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PROTOCOL ON BIOSAFETY
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DRAFT POST-2020 IMPLEMENTATION PLAN FOR THE CARTAGENA PROTOCOL ON BIOSAFETY

INTRODUCTION

1. In decision [BS-V/16](#), the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol adopted the Strategic Plan for the Cartagena Protocol on Biosafety for the period 2011-2020 (Strategic Plan). The Strategic Plan was intended to assist in developing a long-term vision for the Protocol and in identifying priority areas needed for full implementation of the Protocol. Over the years, the Strategic Plan has been a useful tool. It has helped to identify priority areas where further work was needed; however, implementation of the Protocol remains a challenge for many Parties.
2. In its decision [CP-9/7](#), the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol (COP-MOP) decided to develop a specific post-2020 Implementation Plan for the Cartagena Protocol on Biosafety (Implementation Plan) that is anchored in and complementary to the post-2020 global biodiversity framework and requested the Executive Secretary to facilitate the development of its elements.
3. The Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol decided that the Implementation Plan will: (a) be developed as an implementation tool; (b) reflect the elements of the Strategic Plan for the Cartagena Protocol for the period 2011-2020 that are still relevant; (c) include new elements reflecting lessons learned and new developments relevant to biosafety; (d) ensure sufficient flexibility to account for developments during the implementation period; and (e) comprise indicators that are simple and easily measurable to facilitate the review of progress in the implementation of the Protocol (decision CP-9/7, para. 6).
4. The Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol invited views by Parties, other Governments, indigenous peoples and local communities and relevant organizations on the structure and content of the Implementation Plan.
5. Following notification 2019-027, dated 28 February 2019, views were submitted. The views on the structure and content of the Implementation Plan have been synthesized in section II of document CBD/CP/LG/13/INF/1. All the submissions are available online at: <http://bch.cbd.int/protocol/post2020/submissions.shtml>.
6. The Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol requested the Executive Secretary to prepare a draft of the Implementation Plan on the basis of the submissions received and to convene open-ended online discussions of Parties and other stakeholders to consider the draft Implementation Plan. The open-ended online discussions were held from 8 to 22 July 2019. The report of the open-ended online discussion is available as document CBD/CP/LG/2019/1/INF/2.

7. The draft Implementation Plan was revised following the online discussions. The revised draft Implementation Plan is contained in the annex to the present document. Further background on the development of the revised draft Implementation Plan is provided in section I of this document, while section II provides some suggestions for the consideration of the Liaison Group.

I. BACKGROUND TO THE DEVELOPMENT OF THE REVISED DRAFT IMPLEMENTATION PLAN

8. The document on the draft Implementation Plan that was made available for the open-ended online discussions included some information on the development of the draft Implementation Plan.¹ This information is reproduced in subsection (a) below. Information on the changes made to the draft Implementation Plan following the online discussions is presented in subsection (b).

A. Development of the draft Implementation Plan

9. The submissions made in response to notification 2019-027 contained several suggestions regarding the structure and the content of the Implementation Plan, which provided the basis, together with guidance provided in decision CP-9/7, for the Secretariat to develop the draft Implementation Plan.

10. Taking into consideration the suggestions made, the goals, objectives, outcomes and indicators of the draft Implementation Plan were developed in a tabular structure. It contained those elements of the Strategic Plan for the Cartagena Protocol on Biosafety for the period 2011-2020 (Strategic Plan) that, according to the submissions, continued to be relevant, as well as some new elements that were proposed to be included.

11. The draft Implementation Plan took into account suggestions to avoid redundancy and duplication and to focus on a reduced number of achievable goals. It also addressed proposals to group together some elements with a view to simplifying the structure and avoiding some of the redundancy in the current Strategic Plan.

12. Accordingly, the draft Implementation Plan was organized according to ‘areas of implementation’ and ‘enabling environment’. The ‘areas of implementation’ consisted of goals concerning key elements for the implementation of the Protocol while the ‘enabling environment’ addressed goals related to supporting implementation. The draft Implementation Plan was developed to cover a ten-year period.

