

COP/MOP 6 HIGHLIGHTS: THURSDAY, 4 OCTOBER 2012

On Thursday, the budget group and contact groups on socio-economic considerations and risk assessment met throughout the day. WG I met in the afternoon to finalize discussions on: unintentional transboundary movements of LMOs; notification requirements; HTPI; and socio-economic considerations.

WG II met in the morning and evening to discuss draft decisions on: monitoring and reporting; assessment and review; capacity building; the BCH; and risk assessment and risk management.

WORKING GROUP I

UNINTENTIONAL TRANSBOUNDARY MOVEMENTS OF LMOs: Delegates approved the revised draft decision without amendment.

NOTIFICATION REQUIREMENTS: Delegates resumed discussion on text related to the quick-link tool after informal consultations. The AFRICAN GROUP proposed amended text based on COP/MOP decision BS-V/2 (Operations and Activities of the BCH), inviting parties to consider the implementation of the tool by their relevant national agencies. Delegates agreed to this proposal and to also maintain reference to the tool in the preamble.

HTPI: Delegates agreed to delete references to the quick-link tool in preambular and operational text and approved the draft text without further amendment.

SOCIO-ECONOMIC CONSIDERATIONS: Delegates welcomed a draft decision reflecting broad consensus reached during the contact group discussions. The REPUBLIC OF KOREA indicated readiness to co-sponsor a meeting of the proposed AHTEG. NORWAY said it will explore the possibility of contributing to an AHTEG. PARAGUAY urged parties to enable participation of eight experts per region.

Regarding a bracketed reference “urging” parties to contribute to an AHTEG, JAPAN proposed to instead use the operative term “invites” and delegates agreed to Brazil’s proposal to use “encourages.” ETHIOPIA asked to refer to a list of documents the Secretariat should use as indicative, by stating that information be compiled “on the basis of, but not limited to” the sources listed. COLOMBIA urged to keep the list exhaustive since the information listed was sufficient to complete the task.

Chair Verleye asked parties to consult informally on this issue so it could be resolved during the closing plenary.

WORKING GROUP II

MONITORING AND REPORTING: The EU suggested removing reference to the review of the revised reporting format by the AHTEG on the Strategic Plan and evaluation of the effectiveness of the Protocol.

Delegates adopted the draft decision with this amendment.

ASSESSMENT AND REVIEW: The EU said commissioning a consultant to develop a methodological approach for the third assessment should be subject to availability of funds. The EU also suggested inviting parties to submit views on this approach, and requesting the Secretariat to review the approach “in light of views received.”

Delegates approved the draft decision with these amendments.

CAPACITY BUILDING: Status of capacity building activities: ECUADOR, with GUATEMALA, suggested forwarding the text on GEF support for parties to implement the Framework and Action Plan for Capacity-Building to the budget group. On inviting donor countries, agencies and organizations to provide capacity support on biosafety issues, the EU urged this be subject to the availability of funds.

The draft decision was approved with these amendments.

Roster of Experts: Delegates agreed to a proposal by the EU to include text stating that the roster’s mandate can be expanded, upon request, to meet capacity-building needs of developing countries and countries with economies in transition.

Delegates agreed, and the draft decision was approved as amended.

BCH: Reporting on informal consultations on extending BCH functionality to promoting public awareness, the EU said the text should either be deleted or further elaborated since the request to the Secretariat was unclear. BENIN suggested referring to “relevant stakeholders” rather than a list of personnel who would use the BCH promotion tools. Delegates accepted a compromise proposal submitted by the EU and COLOMBIA to “encourage greater use of the BCH to further promote and facilitate public awareness, education and participation of relevant stakeholders regarding the use of LMOs.”

Delegates approved the draft decision with these and other amendments.

FINANCIAL MECHANISM AND RESOURCES: The AFRICAN GROUP proposed that delegates consider the request to the Executive Secretary to discuss with GEF the possibility of opening a special financial support window for Protocol implementation. Delegates agreed to informally discuss this



issue together with the bracketed references to national priorities under GEF-STAR allocations and the need to include biosafety financing as part of sustainable development financing. After informal discussions, the EU reported that delegates had agreed to remove the brackets around these three issues.

NORWAY reported that the parties involved in informal discussions on inclusion of socio-economic considerations in the four-year outcome-oriented framework of programme priorities for biodiversity had reached an impasse.

Delegates decided to forward the revised draft decision to plenary leaving this reference in brackets.

RISK ASSESSMENT AND RISK MANAGEMENT: In the evening, Co-Chair Gaugitsch reported on the contact group's work to resolve outstanding issues on risk assessments and management, remarking that all items have been agreed upon. During the discussion on the revised draft decision text, the text was reopened, with BRAZIL, opposed by BOLIVIA, proposing that the results from testing the guidance be "gathered and compiled" instead of "gathered and analyzed."

