



## Press Brief Protocol on Biosafety

# Assessment and Review

## Background

The Conference of the Parties serving as the meeting of the Parties to the Protocol (COP-MOP) is required to undertake an evaluation of the effectiveness of the Cartagena Protocol on Biosafety, including an assessment of its procedures and annexes, at least every five years.

## What has been done?

At its fourth meeting, the COP-MOP conducted the first evaluation of the effectiveness of the Protocol. Based on the analysis of the first national reports and the responses of Parties to a questionnaire, it was noted that there was limited experience gained by Parties in the implementation of the Protocol. The COP-MOP thus recognised that the lack of operational experience did not provide a good basis for effective assessment and review of the Protocol.

At the fifth meeting, the COP-MOP decided that the scope of the second assessment and review would primarily focus on evaluating the status of implementation of core elements of the Protocol, and that the evaluation be based on information gathered through the second national reports and other sources. The Secretariat was requested to collect and compile information on the implementation of the Protocol and commission the analysis of the information with a view to facilitating the second assessment and review its effectiveness. The COP-MOP also established a regionally balanced expert group to review the analysis of information.

Parties also adopted a Strategic Plan of the Protocol (2011–2020) and decided, among other things, that the third assessment and review take place in conjunction with the midterm review of the implementation of the Strategic Plan at COP-MOP 8, using, among other things, information collected through the third national reports.

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At their sixth meeting, Parties stressed the need to undertake activities to enable it to initiate the processes for the third assessment and review of the effectiveness of the Cartagena Protocol and for the mid-term evaluation of the Strategic Plan for the Protocol. Parties further requested the Secretariat to commission a consultant to develop a sound methodological approach for the third assessment and review of the effectiveness of the Protocol, focusing primarily on the effectiveness of its institutional processes, annexes, procedures and mechanisms, provide Parties with the opportunity to submit views on the methodological approach developed and submit a proposal for consideration at its seventh meeting.

## What news to expect in Pyeongchang?

The COP-MOP is expected to:

- Adopt a process towards a sound methodological approach for the third assessment and review of the effectiveness of the Protocol and for the mid-term evaluation of the Strategic Plan for the Protocol, including establish an expert group on the Strategic Plan to undertake the assessment and review and the mid-term evaluation
- Request the Secretariat 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 midterm evaluation of the Protocol's Strategic Plan.

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## Press Brief Protocol on Biosafety

# Biosafety Clearing-House

## Background

The Protocol established the Biosafety Clearing-House (BCH) as a mechanism to facilitate the exchange of information on, and experience with, living modified organisms (LMOs) and to assist Parties in implementing the provisions of the Cartagena Protocol on Biosafety. The BCH is accessible at: <http://bch.cbd.int>.

## What has been done?

At its first meeting, the Conference of the Parties serving as the Meeting of the Parties to the Biosafety Protocol (COP-MOP) identified the BCH as a core mechanism for the functioning and implementation of the Protocol. It adopted the Modalities of Operation of the BCH, which describe its core roles and characteristics, its administration and technical oversight (including the responsibilities of the Secretariat, BCH National Focal Points and relevant organizations) and the modalities for periodic reporting and review of its operations.

In subsequent meetings, the COP-MOP adopted a Multi-year Programme of Work for the operation of the BCH; reviewed its implementation of the work programme and took additional decisions to improve the operations of the BCH. At its fifth meeting in Nagoya, Japan, the COP-MOP adopted a Strategic Plan for the Cartagena Protocol on Biosafety for the period 2011-2020, in which information-sharing and capacity-building regarding the BCH are set out as strategic objectives with defined expected outcomes and measurable indicators aimed at monitoring progress toward the established objectives.

Today the BCH is widely used around the world as the main repository of information on LMOs. Translated into all six official UN languages, it makes available information received by Parties, other governments, international organizations and other stakeholder groups on LMOs, decisions, risk assessments, national legislation, public participation, capacity-building and scientific literature on biosafety.

The BCH also facilitates the debate on LMOs and has held a number of online discussion groups and real-time conferences.



