



**CONVENTION ON
BIOLOGICAL
DIVERSITY**

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**WORKSHOP ON LIABILITY AND REDRESS IN
THE CONTEXT OF THE CONVENTION ON
BIOLOGICAL DIVERSITY**

Paris, 18-20 June 2001

Item 2.2 of the provisional agenda*

ORGANIZATIONAL MATTERS: ADOPTION OF THE AGENDA

Revised annotations to the provisional agenda

INTRODUCTION

1. The Workshop on Liability and Redress in the Context of the Convention on Biological Diversity is being held in accordance with decision V/18 of the Conference of the Parties to the Convention on Biological Diversity, in which the Conference of the Parties, *inter alia*, decided “to consider at its sixth meeting a process for reviewing paragraph 2 of Article 14, including the establishment of an ad hoc technical expert group” and welcomed the offer of the Government of France to organize a workshop on liability and redress in the context of the Convention.

2. In accordance with the established practice, the Executive Secretary requested Parties to nominate suitably qualified experts to be considered for selection as participants at the workshop. On the basis of the nominations received, the Executive Secretary selected participants for the workshop taking into consideration the following factors:

(a) Knowledge and experience of international environmental law, international law relating to liability and redress for transboundary harm, or issues concerning the conservation and sustainable use of biological diversity;

(b) Equitable geographical representation; and

(c) Gender balance.

4. In addition, representatives of competent intergovernmental and non-governmental organizations, as well as stakeholders were invited to participate.

3. A list of documents for the workshop is contained in the annex to the present note. In addition to normal distribution, documents are also available on the Secretariat’s web site at <http://www.biodiv.org>.

* UNEP/CBD/WS-L&R/1.

4. The Secretariat has also distributed an information note for participants containing details of registration and logistical arrangements for the meeting, including information on travel visa requirements, accommodation and other matters.

ITEM 1: OPENING OF THE MEETING

5. The Workshop will be opened by the representative of the Government of France at 10 a.m. on Monday, 18 June 2001. The Executive Secretary of the Secretariat of the Convention on Biological Diversity, Mr. Hamdallah Zedan, will make introductory remarks.

ITEM 2: ORGANIZATIONAL MATTERS

2.1. Election of officers

6. Participants will be invited to elect a Chairman and Rapporteur for the Workshop.

2.2. Adoption of the agenda

7. The Workshop may wish to adopt its agenda on the basis of the provisional agenda proposed in document UNEP/CBD/WS-L&R/1, which has been prepared by the Executive Secretary.

2.3. Organization of work

8. The Workshop may wish to carry out its work in plenary. Interpretation between English and French only will be provided by the French Government for plenary sessions. A proposed organization of work for the Workshop is contained in annex I below.

ITEM 3: CONSIDERATION OF THE PROCESS FOR THE REVIEW OF PARAGRAPH 2 OF ARTICLE 14 AND POSSIBLE ELEMENTS FOR A LIABILITY AND REDRESS REGIME WITHIN THE FRAMEWORK OF THE CONVENTION ON BIOLOGICAL DIVERSITY

9. The Workshop is invited to consider the issues raised in note by the Executive Secretary on review of relevant international legal instruments and issues for consideration (UNEP/CBD/WS-L&R/1/2) with a view to drawing appropriate conclusions which might assist the Conference of the Parties at its sixth meeting in its consideration of a process for reviewing paragraph 2 of Article 14 of the Convention. The Workshop may wish to organize its deliberations around the following aspects:

- (a) Assessment of the status of existing national and international law;
- (b) The scope of paragraph 2 of Article 14: concepts and definitions;
- (c) Principal elements of a liability and redress regime (rules and procedures) to be developed on the basis of paragraph 2 of Article 14;
- (d) Means and process for the implementation of paragraph 2 of Article 14.

ITEM 4: OTHER MATTERS

10. Under this item, Workshop participants may wish to raise and discuss other matters related to the subject-matter of the Workshop.

ITEM 5. ADOPTION OF THE REPORT

11. The Workshop will consider and adopt its report, on the basis of a draft report of to be prepared and presented by the Rapporteur.

12. The final report of the Workshop will be presented by the Chairperson for consideration by the Conference of the Parties at its sixth meeting.

ITEM 6. CLOSURE OF THE MEETING

13. The Workshop will be closed at 6 p.m. on Wednesday, 20 June 2001.

Annex I

**PROVISIONAL ORGANIZATION OF WORK FOR THE WORKSHOP ON
LIABILITY AND REDRESS**

<i>Plenary</i>	
<p><i>Monday</i> <i>18 June 2001</i> 10 a.m to 11 a.m.</p>	<p><i>Agenda item:</i> 1. Opening of the meeting.</p>
<p>11 a.m to 1 p.m.</p>	<p><i>Agenda items:</i> 2. Organizational matters: 2.1. Election of officers; 2.2. Adoption of the agenda; 2.3. Organization of work. 3. Consideration of the process for the review of paragraph 2 of Article 14 and possible elements for a liability and redress regime within the framework of the Convention on Biological Diversity: assessment of the status of existing national and international law, including introductory presentations</p>
<p>3 p.m. to 6 p.m.</p>	<p><i>Continuation of agenda item 3:</i> the scope of paragraph 2 of Article 14: concepts and definitions.</p>
<p><i>Tuesday</i> <i>19 June 2001</i> 10 a.m. to 1 p.m.</p>	<p><i>Continuation of agenda item 3:</i> principal elements of a liability and redress regime to be developed on the basis of paragraph 2 of Article 14.</p>
<p>3 p.m. to 6 p.m.</p>	<p><i>Continuation of agenda item 3:</i> means and process for the implementation of paragraph 2 of Article 14..</p>
<p><i>Wednesday</i> <i>20 June 2001</i> 10 a.m. to 1 p.m. 3 p.m. to 6 p.m.</p>	<p><i>Agenda items:</i> 4. Other matters. 5. Adoption of the report. 6. Closure of the meeting.</p>

Annex II

**LIST OF DOCUMENTS FOR THE WORKSHOP ON LIABILITY AND REDRESS IN THE
CONTEXT OF THE CONVENTION ON BIOLOGICAL DIVERSITY**

<u>Symbol</u>	<u>Title</u>
UNEP/CBD/WS-L&R/1	Provisional agenda
UNEP/CBD/WS-L&R/1/Add.1	Annotations to the provisional agenda
UNEP/CBD/WS-L&R/2	Review of relevant international legal instruments and issues for consideration
UNEP/CBD/WS-L&R/INF/1	Summary of submissions received by the Executive Secretary since the fifth meeting of the Conference of the Parties
UNEP/CBD/COP/5/16	Synthesis of submissions from Governments and international organizations in response to the questionnaire on liability and redress under the Convention on Biological Diversity*

* Prepared for the fifth meeting of the Conference of the Parties.