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LIAISON GROUP ON CAPACITY-BUILDING FOR BIOSAFETY

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ASSESSMENT AND REVIEW OF THE IMPLEMENTATION OF THE CARTAGENA PROTOCOL ON BIOSAFETY AND THE MID-TERM EVALUATION OF THE STRATEGIC PLAN FOR THE CARTAGENA PROTOCOL

I. INTRODUCTION

1. Article 35 of the Cartagena Protocol requires the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety (COP-MOP) to undertake, five years after the entry into force of the Protocol and at least every five years thereafter, an evaluation of the effectiveness of the Protocol, including an assessment of its procedures and annexes.

2. The Strategic Plan for the Cartagena Protocol on Biosafety for the period 2011-2020 was adopted by the COP-MOP in 2010 through its decision BS-V/16.¹ The Parties to the Protocol also decided that a mid-term evaluation of the Strategic Plan would be carried out five years after its adoption in conjunction with the third assessment and review of the effectiveness of the Protocol. The third assessment and review is scheduled to be conducted at the eighth meeting of the COP-MOP, using appropriate evaluation criteria to be proposed by the Executive Secretary for consideration by the Parties at their seventh meeting.

3. At its seventh meeting, the COP-MOP, in its decision BS-VII/14,² welcomed, with revisions, the third national reporting format proposed by the Secretariat and recognized the intended role of the information contained therein in facilitating the conduct of both the mid-term review of the implementation of the Strategic Plan for the Cartagena Protocol as well as the third assessment and review of the Protocol.

4. Furthermore, in the same decision, the COP-MOP requested Parties, among others, to use the revised format for the preparation of their third national report and to submit their report to the Secretariat:

(a) Twelve months prior to the eighth meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol, which will consider the report;

(b) Through the Biosafety Clearing-House, or in the format made available by the Secretariat for this purpose, duly signed by the national focal point;

5. The COP-MOP also decided, in its decision BS-VII/3,³ that the third assessment and review of effectiveness of the Protocol be combined with the mid-term evaluation of the Strategic Plan at the eighth

¹ Decision BS-V/16 <http://bch.cbd.int/protocol/decisions/?decisionID=12329>.

² Decision BS-VII/14 <http://bch.cbd.int/protocol/decisions/?decisionID=13361>.

³ Decision BS-VII/3 <http://bch.cbd.int/protocol/decisions/?decisionID=13350>.

meeting of the COP-MOP and requested the relevant subsidiary body⁴ entrusted with the task of reviewing the implementation of the Protocol, including contributions from the Liaison Group on Capacity-Building, to review the information gathered and analysed by the Executive Secretary with a view to contributing to the third assessment and review of the Protocol and the mid-term evaluation of the Strategic Plan for the Cartagena Protocol on Biosafety for the period 2011-2020.

6. The COP-MOP also requested the Compliance Committee to provide an input into the third assessment and review of the Protocol and the mid-term evaluation of the Strategic Plan in the form of an evaluation of the status of implementation of the Protocol in meeting its objectives.

7. The present note is aimed at assisting the Liaison Group on Capacity Building for Biosafety in its contribution to the third assessment and review of the Protocol and the mid-term evaluation of the Strategic Plan for the Cartagena Protocol on Biosafety for the period 2011-2020. Section II describes the methodology used by the Secretariat in the collection, compilation and analysis of information on the implementation of the Protocol. Section III provides an analysis of the status and trends in the implementation of the Cartagena Protocol on Biosafety, based on the operational objectives of the Strategic Plan. Section IV contains elements of the Group's conclusions. Finally Section V contains possible elements for a way forward for consideration by the Group in their report to the Subsidiary Body on Implementation (SBI) in its task of further reviewing the implementation of the Cartagena Protocol as requested by the COP-MOP.

II. METHODOLOGY

8. In its decision BS-VII/3, the COP-MOP decided that the mid-term evaluation of the Strategic Plan would draw upon available information from the third national reports as a primary source, the Biosafety Clearing-House and where appropriate, additional data may be collected through dedicated surveys. Accordingly, the Executive Secretary was requested to collect, compile and analyse information on the implementation of the Protocol using the third national reports as a primary source, with a view to contributing to the third assessment and review of the Protocol in conjunction with the mid-term evaluation of the Strategic Plan.

9. Earlier, in paragraph 11 of the Strategic Plan, decision BS-V/16, the COP-MOP decided that the mid-term evaluation would use the indicators in the Strategic Plan to assess the extent to which the strategic objectives are being achieved. The evaluation is to capture the effectiveness of the Strategic Plan and allow Parties to adapt to emerging trends in the implementation of the Protocol.

10. Furthermore, in its decision BS-VI/15,⁵ the COP-MOP noted the information provided in the second national reports and the analysis undertaken on the status of implementation of core elements of the Protocol (UNEP/CBD/BS/COP-MOP/6/17/Add.1) and decided that the data and information contained in that analysis would form the baseline for measuring progress in implementing the Protocol, in particular the subsequent evaluation of the effectiveness of the Protocol and the mid-term evaluation of the implementation of the Strategic Plan. Additionally, in the same decision, the Parties requested the Executive Secretary to undertake a dedicated survey⁶ to gather information corresponding to indicators in the Strategic Plan that could not be obtained from the second national reports or through other existing mechanisms (hereinafter the "Survey").

11. The COP-MOP further requested that the third assessment and review of the effectiveness of the Protocol be undertaken using a core set of elements and corresponding set of identified information needs as annexed to the decision (hereinafter "possible elements").

⁴ Subsidiary Body on Implementation was established through COP decision XII/26 and its mandate includes supporting the COP-MOP in keeping under review the implementation of the Protocol.

⁵ Decision BS-VI/15 <http://bch.cbd.int/protocol/decisions/?decisionID=13248>.

⁶ Results of the survey are available at <http://bch.cbd.int/database/reports/surveyonindicators.shtml>.

12. To initiate the process of gathering data on the implementation of the Protocol, the Executive Secretary issued a notification⁷ calling on Parties and inviting other Governments to complete and submit their third national reports. In response, 105 national reports were received as of 31 December 2015 and used for the analysis herein.

13. To facilitate the compilation and analysis of the available data, an online analyzer tool⁸ was developed. The tool was designed to enable an aggregation and comparison of data between the second national reports and the Survey, as baseline data, and data from the third national reports. The comparison was also done between responses of Parties who provided answers to the same questions both in the second national reports or the Survey and the third national reports.

14. Additionally, where appropriate, data obtained from the BCH was used in the analysis of some indicators and compared with similar data used in the analysis during the second reporting cycle.⁹

III. ANALYSIS OF THE STATUS AND TRENDS IN THE IMPLEMENTATION OF THE CARTAGENA PROTOCOL ON BIOSAFETY

15. As requested in decision BS-VII/3, paragraph 5, the Secretariat undertook an in-depth analysis of information submitted by Parties through their third national reports, in comparison to the baseline data as established based on analysis of information provided in the second national reports, the Survey and the Biosafety-Clearing House (BCH). Accordingly, this section presents a comparative analysis of the emerging trends in the implementation of the Cartagena Protocol on Biosafety.

16. The analysis covers each of the operational objectives of the Strategic Plan and uses the respective indicators to assess the progress made towards the achievements of the operational objectives.¹⁰ Where applicable, the analysis of the indicators was carried out, taking into account the core set of information corresponding to the “possible elements” contained in the annex to decision BS-VII/3. In cases where the elements did not overlap with any of the existing indicators, an independent analysis of the element was carried out to address it.

17. The analysis of operational objective 3.1, “To strengthen the mechanisms for achieving compliance” was undertaken by the Compliance Committee at its thirteenth meeting.¹¹ The input of the Committee will be presented directly to the Subsidiary Body on Implementation (SBI) and COP-MOP as part of the the third assessment and review of the Protocol and the mid-term evaluation of the Strategic Plan for the Cartagena Protocol on Biosafety for the period 2011-2020.

18. In order to facilitate an integrated assessment of the emerging trends in the implementation of the Cartagena Protocol on Biosafety and to avoid a duplication of information, related operational objectives of the Strategic Plan are analysed and discussed under 12 broad areas, namely: national biosafety frameworks; coordination and support; risk assessment and risk management; LMOs or traits that may have adverse effects; liability and redress; handling, transport, packaging and identification; socio-economic considerations; transit, contained use, unintentional transboundary movements and emergency measures; information sharing; compliance and review; public awareness and participation, biosafety education and training; and outreach and cooperation.

⁷ Notification 2015-001 <https://www.cbd.int/doc/notifications/2015/ntf-2015-001-bs-nr-en.pdf>.

⁸ The data used to carry out the analysis can be viewed in the National Report Analyzer, available at <http://bch.cbd.int/database/reports/analyzer>.

⁹ A matrix detailing the source of information based on which each indicator was analysed can be found at https://bch.cbd.int/protocol/issues/mid-term_evaluation.