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## What news to expect in Pyeongchang?

At its seventh meeting, the COP-MOP is expected, among other things, to consider the progress report on the programme of work for the operation of the BCH, an analysis of the relevant outcomes and indicators set out in the Strategic Plan for the Protocol and to provide further guidance on the operation and activities of the BCH, which might include decisions for Parties, and other governments to register in the BCH all their decisions on LMOs and related risk assessments as requested under the Protocol, with special emphasis on first intentional transboundary movements of LMOs for intentional introduction into the environment that are intended for field trials, as this category is currently underrepresented in the BCH.

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## Press Brief Protocol on Biosafety

# Financial Mechanism and Resources

## Background

The Cartagena Protocol on Biosafety provides that the financial mechanism of the Convention on Biological Diversity shall also be the financial mechanism for the Protocol. In 1994, the Conference of the Parties (COP) to the Convention designated the Global Environment Facility (GEF) as the institutional structure entrusted with the operation of the financial mechanism. The Protocol also encourages developed countries to provide additional financial and technological resources for the implementation of the provisions of the Protocol through bilateral, regional and multilateral channels.

## What has been done?

At its previous meetings, the Conference of the Parties serving as the meeting of the Parties to the Protocol (COP-MOP) has adopted several decisions on matters related to the financial mechanism and resources and has made recommendations to the COP regarding further guidance to the financial mechanism (GEF) with respect to biosafety.

At its sixth meeting the COP-MOP advised the COP to invite the GEF to, among other things, develop a new strategy for financing biosafety and consider the new Framework and Action Plan for Capacity-Building in providing financial support to developing countries and countries with economies in transition. It also invited the GEF to provide support to eligible Parties for specific activities including capacity-building activities relating to the Biosafety Clearing-House (BCH) and risk assessment and risk management and the preparation of the third national reports under the Protocol.



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## What news to expect in Pyeongchang?

At the seventh meeting, it is expected that the COP-MOP will:

- Consider the current status and recommend to the COP measures to improve the level of GEF's support for the implementation of the Protocol, for incorporation into its further guidance to the GEF
- Advise COP to make funds available through a focal area set aside for small-scale projects to eligible Parties that inform the Compliance Committee of their difficulties in complying with the Protocol, and in particular for activities, among other things, to prepare for the third national reports
- Make a decision for Parties and other Governments to, among other things, integrate and prioritize biosafety within their national biodiversity strategies and action plans and national development plans and programmes, as appropriate
- Adopt means of mobilizing additional financial resources for the implementation of the Protocol.

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## Press Brief Protocol on Biosafety

# Monitoring and Reporting

## Background

The Protocol requires Parties to monitor implementation of their obligations under the Protocol and to report to the Conference of the Parties serving as the meeting of the Parties to the Protocol (COP-MOP) on measures taken to implement the Protocol.

## What has been done?

At its first meeting, held in 2004, the COP-MOP requested Parties to submit their national reports on the implementation of the Protocol every four years. Since then one interim report and two regular national reports have been submitted by Parties to the attention of the COP-MOP.

At its sixth meeting, in decision BS-VI/14, the Secretariat was requested to update the reporting format. A revised draft format has therefore been developed by the Secretariat taking into account the comments on the improvement of the reporting format received from Parties during the second national report process, the recommendations of the Compliance Committee and a survey. At the sixth meeting, the Secretariat was requested to undertake and review a dedicated survey to gather information corresponding to indicators in the Strategic Plan for the Protocol that could not be obtained from the second national reports or through other existing mechanisms.



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## What news to expect in Pyeongchang?

At the seventh meeting, it is expected that the COP-MOP may consider the information in the third national reporting format to facilitate both the mid-term review of the implementation of the Strategic Plan for the Protocol as well as the third assessment and review of the Protocol including:

- Adopt the reporting format and request Parties to use it for the third national report on the implementation of the Protocol
- Request Parties to submit to the Secretariat their third national report on the implementation of the Protocol twelve months prior to COP-MOP 8
- Encourage the Global Environment Facility to make financial resources available to enabling such eligible Parties to prepare their national reports, recognizing the limitations that some Parties might face in fulfilling their national reporting obligation due to lack of financial resources.

