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Liaison group on the cartagena protocol on biosafety

Fourteenth meeting

Online, 20-23 April 2020

Item 5 of the provisional agenda[[1]](#footnote-1)\*

Implementation plan for the Cartagena Protocol and capacity-building action plan (2021-2030)

Note by the Executive Secretary

# INTRODUCTION

1. In its decision [CP-9/7](https://www.cbd.int/doc/decisions/cp-mop-09/cp-mop-09-dec-07-en.pdf), the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol decided to develop 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 and set out a process for its development.
2. In its decision [CP-9/3](https://www.cbd.int/doc/decisions/cp-mop-09/cp-mop-09-dec-03-en.pdf), the Conference of the Parties serving as the meeting of the Parties to the Protocol acknowledged the need for a specific action plan for capacity-building for implementation of the Cartagena Protocol and its Supplementary Protocol (capacity-building action plan) that is aligned with the post-2020 implementation plan and complementary to the long-term strategic framework for capacity‑building beyond 2020. The meeting of the Parties also welcomed the indicative schedule of activities for the development of the capacity‑building action plan, as contained in the annex to decision CP‑9/3.
3. The Liaison Group on the Cartagena Protocol, at its thirteenth meeting, reviewed a draft implementation plan and contributed to the development of the draft capacity-building action plan.
4. Taking into consideration the advice provided by the Liaison Group, the Secretariat developed a draft implementation plan for the Cartagena Protocol and capacity-building action plan (2021-2030), which was made available for peer review between 5 December 2019 to 17 January 2020.
5. At its thirteenth meeting, the Liaison Group suggested that, following the review process, the revised plans should be made available to the Group at 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.
6. The Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol, in its decision CP-9/3, requested the Liaison Group at its fourteenth meeting to review the final draft of the capacity-building action plan, taking into account information provided in the fourth national reports.
7. Pursuant to decisions CP-9/3 and CP-9/7, the draft implementation plan for the Cartagena Protocol and capacity-building action plan (2021-2030) will be submitted for consideration by the Subsidiary Body on Implementation at its third meeting and for subsequent consideration by the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol at its tenth meeting.
8. The present note provides, in section II, a summary overview of the development process of the revised draft implementation plan for the Cartagena Protocol and capacity-building action plan (2021-2030). An overview of processes and information emanating from them that may be of relevance to the review of the draft capacity-building action plan is presented in section III. Section IV provides suggestions for the consideration of the Liaison Group. The revised draft implementation plan for the Cartagena Protocol and capacity-building action plan is presented in the annex.

# Development of the implementation plan for the Cartagena Protocol and the capacity-building action plan (2021-2030) following the thirteenth meeting of the Liaison Group

1. At its thirteenth meeting, the Liaison Group reviewed the draft implementation plan for the Cartagena Protocol that had been developed by the Secretariat, following the guidance provided by the Conference of the Parties serving as the meeting of the Parties, on the basis of views submitted by Parties, other Governments, indigenous peoples and local communities and relevant organizations, and taking into consideration the outcomes of the open-ended online discussions, held from 8 to 22 July 2019.[[2]](#footnote-2)
2. The Liaison Group furthermore contributed to the development of the draft action plan for capacity‑building for implementation of the Cartagena Protocol and its Supplementary Protocol, considering a draft that had been developed by the Secretariat on the basis of views submitted and taking into consideration outcomes of other relevant processes.[[3]](#footnote-3)
3. Following the thirteenth meeting of the Liaison Group and considering its advice,[[4]](#footnote-4) the Secretariat prepared a draft implementation plan for the Cartagena Protocol and capacity-building action plan (2021‑2030). The tabular part of the implementation plan and the capacity-building plan were presented alongside one another to show the alignment and complementarity between the two plans and to avoid duplication. In addition, a narrative introduction was developed for the two plans.
4. The draft implementation plan for the Cartagena Protocol and capacity-building action plan (2021‑2030) were made available for review by Parties, other Governments, indigenous peoples and local communities and relevant organizations from 5 December 2019 until 17 January 2020.[[5]](#footnote-5) The review of the two plans was combined given their alignment and complementarity and in view of time constraints.
5. A total of 25 submissions were received: 15 by Parties to the Protocol, 3 by other Governments, and 7 by organizations.[[6]](#footnote-6) On the basis of the submissions received, a revised draft implementation plan for the Cartagena Protocol and capacity-building action plan (2021-2030) was prepared and is presented in the annex to the present document.

# Relevant processes

1. A number of processes may be of relevance to the further development of the implementation plan for the Cartagena Protocol and capacity-building action plan (2021-2030). These include, in particular, the ongoing process for the development of the post-2020 global biodiversity framework, and the long-term strategy for capacity-building under the Convention and its Protocols as well as the assessment and review of the effectiveness of the Protocol and the final evaluation of the Strategic Plan for the Cartagena Protocol. This section provides some information on these processes and on information emanating from them that may be of relevance to the further development of the implementation plan for the Cartagena Protocol and capacity-building action plan.