13. The **goals** in the draft Implementation Plan represent broad desirable achievements by Parties. Each goal covers a main aspect related to the implementation of the Protocol and includes corresponding **objectives, outcomes** and **indicators**.²

(a) The **objectives** describe what must be accomplished to achieve each goal. The objectives are not intended to provide an exhaustive list of accomplishments that may be relevant for the goal. In many cases, the objectives follow the obligations in the Protocol and most goals include multiple objectives;

(b) The **outcomes** describe what the effect will be of achieving the goal;

(c) The **indicators** are designed to measure the outcomes. The suggested indicators are intended to be simple, measurable and relevant to the associated outcome.

14. Following the guidance in decision CP-9/7, paragraph 6, the draft Implementation Plan was designed as an implementation plan for Parties. Accordingly, the goals were formulated as achievements

¹ Section II of the document available here: <http://bch.cbd.int/post%202020/implementationplan.pdf?download>.

² While the terms ‘focal area’, ‘impact’, ‘strategic objective’ and ‘operational objective’ that were used in the Strategic Plan have not been maintained as such, the concepts these refer to have been kept.

by Parties. As a result, some elements in the current Strategic Plan that are directed at other actors were not reflected in the draft Implementation Plan, in the understanding that while actions by other actors are important for moving forward, they would not fit within the framework of an implementation plan.

15. The meeting of the Parties, in its decision [CP-9/3](#), acknowledged the need for a specific post-2020 action plan for capacity-building for the implementation of the Cartagena Protocol and the Supplementary Protocol. It decided that the post-2020 action plan for capacity-building should be aligned with the Implementation Plan. Against this background, capacity-building was presented as a goal within the ‘enabling environment’ section of the draft Implementation Plan with a reference to the post-2020 capacity-building action plan to ensure consistency and avoid possible duplication between the two plans.

16. It was foreseen that the post-2020 action plan for capacity-building could complement the Implementation Plan by outlining the capacity-building activities needed to support Parties to achieve the goals in the Implementation Plan. As a result, the draft Implementation Plan did not include specific capacity-building activities as it was expected that these would be included in the post-2020 action plan for capacity-building for the implementation of the Cartagena Protocol and its Supplementary Protocol.

17. A number of the submissions expressed the view that elements related to new technologies, particularly synthetic biology, should be included in the Implementation Plan. The draft Implementation Plan took the approach that where organisms developed through new technologies constitute ‘living modified organisms’ as defined in the Protocol, they were already addressed in the Plan. It was also noted that there are ongoing processes considering these new technologies under both the Convention and the Cartagena Protocol.³ The outcomes of these processes may also assist in determining work to be done on the potential impacts of these new technologies on biological diversity.

B. Development of the revised draft Implementation Plan

18. The draft Implementation Plan was considered during open-ended online discussions. As can be seen in the report of the online discussions (CBD/CP/LG/2019/1/INF/2), the views expressed were generally supportive of the draft Implementation Plan, including its structure and the division of the goals between ‘areas for implementation, and ‘enabling environment’.

19. On the basis of the comments made during the online discussions, the Secretariat developed a revised draft Implementation Plan, addressing in particular the following issues:

(a) Two additional goals were formulated, one to address illegal and unintentional transboundary movements; and the other to address handling, transport, packaging and identification;

(b) One objective was added under the goal related to the Nagoya-Kuala Lumpur Supplementary Protocol on Liability and Redress, as well as an indicator;

(c) The sequence of the goals in the ‘areas for implementation’ (part A) was altered, placing more general goals related to implementation first and more specific goals related to technical aspects second.

