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LIAISON GROUP ON THE CARTAGENA PROTOCOL ON BIOSAFETY

Thirteenth meeting
Montreal, Canada, 22-25 October 2019

REPORT OF THE LIAISON GROUP ON THE CARTAGENA PROTOCOL ON BIOSAFETY ON ITS THIRTEENTH MEETING

INTRODUCTION

1. In its decision [CP-9/7](#), the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol decided to expand the mandate and scope of the Liaison Group on Capacity-Building for Biosafety,¹ as outlined in the annex to the decision, and to rename it “Liaison Group on the Cartagena Protocol on Biosafety”. It requested the Liaison Group to contribute to the development of the relevant elements of the biosafety component of the post-2020 global biodiversity framework² and to the development of a specific post-2020 implementation plan for the Cartagena Protocol on Biosafety that is anchored in and complementary to the post-2020 global biodiversity framework.
2. In its decision [14/24](#), the Conference of the Parties decided on a process for the preparation of a long-term strategic framework for capacity-building beyond 2020. In its decision [CP-9/3](#), the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol took note of decision 14/24 and acknowledged the need for a specific action plan for capacity-building for implementation of the Cartagena Protocol and its Supplementary Protocol that is aligned with the post-2020 implementation plan and complementary to the long-term strategic framework for capacity-building beyond 2020. Through decision CP-9/3, the meeting of the Parties requested the Liaison Group to contribute to the development of (a) the draft action plan for capacity-building for implementation of the Cartagena Protocol and its Supplementary Protocol and (b) the draft long-term strategic framework for capacity-building beyond 2020.
3. Accordingly, the thirteenth meeting of the Liaison Group was convened to: (a) review the draft post-2020 implementation plan for the Cartagena Protocol; (b) contribute to the development of the draft post-2020 capacity-building action plan; (c) prepare a draft of the biosafety component of the post-2020 global biodiversity framework; and (d) contribute to the development of the draft long-term strategic framework for capacity-building beyond 2020, as appropriate.
4. The meeting was attended by 18 members. Three members were unable to participate. The complete list of participants is contained in annex II below.

ITEM 1. OPENING OF THE MEETING

5. The meeting was opened by Mr. David Cooper, Deputy Executive Secretary of the Convention on Biological Diversity, at 9.30 a.m. on Tuesday, 22 October 2019. He welcomed the members and highlighted the different areas that the Liaison Group was to consider during its meeting. He encouraged

¹ The Liaison Group on Capacity-Building for Biosafety was originally established as part of the coordination mechanism for capacity-building, through decision BS-I/5.

² The Conference of the Parties to the Convention on Biological Diversity, in decision [14/34](#), agreed on the process for the preparation of the post-2020 global biodiversity framework.

the members to think of the different post-2020 processes as complementary pieces of a larger picture. He noted that the meeting was very timely as its outcomes could be transmitted to the Open-Ended Working Group on the Post-2020 Global Biodiversity Framework at its next meeting and could be considered in the zero draft of the framework. He also noted the renewed importance of the Protocol in view of the ongoing advancements in biotechnology.

ITEM 2. ORGANIZATIONAL MATTERS

2.1. Election of officers

6. The Liaison Group elected Ms. Rita Andorkó and Ms. Georgina Catacora-Vargas as co-chairs.

2.2. Adoption of the agenda and organization of work

7. The Liaison Group adopted its agenda based on the provisional agenda prepared by the Secretariat ([CBD/CP/LG/2019/1/1](#)). The Liaison Group also adopted its organization of work as outlined in [CBD/CP/LG/2019/1/Add.1](#).

ITEM 3. OVERVIEW OF POST-2020 PROCESSES AS THEY RELATE TO THE CARTAGENA PROTOCOL ON BIOSAFETY AND OVERVIEW OF THE INTERSESSIONAL WORK OF THE LIAISON GROUP

8. The Secretariat made a presentation to introduce the agenda item and the relevant document ([CBD/CP/LG/2019/1/2](#)). In the presentation, the Secretariat referred to the four areas of the post-2020 processes in which the Liaison Group had a role to play as indicated in paragraph 3 above. It also outlined the process for the fourth assessment and review of the effectiveness of the Protocol and the final evaluation of the Strategic Plan for the Cartagena Protocol, which the Liaison Group would consider at its next meeting.