## Post-2020 global biodiversity framework and related processes

### Post-2020 global biodiversity framework

1. In decision 14/34, the Conference of the Parties set out the process for developing a post-2020 global biodiversity framework, established the Open-ended Working Group on the Post-2020 Global Biodiversity Framework to support this process and designated its Co-Chairs.
2. The Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety stressed that biosafety should be reflected in the post-2020 global biodiversity framework and set out steps towards the preparation of the biosafety component of the post-2020 framework (decision [CP-9/7](https://www.cbd.int/doc/decisions/cp-mop-09/cp-mop-09-dec-07-en.pdf)).
3. The Working Group at its first meeting requested the Co-Chairs and the Executive Secretary, with the oversight of the Bureau, to continue the preparatory process in accordance with decisions 14/34, CP-9/7 and NP-3/15, and to prepare documentation, including a zero draft text of the post-2020 global biodiversity framework for consideration by the Working Group at its second meeting.
4. The Working Group discussed the zero draft of the post-2020 global biodiversity framework at its second meeting, held in Rome from 24 to 29 February 2020.[[7]](#footnote-7) A preliminary draft monitoring framework for the Goals and for the targets of the draft post-2020 global biodiversity framework was also issued for the meeting of the Working Group.[[8]](#footnote-8)
5. The zero draft, as well as the preliminary draft monitoring framework, included references to biosafety, based on the draft text for a biosafety component of the post-2020 global biodiversity, which had been prepared by the Liaison Group at its thirteenth meeting and which had been transmitted to the Co‑Chairs of the Working Group with a view to facilitating its inclusion in the zero draft of the post-2020 global biodiversity framework.
6. Section D of the zero draft addressed “2030 action targets” and included three subsections. Subsection (c) on “Tools and solutions for implementation and mainstream” included the following target: “Establish and implement measures in all countries by 2030 to prevent potential adverse impacts of biotechnology on biodiversity” (see CBD/WG2020/2/3, annex I, para 16).
7. The preliminary draft monitoring framework included suggested elements of the targets for monitoring as well as suggested indicators for the draft 2030 target on biosafety, following the text developed by the Liaison Group at its thirteenth meeting.[[9]](#footnote-9)
8. An update on the outcomes of the second meeting of the Working Group will be provided under agenda item 4.
9. At its third meeting, the Working Group is expected to provide further input to the development of the post-2020 global biodiversity framework, on the basis of the outcomes of the consultation process (including submissions and reports from thematic workshops). The Conference of the Parties at its fifteenth meeting is expected to adopt the post-2020 global biodiversity framework. The third meeting of the Working Group was scheduled to be held at the end of July 2020 and the fifteenth meeting of the Conference of the Parties was scheduled to be held in October 2020; however, due to the COVID-19 outbreak, the dates for both meetings will need to be adjusted and alternative dates are currently being explored.[[10]](#footnote-10)

### Long-term strategic framework for capacity-building beyond 2020

1. The Conference of the Parties, in its decision XIII/23, requested the Executive Secretary to initiate a process for preparing a long-term strategic framework for capacity-building beyond 2020, ensuring its alignment with the follow-up to the Strategic Plan for Biodiversity 2011-2020 and the capacity-building work of the Cartagena and the Nagoya Protocols, and ensuring its coordination with the timetable for the development of the post-2020 global biodiversity framework, with a view to the timely identification of priority capacity-building actions.
2. The Conference of the Parties, in its decision 14/24, requested the Executive Secretary to, among other activities, organize in conjunction with the preparatory process for the post-2020 global biodiversity framework, regional and stakeholder-specific consultative workshops and online discussion forums to enable Parties, as well as indigenous peoples and local communities and relevant organizations, to contribute to the preparation of the draft long-term strategic framework.
3. At the request of the Conference of the Parties, the Executive Secretary commissioned a study to provide an information base for the preparation of the long-term strategic framework for capacity-building beyond 2020.[[11]](#footnote-11) The findings of the study were used to prepare draft elements for the long-term strategic framework for capacity-building beyond 2020.
4. The Thematic Consultation on Capacity-building and Technical and Scientific Cooperation for the Post‑2020 Global Biodiversity Framework was held in Rome on 1 and 2 March 2020. Among other things, the thematic consultation reviewed the proposed draft elements of the long-term strategic framework for capacity‑building beyond 2020 and the draft proposal to strengthen technical and scientific cooperation in support of the post-2020 global biodiversity framework.[[12]](#footnote-12)
5. A final report summarizing the conclusions and recommendations of the consultation will be produced and made available to the Co-Chairs of the Working Group to contribute to the preparation of the post-2020 global biodiversity framework and to the Subsidiary Body on Implementation for consideration at its third meeting. The proposed draft elements of the long-term strategic framework for capacity-building beyond 2020 will be revised in the light of the feedback provided during the consultation and made available for further review and input.
6. An update on the outcomes of the consultation will be provided to the Liaison Group under agenda item 4.

## Fourth national reports, fourth assessment and review of the effectiveness of the Protocol and final evaluation of the Strategic Plan for the Cartagena Protocol