20. As described in paragraph 13(c) above, the indicators in the Implementation Plan were initially intended to measure the outcomes rather than the objectives. It was suggested during the online discussions however, that each objective should have at least one corresponding indicator. As a result, a number of indicators were added to the revised draft Implementation Plan. For some objectives multiple indicators are presented, while in a few instances, indicators are presented that would facilitate measuring progress towards more than one objective. The revised list of indicators may be used to measure progress towards

³ See COP decision 14/19 on synthetic biology and COP-MOP decision CP-9/13 risk assessment and risk management.

accomplishing the objectives, thereby indirectly gauging the achievement of the outcome of the associated goal.

21. It may also be noted that in decision CP-VIII/15 on the third assessment and review of the effectiveness of the Protocol and the mid-term evaluation of the Strategic Plan, the Conference of the Parties serving as the meeting of the Parties to the Protocol provided the following guidance:

- it noted the absence of clear linkages between some of the outcomes and indicators in the current Strategic Plan and agreed to improve such linkages in a follow-up to the Strategic Plan (para. 6 of the decision);
- it noted that in the follow-up to the Strategic Plan, indicators should be simplified, streamlined and made easily measurable with a view to ensuring that progress towards achieving operational objectives can be readily tracked and quantified (para. 7 of the decision).

22. Accordingly, further consideration of the linkages between the objectives, outcomes and indicators may be needed.

23. In making changes to the table in the draft Implementation Plan in view of the comments made, the Secretariat followed, as much as possible, the language of the Protocol and sought to ensure consistency throughout the Implementation Plan. As a result, suggestions made during the online discussions that did not follow the wording of the Protocol were incorporated using the language of the Protocol when possible and appropriate.

24. In both the submissions and the online discussions, there were differing views on whether the Implementation Plan should include a vision and mission; and whether a programme of work or milestones should be developed for the Implementation Plan. To address this point, the revised draft Implementation Plan includes a placeholder for a possible narrative ‘chapeau’ where different suggestions – such as a vision and mission for the Implementation Plan, milestones, monitoring and evaluation of the Implementation Plan and flexibility to add elements and milestones – could be addressed. The chapeau could also address the relationship between the Implementation Plan and the post-2020 global biodiversity framework, in particular how the Implementation Plan could support achieving the biosafety component of the framework. This would be akin to the current Strategic Plan for the Protocol, which in addition to including the table of elements, also includes sections on, among other things, the context and interpretation and monitoring of the Strategic Plan (see decision BS-V/16, annex I).

II. SUGGESTIONS FOR CONSIDERATION BY THE LIAISON GROUP

25. In its decision CP-9/7, the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol requested the Liaison Group, at its thirteenth meeting, to review the revised draft Implementation Plan. Consequently, the Liaison Group is invited to consider the revised draft Implementation Plan, presented in the annex to the present document.

26. Some specific aspects of the revised draft Implementation Plan that the Liaison Group may wish to discuss further include:

- (a) The revised table of goals, objectives, outcomes and indicators;
- (b) Possible references to indigenous peoples and local communities (IPLCs) – during the online discussions, there were a number of proposals to include language on IPLCs, in particular in certain indicators. Given the limited references to IPLCs in the Protocol, it was difficult to incorporate these proposals in the revised draft Implementation Plan;
- (c) Whether to indicate which articles of the Protocol the goals are intended to respond to – this was suggested during the online discussions; however, implementing it in practice is not

straightforward as some goals relate to procedural articles that have been developed further since the adoption of the Protocol (e.g. goal 3 on compliance) and there may be differing views on which articles to list against some goals (e.g. goal 4 on the Biosafety Clearing-House);

- (d) The development of a narrative chapeau.