¹⁰ For ease of reference, the Strategic Plan’s numbering system in the BCH, as found here http://bch.cbd.int/protocol/issues/cpb_stplan_txt.shtml#elements, was used throughout this document

¹¹ Report of the Compliance Committee on its thirteenth meeting, held from 24 to 26 February 2016, will be available at <http://bch.cbd.int/protocol/meetings/documents.shtml?eventid=5561>.

A. National Biosafety Frameworks (operational objectives 1.1 and 2.1)

Operational objective 1.1: National Biosafety Frameworks

19. The focus of operational objective 1.1 is to enable all Parties to have operational national biosafety frameworks in place for the implementation of the Protocol. Five indicators were set out to measure progress towards the achievement of this operational objective.

20. With regard to indicator 1.1.1 (the number of Parties, in particular in centres of origin, that have in place national biosafety legislation and implementing guidelines not more than 6 years after accession to/ratification of the Protocol), 52 Parties (51%) report that they have fully introduced the necessary legal, administrative and other measures for the implementation of the Protocol, which is an increase of eight Parties (+8%). Most growth is reported in GRULAC (+14%), followed by Africa (+12%), which are the regions within which more than two thirds of Parties have reported that they have not fully introduced the necessary legal, administrative or other measures, despite the progress made by some of the Parties in the region. A total of 38 Parties (37%) report that their legal, administrative and other measures are partially in place, which is a reduction of one Party (-1%) in comparison with the results of the second national report.

21. The number of Parties which reported that their biosafety frameworks have become operational increased at slower rate (by nine Parties), during the last reporting period, as compared to rate during the second reporting cycle when the increase was more pronounced (26 Parties). Excluding those States that have become Parties to the Protocol within the last six years,¹² the percentage of Parties having introduced all legal, administrative and other measures to implement the Protocol is 53%.

22. Parties have reported progress in adopting biosafety-specific and non-specific instruments, with 101 Parties (98%) reporting that at least some kind of instrument is in place, which is an increase of three Parties.

23. In their comments Parties reported that the slow rate of adoption of legal, administrative and other measures continues to be one of the main obstacles to implementing the obligations under the Protocol, despite the progress reported in the third national report. Some Parties reported that further instruments are under development. Some Parties that reported that they have specific instruments in place noted that these instruments are still to be adopted.

24. Among the Parties that have reported that they have introduced the necessary legal, administrative and other measures, 31 fall within centres of origin¹³ while 14 of these Parties have in place full measures.¹⁴

25. With regard to indicator 1.1.2 (the percentage of Parties that have in place administrative rules and procedures for handling notifications and requests for approval of imports of LMOs intended for direct use as food or feed, or for processing; contained use and for introduction into the environment), 57% of Parties reported that they regulate contained use of LMOs, which represents an increase of 5%. Also, 71% of Parties (75 Parties) reported that they have adopted laws, regulations or administrative measures for the operation of the AIA procedure, or have a domestic regulatory framework that is consistent with the Protocol, which is an increase of 4 Parties. Most of those Parties reported that such laws and regulations also apply to decision-making regarding domestic use, including placing on the market of LMOs-FFP. A total of 70 Parties (67%) reported that they have such laws and regulations for LMOs-FFP, which constitutes an increase of 2 Parties (or 2%) in respect of the baseline. A similar

¹² Afghanistan, Bahrain, Côte d'Ivoire, Guinea Bissau, Iraq, Jamaica, Lebanon, Morocco, Somalia, United Arab Emirates, Uruguay.

¹³ Albania, Brazil, Cambodia, China, Costa Rica, Croatia, Cyprus, Ecuador, Egypt, Eritrea, France, Guatemala, Honduras, India, Indonesia, Italy, Kazakhstan, Kyrgyzstan, Lao People's Democratic Republic, Malaysia, Mexico, Morocco, Peru, Republic of Korea, Slovenia, Spain, Tajikistan, Thailand, Tunisia, Turkey, Viet Nam.

¹⁴ Brazil, China, Croatia, Cyprus, France, India, Italy, Kyrgyzstan, Malaysia, Republic of Korea, Slovenia, Spain, Turkey, Viet Nam.

number of Parties (70 Parties, or 69 %) also reported that they have a mechanism in place for taking decisions on the import of LMOs-FFP, which is the same result as reported in the second reporting cycle.

26. Despite regional differences, the global figures as presented above remain the same as that reported in the second national report in relation to the establishment of mechanisms for taking decisions on LMOs-FFP. Regional differences show that a majority of Parties in GRULAC reported to have neither instruments nor mechanisms.

27. With regard to indicator 1.1.3 (percentage of Parties that have designated national focal points and competent national authorities), all but two Parties (99%), have notified the Secretariat of their national focal point, in accordance with Article 19 of the Protocol. This is the same percentage reported when the baseline was set. As well, 91% of Parties have designated one or more national competent authorities, which represents a decrease of 2% in comparison to the second national report. Furthermore, all but two Parties have notified the Secretariat of their BCH national focal point in accordance with decision BS-I/3 and decision BS-II/2 (99%), which represents an increase of 1%. Of the 170 Parties, 105 (62%) have made available to the BCH the relevant details regarding the national point of contact in accordance with Article 17, related to unintentional transboundary movements.¹⁵

28. A total of 38 % of Parties (38 Parties) have reported that they have received notifications in accordance with Article 8 of the Protocol or the appropriate domestic legislation, as per indicator 1.1.4. This indicates a 7% increase as compared to the baseline. A total of 29 % of Parties (30 Parties) have reported that they have received notifications in accordance with Article 8 of the Protocol in the current reporting period.¹⁶

29. Finally with respect to indicator 1.1.5, the percentage of Parties that have made import decisions in accordance with Article 10 of the Protocol or the appropriate domestic legislation has remained almost unchanged, with 27 Parties (31%) indicating reporting that they have taken such decisions, one Party less than the baseline, on a total of 30 Parties reporting that they have received applications/notifications in the current reporting period. All Parties that reported that they have taken a decision also noted that they have legislation in place for taking such decisions. Most of these Parties also reported that they have mechanisms in place, although one Party reported that it does not have such a mechanism in place, and two others reported that they have to some extent such mechanisms in place.

30. Under operational objective 2.1, the Parties aimed to further support the development and implementation of national regulatory and administrative systems. Data and information relating to national regulatory systems or frameworks is presented above in the context of operational objective 1.1.

31. Concerning national administrative systems, while the third national reporting format does not contain specific questions explicitly referring to the number of Parties with functional administrative arrangements, as per indicator 2.1.2, a number of questions are related to administrative arrangements.¹⁷ The responses from Parties indicated a considerable decrease (-11 Parties or -11%) in the existence of mechanisms for budgetary allocations to support the operation of national biosafety frameworks, with just over half (53 Parties, or 52%) providing responses of having established such mechanisms. There is however a slight increase (+2 Parties, or +2%) among Parties who now have permanent staff to administer functions directly related to the national biosafety framework, with a global total of 87 Parties (85%) of the Parties. Progress is reported, especially in Africa, in the establishment of institutional

¹⁵ Strictly speaking, article 17 does not refer to 'national focal point', and information provided on national points of contact does therefore not necessarily need to be included in the analysis of this indicator. Given the binding character of the provision related to points of contact under Article 17 and considering that the information provided in relation to this matter is similar in nature to the information provided in relation to national focal points, the information provided on points of contact has been taken into consideration in this section.

¹⁶ Baseline data is not available.

¹⁷ For example, questions 17, 18 and 124 of the third national reporting format. In addition, questions 29 and 47 also refer to administrative measures in relation to the operation of the AIA procedure and for decision making on LMOs-FFP respectively, which have been addressed above under Operational Objective 1.1.

capacity to enable competent national authorities to perform their administrative functions required under the Protocol, with 48 Parties (48%) reporting having done so, which represents an increase of 5 Parties (5%). Furthermore, some Parties have reported that institutional changes are being implemented or are about to be implemented. Some Parties reported that they have permanent staff dedicated to biosafety while others specified noted that staff is available to work on a part-time basis on biosafety related issues.

B. Coordination and support (operational objective 1.2)

32. Operational objective 1.2 focuses on putting in place effective mechanisms for establishing biosafety systems with the necessary coordination, financing and monitoring support. The desired outcomes are improved understanding of the Parties' capacity-building needs, a cohesive approach and effective mechanisms address those needs, national biosafety capacity-building strategies and action plans, the availability of adequate and predictable financial and technical resources, and improved coordination and collaboration between Parties and entities implementing or funding biosafety capacity-building efforts. Seven indicators were set out to measure progress towards the achievement of this operational objective.

