, and noted that, to date, 16 countries had ratified or acceded to the Protocol. He reviewed the ICCP's mandate to facilitate discussions on matters necessary for decision-making for MOP-1, and opened the meeting.

Jan Pronk, Minister of Environment of the Netherlands, welcomed participants, and stressed the importance of ratifying the Protocol and other environmental agreements to enable the WSSD to focus on implementation. He also stressed financing sustainable development efforts and highlighted key ICCP-3 issues, including HTPI, compliance, and liability and redress. Paul Chabeda, UNEP, highlighted UNEP's intersessional biosafety-related activities, particularly the UNEP/Global Environment Facility (GEF) pilot capacity-building project, and called for further replenishment of the GEF. CBD Executive Secretary Hamdallah Zedan thanked the governments of Germany, Japan, the Netherlands, New Zealand, Norway and Sweden for supporting developing countries' participation in the meeting. He



reviewed COP-6's decisions related to biosafety and reported on key intersessional activities, including completion of the BCH pilot phase and technical experts' meetings on Article 18.2 on documentation.

The Plenary adopted the meeting's agenda (UNEP/CBD/ICCP/3/1) and organization of work, and appointed François Pythoud (Switzerland) as Chair of Working Group I, P.K. Ghosh (India) as Chair of Working Group II, and Antonietta Gutiérrez Rosati (Peru) as Rapporteur. The Secretariat introduced the Executive Secretary's report on intersessional activities (UNEP/CBD/ICCP/3/2), addressing: the BCH pilot phase and national focal point designations; meetings of technical experts related to HTPI; the roster of experts on capacity building; consideration of issues raised by COP-6; status of ratification; and other matters.

Spain, on behalf of the EU, noted progress in completing ratification of the Protocol and developing necessary national legislation, and encouraged constructive cooperation. Latvia, on behalf of the CEE, noted commitments to ensure the Protocol's success. Brazil, on behalf of Group of Latin American and Caribbean Countries (GRULAC), stressed capacity building, cooperation, and the need to respect a step-wise approach to Article 18 (Handling, Transport, Packaging and Identification). Delegates also highlighted the importance of capacity building, the International Conference on Financing for Development, the BCH pilot phase, Article 27 (Liability and Redress) and partnerships between developing and developed countries, the private sector and NGOs. The NGO Caucus called for establishing a retroactive compensation fund, an immediate ban on release of genetically modified organisms (GMOs) in centers of origin and/or diversity, and internationally standardized identifiers.

The working groups met from 22-25 April. Working Group I addressed information sharing, HTPI, monitoring and reporting, and other issues necessary for the Protocol's effective implementation. Working Group II addressed: liability and redress, compliance, and capacity building, including the roster of experts. Contact groups were formed to discuss HTPI and compliance. "Friends of the Chair" groups were also convened to facilitate discussions. The Plenary convened on Wednesday afternoon to review the working groups' progress.

For each substantive item, ICCP-3 developed a recommendation for consideration by MOP-1. On Friday, the closing Plenary adopted the working groups' reports, including recommendations on the substantive agenda items, and considered other matters. The following report reviews the deliberations on the issues on ICCP-3's agenda, and summarizes the adopted recommendations.

SUBSTANTIVE ISSUES

LIABILITY AND REDRESS: On Monday, the Plenary heard initial remarks on liability and redress. Ethiopia, on behalf of the African Group, stressed the need for a liability regime under the Protocol and its independence from the process under the CBD. In the afternoon, Working Group II addressed the issue. The Secretariat introduced UNEP/CBD/ICCP/3/3, INF/1 containing a compilation of relevant national and international measures and agreements, and INF/2 on views on the terms of reference (TOR) for the proposed *ad hoc* group of legal and technical experts.

Some highlighted differences among domestic approaches, and Australia suggested their assessment in considering the need for an international liability regime. Haiti called for intermediary mechanisms for countries without liability regimes. Cameroon, on behalf of the African Group, recommended a mix of civil and State liability and, with the Institute for Agriculture and Trade Policy (IATP), suggested

creating a compensation fund with contributions from the biotechnology industry. Turkey supported strict liability, a broad and comprehensive definition of damage, and, with China, legal and financial assistance.

Delegates then discussed the expert group's TOR. The Republic of Korea suggested elaborating key terms, taking into consideration the best available scientific knowledge. Delegates highlighted analyzing existing international and national regimes, and debated the usefulness of a draft questionnaire for submission of initial views on liability and redress. Many welcomed its circulation, while Australia, Canada, Japan and the US said the questionnaire is premature and should be addressed after establishment of the expert group.

On Tuesday, many supported the expert group's open-ended composition, flexibility of its TOR, and periodic reports to the MOP. Delegates highlighted: the type, definition and threshold of damage; nature and scope of redress; financial security; mutual recognition of judgments; standards and limitation of liability; and access to justice. Australia and Norway recommended coherence on definitions used under Protocol Article 27 and CBD Article 14.2 on liability and redress. On information gathering, Canada supported evaluating existing international regimes and, with many, recommended further information on national legislation.

On Wednesday, delegates discussed a Chair's draft recommendation. Colombia expressed concern regarding lack of a decision on the expert group's TOR, and, with others, called for specific language on organization of workshops. Australia, Canada and the US favored limiting the questionnaire to general items. Mexico suggested its expansion to include questions from the background document, while Ethiopia and others added issues of jurisdiction, arbitration, purpose of State liability and responsibility, and criteria for assessing damage. Some delegates highlighted the questionnaire's voluntary nature. Colombia requested a note regarding the ICCP's tendency to postpone substantive debate on liability and redress in the record. With an addition on the questionnaire's voluntary nature, Working Group II adopted the recommendation.

On Thursday, Working Group II Chair Ghosh said some delegates had raised concerns during the evening about the annexed questionnaire and a "Friends of the Chair" group, chaired by Henrik Kjellin (Sweden), was established. On the basis of the group's revised text, which included new questions, Working Group II approved the questionnaire without amendments.

