



Convention on Biological Diversity

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Subsidiary Body on Implementation

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Agenda item 6

Fifth assessment and review of the effectiveness of the Cartagena Protocol on Biosafety and midterm evaluation of the implementation plan and the capacity-building action plan for the Protocol

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Draft recommendation submitted by the Chair

The Subsidiary Body on Implementation

Recommends that, at its twelfth meeting, the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety¹ adopt a decision along the following lines:

The Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol,

Recalling its decisions [CP-10/3](#) and [CP-10/4](#) of 19 December 2022 and [CP-10/7](#) of 10 December 2022,

Acknowledging with appreciation the analysis of information for the fifth assessment and review of the effectiveness of the Cartagena Protocol on Biosafety and midterm evaluation of the implementation plan² and the capacity-building action plan³ for the Protocol,⁴

1. *Welcomes* the progress made in the implementation of the Cartagena Protocol on Biosafety and towards the achievement of the goals of the implementation plan and the capacity-building action plan for the Protocol;

2. *Notes with concern* that important gaps persist in areas critical for the implementation of the Cartagena Protocol and that biosafety capacity-building and development remain a priority, in particular in risk assessment, risk management and for the detection and identification of living modified organisms;

3. *Recognizes* that capacity-building and development and dedicated and predictable resources remain priorities for the effective implementation of the Cartagena Protocol and the successful achievement of the goals of the implementation plan and the

¹ United Nations, *Treaty Series*, vol. 2226, No. 30619.

² Decision [CP-10/3](#), annex.

³ Decision [CP-10/4](#), annex.

⁴ See [CBD/SBI/7/6/Add.1](#).

capacity-building action plan for the Protocol for developing country Parties, in particular the least developed and small island developing States among them, and countries with economies in transition;

4. *Calls upon* Parties to accelerate their efforts to implement the Cartagena Protocol, and use as guidance the implementation plan and the capacity-building action plan, as well as the findings from the fifth assessment and review of the Protocol and the midterm evaluation of the implementation plan and capacity-building action plan for the Protocol, in accordance with national circumstances, priorities, capacities, and institutional arrangements;

5. *Recognizes* the importance of Target 17 of the Kunming-Montreal Global Biodiversity Framework⁵ for furthering the implementation of the Cartagena Protocol, and acknowledges the relevance of the Protocol, its implementation plan and its capacity-building action plan to the achievement of the three objectives of the Convention on Biological Diversity;⁶

6. *Welcomes [with appreciation]* the global report on collective progress in the implementation of the Framework, in particular, the conclusions and key messages relating to the goals and targets of the Framework that are relevant to biosafety, and stresses that adequate support for the implementation of the Cartagena Protocol is essential for the achievement of Target 17 of the Framework;

7. *Recognizes* the need for complementary and non-duplicative efforts towards the achievement of the implementation plan for the Cartagena Protocol and the goals and targets of the Framework that are relevant to biosafety;

8. *Urges* Parties to the Convention that are also Parties to the Cartagena Protocol to advance the implementation of the goals and targets of the Framework that are relevant to biosafety, including through the integration of biosafety into national biodiversity strategies and action plans, as appropriate and in accordance with their national circumstances, priorities and existing institutional arrangements;

9. *Welcomes* the contributions of the Compliance Committee under the Cartagena Protocol and the Liaison Group on the Cartagena Protocol to the fifth assessment and review of the effectiveness of the Protocol and the midterm evaluation of the implementation plan and the capacity-building action plan for the Protocol;

10. *Requests* the Compliance Committee and the Liaison Group to provide input to the sixth assessment and review of the effectiveness of the Cartagena Protocol and the final evaluation of the implementation plan and the capacity-building action plan for the Protocol;

11. *Requests* the Liaison Group to consider ways and methodologies to collect and analyse qualitative data in addition to the primarily quantitative information from the national reports, with a view to providing a more complete data set for the sixth assessment and review of the effectiveness of the Cartagena Protocol and the final evaluation of its implementation plan and capacity-building action plan;

Goal A.1: Parties have in place functional national biosafety frameworks⁷

12. *Notes with appreciation* the progress made by Parties in designating competent national authorities, but expresses concern that a small number of Parties have still not designated their competent national authorities, and urges them to do so as soon as possible;

⁵ Decision [15/4](#), annex.

⁶ United Nations, *Treaty Series*, vol. 1760, No. 30619.

⁷ Paragraphs 12 to 59 are grouped by the relevant goal of the implementation plan and the capacity-building action plan for the Cartagena Protocol.