33. With respect to indicator 1.2.1 (number of Parties that have assessed their capacity-building needs), 71 Parties (46%) reported that they carried out a capacity-building needs assessment during the third reporting period while 82 Parties (54%) reported that they had not done so. This represents an improvement compared to the second reporting period when only 10 Parties (25%) that answered the question reported that they carried out a capacity-building needs assessment and 30 Parties (75%) reported that they did not do so.

34. However with regard to indicator 1.2.2, the percentage of the Parties that developed a national biosafety capacity-building action plan has marginally increased by 3% (from 26 to 29%). This slight increment was registered mainly by Parties in the Asian region.

35. Concerning indicator 1.2.3 (percentage of Parties that have in place training programmes for personnel dealing with biosafety issues and for long-term training of biosafety professionals), there is slight decrease of 3% (from 72 to 69%). Few Parties registered educational and training programmes (including academic courses) in the BCH. Some Parties highlighted the training workshops organised for government officials at different levels and on different topics including the detection of LMOs, risk assessment.

36. There is also a notable decrease in the percentage of Parties that have in place national coordination mechanisms for biosafety capacity-building initiatives (indicator 1.2.4). According to the information provided in the second and third national reports, there has been a 14% decrease (from 56 to 42%). Many Parties report that National Focal Points (NFPs) and Competent National Authorities (CNAs) are responsible for coordinating biosafety capacity-building initiatives at the national level.

37. With respect to indicator 1.2.5 on the amount of new and additional financial resources mobilized for the implementation of the Protocol, there has been a decrease of 5% in the number of Parties that have mobilised new and additional financial resources for the implementation of the Protocol (from 61% to 56%). The amount of new and additional financial resources has also decreased. A number of Parties indicate the GEF continues to be the main source of funding support for biosafety projects.¹⁸

38. There is also a notable decrease in the percentage of Parties that have predictable and reliable funding for activities to strengthen their capacity to implement the Protocol (Indicator 1.2.6). Data from the second and third national reports shows a decrease of 16% (from 47% to 31%). Most developing country Parties report that they have no predictable and reliable funding. In the third national reports, only one Party reported having accessed GEF funds for building capacity in biosafety

¹⁸ GEF support continues to focus on the development and implementation of national biosafety frameworks. Some of the supporting organizations reported by Parties include FAO, World Bank, International Centre for Genetic Engineering and Biotechnology (ICGEB); African biosafety network of expertise (ABNE), RAEIN Africa, AfricaBio, West and Central African Council for Agricultural Research and Development and Inter-American Institute for Cooperation on Agriculture (IICA).

39. Finally, with regards to indicator 1.2.7, the number of Parties reporting that their capacity-building needs have been met has remained almost unchanged at 15 Parties (15%). At the regional level, the CEE countries reported the greatest need and, at the thematic level, most of the areas under the Protocol still need capacity-building interventions.

C. Risk assessment and risk management (operational objectives 1.3 and 2.2)

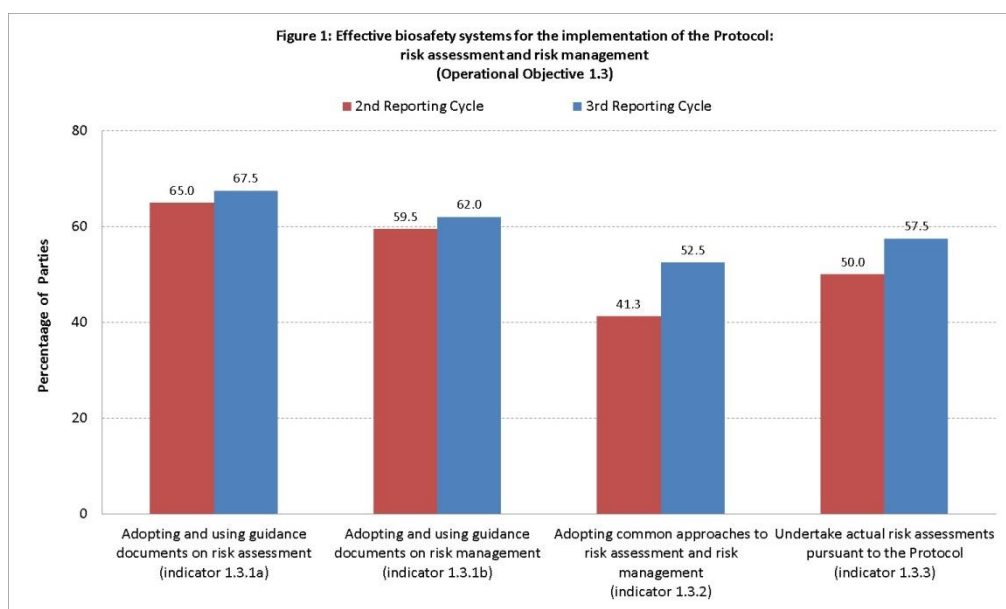
Operational objective 1.3: Risk Assessment and Risk Management

40. Within focal area 1, “Facilitating the establishment and further development of effective biosafety systems for the implementation of the Protocol”, operational objective 1.3 targets “further developing and supporting implementation of scientific tools on common approaches to risk assessment and risk management for Parties”.

41. Three indicators are provided under this operational objective to measure progress. Results from the third reporting cycle when compared with the baseline indicate that (figure 1):

- (a) Adopting and using guidance documents for the purpose of conducting risk assessment or risk management, or for evaluating risk assessment reports submitted by notifiers increased by 2.5% for both risk assessment and risk management during the reporting period (indicator 1.3.1a/b).
- (b) Adopting common approaches to risk assessment increased by 11.2% (indicator 1.3.2);
- (c) Undertaking actual risk assessments pursuant to the Protocol increased by 7.5% (indicator 1.3.3).

42. Furthermore, among the Parties who submitted third National Reports, 24% and 40% of the Parties, respectively, are currently using the Guidance on Risk Assessment of Living Modified Organisms, which was developed by the Online Forum and the AHTEG on Risk Assessment and Risk Management, for purposes of conducting their own risk assessments or building capacity, respectively (data not shown). No earlier baseline data is available for this information and, therefore, a trend cannot be drawn for the current reporting cycle.



Operational objective 2.2: Risk Assessment and Risk Management

43. Within focal area 2 on “Capacity building”, operational objective 2.2 aims at enabling Parties evaluate, apply, share and carry out risk assessments and establish local science-based capacities to regulate, manage, monitor and control risks of LMOs.

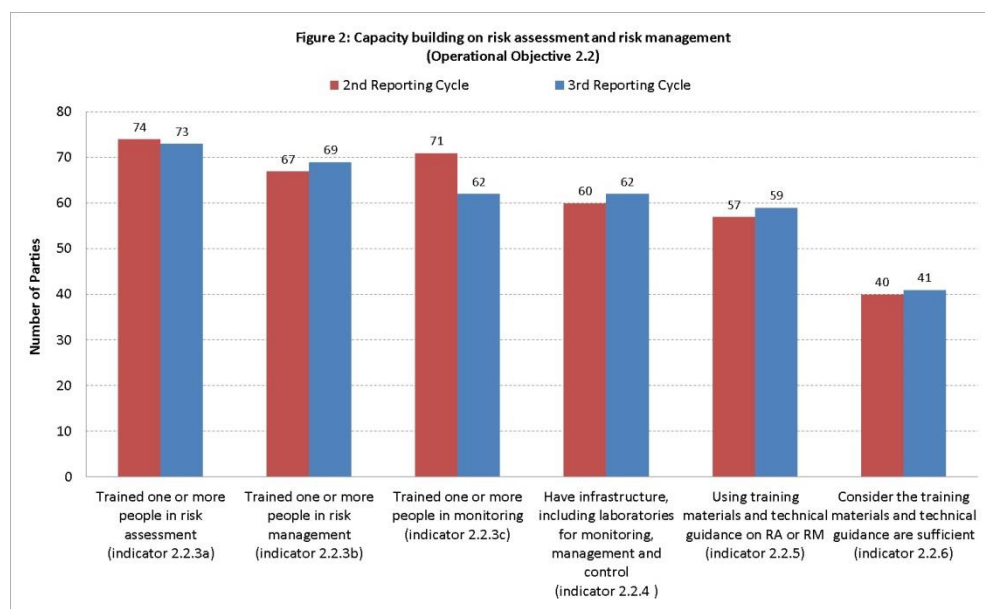
44. Six indicators are provided under this operational objective to measure progress. Results from the third reporting cycle when compared with the baseline indicate that:

(a) The ratio between the number of risk assessment summary reports and the number of decisions on LMOs on the BCH went from 83% as of December 2012 to 93% as of December 2015, representing an increase by 10% (indicator 2.2.1).

(b) The number of Parties that:¹⁹

- (i) Trained one or more people in risk management increased by 2, but the number of Parties having trained one or more people in risk assessment and in monitoring decreased by 1 and 9, respectively (indicator 2.2.3; figure 2);²⁰
- (ii) Have infrastructure, including laboratories for monitoring, management and control of LMOs increased by 2 (indicator 2.2.4; figure 2);
- (iii) Are using training materials and technical guidance for the purpose of capacity building *increased* by 2 (indicator 2.2.5; figure 2);
- (iv) Consider the existing training materials and technical guidance sufficient increased by 1 (indicator 2.2.6; figure 2).