During the closing Plenary, GRULAC requested the meeting's report reflect that the region awaits the realization of a workshop on liability and redress. Delegates adopted the recommendation and the annexed questionnaire without comments.

Recommendation: The recommendation (UNEP/CBD/ICCP/3/L.9) invites Parties and others to submit information on national, regional and international agreements in the field of liability and redress, and requests the CBD Executive Secretary to continue gathering information on the issue under international law and make it available at MOP-1. It renews ICCP-2's invitation to organize workshops and to submit views on elements of the TOR for the expert group, and requests the Executive Secretary to prepare a synthesis report of those views for the MOP's consideration. It also invites governments and organizations to submit information on the basis of the annexed questionnaire.

The questionnaire addresses activities most likely to cause damage, criteria for assessing damage, types of activities to be covered, and definition of damage resulting from transboundary



movements of LMOs in comparison with damage under CBD Article 14.2. It also covers channeling and standards of liability, exemptions and limitations, jurisdiction and enforcement of judgments, relevance of arbitration, State liability and responsibility, and issues of legal interest to make claims. A note stresses that the questionnaire does not prejudge the MOP's decision on the process to be adopted, and that the list of questions is not exhaustive.

COMPLIANCE: On Tuesday, Working Group II considered UNEP/CBD/ICCP/3/4, containing annexed draft procedures and mechanisms on compliance. While Australia and the US suggested considering all elements, delegates agreed to focus on bracketed text from ICCP-2's discussions. A contact group, chaired by Veit Koester (Denmark), met from Tuesday to Thursday to address bracketed text, and considered three non-papers. Within the contact group, an informal group was established to address contentious issues.

On the section on objective, nature and underlying principles, many developing countries favored retaining language on common but differentiated responsibilities and deleting reference to Rio Principle 7. Some stressed different capacities and the long-term process of capacity building. Australia and New Zealand opposed reference to either the concept or to Rio Principle 7, but New Zealand noted different degrees of non-compliance. Kenya, supported by others, proposed a new option: referencing the concept in both the section on underlying principles and the section on measures to promote compliance and address non-compliance. Many supported referencing the concept in the latter section only. The contact group considered the issue, but could not reach agreement. The text remained bracketed.

On institutional mechanisms, many delegates favored deleting text on balance between importing and exporting countries within the compliance committee, preferring focus on regional representation. Some delegates noted the potential dual status of countries as importers and exporters, and difficulties associated with defining importers and exporters for all products covered by the Protocol. Barbados suggested including the phrase "net importing and net exporting countries." Regarding committee members, the EU supported retaining text on serving in their individual capacity. Burkina Faso and Iran preferred deleting the reference, with Iran stressing lack of adequate regional balance and Burkina Faso noting that members would represent their regional groups. Mexico and Norway suggested that committee members serve in their individual capacities and in the Protocol's best interest. The African Group suggested that members represent their governments. In contact group discussions, delegates could not agree. The text remained bracketed.

On procedures, the contact group discussed but could not agree on submissions from the MOP and from Parties with respect to another Party. Delegates stressed links between submissions and measures to address non-compliance, particularly suspension of rights and privileges. Highlighting developing countries' limited capacities and the possibility that a suspension of rights and privileges might include suspension of funding for participation in meetings, some delegates opposed a Party-to-Party trigger and submissions from the MOP, preferring a step-wise approach. During discussions on Wednesday within an informal group formed by Chair Koester, delegates agreed to retain reference to the Party-to-Party trigger, adding text on rejection of *de minimis*/ill-founded submissions. The contact group could not agree on the informal group's text and it remained bracketed.

Regarding information and consultation, the contact group agreed that the compliance committee would consider information from the BCH, the COP, the MOP, subsidiary bodies of the Convention and the

Protocol, and from relevant international organizations. References to information from a Party with respect to another Party, NGOs, including the private sector, and the Secretariat, remained bracketed. On measures to promote compliance and address non-compliance, the contact group agreed to incorporate text into the chapeau stating that the compliance committee takes into account the Party's capacity to comply and the cause, type, degree and frequency of non-compliance. Many opposed suspension of rights and privileges, arguing the need to identify specific rights and privileges and/or stressing the non-punitive nature of the compliance mechanism. The informal group suggested reference to "additional stronger measures, excluding trade-related measures," and retaining reference to conformity with the Protocol and international law. The contact group could not agree on the informal group's proposal and the text remained bracketed.

On Thursday, Working Group II considered a Chair's draft recommendation and its annex on draft procedures and mechanisms. The draft recommendation included a request to the Executive Secretary to add to existing options in the annex to UNEP/CBD/ICCP/3/4 new options discussed but not agreed upon during contact group sessions, for MOP-1 consideration as an information document. Argentina, Australia, Japan and others supported, while Colombia, Ethiopia, the EU and others opposed, including such new options as additional bracketed text. Delegates finally agreed that those options would be reflected in an additional annex to the draft recommendation. Some delegates stressed that subsequent submissions by Parties should not be given less weight than the contact group's options included in the additional annex. The Global Industry Coalition said that including the private sector within the term "NGO" in text on information was not consistent with the CBD's practice or general understanding. In text on taking into account a Party's capacity when deciding measures to address non-compliance, delegates agreed to add reference in the annex to small islands developing States (SIDS) and least developed countries (LDCs). Working Group II then adopted the recommendation. Highlighting ICCP-2's report (UNEP/CBD/ICCP/2/15, paragraph 175), Australia and the US stressed that the entirety of the text remains subject to discussion by the MOP.