Annex

Revised draft Implementation Plan

Implementation Plan for the Cartagena Protocol on Biosafety (2021-2030)

{Narrative chapeau to the table that could address:

- *The relationship between the Implementation Plan and the post-2020 global biodiversity framework;*
- *The relationship between the Implementation Plan and the action plan for capacity-building;*
- *A vision and mission;*
- *Milestones;*
- *Monitoring and evaluation of the Implementation Plan;*
- *Flexibility in the Implementation Plan to add elements and milestones.*}

	Goals <i>(Desirable achievements)</i>	Objectives <i>(What must be accomplished to achieve the goal)</i>	Outcome <i>(The effect of achieving the goal)</i>	Indicators <i>(Measuring progress towards objectives and outcomes)</i>
A. Areas for implementation	A.1. Parties have in place functional national biosafety frameworks	<p>A.1.1. Parties to the Cartagena Protocol have adopted and implemented legal, administrative and other measures to fulfil their obligations under the Protocol</p> <p>A.1.2. Parties have mainstreamed biosafety in national strategies, action plans, programmes, policies or legislation</p> <p>A.1.3. Parties have designated competent national authorities and national focal points for the Protocol</p> <p>A.1.4. Competent national authorities have the necessary budget and adequately trained staff to carry out their tasks</p>	Functional national biosafety frameworks enable competent authorities of all Parties to effectively and efficiently fulfil their obligations under the Protocol	<p>(a) Percentage of Parties that have measures in place to implement the provisions of the Protocol</p> <p>(b) Percentage of Parties that have mainstreamed biosafety in national sectoral and cross-sectoral strategies, action plans, programmes, policies or legislation</p> <p>(c) Percentage of Parties that have designated a national focal point and a competent national authority for the Protocol and have notified the Secretariat accordingly</p> <p>(d) Percentage of Parties that have the necessary budget and trained staff to operationalize their national biosafety frameworks</p>
	A.2. Parties improve the	A.2.1. Parties provide accurate	BCH facilitates the availability	(a) Percentage of Parties making

	Goals (Desirable achievements)	Objectives (What must be accomplished to achieve the goal)	Outcome (The effect of achieving the goal)	Indicators (Measuring progress towards objectives and outcomes)
	availability and exchange of relevant information through the BCH	and complete information in the BCH in accordance with their obligations under the Protocol	and exchange of biosafety information and enables Parties to take informed decisions	mandatory information available to the BCH (b) Percentage of Parties that actively exchange other types of information through the BCH
	A.3. Full information on the implementation of the Protocol is made available by Parties	A.3.1. Parties submit complete national reports within the established deadline	Accurate information on the implementation of the Protocol enables the COP-MOP to set priorities and direct support	(a) Percentage of Parties that have submitted a complete national report within the established deadline
	A.4. Parties are in full compliance with the requirements of the Protocol	A.4.1. Parties comply with their obligations under the Protocol A.4.2. Parties resolve issues of non-compliance identified by the Compliance Committee	Effective compliance mechanisms facilitate implementation of the Protocol	(a) Percentage of Parties that comply with their obligations, as identified by the Compliance Committee (b) Percentage of non-compliance issues identified by the Compliance Committee that have been resolved
	A.5. Parties carry out scientifically sound risk assessments of LMOs, and manage and control identified risks	A.5.1. Parties apply appropriate risk assessment and risk management procedures on LMOs A.5.2. Parties have access to and use appropriate guidance materials for carrying out risk assessment and risk management	Identified risks of LMOs to biodiversity, taking also into account risks to human health, are appropriately managed and controlled	(a) Percentage of Parties taking decisions on LMOs that undertake risk assessment as required by the Protocol (b) Percentage of decisions in the BCH with associated summary reports of risk assessments (c) Percentage of Parties that have access to relevant risk assessment and risk management guidance materials
	A.6. Parties are able to detect and identify LMOs	A.6.1. Parties have access to and use appropriate guidance materials A.6.2. Parties have the necessary technical infrastructure in place for the detection and identification of LMOs	By detecting and identifying LMOs, Parties are able to respond to unintentional and illegal transboundary movements and to follow the handling, transport, packaging and identification requirements in accordance with the Protocol	(a) Percentage of LMOs for which detection methods are available in the BCH (b) Percentage of Parties that have access to and use guidance materials to detect and identify LMOs (c) Percentage of Parties that have access to the technical infrastructure needed to detect and identify LMOs
	A.7. Parties prevent illegal	A.7.1. Parties have adopted	Parties are able to prevent, detect	(a) Percentage of Parties that have