1. The Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol, in its decision CP-9/5, requested Parties and invited other Governments to submit to the Secretariat their fourth national report on the implementation of the Cartagena Protocol on Biosafety. The deadline for submission of the fourth national report was 1 October 2019.[[13]](#footnote-13)
2. In decision CP-9/6, the meeting of the Parties decided that the fourth assessment and review of the Cartagena Protocol would be combined with the final evaluation of the Strategic Plan and requested the Executive Secretary to synthesize information on the implementation of the Protocol to facilitate the process, using, among other things, information from the fourth national reports as a primary source.
3. An analysis of information for the assessment and review of the Protocol and final evaluation of the Strategic Plan has been prepared and is issued as an information document[[14]](#footnote-14) for the Liaison Group in support of its consideration of item 3 of the provisional agenda.
4. Document CBD/SBI/3/3/Add.1 contains, in section III, subsection B, an overview of information related to the indicators for Operational Objective 1.2. of the Strategic Plan for the Cartagena Protocol (Coordination and support), which also addresses capacity‑building. Subsection B shows that Parties have reported limited overall progress since the baseline. This is the case, for example, in relation to the number of Parties reporting that they had met their capacity-building needs. For some aspects, negative trends are visible since the baseline, for example the decrease reported by Parties in having in place a national coordination mechanism for capacity-building, having access to additional financial resources, and having assessed their capacity-building needs. The number of Parties that reported having predictable and reliable funding for strengthening the capacities for implementing the Protocol shows a modest increase in total numbers.
5. A number of Parties indicated that funds for capacity-building are often limited and insufficient to address all their capacity-needs. Many Parties indicated that they had benefited from funds provided by the Global Environment Facility (GEF). A number of these Parties indicated that these funds were difficult to access and that project preparation times were long and complex. Other Parties indicated that they had not been able to access GEF funds for biosafety-related activities. Several Parties mentioned that they are in receipt of funding from the Government or that the Government provides co-funding for biosafety capacity-building projects. A few Parties mentioned that bilateral and multilateral channels were also means used to secure external financial and technical support to strengthen capacity in implementing the Protocol.
6. Importantly, at the regional level, there is considerable variation in changes reported since the baseline (both in terms of increases and decreases) and in overall numbers. For the Asia-Pacific and African regions especially, consistent progress was identified, in particular, in the number of Parties that reported having carried out a capacity-building needs assessment, developed a national biosafety capacity-building action plan, established a national capacity-building coordination mechanism, and secured access to predictable and reliable funding for strengthening their capacity to implement the Protocol. Less progress or negative trends in this regard were reported by Parties in the Latin American and Caribbean region and Central and Eastern Europe.
7. Some other sections of the analysis also provide information on capacity-building, in particular:
	1. *Section III, subsection C, related to operational objective 2.2. (risk assessment and risk management), indicator 2.2.1*: In relation to capacity-building activities to enable Parties to evaluate, apply, share and carry out risk assessments, a substantial number of Parties reported having trained people in this regard. In their written contributions, several Parties indicated that they still needed support for strengthening capacities on risk assessment and risk management, including on the use of available guidance documents;
	2. *Section III, subsection D, related to operational objective 1.4 (living modified organisms (LMOs) or traits that may have adverse effects), indicator 1.4.2*: The majority of Parties to the Protocol have the capacity to detect, identify, assess and monitor LMOs with potential adverse effects. While some more Parties than at the baseline reported having monitoring capacities in this area, a decrease was reported in the percentage of Parties with the capacity to identify such LMOs. There are important regional differences, with the vast majority of Parties in the Western Europe and Others Group and the Central and Eastern European and Asia-Pacific regions reporting that they have the capacities in this regard, while about half to two thirds of Parties in the African and Latin American and Caribbean regions reported having such capacities. In their written contributions, a number of Parties indicated that they required access to laboratory facilities as well as support in strengthening their capacities in detection, identification and monitoring of LMOs;
	3. *Section III, subsection F, operational objective 2.3 (handling, transport, packaging and identification), in particular indicator 2.3.4*: A number of Parties indicated that capacity development is being undertaken to establish laboratories specific for LMO detection and/or to obtain international certification. Parties also listed several recent or forthcoming training courses for customs officers. Other Parties mentioned that they were unable to undertake detection and identification of LMOs. Some Parties cited a lack of laboratories, personnel, equipment, certification and/or capacity to conduct LMO detection activities. A few Parties lacked the necessary biosafety regulations to regulate LMO detection but stated that they were in the process of developing such instruments. A few Parties mentioned that customs officers were not specifically trained on LMO detection and could benefit from further training. Some Parties mentioned that reinforcement at the personnel and laboratory levels was also required to improve capacity in this area. One Party mentioned that training courses were important and required to ensure that capacity was maintained;
	4. *Section III, subsection H, operational objective 1.8 (transit, contained use, unintentional transboundary movements and emergency measures)*: While most Parties reported having measures in place to regulate transit and contained use of LMOs, a number of Parties indicated that they needed further capacity-building on transit and contained use. Most Parties reported having the capacity to respond to unintentional transboundary movements. Some Parties noted a lack of legal provisions in this area. Furthermore, some Parties cited the inability to detect and identify LMOs, and thus transboundary movements, as a concern.
8. In addition to the information provided in document CBD/SBI/3/3/Add.1, Parties reported on the areas in which further capacity-building was required and indicated the following areas:[[15]](#footnote-15)
	1. Institutional capacity and human resources (66 Parties);
	2. Integration of biosafety in cross-sectoral and sectoral legislation, policies and institutions (mainstreaming biosafety) (63 Parties);
	3. Risk assessment and other scientific and technical expertise (69 Parties);
	4. Risk management (65 Parties);
	5. Public awareness, education and participation (62 Parties);
	6. Information exchange and data management including participation in the Biosafety Clearing-House (58 Parties);
	7. Scientific, technical and institutional collaboration at subregional, regional and international levels (63 Parties);
	8. Technology transfer (57 Parties);
	9. Sampling, detection and identification of LMOs (70 Parties);
	10. Socio-economic considerations (59 Parties);
	11. Implementation of the documentation requirements for handling, transport, packaging and identification (50 Parties);
	12. Handling of confidential information (41 Parties);
	13. Measures to address unintentional and/or illegal transboundary movements of LMOs (70 Parties);
	14. Scientific biosafety research relating to LMOs (62 Parties);
	15. Taking into account risks to human health (63 Parties);
	16. Liability and redress (58 Parties);
	17. Other (9 Parties).

In their written comments, Parties mentioned that capacity-building needs existed in the following additional areas: risk assessment and risk management in relation to organisms developed using new biotechnologies.

# Suggestions for consideration by the Liaison Group

1. The Liaison Group may wish to review the revised draft implementation plan for the Cartagena Protocol and capacity-building action plan (2021-2030), focusing on the review of the capacity-building action plan, in accordance with decision CP-9/3.
2. In reviewing the capacity-building action plan, the Liaison Group may wish to take into consideration the preliminary outcomes of the processes for the development of the post-2020 global biodiversity framework and long-term strategic framework for capacity-building beyond 2020, to the extent possible.
3. The Liaison Group may wish to review the capacity-building action plan in the light of the information gathered for the fourth assessment and review of the Protocol and final evaluation of the Strategic Plan, as well as any additional information provided in the fourth national reports, for example by verifying that the capacity-building action plan adequately covers all areas for which Parties report that further capacity-building activities are needed.
4. The Liaison Group may wish to consider whether any advice it may provide on the capacity-building action plan would affect the implementation plan and suggest ways for ensuring that the two plans remain aligned and complementary.
5. Pursuant to decisions CP-9/3 and CP-9/7, the draft implementation plan for the Cartagena Protocol and capacity-building action plan (2021-2030), will be submitted to the Subsidiary Body on Implementation for consideration at its third meeting and for subsequent consideration by the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol at its tenth meeting.