On Friday, during the closing Plenary, Colombia, the EU and others opposed, while Australia, Argentina, Canada, New Zealand and the US supported, Chair Ghosh's proposal to add a paragraph in Working Group II's report (UNEP/CBD/ICCP/3/L.12) saying that it was understood that all elements on draft procedures on compliance would be subject to further discussions. The EU stressed that this was not all delegations' understanding, and suggested deleting the paragraph or including qualifying language. Switzerland and others stressed that the issue had not been raised in Working Group II at the time of adoption of Working Group II's report, with Denmark saying that any attempt to reopen the compromise text would lead back to original wording and discussions. Australia and others stressed that delegates did not have the opportunity to consider all elements of the draft procedures, but only bracketed text. The Plenary agreed to add a paragraph to Working Group II's report reflecting that some delegates drew the attention of Working Group II to Chair Ghosh's statement concerning ICCP-2's report on the elements under discussion on compliance.

Recommendation: The recommendation (UNEP/CBD/ICCP/3/L.10): forwards the annexed draft procedures and mechanisms, and options regarding bracketed text to the MOP-1; invites governments to



submit views on bracketed text no later than six months prior to MOP-1; and requests the Executive Secretary to make the compilation of views available to MOP-1.

Annex I on draft procedures and mechanisms contains sections on:

- objective, nature and underlying principles;
- institutional mechanisms;
- functions of the compliance committee;
- procedures;
- information and consultation;
- measures to promote compliance and address non-compliance; and
- review of the procedures and mechanisms.

The committee will consider information from the BCH, the COP, the MOP, subsidiary bodies of the Convention and the Protocol, and relevant international organizations; and take into account a Party's capacity and the cause, type, degree and frequency of non-compliance when deciding on measures to address non-compliance. Annex II expands on Annex I by adding options proposed during the contact group's discussion.

INFORMATION SHARING: On Monday, in the opening Plenary, the Secretariat provided a brief demonstration of the BCH. China and Slovakia introduced reports of regional meetings on capacity building and the BCH for the Asia and Pacific Region (March 2002, Beijing) and CEE (February 2002, Nitra), respectively. Delegates highlighted priorities, including infrastructure and human resources, standards for databases and information exchange, regional and subregional nodes, adequate financial resources, and public and political support.

On Tuesday, Working Group I considered document UNEP/CBD/ICCP/3/5 and 5/Add.1-3. The EU said the BCH should identify capacity needs, and the African Group, supported by others, called for financial resources for capacity building. The EU, with Australia and Norway, called for data submission from governments to the BCH's pilot phase, with Australia emphasizing risk assessments. Australia and Canada stressed that the BCH's operational phase should not start before it is fully functional, while Ethiopia stressed that the pilot phase would end with the Protocol's entry into force. The OECD highlighted its work on unique identifiers. The EU, with Norway, called for rules for use of unique identifiers. Canada suggested that national and international organizations provide options for unique identifier systems. The African Group, supported by many, stressed that the BCH should be part of the CBD's CHM. Grenada emphasized the non-Internet-based component of the BCH and Ghana suggested a telephone hotline.

On Thursday, Working Group I considered UNEP/CBD/ICCP/3/WG.I/CRP.2. Regarding integrating the OECD's unique identifiers for plants into the BCH's pilot phase, Norway emphasized the need for further elaboration prior to use in the BCH's operational phase. Canada preferred that inputs from organizations on unique identifiers be limited to non-plants, while Ethiopia and Japan opposed such limitation. Regarding language welcoming efforts of other intergovernmental organizations, the EU preferred, and Japan opposed, specific reference to the International Centre for Genetic Engineering and Biotechnology. In the afternoon, Working Group I adopted the revised recommendation (UNEP/CBD/ICCP/3/WG.I/CRP.2/Rev.1) and its annexed note on the development of the BCH's pilot phase (UNEP/CBD/ICCP/3/WG.I/CRP.2/Add.1), with minor amendments. On Friday, the closing Plenary adopted the recommendation without amendments with Working Group I's report.

Recommendation: The recommendation (UNEP/CBD/ICCP/3/L.5) notes the BCH's pilot phase as an ongoing activity, and recognizes the importance of experience gained in the pilot phase as a prerequisite for MOP-1's decision on the BCH's modalities of operation. Countries are urged to further participate in the development of the BCH's pilot phase, and to submit their views on its transition from pilot to operational phase. It takes note of the OECD's work on unique identifiers for transgenic plants, and recommends inter-operability with the BCH's pilot phase, and further elaboration of its applicability for the Protocol.

The recommendation requests the Executive Secretary to invite relevant organizations to provide views on developing a unique identification system for inclusion in a synthesis report for MOP-1's consideration, and recommends that a registry of unique identification be established under the central portal of the pilot phase. It notes that future development of the pilot phase should be undertaken in accordance with the annexed note on technical issues. The recommendation invites donors to provide financial support, recognizing the importance of a fully functioning BCH by the time of the Protocol's entry into force, and of meeting capacity needs of countries with respect to implementation.

The annexed note on technical issues regarding the pilot phase's development includes recommendations addressing:

- the continued use of the Internet;
- the central database;
- participation in the pilot phase;
- the content of the BCH's pilot phase;
- development of the BCH toolkit;
- capacity building;
- administration; and
- monitoring and review.

CAPACITY BUILDING: On Wednesday, Working Group II considered document UNEP/CBD/ICCP/3/6 on a proposed coordination mechanism for the Action Plan on capacity building. The African Group, the EU and others stressed demand-driven, national, regional and subregional programmes, and identifying roles of and synergies with capacity-building entities. Delegates also highlighted: technological, technical, legislative and institutional capacity building; public awareness; further work on the list of key activities for implementation; harmonization with other national legislation; and training of experts. Canada emphasized further work on gap analysis. Turkey called for GEF support to centers of diversity. Peru and Togo highlighted capacity-building needs of small farmers and rural communities. Argentina recommended focus on activities for HTPI. Other delegates highlighted risk assessment. Delegates supported full access to the BCH.