9. The co-chairs thanked the Secretariat for having provided the overview, which would facilitate the discussion under the subsequent agenda items.

ITEM 4. POST-2020 IMPLEMENTATION PLAN FOR THE CARTAGENA PROTOCOL

10. The Secretariat introduced the agenda item and provided the background to the development of the revised draft post-2020 implementation plan as contained in the annex to document [CBD/CP/LG/2019/1/3](#).

11. The Liaison Group welcomed the revised draft implementation plan and noted that it largely reflected the input provided during the online discussions and through the submissions.

12. The Liaison Group acknowledged the need for an introductory text which would provide a context for the implementation plan. The Group considered the elements for an introductory text outlined in the annex to the document. In that context, there were different perspectives on the need for a vision and mission in the implementation plan. It was suggested that the vision and mission might be captured in the language of the global biodiversity framework.

13. The Liaison Group discussed additional elements that would need to be included in the introductory text. In that regard, the introductory text should: (a) acknowledge that the Nagoya – Kuala Lumpur Supplementary Protocol on Liability and Redress (Supplementary Protocol) is a separate legal instrument; (b) recognize the important role of indigenous peoples and local communities, stakeholders, relevant organizations and donors for the implementation of the Protocol, although the implementation plan would be directed at Parties; and (c) recognize the support of the Secretariat in implementing the Protocol, including in relation to the further development and maintenance of the Biosafety Clearing-House.

14. The Liaison Group reviewed the table of goals, objectives, outcomes and indicators of the revised draft implementation plan and provided the following advice for the further improvement of the plan:

General comments

- (a) Indicators should measure progress towards objectives;
- (b) In some cases, it may be necessary to have one indicator for each objective; in other cases, one indicator may be able to measure progress towards multiple objectives while, in still other cases, one objective may need more than one indicator;
- (c) To improve their measurability, indicators should be simplified, and subjective qualifiers should be removed, as far as possible;
- (d) Indicators should measure the use of information or materials, rather than their availability;

Specific comments

Goal A.1

- (e) National focal points should also be referred to in the outcome for this goal;

Goal A.2

- (f) The objective should also address the publication of non-mandatory information in the Biosafety Clearing-House;
- (g) An indicator should be added concerning traffic on the Biosafety Clearing-House, similar to indicators in the current Strategic Plan;

Goal A.3

- (h) The wording of the outcome should be improved to clarify the reference to the Conference of the Parties serving as the meeting of the Parties identifying where support is needed;

Goal A.5

- (i) A reference should be added to annex III of the Protocol in objective A.5.1;
- (j) The outcome should also refer to the ability to assess the potential risks of living modified organisms (LMOs);
- (k) Indicator (a) should be simplified and refer to decisions for which the Protocol requires risk assessments to be undertaken;
- (l) Indicator (c) should also refer to the use of relevant risk assessment and risk management guidance materials;
- (m) An indicator should be added to measure the percentage of Parties that also consider traditional knowledge when carrying out risk assessments;

Goal A.6

- (n) An objective and a corresponding indicator should be added concerning access to and use of the necessary information, including reference materials, for detection and identification of LMOs;
- (o) Objective A.6.2 should be reworded to focus on access to technical infrastructure;

Goal A.8

- (p) The indicator related to documentation requirements should be separated into three different indicators according to the categories of LMOs specified in the corresponding objective;

Goal A.9

- (q) An objective and associated indicator should be added regarding Parties taking socio-economic considerations into account, pursuant to paragraph 1 of Article 26;

(r) The objective on sharing experiences with and approaches for taking into account socio-economic considerations should be revised to reflect paragraph 2 of Article 26, including the reference to indigenous peoples and local communities, and an associated indicator should be added;

(s) The outcome should be revised in view of the changes to the objectives;

Goal A.10

(t) The goal should be deleted for various reasons: parts of the outcome are inconsistent with the objective of the Protocol; the task of identifying LMOs that are not likely to have adverse effects on biodiversity (addressed under objective A.10.1) is to be undertaken by the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol, rather than by individual Parties; objective A.10.2 is already sufficiently covered under other parts of the implementation plan;

