



HIGHLIGHTS OF ICCP-1: MONDAY, 11 DECEMBER 2000

The first Meeting of the Intergovernmental Committee for the Cartagena Protocol on Biosafety (ICCP) began its deliberations, as delegates heard opening statements, considered organizational and inter-sessional work and addressed information-sharing and capacity building in Plenary. During the afternoon, two working groups convened to further consider information-sharing and capacity building.

PLENARY

OPENING STATEMENTS: ICCP Chair Amb. Philémon Yang (Cameroon) thanked the French government for hosting the meeting. He recalled that the Cartagena Protocol was adopted in Montreal in January 2000 after nearly five years of negotiation, and recognized the efforts of Veit Koester (Denmark) and Juan Mayr Maldonado (Colombia), in its completion. He noted the Protocol has been signed by 80 countries and ratified by Bulgaria and Trinidad and Tobago, and called for a continuation of mutual trust in ensuring its implementation. He then officially opened the meeting.

Georges Freche, Mayor of Montpellier, welcomed participants and noted Montpellier's long history at the crossroads of agronomy and medicine, which are key areas of biotechnology. He stressed the need to have faith in a science not deprived of conscience. He expressed his hope that a Montpellier Statement could be crafted to contribute to this process.

The French Minister of Environment, Dominique Voynet, said that new biotechnologies bring hopes for the production of therapeutic substances, and fears of the risk to health and the environment. She contested the legitimacy of manipulating life-forms when not in the public interest, and noted public concern over agricultural dependence on a few biotechnology companies. She highlighted the importance of the Cartagena Protocol for developing common rules on trade of LMOs, the application of the precautionary principle and the possibility for developing countries to make decisions based on scientific expertise. She emphasized the significance for the EU of identifying and labeling LMOs, and noted that France would not accept any LMO authorization before traceability systems are fully implemented. She also noted the urgency of establishing a liability regime.

Executive Director of UNEP, Klaus Töpfer, described adoption of the Cartagena Protocol as a milestone event. He emphasized the importance of the Protocol's provisions on the precautionary approach and capacity building, and welcomed the GEF Council's approval of \$26 million to help establish biosafety systems in over 100 countries. He also highlighted the need for greater private sector involvement and accountability, and urged countries to enhance public access to biosafety information.

CBD Executive Secretary Hamdallah Zedan thanked governments making financial contributions and expressed hope that the Biosafety Clearing-House (BCH) should be launched no later than the Protocol's entry into force.

ORGANIZATIONAL MATTERS: Chair Yang introduced the provisional agenda as contained in UNEP/CBD/ICCP/1/1, which was adopted. The Plenary agreed that Antonieta Gutiérrez Rosati (Peru) would serve as the meeting's rapporteur and that work would be divided between two working groups. Working Group I (WG-I), to be chaired by François Pythoud (Switzerland), would cover information-sharing; and handling, transport, packaging and identification; and Working Group II (WG-II), to be chaired by Mohammad Reza Salamat (Iran), would address capacity building; decision-making procedures; and compliance.

REPORT ON INTER-SESSIONAL WORK: CBD Executive Secretary Hamdallah Zedan introduced his report on inter-sessional work (UNEP/CBD/ICCP/1/2) regarding: designation of ICCP focal points; information on national and regional programmes for regulating LMOs and technical assistance; preparatory work on the BCH, including the Meeting of Technical Experts (11-13 September 2000); the establishment of the roster of experts in fields relevant for risk assessment and management; the status of signatories and ratifications; and designation of national competent authorities.

ARGENTINA, INDONESIA and URUGUAY highlighted relevant national experience and/or information on focal points and competent authorities. The THIRD WORLD NETWORK (TWN), on behalf of eight NGOs, said the need for biotechnology has to be questioned, asked for a moratorium for all LMO releases into the environment and called for consideration of liability issues.

INFORMATION-SHARING & CAPACITY BUILDING: Chair Yang then opened the floor for initial comments on information-sharing and capacity building. Several countries highlighted the importance of both issues for effective implementation of the Protocol. ETHIOPIA advocated, *inter alia*: transparency in the biotechnology industry's involvement in capacity building; legislation that adheres to regional ecosystems; a system of identifying and testing LMOs; and awareness-raising for law enforcement. The GLOBAL INDUSTRY COALITION supported cooperation between governments and the private sector, and announced the creation of their website on biosafety links. The GEF introduced its initial biosafety strategy (UNEP/CBD/ICCP/1/INF/2) and emphasized that the strategy will: be kept under review taking into account ICCP discussions; ensure country ownership; develop clear milestones; and deliver progress reports to the ICCP.

BRAZIL, FRANCE on behalf of the EU and the US noted the importance of making the BCH operational to assist countries in making informed decisions. The US called for definition of capacity building needs and practical approaches to meeting them.

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The OFFICE INTERNATIONAL DES EPIZOOTIES noted its relevance to the Protocol in the area of genetically modified pharmaceuticals for animals.

AUSTRALIA reported on its new Gene Technology Act and stressed complementarity in implementing the Protocol and WTO obligations. CHILE and TURKEY noted the priority of centers of origin and genetic diversity. CHILE called for appropriate methodologies based on country needs and support for focal points and regional efforts. KENYA noted the different levels of biosafety and capacity building requirements among developing countries. ANTIGUA AND BARBUDA, on behalf of Small Island Developing States (SIDS), highlighted risk management for SIDS and complementing regulatory and legislative development with appropriate technical and scientific capacity.