On Thursday, Working Group II considered document UNEP/CBD/ICCP/3/WG.II/CRP.2. The African Group emphasized support for workshops, with Algeria highlighting regional biotechnology centers. Delegates discussed the proposed reporting and monitoring mechanism. The US objected to any mandatory reporting to the CBD Secretariat and, with the GEF, to monitoring by the Secretariat as well. To address these concerns, delegates agreed that a central reporting mechanism will facilitate identification, instead of monitoring, of capacity-building projects, on the basis of information received. Delegates agreed to text clarifying that a new reporting mechanism was not being created. During discussions on ICPP-3's Report (UNEP/CBD/ICCP/3/L.1) during the closing Plenary, GRULAC stressed the ineffectiveness of current mechanisms to facilitate access to available



resources, especially for Caribbean GRULAC members and urged action by the CBD Secretariat. The recommendation was adopted by Plenary without amendments.

Recommendation: The recommendation (UNEP/CBD/ICCP/3/L.7) recognizes the critical need for demand-driven capacity-building activities, recommends that the COP/MOP adopt the annexed coordination mechanism, and invites contributions to facilitate implementation. It urges Parties and others to provide information to the BCH about capacity-building initiatives and invites them to address gaps in implementation of the Action Plan adopted by ICPP-2. It also encourages use of the annexed implementation toolkit, welcomes the GEF's support, and invites submissions on the annexed set of preliminary indicators for monitoring implementation of the Action Plan.

Four annexes address:

- the coordination mechanism for implementation of the Action Plan, including its objective, elements, and administration. Elements include a regionally balanced liaison group, a database of capacity-building projects, an information-sharing and networking mechanism, coordination meetings and workshops, and a reporting mechanism;
- the role of different entities in supporting capacity building;
- an implementation toolkit, including administrative tasks, legal requirements and undertakings, and procedural requirements on AIA and on LMO-FFPs; and
- preliminary indicators on: institutional capacity building; human resources; risk assessment and scientific and technical expertise; risk management; awareness, education and participation; information exchange; scientific, technical and institutional collaboration; transfer of technology and know-how; and identification of LMOs and LMO-FFPs.

ROSTER OF EXPERTS: Working Group II discussed the roster of experts, with regard to capacity building, on Wednesday, and focused on interim guidelines for the pilot phase of the voluntary fund (UNEP/CBD/ICCP/3/6/Add.1). Australia supported using a specific budget line within the CBD's existing BE Trust Fund for voluntary contributions to additional approved activities, as opposed to creating a new trust fund. Japan highlighted transparency in accounting, availability of financial and evaluation reports through the BCH, and with others, consistency with UN rules on trust funds. On eligibility criteria and the limitation on two grants per year, the CEE preferred using an annual limit per Party. Australia and Canada called for assurance that Parties retain responsibility for meeting the Protocol's obligations and that no liability accrues to an expert or to those providing an expert's name. The IATP called for improved information about experts and for a regularly updated declaration of any conflicts of interest.

On Thursday, Working Group II considered document UNEP/CBD/ICCP/3/WG.II/CRP.1. Japan requested posting reports regarding the pilot phase of the voluntary fund on the BCH. Working Group II approved the document with this amendment. The recommendation was adopted during the closing Plenary.

Recommendation: On status and implementation of the roster of experts, the recommendation (UNEP/CBD/ICCP/3/L.6) urges updating information in the roster and nominating relevant experts before the MOP-1. On the roster's pilot-phase voluntary fund, the recommendation:

- reaffirms the roster's role in supporting developing countries, in particular least developed and small island developing States, and economies in transition, to pay for use of experts from the roster;

- recommends the MOP to adopt, and invites Parties to use, the annexed interim guidelines;
- requests the Executive Secretary to administer the voluntary fund's pilot phase according to the interim guidelines; and
- urges donors to contribute to the fund.

Annex A of the interim guidelines addresses the fund's purpose, its financing, general administration, eligibility criteria and procedures. The interim guidelines establish eligibility criteria based on activities, costs, regional balance, compliance for previous grants and timing. The maximum funding per request may not exceed US\$20,000 and total disbursement per Party may not exceed US\$50,000 per calendar year. Three other annexes contain forms for funding requests, a Memorandum of Understanding for support, and reporting on work supported by the voluntary fund.

HANDLING, TRANSPORT, PACKAGING AND IDENTIFICATION: During the opening Plenary on Monday, Canada and France reported on the technical expert group meetings (March 2002, Montreal) on Articles 18.2(a) (documentation for LMO-FFPs) and on 18.2(b) (documentation for LMOs for contained use) and (c) (documentation for LMOs for intentional introduction). In Working Group I's discussions on the same day, the Secretariat introduced documents UNEP/CBD/ICCP/3/7 and 7/Add.1 and 2, which contain draft recommendations from the expert group meetings. On Monday and Tuesday, delegates provided initial comments on text in the recommendations where the expert groups had been unable to agree, and on Tuesday, Chair Pythoud formed a contact group, co-chaired by Eric Schoonejans (France) and Nematollah Khansari (Iran), to discuss outstanding issues from the expert groups' recommendations.

During Working Group I's initial discussion, Egypt and the EU highlighted the need to revisit other areas of the expert groups' text. A few countries supported retaining the recommendations without amendment. The EU and Norway stated that references to documentation should be mandatory. Delegates also discussed documentation templates, where several countries supported a stand-alone template, with Norway proposing additional templates. Others called for simplifying required information, and the US supported differentiating between required and non-required information.

Article 18.2(a) – LMO-FFPs: During Working Group I discussions, many supported unique identification for documentation, while others preferred a step-by-step approach over the two-year interim period. The US, with Australia, opposed additional information requirements that would go beyond the Protocol's provisions. Several countries supported clear and precise documentation. Argentina, with Brazil and Uruguay, stated that documentation requirements should not prevent commodity trade. Delegates also highlighted the relevance of Article 18.1 on avoiding adverse effects of LMOs and the urgent need to address issues regarding the phrase "may contain."