# *Annex*

# Draft implementation plan for the Cartagena Protocol and capacity‑building action plan (2021-2030)

# I. Purpose of the Implementation Plan and the Capacity‑Building Action Plan

1. The Implementation Plan has been developed as a framework of broad desirable achievements and accomplishments to help guide Parties in their implementation of the Protocol and measure progress in this regard for the period 2021-2030.
2. The purpose of the Capacity-Building Action Plan is to facilitate the development and strengthening of the capacities of Parties to implement the Protocol by: (a) identifying key areas for capacity-building related to the different goals of the Implementation Plan; (b) facilitating the engagement of partners, including donors; (c) fostering a coherent and coordinated approach to capacity-building for the implementation of the Protocol; and (d) promoting regional and international cooperation and coordination. The Capacity-Building Action Plan covers the same period as the Implementation Plan, from 2021 to 2030.
3. The Implementation Plan is directed primarily at Parties. Nonetheless, it is recognized that non‑Parties and stakeholders from different sectors, organizations, indigenous peoples and local communities and donors can support the implementation of the Protocol and the undertaking of capacity-building activities, including those outlined in the Capacity-Building Action Plan.

# II. Linkage with the post-2020 global biodiversity framework, the long-term strategic framework for capacity-building for the Convention and its Protocols and the 2030 Agenda for Sustainable Development

1. The Implementation Plan is anchored in and complementary to the post-2020 global biodiversity framework, as its goals, objectives and outcomes contribute to achieving the framework’s 2050 vision: ‘By 2050, biodiversity is valued, conserved, restored and wisely used, maintaining ecosystem services, sustaining a healthy planet and delivering benefits essential for all people’; and its mission: ‘To take urgent action across society to put biodiversity on a path to recovery for the benefit of planet and people’. The Implementation Plan is intended to facilitate the implementation of the Cartagena Protocol and is addressed to Parties to the Cartagena Protocol. The Implementation Plan can also support and guide Parties to meet goals and targets relevant to biosafety within the post-2020 global biodiversity framework.
2. The Capacity-Building Action Plan has been developed in alignment with the Implementation Plan, outlining examples of capacity-building activities for each goal of the Implementation Plan. The Action Plan is complementary to the Implementation Plan as the capacity building activities can support the achievement of the goals and outcomes of the Implementation Plan. In addition, in order to ensure alignment and avoid possible duplication, goal B.1. in the Implementation Plan addresses capacity-building in general and refers to the specific capacity-building activities outlined throughout the Capacity-Building Action Plan.
3. The Capacity-Building Action Plan is complementary to the long-term strategic framework for capacity-building for the Convention and its Protocols beyond 2020. The latter addresses a number of aspects of relevance to the Capacity-Building Action Plan that should be taken into consideration when planning capacity-building activities based on the Capacity-Building Action Plan. [*To be further updated in the light of the development of the long-term strategic framework for capacity-building for the Convention and its Protocols beyond 2020.*]
4. The Implementation Plan and Capacity-Building Action Plan can also help to support Parties to achieve the Sustainable Development Goals, including for example Goals 2 (to end hunger, achieve food security and improved nutrition, and provide sustainable agriculture) and 3 (ensure healthy lives and promote well-being for all at all ages).

# III. Structure of the Implementation Plan and the Capacity‑Building Action Plan

1. In the Appendix, a tabular overview of the goals, objectives, indicators and outcomes of the Implementation Plan is presented alongside the key areas for capacity-building and the examples of capacity-building activities of the Capacity-Building Action Plan. This presentation is intended to show the alignment and complementarity between the two plans and to avoid duplication.

A. Implementation plan

1. The Implementation Plan outlines **goals**, representing broad desirable achievements by Parties. The goals of the Implementation Plan are organized according to ‘areas of implementation’ and ‘enabling environment’. The ‘areas of implementation’ consist of goals concerning key elements for the implementation of the Protocol. The ‘enabling environment’ comprises cross-cutting goals related to providing support for implementation, i.e. capacity-building, resource mobilization, cooperation, and public awareness, education and participation. The goals under the ‘enabling environment’ represent cross-cutting achievements that benefit a variety of implementation-related goals and can be read in conjunction with the goals related to ‘areas for implementation’. Each goal includes corresponding objectives, outcomes and indicators.
2. The **objectives** describe key accomplishments to achieve the goal to which they relate. The objectives are not intended to provide an exhaustive list of accomplishments that may be relevant for the goal. The objectives follow the provisions in the Protocol, including both obligations and other provisions, and guidance provided through decisions of the Conference of the Parties serving as the meeting of the Parties to the Protocol. Most goals include multiple objectives.
3. The **indicators** are designed to measure progress towards the objectives. The indicators are intended to be simple, measurable and relevant to the associated objective.
4. The **outcomes** describe what the effect will be of achieving the goal.