	Goals <i>(Desirable achievements)</i>	Objectives <i>(What must be accomplished to achieve the goal)</i>	Outcome <i>(The effect of achieving the goal)</i>	Indicators <i>(Measuring progress towards objectives and outcomes)</i>
	and unintentional transboundary movements of LMOs	appropriate measures to prevent illegal and unintentional transboundary movements of LMOs	and respond to illegal and unintentional transboundary movements of LMOs	appropriate measures in place to prevent illegal and unintentional transboundary movements of LMOs
	A.8. Parties have measures in place to fulfil the handling, transport, packaging and identification requirements of LMOs under the Protocol	A.8.1. Parties have adopted the necessary measures to require that LMOs subject to transboundary movement are handled, packaged and transported under conditions of safety, taking into consideration relevant international rules and standards A.8.2. Parties have measures in place to fulfil the documentation requirements for LMOs intended for direct use as food or feed, or for processing; LMOs destined for contained use; LMOs for international introduction into the environment and other LMOs	Through appropriate handling, transport, packaging and identification of LMOs, Parties are able to safely manage intentional transboundary movements of LMOs	(a) Percentage of Parties that have adopted the necessary measures to require that LMOs subject to transboundary movement are handled, packaged and transported under conditions of safety, taking into consideration relevant international rules and standards (b) Percentage of Parties that have put in place documentation requirements for the handling, transport, packaging and identification of LMOs
	A.9 Parties that choose to do so, take into account socio-economic considerations when taking decisions on the import of LMOs in accordance with Article 26 of the Protocol	A.9.1. Parties have access to appropriate guidance materials for taking into account socioeconomic considerations in accordance with Article 26 of the Protocol A.9.2. Parties share experiences with and approaches for taking into account socio-economic considerations	Parties that choose to do so, are able to take into account socio-economic considerations in accordance with Article 26	(a) Percentage of Parties that have access to appropriate guidance materials for taking into account socio-economic considerations in accordance with Article 26 of the Protocol
	A.10. Parties identify LMOs or traits that may have adverse effects and those that are unlikely to have adverse effects on biological diversity and take	A.10.1. Modalities for cooperation on identifying LMOs or traits that may have adverse effects and those that are unlikely to have adverse effects on	Facilitated import of LMOs that are unlikely to have adverse effects on biological diversity and appropriate measures taken to manage LMOs that may have adverse effects on biological	(a) Number of records in the BCH on LMOs or specific traits that may have or that are not likely to have adverse effects on biological diversity