In the contact group, regarding the recommendation's two outstanding paragraphs, delegates discussed elements for future consideration, particularly language on clarifying "may contain" where the LMO is known, and unintentional/adventitious LMOs. After lengthy discussion, delegates were not able to agree on modifications to the expert group's recommendation, with some noting that additional information requirements extend beyond the Protocol's requirements and others noting that such a requirement merely reiterates the Protocol's text. Upon a request for alternative texts, Canada, the EU and later the Bahamas submitted separate proposals, which were discussed without reaching agreement.



During Working Group I discussions on Thursday, contact group Co-Chair Schoonejans presented a summary with an annex containing draft recommendations to be used as a basis for future consideration. Several delegations opposed using the summary to continue future discussions, while others supported including it in conjunction with the expert group's recommendation. Working Group I Chair Pythoud formed a "Friends of the Chair" group to help prepare UNEP/CBD/ICCP/3/WG.I/CRP.4/Rev.1, addressing Articles 18.2(a), (b) and (c), and including his summary of discussions on Article 18.2(a), as well as the expert group's recommendations. Delegates debated how the Chair's summary would be forwarded to the MOP, ultimately agreeing on a preambular reference. Norway requested that its concern regarding lack of time to address stand-alone templates be recorded in Working Group I's report.

Article 18.2(b) – LMOs for Contained Use: In Working Group I discussions, Australia and the US stated that the text of the Protocol only requires identification "as LMOs." Some delegates called for inclusion of the LMO's scientific or internationally used name, the nature of modification, intended use and unique identifier. The African Group noted implications on liability in cases of incomplete information. Mexico supported including information to enable searches in the BCH.

The contact group debated specific identification requirements. Some advocated information to include the LMO's name, with documentation stating "LMOs for contained use." Others said that such language would go beyond the Protocol's text and preferred that identification be limited to "LMO." After a lengthy discussion, the group reverted to the expert group's original text, bracketing paragraphs where there was no agreement.

Article 18.2(c) – LMOs for Intentional Introduction: In Working Group I, several countries supported making voluntary language on providing information "where available and applicable" mandatory. On a list of types of information that could be provided, Australia and the US supported deleting the proposed items. Egypt and Ethiopia stressed that Article 18.2(c) also covers LMOs in transit and pharmaceuticals not covered by other international processes.

In the contact group, delegates debated language on whether information provided should refer to "if available," "make available" or the original text of "where available and applicable." Delegates also addressed links to the BCH and lack of clarity regarding specific information requirements. After much discussion, the group reverted to the expert group's original recommendations, bracketing paragraphs where there was no agreement.

On Thursday, Working Group I delegates discussed UNEP/CBD/ICCP/3/WG.I/CRP.4, and debated the need for further deliberations. Chair Pythoud prepared UNEP/CBD/ICCP/3/WG.I/CRP.4/Rev.1, which was adopted by Working Group I later that day.

Recommendation: The final recommendation (UNEP/CBD/ICCP/3/L.11), adopted by the closing Plenary on Friday, notes that lack of consensus does not set aside obligations to implement Article 18.2. The section regarding Article 18.2(a) includes a preambular paragraph noting the different views expressed, as reflected in the annexed summary of the Chair of Working Group I, and submits the annexed report of the expert group on Article 18.2(a) for consideration by MOP-1.

The section on Article 18.2(b) and (c) notes the expert group's recommendation and lack of full review by ICCP-3.

The recommendation also submits more detailed guidance for consideration by MOP-1. On Article 18.2(b), it recommends information to be provided, including:

- clear identification as "LMOs," with brackets around specific reference to the organism's name and "as destined for contained use";
- specification of requirements for the safe, handling, transfer, packaging and use;
- a contact point for further information; and
- contact information for the individual or institution where the LMOs are consigned.

Regarding Article 18.2(c), the text recommends providing information on:

- clear identification as "LMOs";
- specification of identity and relevant traits/characteristics as identified through a brief description of the organism, and, in brackets, where available and applicable, a reference to a system of identification (e.g., harmonized code/unique identifier, notification under the AIA procedure, final decisions or notifications to the BCH), and other requirements in accordance with the LMO's regulatory status in the importing Party;
- any requirements for safe handling, storage, transport and use;
- a contact point for further information;
- contact information for the exporter and importer; and
- a declaration that the transboundary movement is in conformity with the Protocol's requirements applicable to the exporter.

The recommendation: urges governments to include information requirements into existing documentation practices, notwithstanding further work on stand-alone templates; encourages Parties to consider whether provision of additional information would facilitate implementation of Articles 18.2(b) and (c); and invites governments to examine unique identification systems. It requests the Executive Secretary to continue collecting information on relevant standards, practices and rules.

The recommendation also includes: an appendix with examples of templates for documentation under Articles 18.2(b) and (c); an annex with the report of the technical expert group on Article 18.2(a), as contained in UNEP/CBD/ICCP/3/7/Add.1; and an annex with a summary of discussions on Article 18.2(a) by the Chair of Working Group I.

MONITORING AND REPORTING: On Monday, during Plenary discussions, Chair Yang noted ICCP-2's consideration of a draft format for reporting and an invitation for comments on its further development. During Working Group I's discussions later that day, the Secretariat introduced UNEP/CBD/ICCP/3/8, noting a low level of government responses to the draft format for reporting. Several delegates supported the draft recommendation, underscored links with capacity building, and called for a clear format and deletion of repetitive questions. Grenada emphasized capacity building of SIDS, and Eritrea highlighted LDCs. The EU proposed a first report immediately after the Protocol's entry into force and subsequently every fourth year. Argentina and Japan stressed that the reporting format should not address information provided by the BCH.

On Wednesday, Working Group I Chair Pythoud introduced UNEP/CBD/ICCP/3/WG.I/CRP.1. With some calls for clarification on the timeframe for comments on the reporting format, delegates agreed to change the deadline from six to five months before MOP-1. The CRP was then adopted. The closing Plenary adopted the recommendation with the report of Working Group I.