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## Press Brief Protocol on Biosafety

# Nagoya-Kuala Lumpur Supplementary Protocol on Liability and Redress to the Cartagena Protocol on Biosafety

## Background

The Cartagena Protocol on Biosafety, at its first meeting, mandated the Conference of the Parties serving as the meeting of the Parties to the Protocol (COP-MOP) to adopt a process for the elaboration of international rules and procedures in the field of liability and redress for damage resulting from transboundary movements of LMOs. After some six years of negotiations, Parties finalized the negotiation of a new treaty known as the Nagoya-Kuala Lumpur Supplementary Protocol on Liability and Redress. It was subsequently adopted on 15 October 2010 by the COP-MOP at its fifth meeting, in Nagoya, Japan.

The Nagoya-Kuala Lumpur Supplementary Protocol on Liability and Redress is a treaty intended to supplement the Cartagena Protocol on Biosafety by providing international rules and procedures on liability and redress for damage to biodiversity resulting from living modified organisms (LMOs). The Supplementary Protocol provides for administrative procedures and requirements regarding response measures that need to be taken in the event of damage by LMOs that adversely affect the conservation and sustainable use of biodiversity, taking into account risks to human health.

## What has been done since its adoption?

Opened for signature at UN Headquarters in New York from 7 March 2011 to 6 March 2012, by the closing date the Supplementary Protocol had been signed by 51 Parties to the Cartagena Protocol on Biosafety. As of 22 September 2014, 26 countries have deposited their instrument of ratification, acceptance, approval or accession of the Supplementary Protocol. The Supplementary Protocol will enter into force on the 90th day after the date of deposit of the 40th instrument of ratification, acceptance, approval or accession.

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Over the past four years, the Secretariat has carried out various activities, including training workshops, to promote the signature, ratification and subsequent implementation of the Supplementary Protocol. It has also made available several publications on the subject of liability and redress for environmental damage in general, and damage to biodiversity resulting from living modified organisms in particular.

## What news to expect in Pyeongchang?

The seventh meeting of the COP-MOP is expected to:

- Call upon Parties to the Protocol to expedite their internal processes and to deposit their instrument of ratification, acceptance, approval or accession to the Supplementary Protocol as soon as possible so that it will enter into force
- Invite Parties and relevant organizations to make financial contributions to facilitate to support activities intended to promote the ratification or accession and implementation of the Supplementary Protocol, and the preparation of an explanatory guide to expedite the entry into force and implementation of the Supplementary Protocol.

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## Press Brief Protocol on Biosafety

# Risk Assessment and Risk Management

## Background

Parties to the Protocol are required to make decisions on the import of Living Modified Organisms (LMOs) for intentional introduction into the environment in accordance with scientifically sound risk assessments. They are also required to adopt measures for managing risks identified during risk assessments.

## What has been done?

At its fourth meeting, the Conference of the Parties serving as the meeting of the Parties to the Biosafety Protocol (COP-MOP) established an Open-ended Online Expert Forum and an Ad Hoc Technical Expert Group (AHTEG) on Risk Assessment and Risk Management to develop guidance on specific aspects of risk assessment. At that meeting, the Parties also requested the Executive Secretary to develop training courses to enable countries to gain hands-on experience in preparing and evaluating risk assessment reports.

At their fifth meeting, the Parties welcomed the Guidance and decided to extend the work of the online forum and AHTEG for further revision, testing and elaboration of further guidance on new specific topics of risk assessment. The document entitled "Guidance on Risk Assessment of LMOs", includes: Part I: "Roadmap for Risk Assessment of LMOs," that elaborates the technical and scientific process of environmental risk assessment in accordance with Annex III to the Protocol and provides background material and links to relevant references. It also includes Part II: "Specific Types of LMOs and Traits" that provides guidance on the risk assessment of LMOs with stacked genes or traits, living modified plants with improved tolerance to abiotic stress, living modified trees and living modified mosquitoes. Part III contains guidance on the "Monitoring of Living Modified Organisms released into the environment".

