



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 19 September 2012

13905/12

**Interinstitutional File:
2012/0120 (NLE)**

**ENV 710
WTO 306
ONU 114
AGRI 594
OC 505**

“I/A” ITEM NOTE

from: General Secretariat
to: Permanent Representatives Committee (Part 1) / Council

No. Cion prop.: 11078/12 ENV 501 WTO 217 ONU 75 AGRI 397 - COM(2012) 236 final

Subject: Proposal for a Decision of the Council on the conclusion of the Nagoya-Kuala Lumpur Supplementary Protocol on Liability and Redress to the Cartagena Protocol on Biosafety
- Request by the Council for the consent of the European Parliament

**COMMON GUIDELINES
Consultation deadline: 3.10.2012**

1. The Commission submitted the above proposal to Council on 5 June 2012.
2. On 15 October 2010, the final plenary of fifth meeting of the Conference of the Parties serving as the Meeting of the Parties to the Cartagena Protocol on Biosafety (Nagoya, 11-15 October 2010) successfully adopted the Nagoya-Kuala Lumpur Supplementary Protocol on Liability and Redress to the Cartagena Protocol on Biosafety.
3. The Council welcomed, at its meeting of 20 December 2010, the adoption of the Supplementary Protocol and, on 11 May 2011, the European Union signed the Supplementary Protocol, subject to its conclusion at a later date.

4. The Working Party on the Environment on 25 July 2012 examined the above proposal and discussed some modifications to the text of the draft Decision, whereby the Danish, Maltese and United Kingdom delegations entered parliamentary scrutiny reservations. Agreement was reached on 5 September on the modified draft Decision through an informal silence procedure.

5. Consequently, COREPER is invited to confirm the agreement reached by the Working Party and could suggest that Council, at a forthcoming session, requests the consent of the European Parliament on the text of the Supplementary Protocol as set out in doc. 13583/12 ENV 693 WTO 294 ONU 110 AGRI 558 OC 480 with a view to the later adoption of the Council Decision on the conclusion of the Nagoya-Kuala Lumpur Supplementary Protocol on Liability and Redress to the Cartagena Protocol on Biosafety (doc. 13582/12 ENV 692 WTO 293 ONU 109 AGRI 557 OC 479) as finalised by the legal-linguistic experts.