Recommendation: The recommendation (UNEP/CBD/ICCP/3/L.2) encourages governments to submit views on the reporting format no later than five months prior to MOP-1, and requests the Executive Secretary to compile such comments with a view to further develop the reporting format.

CONSIDERATION OF OTHER IMPLEMENTATION

ISSUES: On Tuesday, Working Group I delegates made general statements concerning UNEP/CBD/ICCP/3/9 on other issues for implementation and 9/Add.1 on countries' views regarding the medium-term work programme. Canada said the mechanisms proposed by the ICCP Bureau should be inclusive and transparent with a broad scope and mandate. Australia and the US did not favor new or potential mechanisms. The EU and others supported the proposed mechanisms, with Switzerland supporting establishment of a standing advisory board to provide guidance to the MOP. Norway urged addressing the issue of transboundary movement of LMOs between Parties and non-Parties before the Protocol's entry into force, and suggested using proposals contained in UNEP/CBD/ICCP/3/INF/7 on countries' views on other issues for implementation, as a basis for discussion.

Australia said there is no need to reach agreement on the medium-term work programme since it will be decided by MOP-1, and with Canada, did not support considering notification and risk assessment at MOP-2. The EU proposed developing guidance on relations between Parties and non-Parties, and Mexico supported developing a risk assessment framework.

On Wednesday, Chair Pythoud summarized three main areas for discussion: proposed mechanisms; the medium-term work programme; and identification of key issues. Argentina and China called for use of existing mechanisms, with Argentina prioritizing work on capacity building and the BCH.

On Thursday, Working Group I considered a Chair's text (UNEP/CBD/ICCP/3/WG.I/CRP.3). With regard to a footnote relating to issues on unique identification and risk assessment and management, the EU suggested, and Australia opposed, changing the footnote to an operative paragraph. GRULAC suggested language requesting MOP-1 to consider measures to assist developing countries and countries with economies in transition in adhering to the Protocol. The EU did not agree to such addition. Australia suggested, and Ethiopia opposed, deleting a paragraph recommending that MOP-1 consider and provide guidance relating to transboundary movement between Parties and non-Parties. This whole paragraph was bracketed.

In Working Group I's afternoon session, Chair Pythoud presented a revised text contained in UNEP/CBD/ICCP/3/WG.I/CRP.3/Rev.1. Delegates debated and agreed to bracket a paragraph relating to development of unique identification systems for LMOs. Delegates agreed to a new paragraph proposed by Brazil, and amended by the EU, that recognizes the need to assist developing countries and countries with economies in transition to adhere to the Protocol. The revised text was approved with these amendments.

On Friday, in the closing Plenary, the draft recommendation was adopted with minor amendments with the report of Working Group I.

Recommendation: The recommendation (UNEP/CBD/ICCP/3/L.8) requests MOP-1 to utilize mechanisms under the Protocol or the CBD to consider technical and scientific issues associated with implementation, and to seek draft guidance or clarification for the MOP's consideration. It notes the request expressed by some countries for further guidance on certain issues, in particular transboundary movements of LMOs between Parties and non-Parties under Article 24 (Non-Parties), and categorization of LMOs. It further notes that some

countries do not consider there to be a need for further clarification of provisions of the Protocol at this stage, including Article 24; and invites governments to provide information on domestic laws, regulations or guidelines regarding the application of Article 24 by the Protocol's entry into force.

It recommends that MOP-1 consider and provide guidance regarding transboundary movement between Parties and non-Parties for achieving the Protocol's objectives through, *inter alia*: measures to encourage non-Parties to adhere to the Protocol and to contribute appropriate information to the BCH; measures to assist Parties to address cases where non-Parties have not implemented a national biosafety framework consistent with the Protocol's objectives; and measures to enter into bilateral, regional and multilateral agreement and arrangements with non-Parties. The recommendation also calls upon countries to ratify, accept, approve, or accede to the Protocol, and recognizes the need to assist developing countries and countries with economies in transition to adhere to the Protocol.

ENTRY INTO FORCE: On Friday, the closing Plenary adopted a recommendation submitted by the ICCP Bureau on the Protocol's entry into force, which was adopted with minor amendments.

Recommendation: The final text (UNEP/CBD/ICCP/3/L.4) calls on Parties to ratify the Protocol and to provide financial resources for preparatory intersessional meetings.

CLOSING PLENARY

On Friday, ICCP Chair Yang opened the closing Plenary and highlighted the recent 17th ratification of the Protocol by Bolivia. Presenting the results of a survey on the status of ratification, he said that out of 82 responses: five countries indicated that they had ratified but not yet deposited their instruments; 22 intended to ratify before the WSSD; 21 planned ratification before the end of 2002; and five planned to ratify before April 2003. He stressed the Protocol's possible entry into force before the end of 2002, and that MOP-1 may be held in 2003.

Working Group I Chair Pythoud introduced Working Group I's report (UNEP/CBD/ICCP/3/L.12), which the Plenary adopted with minor amendments. Working Group II Chair Ghosh introduced Working Group II's report (UNEP/CBD/ICCP/3/L.13). After some debate, the Plenary added a paragraph reflecting statements by some delegates regarding ICCP-2's report on elements under discussion on compliance, and adopted the report with minor amendments.

Antonietta Gutiérrez Rosati (Peru) presented the meeting's report (UNEP/CBD/ICCP/3/L.1). India and Japan requested full record of their statements made during the meeting. GRULAC requested a record of its statement with regard to liability and redress, and capacity building. The EU noted disappointment with slow pace of progress and stressed that they do not necessarily endorse or support the recommendations and Working Group I Chair's summary on Article 18.2. Argentina, Brazil, Chile and Uruguay requested recording that measures, as contained in Annex II of the recommendation on compliance, exceed the Protocol's mandate and would not encourage developing countries to participate in the Protocol's initial stages. Australia stressed technical activities by importers and exporters, and urged importing countries to establish domestic legislation, further noting that information requirements would hinder trade in LMOs and increase costs in all markets, but would not protect the environment. With these additions and other minor amendments, the report was adopted.