45. Furthermore, among the Parties that submitted third national reports, 41% of the Parties indicated that they are currently using the Training Manual on Risk Assessment, which was developed by the Secretariat, for purposes of building capacity (data not shown). No baseline data is available for this information and, therefore, a trend cannot be drawn for the current reporting cycle.



D. LMOs or traits that may have adverse effects (operational objective 1.4)

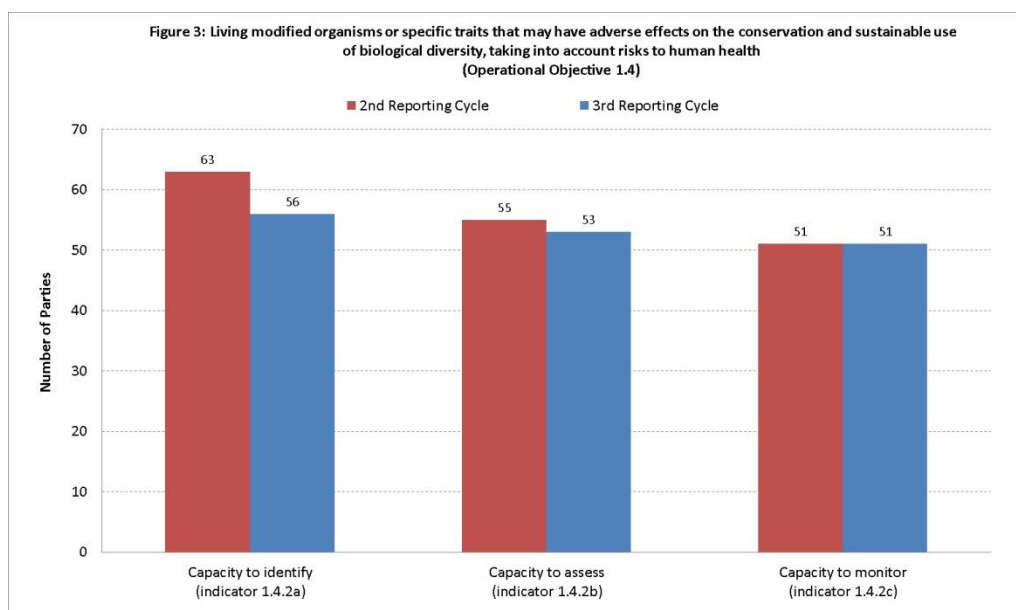
¹⁹ There is no data available for measuring indicator 2.2.2 (number of risk assessment summary reports in the BCH that are in compliance with the Protocol). It is understood that for a risk assessment summary to be “in compliance with the Protocol”, it must summarize a risk assessment that was carried out in a scientifically sound and transparent basis and on a case-by-case manner for each LMO, its intended use and the likely potential receiving environment. Information related to the number of risk assessment summaries in the BCH that comply with these principles is not available.

²⁰ It is noted that the number of Parties who trained at least one person in risk assessment, risk management and monitoring is being used as a proxy to measure the actual indicator “number of people trained in risk assessment, as well as in monitoring, management and control of LMOs” (indicator 2.2.3).

46. Operational objective 1.4 calls for the development of modalities for cooperation and guidance in identifying LMOs or specific traits that may have adverse effects on the conservation and sustainable use of biological diversity, taking also into account risks to human health.

47. Two indicators are provided in the Strategic Plan to measure progress towards this operational objective. With regard to indicator 1.4.2, results from the third reporting cycle when compared with the baseline indicate that the number of Parties that are capable of identifying or assessing LMOs or specific traits that may have adverse effects decreased by 7 and 2, respectively, whereas the number of Parties who are capable of monitoring such LMOs or specific traits remained the same in comparison to the baseline, as indicated in figure 3.

48. There were no reports of any guidance on living modified organisms or specific traits that may have adverse effects on the conservation and sustainable use of biological diversity, taking also into account risks to human health, developed by Parties and, therefore, indicator 1.4.1 cannot be measured.



E. Liability and Redress (operational objectives 1.5 and 2.4)

Operational objectives 1.5 and 2.4: Liability and Redress

49. The Nagoya-Kuala Lumpur Supplementary Protocol on Liability and Redress to the Cartagena Protocol on Biosafety has not yet entered into force (indicator 1.5.1 Entry into force of the Nagoya-Kuala Lumpur Supplementary Protocol on Liability and Redress to the Cartagena Protocol on Biosafety prior to the seventh meeting of COP-MOP). As of 1 March 2016, 34 of the required 40 instruments have been deposited, of which all but one have been deposited in the current reporting period.²¹

50. Information on indicator 1.5.2 (percentage of Parties to the Supplementary Protocol having in place national administrative and legal frameworks incorporating rules and procedures on liability and redress for damage caused by living modified organisms), is not directly relevant given that the Supplementary Protocol has not entered into force. However, 51 Parties (64%) reported having administrative or legal instruments that provide for response measures for damage to biodiversity resulting from LMOs, compared to 49 Parties (62 %) in the baseline.

51. In relation to indicator 2.4.1 (number of eligible Parties that received capacity-building support in the area of liability and redress involving LMOs), 8 Parties (8%) reported that they had received financial and/or technical assistance for capacity-building in the area of liability and redress relating to LMOs as

²¹ The approval by the European Union is not counted for the purpose of entry into force. Therefore, seven more instruments of ratification, acceptance, approval or accession need to be deposited.

compared to 18 Parties (19%) during the second reporting cycle. Information in relation to indicator 2.4.2 (number of domestic administrative or legal instruments identified, amended or newly enacted that fulfil the objective of the international rules and procedure in the field of liability and redress) is not available, and reference is made to the related indicator 1.5.2.

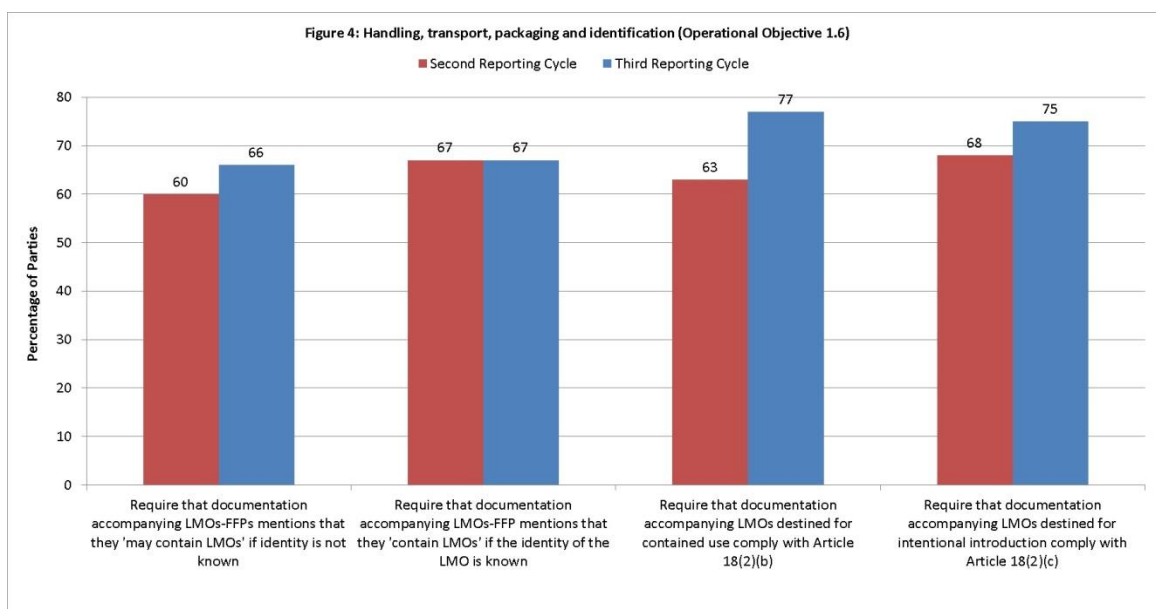
F. Handling, transport, packaging and identification (operational objectives 1.6 and 2.3)

Operational objective 1.6: handling, transport, packaging and identification

52. With regard to the percentage of Parties that have put in place documentation requirements for LMOs intended for direct use as food or feed, or for processing, indicator 1.6.1, information is only available on a specific aspect of documentation requirements. As indicated in figure 4, 66% of Parties (+6%) reported that they have taken measures, at least to some extent, to require that documentation accompanying shipments of LMOs-FFP clearly identifies that they may contain LMOs and are not intended for intentional introduction into the environment, where the identity of the LMO is not known through means such as identity preservation. Furthermore 67% also reported that in cases where the identity of the LMO is known through means such identity preservation, they have taken measures, at least to some extent, to require that documentation accompanying such LMOs-FFP, clearly identifies that they contain LMOs-FFP, which represents no change as compared to the baseline, as indicated in figure 4.