Goal A.11

(u) An objective should be added regarding Parties to the Supplementary Protocol reporting on the implementation of the Supplementary Protocol through the national reports;

Goal B.1

(v) The goal as well as the objective regarding cooperation and its related indicator should be revised to reflect that capacity-building activities involve both providers and receivers of capacity-building;

(w) Indicators (c) should be revised to measure the actual use of rather than access to capacity-building materials, considering the limited availability of capacity-building materials in languages other than English;

Goal B.2

(x) The reference to the sufficiency of resources should be removed in objective B.2.1, the outcome and indicator (a);

(y) The objective on mobilizing additional resources should be revised to focus on the role of Parties in accessing such resources;

Goal B.3

(z) The language should be aligned more closely with Article 23;

(aa) The objectives and related indicators should be rearranged to follow the sequence of Article 23;

(bb) An indicator should be added to measure whether Parties have consulted the public in the decision-making process regarding LMOs;

Goal B.4

(cc) A reference to indigenous peoples and local communities should be added to the objective related to involvement of relevant stakeholders;

(dd) The language of indicator (c) should be clarified to refer to “relevant” stakeholders.

15. The Liaison Group recognized that legal instruments were needed for the implementation of detection and identification requirements and understood that this would be covered by goal A.1 on functional national biosafety frameworks. The Group also recognized that goal A.1 would cover the need for legal, administrative and other measures under other goals in the plan.

16. The Liaison Group discussed the need for including the development of guidance materials for different technical issues in the implementation plan and how to address this.

17. In considering the indicator under goal B.3. related to informing the public about the means of public access to the Biosafety Clearing-House, the Group recognized the importance of the national Biosafety Clearing-House nodes and suggested that a question should be added to the next reporting format to enable Parties to provide information on access to those nodes.

18. The Liaison Group decided to consider the next steps on the implementation plan under agenda item 5 in conjunction with its consideration of the next steps on the post-2020 capacity-building action plan.

ITEM 5. POST-2020 ACTION PLAN FOR CAPACITY-BUILDING FOR THE CARTAGENA PROTOCOL AND ITS SUPPLEMENTARY PROTOCOL

19. The Secretariat introduced a document containing the draft post-2020 capacity-building action plan prepared on the basis of views submitted ([CBD/CP/LG/2019/1/4](#)). The Secretariat drew the Group's attention to decision CP-9/3, whereby the Parties to the Protocol had requested the Liaison Group at its current meeting to contribute to the development of the draft post-2020 capacity-building action plan and, at its fourteenth meeting, to review the final draft, taking into account information provided in the fourth national reports under the Cartagena Protocol.

20. The Liaison Group welcomed the alignment between the draft capacity-building action plan and the implementation plan, as requested in decision CP-9/3. In considering the draft capacity-building action plan, the Group recognized that considerable further work was needed. In that light, different suggestions were made on how it should be structured. One suggestion was made to replace the column on goals with the column on outcomes of the Implementation Plan. Another suggestion was to replace the column on objectives with the column on outcomes of the implementation plan. Some members proposed adding indicators to the action plan. Some suggested that the two plans might be merged into one document. Other members were of the view that two distinct plans should be developed.

21. The Liaison Group stressed the need to ensure complementarity between the capacity-building action plan and the long-term strategic framework for capacity-building beyond 2020. It acknowledged the need for an introductory text which would provide the context for the capacity-building action plan. The Group considered the elements for the introductory text contained in the annex to the document. It noted that a number of those elements could be addressed in the long-term framework for capacity-building beyond 2020. The Group recognized the challenges of providing guidance on elements that might need to be addressed in the introductory text, in view of the preliminary stage of development of the long-term strategic framework for capacity-building.

22. With regard to the activities listed in the draft capacity-building action plan, the Liaison Group took the view that the text should be formulated more clearly to show them as actions and that more activities should be included. To that end, it reviewed the activities in the results-oriented capacity-building action plan (2012-2020),³ identified those that might still be relevant and suggested that they should be reflected in the post-2020 capacity-building action plan. Some members suggested that the results/outputs of the capacity-building activities should also be described in the capacity-building action plan.