B. Capacity-building action plan

1. The Capacity-building Action Plan outlines **key areas for capacity-building** related to each goal of the Implementation Plan. The key areas for capacity-building are aligned with the objectives of the Implementation Plan and include areas for which capacity-building activities are suggested.
2. The Action Plan also provides a list of examples of **capacity-building activities**, which were developed taking into consideration the capacity-building activities of continuing relevance included in, among others, the Framework and Action Plan for Capacity-Building for the Effective Implementation of the Cartagena Protocol (2012-2020), and the programme of work on public awareness, education and participation.[[16]](#footnote-16) Some key areas for capacity-building and capacity-building activities are relevant to multiple goals. This is the case with goals A.6, A.7 and A.8 related to different aspects of detection and identification of living modified organisms. Accordingly, the key areas for capacity-building and the capacity-building activities are presented as applying to the three goals.
3. The key areas and capacity-building activities outlined in the Capacity-Building Action Plan are not meant to be prescriptive or exhaustive. The key areas for capacity-building are meant as indicative areas in which capacities may be needed, and on which capacity-building interventions may focus, depending on national circumstances and needs. The capacity-building activities are examples of the kinds of activities that could be undertaken in order to achieve the goals and outcomes of the Implementation Plan. It is recognized that national and regional needs and circumstances should ultimately determine the design and delivery of capacity-building activities, taking also into consideration the strategic guidance provided in the long-term strategic framework for capacity-building, as appropriate.
4. Information on capacity-building activities undertaken or capacity-building resources or materials developed in the context of the Capacity-Building Action Plan should be shared through the Biosafety Clearing-House.

*Capacity-building providers and target audiences*

1. The capacity-building activities can be carried out at various levels, including at the national, regional and global levels.
2. A range of actors may be involved in facilitating the delivery of capacity-building activities, including governments, research organizations, non-governmental organizations, the private sector and the Secretariat. The identification of actors in this respect depends largely on national circumstances, needs and priorities. Against this background, the capacity-building activities outlined in the table below do not identify the actors who could carry out the capacity-building activities.
3. Similarly, a range of target audiences may benefit from specific capacity-building activities, depending on national circumstances, needs and priorities. These audiences could include policymakers, administrative authorities, laboratory technicians and customs officers among others.
4. When designing capacity-building interventions within the areas for capacity-building or based on the examples of activities outlined in the Capacity-Building Action Plan, actors and target audiences should be identified. As set out in the goals under the ‘enabling environment’ of the Implementation Plan and the Capacity-Building Action Plan, cooperation and collaboration as well as the provision of adequate resources are prerequisites for undertaking capacity-building activities in support of the implementation of the Protocol.
5. Component on the Nagoya – Kuala Lumpur Supplementary Protocol on Liability and Redress
6. The Nagoya – Kuala Lumpur Supplementary Protocol on Liability and Redress (Supplementary Protocol) was adopted by the Conference of the Parties serving as the meeting of the Parties to the Protocol in 2010 (decision BS-V/11). The Strategic Plan for the Protocol, also adopted in 2010, included elements on liability and redress and the Supplementary Protocol. The Supplementary Protocol entered into force on 5 March 2018.
7. A component on the Supplementary Protocol has been included in the Appendix below. The inclusion of a component on the Supplementary Protocol is intended to support the implementation of the Cartagena Protocol and to contribute to the effective implementation of the Supplementary Protocol, while recognizing that they are separate legal instruments and that obligations arising from these instruments only bind the Parties to the respective instrument.

# IV. Evaluation and review

1. The Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol may decide to undertake a mid-term evaluation and final evaluation of the Implementation Plan and Capacity‑Building Action Plan. These evaluations may draw on information provided by Parties in their national reports, information on capacity-building activities and information in the Biosafety Clearing‑House, among others. This information may be used to assess the extent to which the Implementation Plan’s objectives are being accomplished, including through capacity-building activities.
2. The results of the fourth assessment and review of the effectiveness of the Cartagena Protocol and final evaluation of the Strategic Plan of the Cartagena Protocol will be used to establish a baseline for measuring progress in achieving the goals of the Implementation Plan.

# Priorities and programming

1. The Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol may periodically set priorities to plan for and programme work to be undertaken within the time period of the Implementation Plan. This could include identifying milestones that lead to the achievement of the goals of the Implementation Plan.
2. In deciding on priorities and programming, the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol may wish to take into consideration developments and advancements in the field of biosafety and biotechnology. In this regard, the Implementation Plan and Capacity-Building Action Plan have taken the approach that where organisms developed through new technologies constitute ‘living modified organisms’ as defined in the Protocol, these organisms are addressed in the two Plans.

# Resources

1. The successful implementation of the Protocol depends to a large extent on having access to adequate human, technical and financial resources and effective cooperation. The Implementation Plan and the Capacity Building Action Plan aim at supporting Parties in this regard, including in particular under the goals related to creating an enabling environment.

# Role of the Secretariat

1. While the Implementation Plan and the Capacity-Building Action Plan are directed primarily at Parties, the Secretariat of the Convention on Biological Diversity will support the Parties in their efforts to implement the Protocol, following the guidance of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol and in accordance with Article 31 of the Cartagena Protocol and Article 24 of the Convention on Biological Diversity. This support includes managing and maintaining the Biosafety Clearing-House as well as undertaking activities, including capacity-building activities, as requested by the Conference of the Parties serving as the meeting of the Parties to the Protocol.

**Appendix**

|  |  |
| --- | --- |
| **Implementation plan** | **Capacity-building action plan** |