53. In the analysis of the percentage of Parties that have put in place documentation requirements for LMOs for contained use and for intentional introduction into the environment, (indicator 1.6.2) as indicated in figure 4, 77% of Parties reported that they have taken measures, at least to some extent, to require that documentation accompanying LMOs destined for contained used, clearly identifies them as LMOs and specifies requirements for their safe handling, storage, transport and use, the contact point, as well as the contact point for further information including associated information. This is an increase of 14% in comparison to the baseline, with notable regional progress reported in CEE (+17%) and Africa (+16%).

54. Furthermore, as indicated in figure 4, 75% of Parties reported that they have taken similar measures, at least to some extent, related to LMOs intended for intentional introduction into the environment within the Party of import. They require that documentation accompanying such LMOs identifies them as LMOs and specifies their identity and relevant traits and/or characteristics, requirements for safe handling, storage, transport and use, the contact point for further information, and requires that such documentation contains a declaration that the movement is in conformity with the requirements of the Protocol. This constitutes an increase of 7%, with a notable increase reported by Parties in Africa (+16%) and a decrease by Parties in GRULAC (-14%).

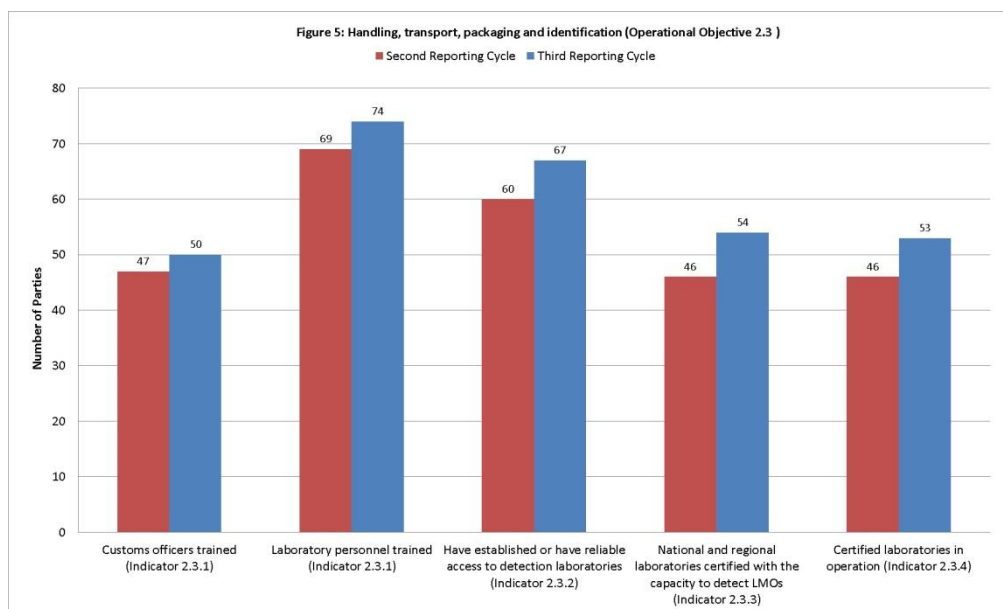


55. With regard to the number of Parties with access to tools that are capable of detecting unauthorized LMOs (indicator 1.6.3), there has been an increase of 16% as compared to baseline data.

56. While information is not available on the number of Parties using guidance developed for the handling, transport and packaging of LMOs (indicator 1.6.4), 53 Parties (66%) reported having such guidance available, while 48 Parties (61%) reported that they had such guidance during the second reporting cycle. In the GRULAC region, three Parties (27%) have reported having such guidance.

Operational objective 2.3: handling, transport, packaging and identification

57. Operational objective 2.3 focuses on the development of Parties' capacity for handling, transport, packaging and identification of living modified organisms. As indicated in figure 5, the number of Parties that replied positively to the relevant questions corresponding to each of the indicators increased in comparison with the baseline.



58. In addition to their responses, Parties also noted in their comments, an equally positive outlook on their progress towards developing capacity for handling, transport, packaging and identification of LMOs as per operational objective 2.3. In their comments, some Parties noted that part or all of these procedures

are carried out by officials from other relevant authorities such as dedicated biosafety inspectors at ports of entry and quarantine officers. Parties also noted that the relevant border control officials receive ongoing training in LMO labelling and document identification as well as the sampling of shipments for the analytical detection of the presence of LMOs.

59. Parties continue to train more laboratory personnel in the areas of detection and identification of LMOs. Furthermore, efforts are underway by several Parties to enhance the infrastructure of laboratories for the detection and identification of LMOs, both nationally and regionally.

60. At the regional level, more Parties have reported the formation and participation in sub/regional networks that focus on the detection and identification of LMOs; these include the European Union, MENA and Caribbean regions. In addition through information obtained from the CBD Network of Laboratories for the Detection and Identification of LMOs, there are other regional laboratory networks in the African and ASEAN regions. Several Parties in the Caribbean subregion in particular have indicated that they are also making use of a Regional Testing Laboratory in cases where they do not have a national laboratory.

61. At the national level, several Parties reported that they have access to the laboratory facilities, some of which are not exclusively used for LMO detection and identification. Among the Parties who reported that they have at least one operational laboratory, most had laboratories that were certified for LMO analysis. Furthermore, it was also noted that in spite of not being certified, some laboratories apply the necessary quality control measures for ensuring accurate and consistent results. The results of the third National Report is in line with the findings shared through the CBD Network of Laboratories for the Detection and Identification of LMOs.

62. In elaborating on the concept of certification, some Parties noted that this was interpreted to mean accreditation, which is the standard language used in the field to refer to the enforcement of quality assurance standards within a laboratory.

G. Socio-economic considerations (operational objective 1.7)

63. With regards to the number of peer-reviewed research papers published, made available and used by Parties in considering socio-economic impacts of LMOs (indicator 1.7.1), 28 Parties (35%) reported that they have used peer-reviewed published materials for the purpose of elaborating or determining national actions with regard to socio-economic considerations. While Parties were not required to indicate the exact number of such materials that they have used, almost half of the Parties (46%) that reported that they have used between one and four of such materials.

64. In the analysis of the number of Parties reporting on their approaches to taking socioeconomic considerations into account (indicator 1.7.2) 38 Parties (48%) reported that they have specific approaches or requirements that facilitate how socio-economic considerations should be taken into account in LMO decision-making. This constitutes a small increase in comparison to the information provided in setting the baseline, where 33 Parties (42%) reported that they have such approaches or requirements. At the regional level, the measurement of this indicator showed an increase in Africa (+25%) and a decrease in Asia-Pacific (-15%), while CEE, GRULAC and WEOG reported similar results as in the baseline.

65. A total of 12 Parties reported their experiences in taking socio-economic considerations into account in reaching decisions on import of LMOs (indicator 1.7.3), while four Parties report to have done so in some cases. This constitutes respectively 27% and 9% of those Parties that responded to the related question in both the third national report and the baseline. The responses show an increase in comparison to the baseline, where only four Parties reported to have experience in taking into consideration socio-economic considerations in decision-making related to import of LMOs.

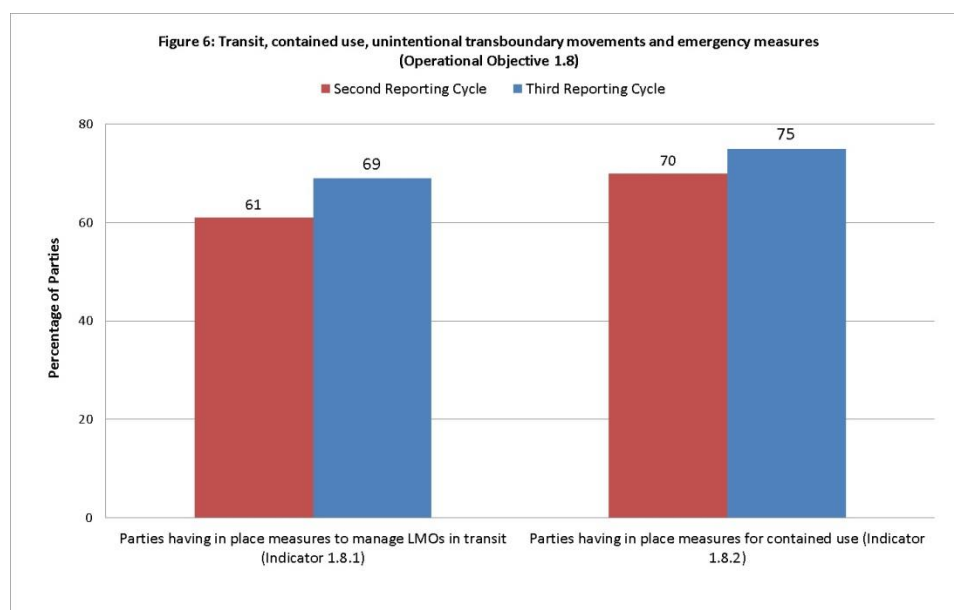
66. Furthermore, some Parties indicated in their comments that socio-economic considerations had been taken into consideration in field trials only. A number of Parties reported that legislation to this end is under development. One Party indicated that socio-economic considerations could be taken into consideration as supplementary information.