23. Examining the calendar of meetings leading up to the third meeting of the Subsidiary Body on Implementation, which would consider the draft action plan, the Liaison Group noted that the review of the draft capacity-building action plan would be undertaken at the same time as the peer review of the draft implementation plan, following the thirteenth meeting of the Group.

24. The Liaison Group suggested that, following the review process, the revised draft plans should be made available for its fourteenth meeting, at which time the Group would have information from the fourth national reports on the implementation of the Protocol and from the assessment and review of the Protocol and the final evaluation of the Strategic Plan, which could also be taken into account.

³ Decision [BS-VI/3](#), annex I, section IV.

ITEM 6. DRAFT BIOSAFETY COMPONENT OF THE POST-2020 GLOBAL BIODIVERSITY FRAMEWORK

25. Introducing the document issued under the agenda item ([CBD/CP/LG/2019/1/5](#)), the Secretariat recalled decision 14/34 on the comprehensive and participatory process for the preparation of the post-2020 global biodiversity framework, and decision CP-9/7 on the preparation for the follow-up to the Strategic Plan for Biodiversity 2011-2020 and the Strategic Plan for the Cartagena Protocol on Biosafety 2011-2020, specifically the expected contribution of the Liaison Group to the development of the relevant elements of the biosafety component in the post-2020 global biodiversity framework. The Secretariat provided an update on the ongoing work by the Co-Chairs of the Open-ended Working Group on the Post-2020 Global Biodiversity Framework to develop a zero draft of the framework for the second meeting of the Open-ended Working Group. It also provided information on relevant preparations for the twenty-third meeting of the Subsidiary Body on Scientific, Technical and Technological Advice, which was expected to provide elements concerning guidance on goals, targets, indicators baselines and monitoring frameworks for the post-2020 global biodiversity framework. The Secretariat drew attention to the relevant documents that had been prepared for the twenty-third meeting of the Subsidiary Body in that regard, in particular [CBD/SBSTTA/23/2](#) and [CBD/SBSTTA/23/2/Add.4](#), which had been made available as information documents for the current meeting of the Liaison Group.

26. Stressing the importance of having a biosafety target in the post-2020 global biodiversity framework, the Liaison Group noted the need to develop a biosafety target that would be simple and easy to understand. It also noted that the target should be “SMART” and avoid combining too many issues. It held the view that sub-targets and indicators could be used to provide more details. In that light, the Group developed draft text for a target, sub-targets and indicators, as presented in annex I.

27. The Liaison Group was of the view that the biosafety target should not be limited to issues under the Cartagena Protocol but should address biosafety more broadly. Some members recognized the global nature of the biodiversity framework and that it was not intended to serve the Convention exclusively. It was also highlighted, however, that a specific reference to the Cartagena Protocol would be useful as the instrument is key to achieving biosafety.

28. The Liaison Group discussed different terms and definitions used in the Convention and the Protocol, in particular the terms “biotechnology” and “modern biotechnology” and how the use of those terms could change the scope of the biosafety component. The Group noted that the biosafety component should also address synthetic biology and other emerging genetic technologies, especially considering the timespan of the framework and the rapid developments in technology. In that light, the Group noted that referring to the term “living modified organism” might not cover all aspects of the different technologies.

29. The Liaison Group was of the view that the biosafety component should be ambitious and so agreed to refer to “all Parties” in formulating the targets and sub-targets. It recognized that the Co-Chairs of the Working Group on the Post-2020 Global Biodiversity Framework might need to adjust the precise formulation of the target and sub-targets in the development of the zero draft of the global biodiversity framework to ensure consistency throughout the framework.

30. The Liaison Group recognized the importance of resource mobilization and capacity-building in achieving the biosafety target. It noted that those issues were likely to be covered under the enabling conditions of the zero draft of the global biodiversity framework and suggested that biosafety should be included in the enabling conditions of the framework. The Secretariat drew the attention of the members to the opportunities that were available to participate in the development of the resource mobilization and capacity-building components of the framework.

31. The Liaison Group decided that, following the meeting, its co-chairs would send a letter to the Co-Chairs of the Open-Ended Working Group on the Post-2020 Global Biodiversity Framework, transmitting the text of the biosafety component, to facilitate its inclusion in the zero draft of the global biodiversity framework. The letter should also provide an overview of the considerations referred to in paragraphs 26 to 30 above to provide the necessary context.