	Goals (Desirable achievements)	Objectives (What must be accomplished to achieve the goal)	Outcome (The effect of achieving the goal)	Indicators (Measuring progress towards objectives and outcomes)
	appropriate measures	biological diversity are developed A.10.2. Parties take appropriate measures on those LMOs or traits that have been identified to have possible adverse effects and those that are unlikely to have adverse effects on biological diversity	diversity	
	A.11. All Parties to the Cartagena Protocol become Parties to the Nagoya Kuala Lumpur Supplementary Protocol on Liability and Redress and have in place measures to fulfil their obligations under the Supplementary Protocol	A.11.1. Increased number of Parties to the Supplementary Protocol A.11.2. Parties to the Supplementary Protocol have adopted and implemented appropriate measures to give effect to the provisions of the Supplementary Protocol	Increased number of ratifications of the Nagoya-Kuala Lumpur Supplementary Protocol on Liability and Redress advances the development of national rules and procedures on liability and redress for damage resulting from LMOs finding their origin in a transboundary movement	(a) Percentage of Parties to the Cartagena Protocol that have become Parties to the Supplementary Protocol (b) Percentage of Parties to the Supplementary Protocol that have the necessary measures in place to implement the provisions of the Supplementary Protocol
B. Enabling environment	B.1. Parties engage in capacity-building activities addressing their identified needs	B.1.1. Parties have identified their capacity-building needs B.1.2. Parties undertake capacity-building activities, as set out in the post-2020 action plan for capacity-building for the Protocol and Supplementary Protocol B.1.3. Parties have access to capacity-building materials, including online resources B.1.4. Parties cooperate to strengthen their capacities for the implementation of the Protocol	Parties have the necessary capacity for the implementation of the Protocol	(a) Percentage of Parties that have identified their capacity-building needs (b) Percentage of Parties undertaking capacity-building activities (c) Percentage of Parties having access to capacity-building materials, including online resources (d) Percentage of Parties that cooperate to strengthen their capacities for the implementation of the Protocol
	B.2. Parties mobilize resources to support implementation of the Protocol	B.2.1. Sufficient and predictable resources are allocated to biosafety through national budgets B.2.2. Parties allocate a share of	Full implementation of the Protocol is enabled by sufficient and predictable resources	(a) Percentage of Parties reporting that sufficient and predictable resources for biosafety have been allocated from national budgets (b) Percentage of eligible Parties

	Goals <i>(Desirable achievements)</i>	Objectives <i>(What must be accomplished to achieve the goal)</i>	Outcome <i>(The effect of achieving the goal)</i>	Indicators <i>(Measuring progress towards objectives and outcomes)</i>
		national biodiversity STAR allocations to biosafety activities B.2.3. Additional resources are mobilized to strengthen capacities for implementation of the Protocol		reporting that national STAR allocations are used for biosafety activities (c) Percentage of Parties reporting that they have benefited from additional resources (d) Percentage of Parties that report having contributed resources to other Parties to strengthen their capacity for the implementation of the Protocol
	B.3. Parties raise public awareness and deliver education on the safe transfer, handling and use of LMOs and consult the public in decision-taking on LMOs	B.3.1. Parties have developed mechanisms to enhance public awareness, education and participation in biosafety B.3.2. Parties consult the public in taking decisions on LMOs, in accordance with their legislation, and make the results of decisions available to the public B.3.3. Parties inform the public about the means of public access to the BCH B.3.4. Parties have access to resource materials for enhancing public awareness, education and participation in biosafety	Through public awareness, education and participation, Parties ensure that the public is appropriately informed about and involved in decision-taking on the safe transfer, handling and use of LMOs	(a) Percentage of Parties having in place a mechanism to enhance public participation in decision taking regarding LMOs (b) Percentage of Parties informing the public about means for participation in decision-taking (c) Percentage of Parties making the results of decisions available to the public (d) Percentage of Parties that have informed the public about the means of public access to the BCH (e) Percentage of Parties having access to resource materials for enhancing public awareness, education and participation in biosafety (f) Percentage of Parties mainstreaming biosafety in educational and training programmes
	B.4. Enhanced cooperation by Parties on biosafety issues at the national, regional and international levels	B.4.1. Parties cooperate to support implementation of the Protocol, including through the exchange of scientific, technical and institutional knowledge	Through cooperation at the national, regional and international levels, and participation of stakeholders, implementation of the Protocol is	(a) Percentage of Parties cooperating in exchanging scientific, technical and institutional knowledge (b) Percentage of Parties engaging in

	Goals <i>(Desirable achievements)</i>	Objectives <i>(What must be accomplished to achieve the goal)</i>	Outcome <i>(The effect of achieving the goal)</i>	Indicators <i>(Measuring progress towards objectives and outcomes)</i>
		B.4.2. Parties have put in place effective mechanisms to involve relevant stakeholders from different sectors in the implementation of the Protocol	more effective	bilateral, regional or multilateral activities for the implementation of the Protocol (c) Percentage of Parties that have mechanisms for involving stakeholders from different sectors in the implementation of the Protocol