| **Goals** | **Objectives** | **Indicators** | **Outcomes** | **Key areas for capacity-building** | **Capacity-building activities** |
| --- | --- | --- | --- | --- | --- |
| *(Desirable achievements)* | *(What must be accomplished to achieve the goal)* | *(Measuring progress towards objectives)* | *(The effect of achieving the goal)* | *(Key areas where capacities may be needed)* | *(Examples of suggested capacity‑building activities within the key areas for capacity-building)* |
| **A. Areas for implementation** |
| **A.1. Parties have in place functional national biosafety frameworks** | A.1.1. Parties have adopted and implemented legal, administrative and other measures to fulfil their obligations under the ProtocolA.1.2. Parties have designated competent national authorities and national focal points for the Protocol and emergency measures (Art. 17) contact pointA.1.3. Competent national authorities have adequately trained staff to carry out their tasks | (a) Percentage of Parties that have measures in place to implement the provisions of the Protocol(b) Percentage of Parties that have designated a national focal point and competent national authorities for the Protocol and emergency measures (Art. 17) contact point and have notified the Secretariat accordingly(c) Percentage of Parties that have staff to operationalize their national biosafety frameworks | Functional national biosafety frameworks enable competent authorities, national focal points and contact points for receiving notifications under Article 17 of all Parties to effectively and efficiently fulfil their obligations under the Protocol | (1) Development and implementation of legal, administrative and other measures to implement the Protocol;(2) Establishment of competent national authorities and strengthening of their capacities  | (i) Provide training on the development and implementation of legal, administrative and other measures to implement the Protocol(ii) Train personnel of competent national authorities on administering the biosafety regulatory system |
| **A.2. Parties have improved the availability and exchange of relevant information through the BCH** | A.2.1. Parties provide accurate and complete mandatory information in the BCH in accordance with their obligations under the ProtocolA.2.2. Parties publish other types of biosafety-related information through the BCH | (a) Percentage of Parties making mandatory information available to the BCH(b) Percentage of Parties that publish other types of biosafety-related information through the BCH(c) Number of active users of and visits to the BCH | BCH facilitates the availability and exchange of biosafety-related information and enables Parties to take informed decisions | (1) Publishing information on the BCH(2) Accessing information on the BCH | (i) Develop, update and maintain interactive support tools, following the migration of the BCH to the new platform(ii) Provide training on the use of the BCH for specific target groups |
| **A.3. Full information on the implementation of the Protocol is made available by Parties in a timely manner** | A.3.1. Parties submit complete national reports within the established deadline | (a) Percentage of Parties that have submitted a complete national report within the established deadline(b) Percentage of eligible Parties that have accessed GEF funding for the preparation of their national in a timely manner | Accurate and timely information on the implementation of the Protocol enables COP‑MOP to set priorities and identify where support is needed | (1) Establishing and strengthening national coordination systems to gather biosafety information(2) Preparing national report | (i) Provide training on information gathering and data management to relevant national authorities for national reporting(ii) Develop tools to assist Parties to prepare and submit their national reports |
| **A.4. Parties are in full compliance with the requirements of the Protocol** | A.4.1. Parties comply with their obligations under the ProtocolA.4.2. Parties resolve issues of non-compliance identified by the Compliance Committee | (a) Percentage of Parties that comply with their obligations under the Protocol(b) Percentage of non-compliance issues identified by the Compliance Committee that have been resolved | Effective compliance mechanism facilitates implementation of the Protocol | (1) Address non-compliance issues identified by the Compliance Committee | (i) Provide support to Parties concerned to carry out activities set out in compliance action plans, to address identified issues of non-compliance |
| **A.5. Parties carry out scientifically-sound risk assessments of LMOs, and manage and control identified risks to prevent adverse effects of LMOs on the conservation and sustainable use of biological diversity** | A.5.1. Parties apply scientifically sound and appropriate procedures for risk assessment and risk management of LMOs, in accordance with Annex III of the ProtocolA.5.2. Parties develop (as necessary), have access to and use appropriate resource materials for carrying out scientifically-sound risk assessment and risk management | (a) Percentage of Parties that undertake risk assessment for decision making on LMOs, where required under the Protocol (b) Percentage of decisions in the BCH with associated summary reports of risk assessments(c) Percentage of Parties that have access to and use relevant risk assessment and risk management resource materials(d) Percentage of Parties carrying out risk assessments, considering other available scientific evidence, referred to in Article 15 | Parties identify, assess, and appropriately manage and control risks of LMOs to biodiversity, taking also into account risks to human health | (1) Conducting and reviewing scientifically-sound risk assessments and regulating, managing and controlling identified risks(2) Access to infrastructure and technical expertise for risk assessment and risk management(3) Access to scientific data relevant for risk assessment and risk management | (i) Develop or update, as necessary, and disseminate training materials on risk assessment and risk management(ii) Provide training to relevant national authorities on conducting and reviewing risk assessments, including use of resource documents and gathering and analysis of scientific information(iii) Facilitate access to adequate infrastructure and expertise for risk assessment and risk management(iv) Conduct scientific research, review and acquire data on biodiversity for specific ecological areas relevant to risk assessment and risk management |
| **A.6. Parties prevent illegal and unintentional transboundary movements of LMOs** | A.6.1. Parties have adopted appropriate measures to prevent illegal and unintentional transboundary movements of LMOs | (a) Percentage of Parties that have measures in place to prevent illegal and unintentional transboundary movements of LMOs | Illegal and unintentional transboundary movements of LMOs prevented or minimized | (1) Establishment of functional national systems for the handling, transport, packaging and identification, including in relation to documentation(2) Development, as necessary, and access to resource materials, procedures and information for sampling, detection and identification of LMOs (3) Strengthening sampling, detection and identification capacities of officials and laboratory staff(4) Access to technical infrastructure for detection and identification, including certified reference materials(5) Strengthening collaboration, including through networks of laboratories | (i) Provide training on LMO documentation, sampling, detection and identification to relevant stakeholders(ii) Develop national checklists on identification requirements to facilitate verification of documentation accompanying LMO shipments(iii) Disseminate and provide training on methodologies and protocols for sampling and detection of LMOs  (iv) Facilitate access to infrastructure for detection and identification of LMOs, including accredited laboratories, certified reference materials and consumables(v) Establish, strengthen and maintain networks of laboratories for LMO detection |
| **A.7. Parties have measures in place to fulfil the handling, transport, packaging and identification requirements of LMOs under the Protocol** | A.7.1. 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 standardsA.7.2. 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 intentional introduction into the environment and other LMOs | (a) Percentage of Parties that have taken 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 LMOs intended for direct use as food or feed, or for processing(c) Percentage of Parties that have put in place documentation requirements for LMOs destined for contained use(d) Percentage of Parties that have put in place documentation requirements for LMOs for intentional 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.8. Parties are able to detect and identify LMOs** | A.8.1. Parties have access to the necessary technical infrastructure and expertise for the detection and identification of LMOsA.8.2. Parties have access to and use appropriate resource materials for the detection and identification of LMOsA.8.3. Parties have access to and use the necessary information to detect and identify LMOs, including detection methods and certified reference materials | (a) Percentage of LMOs on the BCH for which detection methods are available(b) Percentage of Parties that have access to and use resource materials and detection methods to detect and identify LMOs(c) Percentage of Parties that have access to and use certified reference materials necessary to detect and identify LMOs(d) Percentage of Parties that have access to the technical infrastructure needed to detect and identify LMOs | By detecting and identifying LMOs, Parties are able to respond to unintentional and illegal transboundary movements and to implement the handling, transport, packaging and identification requirements in accordance with the Protocol |
