



Convention on Biological Diversity

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REPORT OF THE GLOBAL CONSULTATION WORKSHOP ON THE POST-2020 GLOBAL BIODIVERSITY FRAMEWORK, BIOSAFETY AND THE CARTAGENA PROTOCOL, NAIROBI, KENYA, 25 AUGUST 2019

I. BACKGROUND AND PURPOSE

1. In its decision [CP-9/7](#), the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety welcomed decision [14/34](#) of the Conference of the Parties and took note of the preparatory process for the development of the [post-2020 global biodiversity framework](#). It stressed the importance of including biosafety in the post-2020 global biodiversity framework as well as the necessity of developing a specific post-2020 implementation plan for the [Cartagena Protocol](#). It noted the importance of the active involvement of biosafety experts, including those with expertise on the [Nagoya – Kuala Lumpur Supplementary Protocol on Liability and Redress](#), in the development of the post-2020 global biodiversity framework, and requested the Executive Secretary to convene dedicated sessions during global and regional consultation workshops to discuss biosafety matters.
2. The Global Consultation Workshop on the Post-2020 Global Biodiversity Framework, Biosafety and the Cartagena Protocol was held at the United Nations Office at Nairobi on 25 August 2019, immediately prior to the first meeting of the Open-ended Working Group on the Post-2020 Global Biodiversity Framework. The Consultation was aimed at facilitating a discussion on how biosafety could contribute to achieving the objectives of the Convention and the 2050 vision of living in harmony with nature and how it could be addressed within the post-2020 global biodiversity framework. The Consultation was attended by approximately 60 representatives from Parties to the Convention and to the Cartagena Protocol, other Governments and relevant organizations, most of whom also attended the subsequent meeting of the Open-Ended Working Group.
3. The participation of several representatives from developing country Parties was made possible with financial support provided by the Government of South Africa.
4. Section II below provides an account of the proceedings and the organization of the Consultation. Section III details the views expressed by participants during the small group discussions during the Consultation.

II. ACCOUNT OF PROCEEDINGS

5. The Consultation was opened by Mr. David Cooper, Deputy Executive Secretary of the Convention on Biological Diversity. He expressed thanks to the Government of South Africa for supporting participation in the Consultation and the Government of the Netherlands for supporting the work on biosafety and the post-2020 global biodiversity framework. He reminded participants that the effectiveness of the process for developing the post-2020 global biodiversity framework depended on the active participation of all Parties to the Convention and the Protocols. He noted that the Consultation was an important opportunity to informally exchange views and brainstorm on relevant elements of the biosafety component of the global framework. He explained that the outcomes of the day's work would assist the [Liaison Group on the Cartagena Protocol](#) to provide its input towards the further development of the biosafety component for consideration by the Working Group in due course. Finally, he highlighted the importance of new technological developments and the need to be mindful of how they might impact

biodiversity in the future. He recalled the long history of the Convention and the Cartagena Protocol in working at the forefront of such issues and in bringing together different points of view to achieve a common understanding. He stated that that experience would help in addressing some of the most challenging contemporary issues.

6. The Rapporteur of the Consultation, Professor Dorington Ogoyi, Director and Chief Executive Officer of the [National Biosafety Authority of Kenya](#), welcomed participants to Kenya and remarked that he looked forward to fruitful discussions.

7. Following the opening remarks, Ms. Kathryn Garforth (Secretariat) recalled decision CP-9/7 and decision 14/34 and provided an overview of the post-2020 processes relevant to biosafety. She also briefly explained the issues to be covered in the day's discussions.

8. Following the presentation, Ms. Paola Scarone (Secretariat) provided further explanation on the organization of the work and the logistical arrangements to manage the extensive discussions in small groups.

9. Participants were then divided into six small groups, including one group with Spanish-speaking participants and one with francophone participants, to facilitate discussions. Each group designated a note taker to synthesize the views and comments expressed and to submit a summary to the Secretariat.

10. The discussions were conducted in those small groups over three sessions covering agenda items 3 and 4 (see [CBD/POST2020/WS/2019/7/1](#)). Participants of the four anglophone groups were reshuffled to constitute new groups for each session with a view to encouraging a varied exchange of views and ideas. For each session, participants were requested to reflect on a number of questions, prepared by the Secretariat, pertaining to a specific topic (see section III below).

11. At the end of the day, the Co-Chairs of the Open-ended Working Group, Mr. Francis Ogwal (Uganda) and Mr. Basile van Havre (Canada), joined the Consultation in plenary for a wrap-up session.