Chair Yang then introduced UNEP/CBD/ICCP/3/L.3, a tribute to the Government and people of the Netherlands, which was adopted. Chair Yang highlighted the achievements of the ICPC process, particularly in the areas of information sharing and capacity building, and with others thanked the participants, working group and contact group Chairs, the Secretariat, support staff, interpreters and the Government and people of the Netherlands.

Ethiopia presented a resolution from the African Group regarding information-gathering activities by the Secretariat on genetic contamination of centers of origin and diversity. Several countries noted a lack of time to consider the proposal, and it was recorded in the meeting's report. Brazil, on behalf of GRULAC, Egypt, on behalf the African Group, Grenada, on behalf of SIDS, Iran, on behalf of the Asia and Pacific Group, Spain, on behalf of the EU, as well as Ethiopia, India, New Zealand and Switzerland, made closing statements. Dutch NGOs noted public support for testing and labeling of LMOs, and expressed concerns about the economic interests underlying the promotion of biotechnology. Greenpeace presented sunflowers to countries having ratified or acceded to the Protocol.

Paul Chabeda, on behalf of UNEP Executive Director Klaus Töpfer, highlighted the successes of the ICPC process. CBD Executive Secretary Hamdallah Zedan stated that the ICPC had laid the groundwork for the MOP and, highlighting the pace of ratifications, expressed optimism about the Protocol's entry into force before the end of the year. ICPC Chair Yang officially adjourned the meeting at 2:00 pm.

A BRIEF ANALYSIS OF ICPC-3

ICPC-3 commenced its deliberations in the shadow of COP-6's closing Plenary's heated discussions on the meaning of consensus and pending CBD voting rules. This prelude, along with fatigue for some delegates from two weeks of negotiations, created a somewhat disconsolate atmosphere, which contrasted sharply with the more constructive and non-confrontational tone of prior ICPC meetings. Many noticed that countries made sure, from the meeting's beginning to end, that their objections were clearly voiced, recorded and recognized throughout the meeting's reports, recommendations and annexes. Thus, ICPC-3 became a game of placing political markers to establish optimal positions regarding what text is bracketed or open for further discussion in anticipation of decisions by the MOP.

The lack of uniform political urgency to resolve outstanding issues and the inflexibility of negotiating positions had some participants commenting on the end of the "Montpellier spirit" and the Protocol's brief honeymoon period since its adoption. This was especially apparent in the most contentious issues, such as identification and compliance, where the week-long negotiations resulted in bracketed texts very similar to the texts they started with. This brief analysis will focus on the issues of documentation and identification, compliance, liability and redress, capacity building and information sharing, and will examine questions of process and substance. It will then address steps ahead for the Protocol's entry into force.

DOCUMENTATION AND IDENTIFICATION

It was clear that discussions on documentation requirements were not going to be easy, especially since documentation for LMO-FFPs was the very final element agreed upon during the Protocol's negotiations. Most delegates acknowledged the significant contribution of the two technical expert groups, which laid the groundwork for recommendations on documentation issues under Article 18.2. However, just

as the expert groups did not reach consensus on specific documentation requirements or their mandatory vs. voluntary nature, neither could discussions in Working Group I, its contact group or the "Friends of the Chair" group. Some greeted with laughter a suggestion for another technical expert group, noting that, to date and for the foreseeable future, such intersessional meetings would include the same people and produce the same results.

The central point of debate returned to interpretation of the Protocol's language in Article 18.2, with former Miami Group members taking a strict interpretation in terms of identifying shipments of LMO-FFPs as "may contain LMOs," and LMOs for contained use simply as "LMOs." Others, including the African Group and the EU, have taken a broader interpretation of the Protocol's language to include requirements on particular names, modifications and potential unique identifiers. These two perspectives were evident as those supporting a wider view worked to maintain existing and include additional options, most particularly in the Chair's summary of negotiations on Article 18.2, whereas those supporting a more limited approach generally urged focus on and support for the expert groups' draft recommendations.

COMPLIANCE

Lengthy debates on the functions and procedures of a compliance mechanism revealed the difficulty in finding the balance between the Protocol's requirement to establish the mechanism by MOP-1 and the need for time to address its inherent complexities and implications. Frustration was evident over the still-bracketed text on issues such as who could trigger the compliance mechanism and measures to address non-compliance. This was not surprising, given the complexity and volume of work experienced in developing compliance mechanisms under other multilateral environmental agreements. Language on the different capacities of Parties to comply represents a step forward, as it accommodates concerns of developing countries with undeveloped regulatory and institutional frameworks.

Political positioning on the issue was evident during closing Plenary discussions, where delegates debated whether the draft procedures and mechanisms on compliance would still be open for discussion at MOP-1. Some delegations noted that, from a legal point of view, a recommendation would remain open until its adoption by the MOP. Others feared that the attempt to introduce the views of a few countries in the meeting's report in the form of an undiscussed general statement, implied bad faith and undercut the Protocol's future. They also wondered if those few countries would be present at MOP-1 to discuss the text they made sure would remain under discussion.

LIABILITY AND REDRESS

In accordance with the ICPC's mandate, discussions on liability focused on process rather than substance. There was much support for information-gathering exercises, although for different reasons. Developing countries welcomed information to establish or revise national regimes for immediate application. In contrast, some developed countries stressed the complexity of establishing an international liability regime, underscoring not just the legal issues involved but also the different approaches taken in national instruments. Some participants could not help noticing that those stressing the complexity of establishing an international regime had also argued, during the Protocol's negotiations, that the issue should be addressed under national law. Many cautioned that continued information gathering could result in delaying substantive work on a liability regime.