13. *Expresses concern* that several Parties have not taken any measures or have only draft or temporary measures for the implementation of the Cartagena Protocol;

14. *Requests* Parties that have not yet fully done so to put in place[, as a matter of priority,] legal, administrative and other measures to implement their obligations under the Cartagena Protocol, while acknowledging that Parties face various challenges that prevent them from fully complying with the obligations under Article 2, paragraph 1, of the Protocol, and that institutional, technical, technological and financial support [that is adequate, predictable and sustainable needs to be made available to enable them to fully discharge their commitments under the Protocol][, as appropriate, is needed to support them in this regard];

15. *Urges* Parties to ensure sufficient biosafety staffing levels for functional national biosafety frameworks;

16. *Encourages* Parties and other stakeholders to focus capacity-building and development in the context of goal A.1 of the implementation plan and the capacity-building action plan on the elaboration of national measures, in particular legislative measures, for the implementation of the Cartagena Protocol and on strengthening the capacity of national staff to carry out their functions in the field of biosafety, in accordance with national needs and priorities;

17. *Recommends* that, in adopting its guidance to the Global Environment Facility with respect to support for the implementation of the Cartagena Protocol, the Conference of the Parties to the Convention request the Facility to make specific, adequate and timely funding available to eligible Parties for putting in place legal, administrative and other measures for the implementation of the Protocol;

Goal A.2: Parties have improved the availability and exchange of relevant information through the Biosafety Clearing-House

18. *Welcomes* progress towards goal A.2 of the implementation plan and the capacity-building action plan, in particular the increase in the number of Parties publishing mandatory information, as well as the increase in the number of active users of and visits to the Biosafety Clearing-House;

19. *Recognizes* that the launch of the new platform of the Biosafety Clearing-House and the help materials developed and capacity-building activities undertaken by the Secretariat have contributed positively to the increase in the use of the Biosafety Clearing-House;

20. *Urges* Parties that have not yet fully done so to make all required information available through the Biosafety Clearing-House and keep their records up to date;

21. *Requests* the Executive Secretary to continue to provide support for maintaining the Biosafety Clearing-House as the principal mechanism for sharing information under the Cartagena Protocol, in particular by continuing to provide capacity-building and development activities and training to Parties, developing user-friendly and accessible digital tools and promoting the interoperability of existing databases and information systems;

22. *Encourages* Parties, and invites relevant organizations, to provide support for the implementation by Parties of the provisions of the Cartagena Protocol related to information-sharing and for the effective use of the Biosafety Clearing-House by strengthening national capacities for biosafety information management, improving the quality, completeness, accuracy and timeliness of information submitted by Parties and promoting technical cooperation and knowledge exchange;

23. *Recommends* that, in adopting its guidance to the Global Environment Facility with respect to support for the implementation of the Cartagena Protocol, the Conference of the Parties to the Convention request that the Facility continue to provide support for the effective use of the Biosafety Clearing-House;

Goal A.3: full information on the implementation of the Cartagena Protocol is made available by Parties in a timely manner

24. *Recommends* that, in adopting its guidance to the Global Environment Facility with respect to support for the implementation of the Cartagena Protocol, the Conference of the Parties to the Convention request that the Facility assist eligible Parties by providing, sufficiently in advance of the reporting deadline, financial support for the preparation of national reports, thus allowing Parties enough time to hold adequate national consultations and submit their national reports in a timely manner;

25. *Underlines* the importance for eligible Parties to submit their letters of endorsement for the project to support the preparation of the sixth national reports in a timely manner, and recommends that implementing agencies involved in the project take steps to minimize administrative, procedural and operational delays in order to facilitate the expeditious disbursement of funding;

Goal A.4: Parties are in compliance with the requirements of the Cartagena Protocol

26. *Welcomes* progress made by Parties in complying with their obligations under the Cartagena Protocol, notably those concerning the submission of national reports and the publishing of information through the Biosafety Clearing-House;

27. *Also welcomes* the high rate of compliance with the obligation to designate national focal points;

28. *Further welcomes* the supportive role of the Compliance Committee, and acknowledges the importance of its regular follow-up with Parties on compliance matters, the formal compliance measures and the informal efforts of the Compliance Committee in support of compliance and the achievement of goal A.4 of the implementation plan for the Cartagena Protocol;

29. *Requests* Parties to cooperate fully when receiving communications from the Compliance Committee;

30. *Recommends* that, in adopting its guidance to the Global Environment Facility with respect to support for the implementation of the Cartagena Protocol, the Conference of the Parties to the Convention request the Facility to make specific, adequate and timely funding available to eligible Parties to implement compliance action plans developed at the request of the Compliance Committee;