Discussions continued into the night.

CONTACT GROUPS

BUDGET: Delegates heard a report about unpaid contributions and discussed possible measures to encourage parties to pay their contributions, ranging from the Executive Secretary sending letters, to not allowing countries in arrears to serve as Bureau members. The latter was opposed by several delegates. They also discussed the surplus, and which part could be used towards the upcoming budget without depleting it entirely or causing problems for the Secretariat.

The Secretariat presented three options for the budget extended to 2015, to accommodate the possibility that the COP and therefore the COP/MOP would move to a three-year interval. Delegates noted that the decision about periodicity of meetings would have to be taken by the COP and that therefore the COP/MOP had to prepare an option to continue the budget to 2015 so that operations under the Protocol could continue. On the draft decision, delegates discussed wording that would involve presenting the usual two-year budget with a provision for extension to 2015, if COP decided to change the periodicity of meetings.

SOCIO-ECONOMIC CONSIDERATIONS: Delegates considered a revised Co-Chairs' text. They agreed to establish an AHTEG, but disagreed on whether it would work on further development of "guidance" or "guidelines" regarding socio-economic considerations. Some countries argued that the Strategic Plan refers to guidance and decisions should not prejudge future decisions. Others noted that the Strategic Plan already contemplates the development of guidelines as an outcome under socio-economic considerations, with one country suggesting that not referring to "guidelines" would be tantamount to reversing the previous decision. Delegates resolved the issue by changing the reference to guidelines to "objectives and outcomes." Delegates also discussed whether to "invite" or "encourage," rather than "urge" parties to provide financial support for the AHTEG. Numerous countries expressed concern about adequate representation in the AHTEG, both for individual countries, as well as for indigenous and local communities and non-parties. The issue was further discussed informally.

RISK ASSESSMENT: Delegates discussed the terms of reference for the open-ended online forum and AHTEG on Risk Assessment and Risk Management. Regarding the AHTEG's mandate, one delegate cautioned against the simplification of parties' capacity needs for testing the guidance, and delegates

accepted text indicating that the AHTEG would assist the Executive Secretary in his task of structuring the guidance and facilitating its testing.

Some delegates said that new topics for guidance should be limited to LMOs that have already been released into the environment. Others objected to their development until the present guidance has been tested and validated, adding that it was premature to develop an educational manual before validation. A developing country delegate suggested asking an expert panel to develop future guides. Delegates agreed to use "consider the development of guidance on new topics" and to remove reference to specific topics and timelines.

Co-Chair Gaugitsch proposed new text regarding the future of the Online Forum and the AHTEG, which called for extending the Online Forum and establishing a new AHTEG in accordance with the annexed terms of reference. Regarding the AHTEG's composition, he pointed to the existing nomination procedure for AHTEGs. Some developing countries expressed concern that a new AHTEG will lead to a loss of institutional memory regarding compilation of the Guidance, while others welcomed the proposal.

On updating background documents, delegates agreed to establish an online group that: consists of three members from each region; operates in a transparent manner; and is moderated to ensure efficiency.

IN THE CORRIDORS

Delegates still struggled to come to terms with a seemingly insurmountable conundrum with regard to the guidance on risk assessment. While many parties think that the guidance must be endorsed in order to be tested, others maintain that the testing must be completed before the guidance can be endorsed. While the contact group attempted to wordsmith a way around this conundrum by discussing proposals such as "welcoming" or simply "noting" the guidance, conversations in the corridors turned towards analyzing the deeper roots of the impasse. One delegate suggested there may be confusion around what exactly is being endorsed when the object of discussion is a "living document;" – a process or a final outcome? Despite the voluntary status of the guidance, some parties are seemingly reluctant to endorse something that is designed to change before it is put to use. Others speculated that, depending on a country's capacity and experience in risk assessment, they may have very different applications for the guidance in mind. Those who have capacity and experience seek a simple, flexible framework that can be adapted to their needs – those who have neither are looking for a detailed, hands-on toolkit enabling them to conduct risk assessments in the first place.

Delegates were also wondering when and where COP/MOP 7 would take place. Persistent rumor has it that the Republic of Korea has offered to host the meeting; what seems more up in the air is whether the meeting will take place in 2014 or 2015. Moving from a two to a three year intersessional period was first touted as a budget-saving measure, but turned more into a nightmare for the budget group, as they were trying to figure out how to structure a budget to build in the eventuality of a COP/MOP in 2015 without leaving the Secretariat dry in the interim.

ENB SUMMARY AND ANALYSIS: The *Earth Negotiations Bulletin* summary and analysis of COP/MOP 6 will be available on Monday, 8 October 2012 online at: <http://www.iisd.ca/biodiv/bs-copmop6/>