Delegates debated at length the contents of the annexed questionnaire, as requests for information on substantive issues were considered by some to exceed the ICCP's mandate. The recommendation's adoption and the attached questionnaire's adoption was an initial step forward in developing common understandings on the eventual structure and content of the future liability regime.

CAPACITY BUILDING AND THE BIOSAFETY CLEARING-HOUSE

The issues of capacity building and information sharing through the BCH did not generate the attention that they had in earlier meetings. Although some developing country delegates regretted lack of progress in drafting specific language on capacity-building measures, such as national and regional workshops, while other participants noted that ongoing activities may have decreased the overall focus on these areas. Additionally, discussions on the issue of scientific cooperation and capacity building for identification of LMOs continued to highlight gaps between the Protocol's obligations and many countries' ability to develop the necessary regulatory, legislative and institutional structures and facilities. Finally, most were confident that the BCH would be fully functional at the Protocol's entry into force, although questions still abound about its operation through national nodes and links to customs and border authorities.

FUTURE PROSPECTS

Overall, lack of progress on the most contentious issues suggested that the ICCP has run its course, generally foreclosing any possibility of an ICCP-4. Most were optimistic that the Protocol would enter into force within the year, especially given the Secretariat's report on the status of ratification and the Protocol's expected profile at the WSSD. With the positions on outstanding issues even more clearly defined, those who placed their stakes at this meeting have a strong incentive to ensure that they are part of MOP-1's decision-making process. With the resurrection of positions and group dynamics evident during the Protocol's negotiation, the MOP is now the critical step in moving from process to substance, although it remains to be seen who will be at the negotiating table.

THINGS TO LOOK FOR

FOURTH SESSION OF THE PREPARATORY

COMMITTEE FOR THE WSSD: PrepCom IV will take place from 24 May-7 June 2002, in Bali, Indonesia. Regional group consultations are scheduled for 24 May and informals for 25-26 May. For more information, contact: Andrey Vasilyev, DESA; tel: +1-212-963-5949; fax: +1-212-963-4260; e-mail: vasilyev@un.org; Major groups contact: Zehra Aydin-Sipos, DESA; tel: +1-212-963-8811; fax: +1-212-963-1267; e-mail: aydin@un.org; Internet: <http://www.johannesburgsummit.org/>

INTRODUCTION TO BIOSAFETY AND RISK ASSESSMENT FOR THE ENVIRONMENTAL RELEASE OF GMOs: This workshop will take place in Trieste, Italy, from 3-7 June 2002. For more information, contact: the International Centre for Genetic Engineering and Biotechnology, Programme and Training Unit; tel: +39-

040-3757-333; fax: +39-040-2265-555; e-mail: courses@icgeb.trieste.it; Internet: <http://www.icgeb.trieste.it/biosafety>

WORLD FOOD SUMMIT – FIVE YEARS LATER: This meeting will take place from 10-13 June 2002, in Rome, Italy. For more information, contact the FAO; tel: +39-06-5705-3852; fax: +39-06-5705-55249; e-mail: food-summit@fao.org; Internet: <http://www.fao.org/worldfoodsummit>

WORLD SUMMIT ON SUSTAINABLE DEVELOPMENT: The WSSD will take place from 26 August - 4 September 2002, in Johannesburg, South Africa. For more information, contact: Andrey Vasilyev, DESA; tel: +1-212-963-5949; fax: +1-212-963-4260; e-mail: vasilyev@un.org; Major groups contact: Zehra Aydin-Sipos, DESA; tel: +1-212-963-8811; fax: +1-212-963-1267; e-mail: aydin@un.org; Internet: <http://www.johannesburgsummit.org/>

SEVENTH CONFERENCE OF THE PARTIES TO THE CONVENTION ON MIGRATORY SPECIES: COP-7 to the CMS will take place from 18-24 September 2002, in Bonn, Germany. For more information, contact the CMS Secretariat; tel: +49-228-815-2401/2; fax: +49-228-815-2449; e-mail: cms@unep.de; Internet: <http://www.wcmc.org.uk/cms>

TWELFTH CONFERENCE OF THE PARTIES TO CITES: This meeting will take place in Santiago, Chile, from 3-15 November 2002. For more information, contact: the CITES Secretariat; tel: +41-22-917-8139; fax: +41-22-797-3417; e-mail: cites@unep.ch; Internet: <http://www.cites.org>

EIGHTH CONFERENCE OF THE PARTIES TO THE RAMSAR CONVENTION: This meeting will take place in Valencia, Spain, from 18-26 November 2002. For more information, contact: Dwight Peck, Executive Assistant for Communications, Ramsar Convention Secretariat; tel +41-22-999-0170, fax +41-22-999-0169; e-mail: peck@ramsar.org; Internet: <http://www.ramsar.org>

EIGHTH MEETING OF THE CBD'S SBSTTA: SBSTTA-8 is scheduled to take place in Montreal, Canada, in March 2003. For more information, contact: the CBD Secretariat; tel: +1-514-288-2220; fax: +1-514-288-6588; e-mail: secretariat@biodiv.org; Internet: <http://www.biodiv.org>

SEVENTH CONFERENCE OF THE PARTIES TO THE CBD: This meeting is scheduled to take place in Kuala Lumpur, Malaysia, in the first quarter of 2004. For more information, contact: the CBD Secretariat; tel: +1-514-288-2220; fax: +1-514-288-6588; e-mail: secretariat@biodiv.org; Internet: <http://www.biodiv.org>

FIRST CONFERENCE OF THE PARTIES SERVING AS THE MEETING OF THE PARTIES TO THE CARTAGENA PROTOCOL ON BIOSAFETY: MOP-1 will be held in conjunction with an extraordinary COP if the Protocol enters into force within a year, or in conjunction with CBD COP-7 in 2004, if later. For more information, contact: the CBD Secretariat; tel: +1-514-288-2220; fax: +1-514-288-6588; e-mail: secretariat@biodiv.org; Internet: <http://www.biodiv.org>