| **A.9. Parties that choose to do so, take into account socio-economic considerations when making decisions on the import of LMOs and cooperate on research and information exchange in accordance with Article 26 of the Protocol** | A.9.1. Parties that choose to do so, take socio-economic considerations into account in decision-making in accordance with Article 26A.9.2. Parties that choose to take into account socio-economic considerations in accordance with Article 26 have access to and are able to use resource materialsA.9.3. Parties cooperate on research and information exchange on any socio-economic impacts of LMOs, especially on IPLCs | (a) Percentage of Parties that take into account socio-economic considerations in decision-making in accordance with Article 26 of the Protocol(b) Of the Parties that take socio-economic considerations into account, the percentage that use resource materials for this purpose(c) Percentage of Parties that cooperate on research and information exchange on any socio-economic impacts of LMOs, especially on IPLCs | Taking into account socio-economic considerations in accordance with Article 26 enables Parties that choose to do so to consider a range of issues in decision-taking on imports of LMOs | (1) Strengthening capacities for taking into account socio-economic considerations in accordance with Article 26(2) Development and access to resource materials on socio-economic considerations | (i) Provide training to relevant national authorities on taking into account socio-economic considerations(ii) Develop, update and disseminate training materials on socio-economic considerations(iii) Share experiences with and approaches for taking into account socio-economic considerations |
| **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** | A.10.1. Increased number of Parties to the Supplementary ProtocolA.10.2. Parties to the Supplementary Protocol have adopted and implemented appropriate measures to give effect to the provisions of the Supplementary ProtocolA.10.3 Parties to the Supplementary Protocol report on the implementation of the Supplementary Protocol | (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(c) Percentage of Parties to the Supplementary Protocol reporting on the implementation 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 | (1) Supporting Parties to the Cartagena Protocol to ratify the Supplementary Protocol (2) Development of national legal, administrative and other measures by Parties to the Supplementary Protocol(3) Development and access to resource materials, experiences and lessons learned regarding implementation of the Supplementary Protocol(4) Strengthening capacities of national authorities of Parties to the Supplementary Protocol to discharge their functions(5) Development or identification of baselines of the status of biodiversity | (i) Raise awareness on the Supplementary Protocol to support ratification and implementation(ii) Provide training on the analysis of laws, policies and institutional frameworks to determine how they address the requirements of the Supplementary Protocol(iii) Provide training on the development or amendment of domestic legal and administrative frameworks to implement the Supplementary Protocol(iv) Develop resource materials to assist competent authorities in discharging their responsibilities under the Supplementary Protocol(v) Provide training to competent authorities of Parties to the Supplementary Protocol to strengthen scientific and technical capacities to evaluate damage, establish causal links and determine appropriate response measures(vi) Identify databases and knowledge management systems relevant to identifying baselines and monitoring of the status of biodiversity(vii) Compile and share information on experiences and lessons learned in the implementation of the Supplementary Protocol |
| **B. Enabling environment** |
| **B.1. Parties engage in capacity-building activities** | B.1.1. Parties have identified and prioritized their capacity-building needsB.1.2. Parties undertake capacity-building activities, as set out in the Capacity-Building Action Plan B.1.3. Parties use capacity-building materials, including online resourcesB.1.4. Parties cooperate to strengthen capacities for the implementation of the Protocol | (a) Percentage of Parties that have identified and prioritized their capacity-building needs(b) Percentage of Parties undertaking capacity-building activities(c) Percentage of Parties with capacity-building needs that use capacity-building materials, including online resources(d) Percentage of Parties that cooperate to strengthen capacities for the implementation of the Protocol | Parties have the necessary capacity for the implementation of the Protocol | (1) Self-assessment of capacity building needs and priorities(2) Provision of support to capacity-building activities(3) Access to capacity-building materials(4) Cooperation in capacity-building activities | (i) Carry out a self-assessment of capacity-building needs and priorities(ii) Provide technical, financial or other support to capacity-building activities, including to those outlined in this Capacity-Building Action Plan(iii) Develop and disseminate, capacity-building materials and outcomes of activities, including in local languages(iv) Cooperate at the national, bilateral, regional and multi-lateral level with partners from relevant sectors and stakeholders in carrying out capacity-building activities |
| **B.2. Parties have mobilized resources to support implementation of the Protocol** | B.2.1. Adequate resources are allocated to biosafety through national budgetsB.2.2. Parties allocate a share of national biodiversity STAR allocations to biosafety activitiesB.2.3. Parties access additional resources to strengthen capacities for implementation of the Protocol | (a) Percentage of Parties that have adequate resources for biosafety from national budgets(b) Percentage of eligible Parties that use national STAR allocations for biosafety activities(c) Percentage of Parties having accessed additional resources(d) Percentage of Parties having contributed resources to other Parties to strengthen their capacity for the implementation of the Protocol | Full implementation of the Protocol is enabled by predictable resources | (1) Establishment of a national budget allocation mechanism for biosafety(2) Coordination with authorities, funding agencies and donors at the national level(3) Cooperation with other Parties and donors | (i) Raise awareness at the national level on the need for predictable resources from national budgets to carry out activities necessary for the implementation of the Protocol(ii) Raise awareness to strengthen coordination at the national level between competent authorities, funding agencies and other donors(iii) Raise awareness to strengthen cooperation among donor Parties, developing country Parties, Parties with economies in transition and other donors to ensure the full implementation of the Protocol |
| **B.3. Parties promote and facilitate public awareness, education and participation on the safe transfer, handling and use of LMOs** | B.3.1. Parties have developed mechanisms to promote and facilitate public awareness, education and participation in biosafetyB.3.2. Parties have access to resource materials for promoting and facilitating public awareness, education and participation in biosafetyB.3.3. Parties consult the public in making decisions on LMOs, in accordance with their legislation, and make the results of decisions available to the publicB.3.4. Parties inform the public about the means of public access to the BCH | (a) Percentage of Parties accessing resource materials for facilitating and promoting public awareness, education and participation in biosafety(b) Percentage of Parties mainstreaming biosafety in relevant educational and training programmes(c) Percentage of Parties having in place a mechanism facilitating and promoting public participation in decision making regarding LMOs(d) Percentage of Parties informing the public about means for participation in decision‑making(e) Percentage of Parties having consulted the public in the decision-making process(f) Percentage of Parties making the results of decisions available to the public(g) Percentage of Parties that have informed the public about the means of public access to the BCH | Through public awareness, education and participation, Parties ensure that the public is appropriately informed about the safe transfer, handling and use of LMOs and involved in decision-making on the safe transfer, handling and use of LMOs | (1) Establishment of national systems for promoting public awareness, education and participation(2) Development and dissemination of resource and training materials on public awareness, education and participation(3) Provision of education on biosafety(4) Strengthening mechanisms for participation in decision-making(5) Development of public awareness programmes | (i) Develop and disseminate capacity-building materials on public awareness, education and participation(ii) Develop or update biosafety education programmes and strengthen institutional capacities(iii) Integrate biosafety in relevant educational programmes(iv) Establish academic exchange and fellowship programmes(v) Provide training on participation in decision-making, in accordance with national laws and regulations, including on the establishment of mechanisms to inform the public about modalities for participation(vi) Provide training on the development and implementation of biosafety public awareness programmes(vii) Provide training on biosafety communication |
| **B.4. Parties enhance cooperation and coordination 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 knowledgeB.4.2. Parties have put in place effective mechanisms to involve IPLCs and relevant stakeholders from different sectors in the implementation of the ProtocolB.4.3. Parties facilitate sectoral and cross-sectoral coordination and cooperation at the national level to mainstream biosafety | (a) Percentage of Parties cooperating in exchanging scientific, technical and institutional knowledge(b) Percentage of Parties engaging in bilateral, regional or multilateral activities for the implementation of the Protocol(c) Percentage of Parties that have mechanisms for involving IPLCs and relevant stakeholders from different sectors in the implementation of the Protocol(d) Percentage of Parties that have integrated biosafety in national sectoral and cross-sectoral strategies, action plans, programmes, policies or legislation | Through cooperation at the national, regional and international levels, and participation of stakeholders, Parties’ implementation of the Protocol is more effective | (1) Cooperation among and within Parties (2) Involvement of indigenous peoples and local communities and stakeholders from relevant sectors(3) Mainstreaming of biosafety in national sectoral and cross-sectoral legislation, policies and plan; | (i) Organize activities to facilitate technical and scientific cooperation and information sharing at the bilateral, sub-regional, and regional levels(ii) Organize joint activities involving IPLCs and relevant stakeholders from different sectors |

