



## UN BIODIVERSITY CONFERENCE

Investing in biodiversity for people and planet



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# The Cartagena Protocol on Biosafety and its Nagoya-Kuala Lumpur Supplementary Protocol on Liability and Redress

Over the last decades, there have been rapid advancements in biotechnology, making use of biological systems and living organisms to develop new products and processes. Modern biotechnology, as defined in the Cartagena Protocol on Biosafety to the Convention on Biological Diversity, refers to biotechnologies through which the genetic make-up of living organisms is modified, overcoming natural barriers that would otherwise prevent such modifications, resulting in living modified organisms (LMOs). Modern biotechnology aims at developing LMOs to, among other things, improve food security, decrease pressure on natural resources, and lead to more efficient processing and production of derived products. Concerns exist however about the potential adverse effects that LMOs may have on biodiversity and human health.

The Cartagena Protocol on Biosafety provides international rules that seek to ensure an adequate level of protection to biodiversity and human health, focusing on transboundary movements of LMOs. Negotiated under the Convention, the Cartagena Protocol entered into force on 11 September 2003. This year, the Cartagena Protocol's 171 Parties celebrate the 15th anniversary of this important international treaty.

Parties to the Cartagena Protocol recognize the importance of appropriate international rules and procedures on liability and redress in case LMOs cause damage to biodiversity. Following a long negotiating process, the Nagoya – Kuala Lumpur Supplementary Protocol on Liability and Redress was adopted in 2010 to provide such rules. The Supplementary Protocol introduces the obligation to require operators – any person in direct or indirect control of an LMO – to take response measures in case of damage to biodiversity caused by certain LMOs. The implementation of response measures is to be overseen by an administrative national authority. The Supplementary Protocol entered into force on 5 March 2018. As of October 2018, there are 42 Parties to the Supplementary Protocol.





## Biosafety at the UN Biodiversity Conference<sup>1</sup>

The UN Biodiversity Conference is expected to discuss a number of important issues related to the Cartagena Protocol and its Supplementary Protocol, including:

- Development of a follow-up to the Strategic Plan for the Cartagena Protocol on Biosafety (2011-2020)
- Development of a follow-up to the Framework and Action Plan for Capacity Building for the Cartagena Protocol on Biosafety
- Ways and means to provide biosafety-specific input to the development of over-arching strategic documents on biodiversity
- Adoption of a revised format for the fourth national reports under the Cartagena Protocol, due in 2019
- The need for guidance on risk assessment of living modified fish and living modified organisms contained engineered gene drives
- Consideration of the Guidance on the Assessment of Socio-Economic Considerations in the Context of Article 26 of the Cartagena Protocol on Biosafety developed by the ad-hoc technical expert group on socio-economic considerations
- Next steps following the entry into force of the Nagoya-Kuala Lumpur Supplementary Protocol on Liability and Redress.

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### Important links

- The Cartagena Protocol on Biosafety: <https://bch.cbd.int/protocol>
- The Nagoya-Kuala Lumpur Supplementary Protocol on Liability and Redress to the Cartagena Protocol on Biosafety: <https://bch.cbd.int/protocol/supplementary>
- The text of the Cartagena Protocol: <http://bch.cbd.int/protocol/text>
- The text of the Supplementary Protocol on Liability and Redress: [http://bch.cbd.int/protocol/NKL\\_text.shtml](http://bch.cbd.int/protocol/NKL_text.shtml)
- The Strategic Plan for the Cartagena Protocol on Biosafety for the period 2011-2020: [http://bch.cbd.int/protocol/issues/cpb\\_stplan\\_txt.shtml](http://bch.cbd.int/protocol/issues/cpb_stplan_txt.shtml)

<sup>1</sup> Fourteenth meeting of the Conference of the Parties to the Convention on Biological Diversity; Ninth meeting of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety; Third meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol on Access and Benefit-sharing; 17-29 November 2018

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