

Decision Adopted by The Conference of the Parties to The Convention on Biological Diversity at the resumed session of its first extraordinary meeting

MONTREAL, CANADA, 24–29 JANUARY 2000

DECISION EM-1/3 | Adoption of the Cartagena Protocol and interim arrangements

The Conference of the Parties,

Recalling paragraph 3 of Article 19, by which the Parties are required to consider the need for and modalities of a protocol setting out appropriate procedures, including, in particular, advance informed agreement, in the field of the safe transfer, handling and use of any living modified organism resulting from biotechnology that may have adverse effects on the conservation and sustainable use of biological diversity,

Recalling its decision II/5 on consideration of the need for and modalities of a protocol for the safe transfer, handling and use of living modified organisms, by which it agreed to begin a negotiating process to develop a protocol to address the concerns of Parties on those matters,

Noting the reports of the six sessions of the Open-ended Ad Hoc Working Group on Biosafety,

Noting the valuable informal preparatory work carried out under the chairmanship of His Excellency Juan Mayr Maldonado in Montreal on 1 July 1999, in Vienna from 15 to 19 September 1999 and in Montreal from 20 to 22 January 2000,

Taking note of the UNEP International Technical Guidelines on Safety in Biotechnology,

Considering the needs of developing country Parties and Parties with economies in transition to evaluate the risks to their biodiversity and to make informed decisions associated with the transboundary movement of living modified organisms,

Considering also that arrangements are required pending the entry into force of the Cartagena Protocol on Biosafety to prepare for its effective operation once it enters into force,

I. Adoption of the Cartagena Protocol

1. *Decides* to adopt the Cartagena Protocol on Biosafety to the Convention on Biological Diversity, as set out in the annex to the present decision;

2. *Requests* the Secretary-General of the United Nations to be the Depositary of the Protocol and to open it for signature at the United Nations Office at Nairobi during the fifth meeting of the Conference of the Parties from 15 May 2000 to 26 May 2000 and at the United Nations Headquarters in New York from 5 June 2000 to 4 June 2001;
3. *Calls upon* the Parties to the Convention on Biological Diversity to sign the Protocol from 15 May 2000 or at the earliest opportunity thereafter and to deposit instruments of ratification, acceptance or approval or instruments of accession, as appropriate, as soon as possible;
4. *Further calls upon* States that are not Parties to the Convention to ratify, accept, approve or accede to it, as appropriate, without delay, thereby enabling them also to become Parties to the Protocol;

II. Intergovernmental Committee for the Cartagena Protocol (ICCP)

5. *Decides* to establish an open-ended ad hoc Intergovernmental Committee for the Cartagena Protocol on Biosafety (ICCP);
6. *Decides* that the Intergovernmental Committee shall undertake, with the support of the Executive Secretary, the preparations necessary for the first meeting of the Parties, at which time it will cease to exist, taking into account the budgetary provisions adopted by the Conference of the Parties;
7. *Notes* that the rules of procedure for the Conference of the Parties to the Convention shall apply, *mutatis mutandis*, to meetings of the Intergovernmental Committee;
8. *Decides* that the Chair of the Intergovernmental Committee shall be Ambassador Philemon Yang (Cameroon), and invites the Intergovernmental Committee to convene, at the present meeting of the Conference of the Parties, an organizational meeting for the purpose of electing its Bureau from among the representatives of the Parties present;
9. *Decides* that the Intergovernmental Committee shall hold its first meeting in late 2000;
10. *Requests* the Executive Secretary, in consultation with the Bureau of the Intergovernmental Committee to develop a work plan for the Committee for consideration and approval by the Conference of the Parties to the Convention on Biological Diversity at its fifth meeting;
11. *Calls upon* the Parties to the Convention and other States and regional economic integration organizations to designate a focal point for the Intergovernmental Committee and to inform the Executive Secretary accordingly;
12. *Encourages* Parties, States and regional economic integration organizations to provide the Intergovernmental Committee, through the Executive Secretary, information on their existing programmes for regulating living modified organisms; and to provide related technical assistance, including training, to interested Parties and States;

13. *Requests* the Executive Secretary to commence preparatory work on the functioning of the biosafety clearing-house referred to in Article 20 of the Protocol, subject to the availability of resources referred to in the table following paragraph 20 of the present decision;

III. Roster of experts

14. *Decides* to establish a regionally balanced roster of experts nominated by Governments, in fields relevant to risk assessment and risk management related to the Protocol, to provide advice and other support, as appropriate and upon request, to developing country Parties and Parties with economies in transition, to conduct risk assessment, make informed decisions, develop national human resources and promote institutional strengthening, associated with the transboundary movements of living modified organisms;

15. *Requests* the Executive Secretary to explore ways and means of obtaining financial resources to enable developing countries Parties and Parties with economies in transition to make full use of the roster of experts and to report thereon to the Conference of the Parties;

16. *Calls upon* Parties to promote regional cooperation for this initiative and invites international organizations, particularly those of the United Nations system, to also support within their mandates, this initiative;

IV. Administrative and budgetary matters

17. *Reconfirms* the budget as approved in its decision IV/17, which includes an amount of US\$ 1,078,800 for the Protocol on Biosafety for the year 2000 under the Trust Fund for the Convention on Biological Diversity (BY);

18. *Takes note* of the amounts supplementary to the funding estimates for the Special Voluntary Trust Fund (BE) for Additional Voluntary Contributions in Support of Approved Activities for the biennium 1999–2000 specified by the Executive Secretary and included in the table below and invites Parties and States to make contributions to that fund;

19. *Invites* the Executive Director of the United Nations Environment Programme, in cooperation with the Executive Secretary, to identify the necessary financial, technical and staff resources, which the United Nations Environment Programme can make available to the Executive Secretary to assist the latter in the organization of the expert and/or regional meetings;

20. *Decides* to consider the budget for the Protocol on Biosafety for the biennium 2001–2002 at the fifth meeting of the Conference of the Parties.

TABLE: SUPPLEMENTARY BUDGET FOR BIOSAFETY TO THE SPECIAL VOLUNTARY TRUST FUND (BE) FOR ADDITIONAL VOLUNTARY CONTRIBUTIONS IN SUPPORT OF APPROVED ACTIVITIES 1999–2000

(THOUSANDS OF US\$) 2000	
A. Meetings	
ICCP Bureau meeting	40
Biosafety clearing-house common format meeting (30 participants)	140
B. Biosafety clearing-house	41
C. Roster of experts	50
SUB-TOTAL	271
D. Programme support costs (13 per cent)	35
TOTAL	306

ANNEX
CARTAGENA PROTOCOL ON BIOSAFETY TO THE CONVENTION ON
BIOLOGICAL DIVERSITY*

* The Cartagena Protocol on Biosafety to the Convention on Biological Diversity has been reproduced in section II of this Handbook.