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1. \* CBD/CP/LG/2020/1/1. [↑](#footnote-ref-1)
2. More information on the development of the draft implementation plan is presented in CBD/CP/LG/2019/1/3. [↑](#footnote-ref-2)
3. More information on the development of the draft capacity-building action plan is presented in CBD/CP/LG/2019/1/4. [↑](#footnote-ref-3)
4. CBD/CP/LG/2019/1/6. [↑](#footnote-ref-4)
5. see [notification 2019-110](https://www.cbd.int/doc/notifications/2019/ntf-2019-110-bs-en.pdf), dated 5 December 2019. [↑](#footnote-ref-5)
6. The submissions are available at <http://bch.cbd.int/protocol/post2020/portal/SubmissionsReview.shtml> [↑](#footnote-ref-6)
7. CBD/WG2020/2/3. [↑](#footnote-ref-7)
8. CBD/WG2020/2/3/Add.1. [↑](#footnote-ref-8)
9. See CBD/WG2020/2/3/Add.1, appendix 2, row 16. [↑](#footnote-ref-9)
10. See [notification 2020-032](https://www.cbd.int/doc/notifications/2020/ntf-2020-032-sbstta-sbi-en.pdf). [↑](#footnote-ref-10)
11. <https://www.cbd.int/doc/c/4629/df91/df661b562499c10f546e87df/post2020-ws-2020-02-inf-01-en.pdf> [↑](#footnote-ref-11)
12. Documents CBD/POST2020/WS/2020/2/3 and CBD/POST2020/WS/2020/2/2, respectively. [↑](#footnote-ref-12)
13. Notification 2019-19, dated 13 February 2019. [↑](#footnote-ref-13)
14. An advance version of CBD/SBI/3/3/Add.1. [↑](#footnote-ref-14)
15. Question 135 of the reporting format for the fourth national reports. The number of Parties referred to in this paragraph reflects the number of Parties of those 99 Parties that had submitted their fourth national report by 15 January 2020. [↑](#footnote-ref-15)
16. BS-V/13, annex and BS-VI/3, respectively. [↑](#footnote-ref-16)