Goal A.5: Parties carry out scientifically sound risk assessments of living modified organisms and manage and control identified risks to prevent adverse effects of living modified organisms on the conservation and sustainable use of biological diversity, taking also into account risks to human health

31. *Recognizes* that conducting risk assessment and risk management continues to pose challenges for some Parties and that those challenges are made more difficult by the rapidity of developments in modern biotechnology, including the application of synthetic biology and other new genetic modification techniques for the development of living modified organisms, in particular when evaluating potential adverse effects in complex receiving environments;

32. *Also recognizes* that rapid developments in modern biotechnology require the continuous updating of relevant scientific, technical and institutional capacities[, including, as appropriate, through forward-looking and precautionary approaches, horizon scanning and technology monitoring to support national preparedness and informed decision-making];

33. *Encourages* Parties and other stakeholders to continue to address human resource, financing and infrastructure needs concerning the key areas for capacity-building related to risk assessment and risk management in the capacity-building action plan;

34. *Encourages* Parties and relevant organizations to establish regional networks of risk assessment and risk management experts to facilitate peer review, technical support and knowledge exchange among Parties, including with the support of the regional and subregional technical and scientific cooperation support centres;

Goal A.6: Parties prevent and address illegal and unintentional transboundary movements of living modified organisms

35. *Reminds* Parties to report cases of illegal and unintentional transboundary movements through the Biosafety Clearing-House;

36. *Invites* Parties, other Governments and relevant organizations to provide support for capacity-building and development on preventing and addressing illegal and unintentional transboundary movements of living modified organisms, with a particular focus on addressing challenges related to limited laboratory detection capacities, insufficient laboratory equipment and infrastructure, trained personnel, porous borders and institutional and regulatory gaps;

Goal A.7: Parties have measures in place to fulfil the handling, transport, packaging and identification requirements of living modified organisms under Article 18 of the Cartagena Protocol

37. *Encourages* Parties to facilitate cross-sectoral cooperation and coordination among competent national biosafety authorities, customs authorities and other relevant government bodies to strengthen capacity for the handling, transport, packaging and identification of living modified organisms;

38. *Invites* Parties, other Governments and relevant organizations to provide support for capacity-building and development on fulfilling the handling, packaging and identification requirements for living modified organisms, with a particular focus on addressing challenges related to: the operationalization of legal frameworks; the training of customs officers; and access to adequate facilities, equipment and resources for the detection and identification of living modified organisms, including through technology transfer and the strengthening of technical support at the national level;

Goal A.8: Parties are able to detect and identify living modified organisms

39. *Invites* Parties, other Governments and relevant organizations to provide support for capacity-building and development in the areas of detection and identification of living modified organisms, with a particular focus on addressing challenges related to limited access to accredited laboratories, certified reference materials, especially for newly commercialized living modified organisms, validated detection methods, adequate equipment, sustainable financial resources and sufficient trained personnel;

40. *Calls for* enhanced technology transfer and technical cooperation to strengthen national and regional capacities for the detection, identification and monitoring of living modified organisms;

Goal A.9: Parties that choose to do so take into account socioeconomic considerations when making decisions on the import of living modified organisms and cooperate on research and information exchange, in accordance with Article 26 of the Cartagena Protocol

41. *Acknowledges* that regulatory frameworks for enabling the consideration of socioeconomic aspects, as well as the assessment of socioeconomic impacts, remain challenges for Parties that choose to take into account socioeconomic considerations when

making decisions on the import of living modified organisms, in accordance with Article 26, paragraph 1, of the Cartagena Protocol;

42. *Encourages* Parties, in accordance with Article 26, paragraph 2, of the Cartagena Protocol, to cooperate on research and information exchange on any socioeconomic impacts of living modified organisms, especially on indigenous peoples and local communities and, among other things, their livelihoods, food systems, traditional agricultural practices and biocultural richness;

Goal A.10: 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

43. *Encourages* Parties to the Cartagena Protocol to accede, ratify, accept or approve, as appropriate, the Nagoya-Kuala Lumpur Supplementary Protocol on Liability and Redress to the Cartagena Protocol;⁸

44. *Requests* the Executive Secretary, subject to the availability of resources, to disseminate information on, and promote outreach and awareness-raising about, the Supplementary Protocol on Liability and Redress among Parties, indigenous peoples and local communities and relevant stakeholders using, where feasible, the languages of indigenous peoples and local communities;

Goal B.1: Parties engage in capacity-building activities

45. *Calls upon* Parties and relevant organizations to facilitate capacity-building and development, taking into account nationally identified needs and priorities and the findings of the fifth assessment and review of the effectiveness of the Cartagena Protocol and the midterm evaluation of the implementation plan and the capacity-building action plan, in the areas in which capacity needs remain most prevalent, namely:

- (a) Risk assessment, risk management and other scientific and technical expertise;
- (b) Sampling, detection and identification;
- (c) Institutional capacity and human resources;
- (d) Public awareness, education and participation;
- (e) Monitoring and reporting;

46. *Encourages* Parties to cooperate with one another in strengthening capacities for the implementation of the Cartagena Protocol, including by involving indigenous peoples and local communities, women, youth and relevant stakeholders, with emphasis on the needs of developing country Parties, in particular the least developed and small island developing States among them, and countries with economies in transition;

47. *Invites* the technical and scientific cooperation support centres to incorporate biosafety into their biennial workplans and to serve as hubs for biosafety capacity-building and development, information-sharing and North-South, South-South and triangular cooperation;

48. *Calls upon* relevant organizations, and invites the technical and scientific cooperation support centres, to assist Parties in the development of biosafety project proposals;

⁸ Decision [BS-V/11](#).

49. *Requests* the Executive Secretary, subject to the availability of resources:

(a) To continue to undertake capacity-building and development activities to assist Parties in implementing the Cartagena Protocol, and to draw attention periodically to the extensive capacity-building materials available on the Secretariat website;⁹

(b) To facilitate capacity-building and development activities on designing biosafety projects;

(c) To raise awareness of funding mechanisms and processes for the submission of biosafety proposals;

Goal B.2: Parties mobilize adequate resources from all sources to support the implementation of the Cartagena Protocol, in accordance with Article 28 of the Protocol

50. *Urges* Parties to allocate adequate resources to biosafety in their national budgets, in accordance with their national circumstances, priorities and capabilities;

51. *Calls upon* developed country Parties, in accordance with Article 28 of the Cartagena Protocol, and invites other Governments, international organizations, bilateral and multilateral funding agencies, regional development banks and other programmes and initiatives, to provide adequate, predictable and accessible financial resources and in-kind contributions, as appropriate, to support the implementation of the Cartagena Protocol;

52. *Recommends* that, in adopting its guidance to the Global Environment Facility with respect to support for the implementation of the Cartagena Protocol, the Conference of the Parties to the Convention request the Facility to continue to support capacity-building and development on biosafety, [as part of country-driven projects,] including during the ninth replenishment period of its Trust Fund (July 2026–June 2030) and through the Global Biodiversity Framework Fund, according to their mandates[, and to establish [direct,] adequate, predictable and dedicated funding channels for biosafety to ensure that implementation needs are fully met];

53. *Urges* eligible Parties to use their allocated resources for biosafety activities from the Global Environment Facility through its System for Transparent Allocation of Resources and to integrate biosafety into their biodiversity projects, in accordance with nationally identified needs and priorities;

Goal B.3: Parties promote and facilitate public awareness, education and participation on the safe transfer, handling and use of living modified organisms, in accordance with Article 23 of the Cartagena Protocol

54. *Encourages* Parties to consult the public in the decision-making process regarding living modified organisms and make the results of such decisions available to the public, while respecting confidential information, in accordance with Article 21 and their respective laws and regulations, with a view to increasing transparency;

55. *Invites* Parties, other Governments and relevant organizations to provide support for capacity-building and development on fulfilling the provisions of the Cartagena Protocol related to public awareness, education and participation on the safe transfer, handling and use of living modified organisms;

Goal B.4: Parties enhance cooperation and coordination on biosafety issues at the national, regional and international levels

56. *Encourages* Parties, as appropriate and in accordance with their national circumstances, priorities and existing institutional arrangements, to facilitate the integration

⁹ <https://bch.cbd.int/protocol>.

of biosafety into cross-sectoral and sectoral legislation, regulations, policies, strategies, action plans, programmes and institutions;

57. *Invites* donor countries and relevant organizations to support Parties with the integration referred to in paragraph 56 above;

58. *Encourages* Parties to cooperate with the technical and scientific cooperation support centres and relevant organizations in the exchange of scientific, technical and institutional knowledge on biosafety, including at the regional and international levels[, while reaffirming that risk assessment and risk management are a matter of national determination, undertaken by Parties in accordance with the Cartagena Protocol and national legislation, priorities and circumstances, and encouraging transparency and scientific integrity, including through the identification, disclosure and appropriate management of conflict of interest in relevant processes];

59. *Also encourages* Parties that have not yet done so to develop mechanisms for involving indigenous peoples and local communities in the implementation of the Cartagena Protocol.