At their fifth meetings, the Parties also welcomed the development of the "Training Manual on Risk Assessment of Living Modified Organisms" and requested the Executive Secretary to develop an interactive learning tool based on the manual. The Parties also requested the Executive Secretary to convene further training courses.

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At the sixth meeting, Parties commended the progress made on the resulting “Guidance on Risk Assessment of LMOs”. They also noted, among other things, that the Guidance would be tested nationally and regionally for further improvement in actual cases of risk assessment and in the context of the Protocol. In response to a request made at the sixth meeting, the Secretariat has also developed tools as well as gathered and analyzed feedback in line with testing of the Guidance.

In addition, at the sixth meeting, the Parties also extended the online forum and established a new AHTEG to develop and achieve, among other things, a package that aligns the Guidance (e.g. the Roadmap) with a training manual “Risk Assessment of Living Modified Organisms” in a coherent and complementary manner. The Parties also requested the Executive Secretary to follow up on training by gathering additional feedback from Parties on the practicality, usefulness and utility of the Guidance and training manual through online discussions or other means. The Parties also acknowledged the concept of an e-training tool based on the revised training manual.

## What news to expect in Pyeongchang?

At its seventh meeting, it is anticipated that the COP-MOP might take a decision to:

- Endorse the Guidance and support for its use and application in actual cases of risk assessment and as a tool for capacity-building activities in risk assessment
- Establish a mechanism for updating the Guidance to have an updated version of the Guidance by the ninth meeting of the COP-MOP
- Endorse the package that aligns the Guidance and Manual as a online tool for, for example, capacity building in risk assessment
- Extend the online forum and AHTEG
- Request the Secretariat to further convene capacity-building activities and to develop an interactive learning tool based on the aligned package on risk assessment

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## Press Brief Protocol on Biosafety

# Socio-economic Considerations

## Background

The Cartagena Protocol on Biosafety establishes the right of Parties to take into account socio-economic considerations arising from the impact of living modified organisms (LMOs) in reaching a decision on whether to import LMOs, especially with regard to the value of biological diversity to indigenous and local communities. However, when Parties are taking into account such considerations, they are at the same time required to ensure that the decision is consistent with their other international obligations. The Protocol also encourages Parties to cooperate on research and information exchange on any socio-economic impacts of LMOs, especially on indigenous and local communities.

## What is being done?

At their fifth meeting, held in 2010, the Parties adopted the Strategic Plan for the Protocol for the period 2011-2020. Operational objective 1.7 of the Strategic Plan addresses socio-economic considerations and is "to, on the basis of research and information exchange, provide relevant guidance on socio-economic considerations that may be taken into account in reaching decisions on the import of LMOs".

At their sixth meeting, the Parties requested the Secretariat to carry out a number of activities on socio-economic considerations, including: the convening of online discussion groups; the convening of regional online real-time conferences; and the compilation, stocktaking and review of existing information on socioeconomic considerations to develop a global overview.

Also at their sixth meeting, the Parties established an expert group to examine the outcomes of the activities, to develop conceptual clarity on socio-economic considerations. The expert group was hosted by the Government of Korea and was held in Seoul in February 2014.



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## What news to expect in Pyeongchang?

At their seventh meeting, the Parties will consider the report of the expert group. The Parties may decide to, among other things:

- Extend the expert group to work on the guidelines envisaged under operational objective 1.7 of the Strategic Plan, taking into account, among other things, elements of a framework for conceptual clarity on socio-economic considerations
- Request the Secretariat to convene online discussion groups, including concerning: the interface between risk assessment and socio-economic considerations; human health-related aspects of socio-economic considerations; and international obligations that may be relevant to socio-economic considerations
- Request the Secretariat to compile information on: policies, laws, regulations and guidelines providing for definitions of socio-economic considerations; and practical applications of socio-economic considerations in decision-making on LMOs, including cases where socio-economic impacts have been considered.

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