WORKING GROUP I

WG-I Chair Pythoud introduced the agenda item on information sharing and documents UNEP/CBD/ICCP/1/3 and UNEP/CBD/ICCP/1/3/Add.1. Delegates expressed appreciation for the report of the Meeting of Technical Experts on the BCH and emphasized the BCH's importance for implementing the Protocol. Many countries endorsed establishing a pilot phase for the BCH which would, *inter alia*, include information about regulatory frameworks, national focal points and LMO approvals. TURKEY noted that information sharing should facilitate national rather than regional decision-making. CANADA emphasized that the pilot phase was intended to identify problems and develop solutions. He noted the urgent need to take operational decisions to launch the pilot phase. The EU called for the BCH to be administered separately from the CBD's Clearing-House Mechanism. INDIA emphasized having a central portal to share information, and, with the PHILIPPINES, the need for capacity building to facilitate electronic access. KENYA, on behalf of the African Group, and the US emphasized the need for adequate developing country participation in developing the BCH. KENYA and TUNISIA emphasized the need for an open and transparent process. Many countries highlighted the link between capacity building and information sharing. GRENADA and JAMAICA called for special reference to the needs of least developed and small island states in accessing the BCH. ARGENTINA noted that capacity building was needed to provide information to the BCH. JAMAICA and JAPAN supported the BIO-BIN system. The EDMONDS INSTITUTE differentiated between capacity building in biosafety, and capacity building for electronic database systems.

Regarding the focus of the pilot phase, CHINA called for a timetable. The EU called for elaboration of objectives and priorities. CUBA, with CANADA, called for submission and certification of information from non-Parties. CANADA, INDONESIA and JAMAICA supported a decentralized approach. VENEZUELA said that bioethics and economics should be reflected in the roster of experts and advocated an early warning system. Delegates debated limiting use of the UN languages. KENYA emphasized the importance of consistent definitions.

The UKRAINE suggested elaboration of rules for confidential information. The EU emphasized that no information submitted to BCH should be considered confidential. TURKEY highlighted the need for countries to have sufficient information to take decisions on LMO-FFPs. NORWAY stressed a potential for conflict between protecting confidential information and setting up identification systems for LMOs. The EDMONDS INSTITUTE requested noting where confidential information had been withheld, and including contact data to obtain more information. The EU emphasized the need for an expert group on information technology and biosafety to monitor and review the pilot phase, and to report regularly to the ICCP's bureau. Chair Pythoud invited countries to submit written proposals on the BCH pilot phase.

WORKING GROUP II

WG-II Interim Chair P.K. Ghosh (India) introduced the agenda item on capacity building. The CBD Secretariat introduced background document UNEP/CBD/ICCP/1/4 and relevant information

documents. The GEF drew attention to its initial biosafety strategy including: establishing national biosafety frameworks; promoting information sharing and collaboration at regional and sub-regional levels; and promoting coordination among other organizations. UNEP presented the GEF/UNEP project for developing national biosafety frameworks, noting the subject's complexity and the extensive consultative process during its preparation. Many delegates welcomed the GEF/UNEP project. ETHIOPIA and INDIA called for expansion of the project's steering committee beyond intergovernmental organizations.

Numerous countries supported regional and sub-regional efforts, although several cautioned that capacity building efforts should focus on national priorities, from which regional and sub-regional efforts can be developed. BRAZIL, INDIA and NEW ZEALAND highlighted regional cooperation based on common ecosystems and characteristics. CANADA proposed developing a system supporting national decision-making and regionally-based risk assessment activities using regional centers of excellence. AUSTRALIA, the EU, JAPAN and MEXICO called for a list of capacity building priorities, while CANADA and the US highlighted prioritization and sequencing. NORWAY and AUSTRALIA cautioned that no single model could cover all national situations.

Regarding capacity building priorities, countries mentioned, *inter alia*: socioeconomic capacity; human and institutional resources for risk assessment and risk management; facilitation of import procedures; existing national procedures, such as quarantine measures; regulatory and border control systems; integration of efforts regarding invasive species, and efforts under the International Plant Protection Convention and the WTO's Agreement on Sanitary and Phytosanitary Measures; the BCH and access to and exchange of information; technology transfer; implementation of decisions; and post-approval monitoring and review. INDIA, with TOGO and UGANDA, highlighted inclusion of socioeconomic capacity and emphasized the need to make informed decisions without relying on borrowed knowledge.

Regarding the roster of experts, several countries called for clarification of, *inter alia*, its structure, scope, transparency and regional balance, along with the credentials and nomination of experts. The EU and the US noted the difference between capacity building for improving biosafety and utilizing biotechnology, and the US suggested that the roster could address both needs. ARGENTINA, INDONESIA and TOGO stressed the need for information distribution and public awareness. The US highlighted cooperation with the private sector. SENEGAL and UGANDA stressed the role of local communities. TWN highlighted the role of civil society in monitoring and feedback. The COOK ISLANDS and HAITI emphasized the priorities of SIDS. DENMARK highlighted the development of a guide to the Protocol by IUCN. Several countries noted the importance of training programs and workshops.

IN THE CORRIDORS

Several delegates noted the meeting's positive and congenial mood, hoping for an end to the divisiveness that characterized the resumed ExCOP in Montreal and COP-5's discussions on the ICCP's agenda. Some thought that capacity building could be the meeting's most contentious issue, given its centrality to an effectively functioning Protocol, and the fact that it relates to the ever touchy topic of funding.

THINGS TO LOOK FOR

WORKING GROUP I: WG-I will meet at 10:00 am in the Pasteur Hall to discuss written proposals on the BCH pilot phase, and begin discussing handling, transport, packaging and identification.

WORKING GROUP II: WG-II will meet at 10:00 am in the Berlioz Hall to continue discussing capacity building.