H. Transit, contained use, unintentional transboundary movements and emergency measures (operational objective 1.8)

67. In the analysis of the percentage of Parties that have in place measures to manage LMOs in transit (indicator 1.8.1), the third national reports indicate that 69% of Parties regulate the transit of LMOs, either fully or to some extent, which represents an increase of 8%, as shown in figure 6. Some regional differences are noted. In WEOG all Parties reported that they have regulated transit, while in the CEE, only 88% of Parties reported that they have regulated transit. In Africa, Asia and the Pacific, and GRULAC, the percentage of Parties that have regulated or regulated to some extent is also higher (respectively 58%; 50% and 60%).

68. A slightly higher percentage of Parties reported that they have in place measures for contained use (75%, or 77 Parties) (indicator 1.8.2), which represents an increase of 5%, as indicated in figure 6. All Parties in WEOG and almost all Parties in CEE (94%) reported that they regulate contained use, while percentages are lower in Africa and Asia-Pacific (67% and 70%, respectively) and lowest in GRULAC (53%). GRULAC is the only region that shows a downward trend in respect of the second national report (-7%).

69. A number of Parties reported that their legislation related to the establishment of measures for contained use is under development.



70. In analysing use of guidance to detect the occurrence of unintentional releases of LMOs and being able to take appropriate response measures, it is noted that the Secretariat, in collaboration with the CBD's Network of Laboratories for the Detection and Identification of LMOs, is in the process of developing the relevant guidance as requested in the Strategic Plan.

71. With regards to Parties' capacity to take appropriate measures in the event that an LMO is unintentionally released, 44 Parties (56%) reported that they have such capacity. This represents an increase of 6% as compared to the baseline.

I. Information sharing (operational objectives 2.6, 4.1 and 4.2)

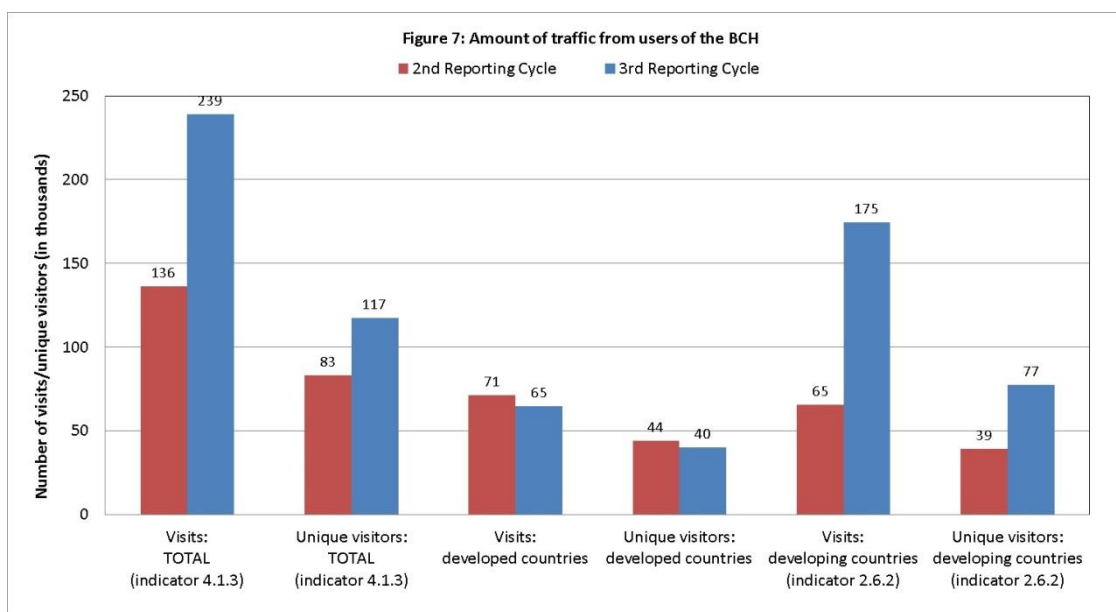
Operational objective 2.6: Information sharing

72. Operational objective 2.6 on information sharing aims at ensuring that the BCH is easily accessed by all established stakeholders, in particular in developing countries and countries with economies in transition.

73. Two indicators were established to measure progress towards within this operational objective. Results obtained from the BCH at the end of the third reporting cycle when compared with the baseline indicate that:

(a) The number of submissions to the BCH from developing countries and countries with economies in transition increased from 1,406 in the second reporting period to 2,103 in the third reporting period. In spite of the increase in the number of records, the percentage of submissions to the BCH from developing countries and countries with economies in transition in relation to all submissions decreased from 38.8% when the baseline was set to 34.4% in the last reporting cycle. These results indicate that although developing countries and countries with economies in transition continue to submit National Records to the BCH, the rate in which these countries are contributing has slowed down during the third national reporting period (indicator 2.2.1);

(b) The amount of traffic (annual average across the reporting periods) in the BCH by users from developing countries and countries with economies in transition, increased from 65,327 visits and 39,275 unique visitors in the second reporting cycle to 174,523 visits and 77,210 unique visitors in the third reporting cycle, representing increases of 167% in the number of visits and 97% in the number of unique visitors from developing countries and countries with economies in transition (indicator 2.6.2). Interestingly, an analysis of these results show that the increase in total traffic observed during the third reporting cycle is due exclusively to an increase in the traffic from users to the BCH from developing countries and countries with economies in transition (figure 7; see also indicator 4.2.3).



Operational objective 4.1: BCH effectiveness

74. Operational objective 4.1 on the effectiveness of the BCH aims to increase the amount and quality of information submitted to and retrieved from the BCH.

75. Eight indicators are provided in the Strategic Plan to measure progress towards this operational objective. Data obtained during the third reporting cycle compared with the baseline indicate that:

(a) The ratio of risk assessment summary reports as against number of decisions on “LMOs for intentional introduction into the environment” and “Decision on LMOs for direct use as food or feed, or for processing” increased from 83% (536 risk assessments to 647 decisions) in the second reporting cycle to 93% (1210 risk assessments to 1295 decisions) in the third reporting cycle (indicator 4.1.1). Interestingly, not only the ratio of risk assessment summaries to decisions increased, but also the number of such decisions increased by 100% during the last reporting cycle;

(b) The number of publications contained in the Biosafety Information Resource Centre (BIRC) increased from 1,223 at the end of 2012 to 1,460 at the end of 2015, representing an increase of 19.4% (indicator 4.1.2);

(c) The amount of traffic (annual average across the reporting periods) from users to the BCH (measured globally) increased from 136,450 visits and 83,159 unique visitors in the second reporting cycle to 239,153 visits and 117,210 unique visitors in the third reporting cycle, representing increases of 75% in the number of visits and 40% in the number of unique visitors (indicator 4.1.3; figure 7). The increase in the number of visits and number of unique visitors is due exclusively to an increase in traffic from users to the BCH coming from developing countries and countries with economies in transition. When only developed countries are considered, there was actually a decrease in the amount of traffic in the third reporting cycle in comparison to the baseline (see figure 7 above);

(d) Number of references to the BCH (indicator 4.1.4), measured as the number of people who arrived at the BCH by clicking on links in social media websites (e.g. Facebook, Twitter), increased from 1,458 during 2010-2012 (2nd reporting cycle) to 3,148 during 2013-2015 (third reporting cycle), representing an increase of 115%;

(e) The number of countries with focal points registered on the BCH changed as follows (indicator 4.1.5):

- (i) Cartagena Protocol Focal Point: increased from 176 (90%) to 180 (92%);
- (ii) Biosafety Clearing-House Focal Point: decreased from 192 (98% of countries) to 191 (97% of countries);
- (iii) Emergency Measures (Article 17) Contact Point: increased from 72 (37% of countries) to 109 (56% of countries);

(f) The number of countries having published biosafety laws and/or regulations on the BCH increased from 155 in the second reporting cycle to 159 in the third reporting cycle. This represents an increase of 2% (from 79% to 81% of a total of 196 countries) (indicator 4.1.6);

(g) The number of AIA/domestic decisions available through BCH, measured as the number of “Decision on LMOs for intentional introduction into the environment (according Article 10 or domestic regulatory framework)” and/or “Decision on LMOs for direct use as food or feed, or for processing (Article 11, LMOs-FFPs)” that were submitted by Parties, increased from 903 in the second reporting format to 1296 in the third reporting format. This represents an increase of 44% in the number of such decisions submitted in the third reporting cycle as compared to the baseline (indicator 4.1.7).²²

Operational objective 4.2: BCH as a tool for online discussions and conferences

76. Operational objective 4.2 on the BCH as a tool for online discussions and conferences aims to establish the BCH as a fully functional and effective platform for assisting countries in the implementation of the Protocol on the effectiveness of the BCH aims to increase the amount and quality of information submitted to and retrieved from the BCH.