ITEM 7. LONG-TERM STRATEGIC FRAMEWORK FOR CAPACITY-BUILDING FOR THE CONVENTION AND ITS PROTOCOLS BEYOND 2020

32. Under this item, the Secretariat made a presentation on the process for the preparation of a long-term strategic framework for capacity-building beyond 2020. The Secretariat recalled decisions [XIII/23](#) and [14/24](#) of the Conference of the Parties, which set out the process for the development of the long-term strategic framework. It provided an overview of the indicative timeline, which included online discussions, to be held in January 2020, and a thematic consultation workshop, to be held immediately following the second meeting of the Open-Ended Working Group on the Post-2020 Global Biodiversity Framework. It also provided an overview of findings from relevant studies, evaluations and regional consultations. The Secretariat then presented the preliminary results of the study it had commissioned to provide the knowledge base for the preparation of the strategic framework for capacity-building. It also outlined some draft elements of the long-term strategic framework, which would include strategic direction, principles and approaches as well as monitoring, evaluation and review of the framework.

33. The members welcomed the information provided and agreed that the presentation helped to provide more clarity on what elements would be covered in the long-term framework and, as a result, would not need to be addressed in the introductory text of the post-2020 capacity-building action plan.

34. Some members stressed that innovative modalities for capacity-building should be developed and captured in the long-term framework. The members noted the importance of sustainability of capacity-building interventions and, in that regard, shared some experiences pointing to the importance of institutionalizing capacities.

ITEM 8. OTHER MATTERS

35. The Liaison Group took note of the proposed dates for its fourteenth meeting, which would tentatively be held from 20 to 23 April 2020. The Secretariat explained that the composition of the Group was expected to remain unchanged for its fourteenth meeting.

ITEM 9. ADOPTION OF THE REPORT OF THE MEETING

36. The Liaison Group adopted the report on the meeting as orally amended.

ITEM 10. CLOSURE OF THE MEETING

37. Following the customary exchange of courtesies, the meeting was closed by the co-chairs at 2.15 p.m. on Friday, 25 October 2019.

Annex I

BIOSAFETY COMPONENT OF THE POST-2020 GLOBAL BIODIVERSITY FRAMEWORK AS SUGGESTED BY THE LIAISON GROUP ON THE CARTAGENA PROTOCOL ON BIOSAFETY

Target: By 2030, all Parties have put in place biosafety measures to prevent potential adverse impacts of biotechnology¹ on biodiversity.

Sub-target 1: All Parties have adopted and implemented the necessary biosafety legal, administrative and other measures.

Indicators:

- 1.a. Percentage of Parties that have the necessary biosafety legal and administrative measures in place.
- 1.b. Percentage of Parties that implement their biosafety measures.
- 1.c. Percentage of Parties that have the necessary measures and means for detection and identification of products of biotechnology.
- 1.d. Percentage of Parties to the Cartagena Protocol on Biosafety implementing the relevant provisions of the Protocol.

Sub-target 2: All Parties carry out scientifically sound risk assessments and manage the identified risks.

Indicators:

- 2.a. Percentage of Parties that carry out scientifically sound risk assessments to support biosafety decision-making.
- 2.b. Percentage of Parties that establish and, as applicable, implement risk management measures.
- 2.c. Percentage of Parties to the Cartagena Protocol on Biosafety implementing the relevant provisions of the Protocol.

Sub-target 3: All Parties share and have access to biosafety-related information for the safe use of the products of biotechnology.

Indicators:

- 3.a. Percentage of Parties with mechanisms to facilitate the sharing of and access to information on biosafety.
- 3.b. Percentage of Parties to the Cartagena Protocol on Biosafety implementing the relevant provisions of the Protocol.

Sub-target 4: All Parties have systems in place for restoration and compensation for damage to conservation and sustainable use of biological diversity.

Indicators:

- 4.a. Percentage of Parties with legal and technical measures for restoration and compensation.
- 4.b. Percentage of Parties to the Nagoya – Kuala Lumpur Supplementary Protocol implementing the relevant provisions of the Supplementary Protocol.

¹ The term “biotechnology” is used here as a placeholder for “modern biotechnology” and other possible related processes under the Convention on Biological Diversity.

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