77. Three indicators are provided in the Strategic Plan to measure progress towards this operational objective. Data obtained from the BCH during 2013-2015 in comparison with data obtained during 2010-2012 as baseline indicate that:

(a) The average number of Parties who actively nominated participants to open-ended forums held under the BCH increased from 29 (18% of 163 Parties) in the second reporting cycle to 42 (25% of 170 Parties) in the third reporting cycle (indicator 4.2.1; Table 1);

Table 1. Number of Parties who actively nominated participants to open-ended forums held under the BCH

²² There is no data available for measuring the number of users of the BCH requesting improvement on accuracy, completeness or timeliness of information (indicator 4.1.8).

	2nd reporting cycle (2010-2012)	3rd reporting cycle (2013-2015)
Risk assessment	50	53
Detection and identification	18	41
Customs officers	15	N/A
Socioeconomic	34	27
Synthetic Biology	N/A	48
AVERAGE	29	42
PERCENTAGE	18%	25%

(b) The total number of participants who took part in open-ended online forums held under the BCH increased from 428 in the second reporting cycle to 687 in the third reporting cycle, representing an increase in 60% (indicator 4.2.2; Table 2);

Table 2. Number of participants who took part in open-ended online forums held under the BCH

	2nd reporting cycle (2010-2012)	3rd reporting cycle (2013-2015)
Risk assessment	281	261
Detection and identification	34	91
Customs officers	21	N/A
Socioeconomic	92	99
Synthetic biology	N/A	236
TOTAL	428	687

(c) The number of capacity-building activities aimed to increase the transparency, inclusiveness and equity of participation in the BCH increased from 2 online forums (“BCH on BCH Forum” and “UNEP-GEF BCH Forum”) during the second reporting cycle to 4 in the third reporting cycle (by adding two new forums: “FAO-CBD-OECD Biosafety Databases Forum” and “BCH Informal Advisory Committee” to the already existing ones) (indicator 4.2.3).

J. Compliance and Review (operational objective 3.2)

Operational objective 3.2: Assessment and Review

78. In the analysis of the number of assessment reports submitted and reviews published, indicator 3.2.1, as of 31 December 2015, 105 (62%) third national reports were submitted out of the expected 170 that were due. In comparing reports submission at deadline time of both the second and third national reports, there has been a decrease from 89% at second national reports to 62% at third national reports. With regard to the previous reporting cycle, Parties have identified, among others, lack of financial resources, lack of information at national level and the challenges of compiling information from different sectors as some of the reasons for not submitting national reports. These factors may have affected current submission rates.

79. In analysing the status of the number of Parties modifying their national biosafety frameworks to correspond with amendments to the Protocol adopted to address new challenges, indicator 3.2.2, it is noted that there have not been any amendments to the Protocol to date. However, Parties have reported on the implementation of guidance provided by COP-MOP in the context of labelling requirements of shipments of LMOs-FFP. Fifty percent of Parties have reported that in cases where the identity of the LMO is known through means such identity preservation, they have taken measures to require that documentation accompanying such LMOs-FFP, clearly identifies that they contain LMOs-FFP.

**K. Public awareness and participation, Biosafety education and Training
(operational objectives 2.5 , 2.7 and 4.3)**

Operational objective 2.5: Public awareness, education and participation

80. Operational objective 2.5 seeks to enhance capacity of Parties to raise public awareness, and promote public education and participation concerning the safe transfer, handling and use of LMOs. Three indicators were set out to measure progress towards the achievement of this objective.

81. With regard to indicator 2.5.1, the percentage of Parties that reported having in place mechanisms for ensuring public participation in decision-making concerning LMOs increased by 17% (from 63% to 80%) and the percentage of Parties reporting having no such mechanisms decreased by 16% (from 37% to 21%). An increase was also reported with regard to the establishment of a mechanism to make available to the public the results of decisions taken concerning LMOs.

82. The percentage of Parties that inform their public about existing modalities for participation (indicator 2.5.2) remained at the same as the baseline at 79%. With regard to the specific types of modalities used to inform the public, the number of Parties using national websites as the main modality increased by 13%. There was also a slight increase of 5% in the number of Parties using public hearings while the use of newspapers, forums and mailing lists decreased.

83. With regard to indicator 2.5.3 (number of Parties having in place national websites and searchable archives, national resource centres or sections in existing national libraries dedicated to biosafety educational materials), 60 Parties reported that they have such tools in place, which represents a 4% decrease as compared to the baseline.

Operational objective 2.7: Biosafety education and training

84. Operational objective 2.7 seeks to promote education and training of biosafety professionals through greater coordination and collaboration among academic institutions and relevant organizations.

85. An analysis of indicator 2.7.1 shows a slight increase of 5% the number of Parties reporting having biosafety education and training courses and programmes. At the regional level, the increase was similarly modest with an average of one additional country per region reporting to have at least one academic institution offering biosafety education and training courses and programmes.

86. Parties also reported an increase in the number of biosafety training materials and online modules available, as per indicator 2.7.2, with 13% more Parties indicating that they have one or more such materials and modules available.

Operational objective 4.3: Information sharing other than through the BCH

87. Operational objective 4.3 focuses on enhancing understanding of biosafety through information exchange mechanisms other than the BCH. With regard to indicator 4.3.1 (the number of events organized in relation to biosafety), 72 Parties reported that they have organised at least one regional, national or international event related to biosafety such as seminars, workshops, press conferences, educational events, etc. in the last 2 years. This represents a marginal increase of 3% the number events held during the current reporting period as compared to the baseline.

88. With regard to indicator 4.3.2 (number of biosafety related publications shared), 80% of Parties reported that they have such publications which represents a 2% increase over baseline. Parties are sharing their publications mainly through national websites and national libraries while the number of Parties sharing information through the BCH central portal has marginally decreased.

L. Outreach and Cooperation (operational objectives 5.1, 5.2, and 5.3)

Operational objective 5.1: Ratification of the Protocol

89. Indicator 5.1.1 provides an analysis of the percentage of Parties to the Convention on Biological Diversity that are Parties to the Protocol. As at 31 December 2011, 84% of Parties to the Convention were

Parties to the Protocol. As at 31 December 2015, the percentage of Parties to the Convention that were Parties to the Protocol increased by 3% to 87%.

Operational objective 5.2: Cooperation

90. In the analysis of the number of established relationships with other conventions as reflected in joint activities, as outlined in indicator 5.2.1, the Secretariat has established formal relationships with the Aarhus Convention, the Green Customs Initiative (GCI) and holds observer status in the World Trade Organization (WTO) Committee on Trade and Environment (CTE). The Secretariat has also renewed its request for observer status in other relevant WTO committees. Joint activities have also taken place in collaboration with the Economic Co-operation and Development (OECD) and the Food and Agriculture Organisation (FAO) with the view to facilitate further discussion on effective communication mechanisms at the national level among the focal/contact points for the three biosafety databases.

91. The Secretariat shares data on the BCH with the OECD, 'European Union Reference Laboratory for GM Food and Feed' (EURL-GMFF), the CropLife International 'Detection Methods Database' and, 'Biotradestatus Database', and the International Advisory Group on Pest Risk Analysis (IAGPRA), coordinated by the Secretariat of the International Plant Protection Convention.

Operational objective 5.3: Communication and outreach

92. With regards to indicator 5.3.1 on the number of national awareness and outreach programmes on biosafety, there was a slight increase of 4% in the number of Parties indicating that they have any awareness and outreach programmes on biosafety. In elaborating on the implementation of such programmes, several Parties from all regions reported that, at the national level, government ministries and departments are responsible for awareness and outreach programmes on biosafety, primarily through websites.

93. In analysing indicator 5.3.2, 46% of Parties reported that they have in place national communication strategies on biosafety not later than 3 years after having adopted national biosafety laws which is an increase of 3% over the baseline.

94. With regards to indicator 5.3.3 on the percentage of Parties that have in place national biosafety websites, including national BCH nodes that are accessible to and searchable by the public, 59% of Parties reported to have established a biosafety website searchable archives, national resource centres or sections in existing national libraries dedicated to biosafety educational materials, which represents a 4% decrease as compared to the baseline.

95. The number of Parties with awareness and educational materials on biosafety and the Protocol available and accessible to the public, including the diversity of these materials, as outlined in indicator 5.3.4, decreased by 3% as compared to the baseline to 77%.

IV. DRAFT ELEMENTS OF THE GROUP'S CONCLUSIONS

96. Taking into account the comparative analysis of information submitted by Parties through their second and third national reports, as well as relevant information obtained from other sources, including the Biosafety Clearing-House, the Liaison Group on Capacity-Building may wish to consider the following elements of the Group's conclusions for submission to the Subsidiary Body on Implementation regarding the third assessment and review of the Protocol and the mid-term evaluation of the Strategic Plan for the Cartagena Protocol on Biosafety, including possible measures for improving the Protocol's implementation, performance and effectiveness:

A. National Biosafety Framework (operational objectives 1.1 and 2.1)

97. Parties have continued to make progress towards the establishment of an operational national biosafety framework for the implementation of the Protocol. Most progress was reported in regions that had been lagging behind in the establishment of biosafety frameworks. Many Parties have also indicated that the slow rate in the establishment of legal, administrative and other measures continues to be one of the main obstacles to implementing the obligations under the Protocol.

98. Many Parties reported that they have rules and mechanisms that are related to decision-making on LMOs. Almost all Parties that have taken decisions on LMOs report that they have rules and mechanisms in place. However, some Parties that have taken decisions on LMOs-FFP reported that they neither have mechanisms nor rules that govern such decision-making.

99. While almost all Parties have provided information on national focal points, a considerable number of Parties have not provided information on national points of contact within the context of Article 17 of the Protocol, related to unintentional transboundary movements and emergency measures.

100. In the context of administrative frameworks, Parties have reported some progress in the establishment of institutional capacity and availability of permanent staff. However, Parties have reported a decrease in the establishment of mechanisms for the allocation of funds for the operationalization of biosafety frameworks.

B. Coordination and support (operational objective 1.2)

101. There is a notable decrease in the percentage of Parties that have in place national coordination mechanisms with many Parties reporting that National Focal Points (NFPs) and Competent National Authorities (CNAs) are responsible for coordinating biosafety capacity-building initiatives. Most developing country Parties report that they have no predictable and reliable funding for capacity-building and implementation of the Protocol.

102. Furthermore, there is a minor decrease in the number of Parties that have mobilized new and additional financial resources for the implementation of the Protocol and the overall amount of new and additional financial resources mobilised has also decreased. The GEF continues to be the main source of funding support for biosafety projects, even though a number of countries reported having difficulties in accessing that funding. The number of Parties reporting that their capacity-building needs have been met has remained almost unchanged. At the regional level, the CEE countries report on the greatest need and at the thematic level, most of the areas under the Protocol still need capacity-building interventions. Finally, about a third of Parties have reported that they had established collaborative bi/multilateral arrangements, of which most have established one or two of such arrangements.

C. Risk assessment and risk management (operational objectives 1.3 and 2.2)

103. Consistent progress was made towards further developing and supporting implementation of scientific tools on common approaches to risk assessment and risk management for Parties, in particular, there were clear increases in the number of Parties that are conducting actual risk assessments of LMOs (7.5%) and those adopting common approaches to risk assessment and risk management (10%).

104. On the other hand, with regard to capacity-building on risk assessment, risk management and monitoring, there were no marked changes in the indicators as compared to the last reporting cycle. One exception was a large decrease (11.2%) in the number of Parties who have at least one person trained in monitoring of LMOs.

D. LMOs or traits that may have adverse effects (operational objective 1.4)

105. No progress was made towards the development modalities for cooperation and guidance in identifying LMOs or specific traits that may have adverse effects on the conservation and sustainable use of biological diversity, taking also into account risks to human health.

E. Liability and Redress (operational objectives 1.5 and 2.4)

106. Seven more instruments of ratification²³ are required for the Supplementary Protocol to enter into force. Thirty-three out of the thirty-four instruments of ratification etc. were deposited in the current reporting period. Just over half of the Parties reports to have administrative or legal instruments that

²³ Or instruments of acceptance, approval or accession. The approval by the European Union is not counted for the purposes of entry into force.

provide for response measures for damage to biodiversity resulting from LMOs. A low and dwindling number of Parties reported to have received funding for capacity building on the issue.

F. Handling, transport, packaging and identification (operational objectives 1.6 and 2.3)

107. Half of the Parties have reported that they have introduced measures related to documentation requirements of LMOs-FFP, which constitutes an increase. Similar increases are observed in relation to the introduction of measures related to documentation requirements of LMOs for intentional introduction into the environment and for contained use, which just over half of Parties reports to have introduced. At the regional level considerable difference is reported with Parties in some regions reporting an increase and Parties in other regions reporting a decrease in the introduction of such measures.

108. Parties are taking an active interest in enhancing their capacity to enforce the implementation of the Protocol's requirements related to handling, transport, packaging and identification of LMOs as well as appropriately train and equip personnel in sampling detection and identification, particularly in countries with large geographic areas as well as those that are centres of origin. Parties are also active in forming networks within their region to facilitate the sharing of technical knowledge and encourage the harmonization and standardization of sampling, detection, identification and quantification methods for LMOs. This includes collaboration with the Secretariat to develop easy to use and reliable technical tools for the detection of LMOs.

G. Socio-economic considerations (operational objective 1.7)

109. An increasing number of Parties have introduced specific approaches or requirements that facilitate how socio-economic considerations should be taken into account in LMO decision-making, with very considerable regional differences in the reported increases. Just under a third of Parties reports to have taken socioeconomic considerations into account in their decision-making process related to LMOs, which constitutes a considerable increase. Some Parties indicated in their comments that socio-economic considerations had been taken into consideration in field trials only. Other Parties indicated that socio-economic considerations were considered, yet not in the context of the impact of the LMO on the conservation and sustainable use of biological diversity. A number of Parties reported that legislation to facilitate how socio-economic considerations should be taken into account in LMO decision making is under development. About a third of Parties reports to have used peer-reviewed published materials for the purpose of elaborating or determining national actions with regard to socioeconomic considerations.

H. Transit, contained use, unintentional transboundary movements and emergency measures (operational objective 1.8)

110. An increasing number of Parties have reported that they regulate transit. A slightly higher number of Parties have reported that they regulate contained use. Regional differences remain rather sharp, varying between about half of Parties regulating transit and contained use in some regions to almost all Parties having done so in others. A decreasing number of Parties reported that they have the capacity to take appropriate measures in case of unintentional release of LMOs. Development of guidance on the detection and identification of LMOs is in the progress in collaboration with the CBD's Network of Laboratories for the Detection and Identification of LMOs.

I. Information sharing (operational objectives 2.6, 4.1 and 4.2)

111. Although developing countries or countries with economies in transition continue to make submissions to the BCH, the rate at which these countries are contributing has slowed down during the last reporting period. Likewise, an increase in the amount of traffic from users to the BCH from developing countries and countries with economies in transition increased during the reporting period, the proportion of users from developing countries and countries with economies in transition decreased in relation to the total number of BCH users.

J. Compliance and Review (operational objective 3.1 and 3.2)

112. The Compliance Committee, under the Cartagena Protocol on Biosafety has provided its comprehensive input into the process at its thirteenth meeting, which was held from 24 to 26 February 2016. Their input will be submitted for consideration by the SBI and COP-MOP.

K. Outreach and Cooperation (operational objectives 2.5, 2.7, 4.3 5.1, 5.2 and 5.3)

113. There is modest progress made towards enhancing capacity to raise public awareness, and promote education and participation concerning the safe transfer, handling and use of LMOs and promoting education and training of biosafety professionals through greater coordination and collaboration among academic institutions and relevant organizations.

V. POSSIBLE ELEMENTS FOR A WAY FORWARD

114. Having analysed the data as provided in this report on the assessment and review of the implementation of the Cartagena Protocol on Biosafety and the mid-term evaluation of the Strategic Plan for the Protocol prepared by the Executive Secretary, the Liaison Group is invited to provide advice on possible recommendations for the possible way forward for consideration by the SBI at its first meeting in May 2016.

115. In facilitating the task of the Liaison Group towards achieving its objectives, the group may wish to consider the following elements in their evaluation:

(a) Has the comparative analysis of information submitted by Parties through their second and third national reports, as well as relevant information obtained from other sources, including the Biosafety Clearing-House provide a general picture of the status of implementation of the Cartagena Protocol?

(b) Has the level of progress achieved by Parties under each programme area the expected level? If not, what measures need to be introduced to improve implementation?

(c) Based on the information gathered from the mid-term evaluation, what programme areas should capacity-building be targeted in order to fulfil the needs expressed by Parties?

(d) Has the Strategic Plan been effective in providing the necessary impetus to the Parties in developing and implementing their legal, administrative and other measures?

(e) Is there a need to adjust or streamline indicators which cannot be measured?

(f) What actions need to be undertaken to achieve the anticipated goals by 2020?