12. The Rapporteur provided a summary of the discussions, reflecting on the outcomes of the discussions, and indicated that he would deliver a report under agenda item 3 of the meeting of the Open-ended Working Group, later in the week.

13. Mr. Ogwal thanked the participants for their productive discussions and made some additional remarks, sharing also some experiences with integrating biosafety at the national level. Among other observations, he suggested that a comprehensive framework including biosafety and relevant linkages to the Sustainable Development Goals might facilitate accessing funds from the Global Environment Facility for biosafety activities.

14. As part of the reflections during the wrap-up session, some participants indicated that a specific biosafety "target" would be desirable in the new global framework.

15. Participants held the view that the Consultation had been instrumental in raising awareness of the importance of integrating biosafety in the post-2020 global biodiversity framework and reflecting on the challenges involved. Participants stressed the importance of ensuring that sufficient time was dedicated to the further development of the biosafety component of the post-2020 global biodiversity framework; they also stressed that additional dedicated discussions would be beneficial. Many representatives who dealt with biosafety issues on a regular basis at the national level were also appreciative of the opportunity to raise those issues in the margins of the first meeting of the Working Group on the Post-2020 Global Biodiversity Framework, and indicated that the Consultation had been an excellent opportunity to raise awareness of biosafety concerns among national focal points of the Convention who had attended the Consultation.

16. Several remarks from the floor during the subsequent meeting of the Working Group on the Post-2020 Global Biodiversity Framework highlighted the need to integrate the Cartagena Protocol and biosafety issues in the post-2020 global biodiversity framework to facilitate efforts to mainstream

biosafety. That was reflected in the possible elements of a post-2020 global biodiversity framework, which were contained in the annex to the report of the Working Group on its first meeting ([CBD/WG2020/1/5](#)).

III. VIEWS OF PARTICIPANTS ON THE BIOSAFETY COMPONENT OF THE POST-2020 GLOBAL BIODIVERSITY FRAMEWORK

17. During the small group discussions, participants considered the relevance of biosafety to the Sustainable Development Goals and the Aichi Biodiversity Targets. They discussed possible specific elements on biosafety for the post-2020 global biodiversity framework and considered how biosafety was linked to other issues and thematic areas.

18. The following subsections provide a summary of views expressed in response to the questions raised in each session. The participants did not attempt to reach a consensus on those issues, but considered their contributions as an input towards developing a biosafety component for the post-2020 global biodiversity framework.

Session 1

Biosafety in the post-2020 global biodiversity framework: the big picture

1. *How can biosafety contribute to achieving the objectives of the Convention and the 2050 vision of living in harmony with nature?*

19. In discussing the big picture of biosafety in the post-2020 global biodiversity framework, participants indicated that implementation of biosafety leads to conservation and sustainable use of biological diversity. Furthermore, participants underlined that all Parties to the Convention on Biological Diversity had biosafety obligations, including through Articles 8(g) and 19 of the Convention, and that the preamble to the Protocol helped make a direct link to the Convention.

20. Some participants noted that biosafety could also support the third objective of the Convention, related to fair and equitable sharing of the benefits arising out of the utilization of genetic resources, for example, when new technological developments utilized genetic resources to develop living modified organisms.

21. Participants noted the importance of having strong biosafety frameworks in place for achieving the 2050 vision and stressed that those frameworks should facilitate consideration of both the risks and opportunities associated with living modified organisms on a case-by-case basis.

22. Participants also stressed that it was necessary to strengthen human and institutional capacities in order to promote biosafety and that that would contribute to achieving the objectives of the Convention.

23. Some participants were of the opinion that a biosafety target in the post-2020 global biodiversity framework could be beneficial for communication and coordination purposes, including between Convention and Cartagena Protocol focal points at the national level, as well as with other sectors.

2. *How can biosafety contribute to achieving the Sustainable Development Goals?*

24. It was suggested that most of the 17 Sustainable Development Goals are either directly or indirectly relevant to implementation of the Protocol. Some examples were provided, including:

(a) Goal 2 – Hunger: biosafety contributes to conservation and sustainable use of genetic diversity for food and agriculture;

(b) Goal 3 – Health: risk assessment under the Protocol enables research and development for human health applications;

(c) Goal 4 – Education: the Biosafety Clearing-House contributes to education by raising awareness of biosafety;

(d) Goal 5 – gender equality: can be addressed by socio-economic considerations in biosafety.

3. *What should be the role of the Nagoya – Kuala Lumpur Supplementary Protocol on Liability and Redress in the post-2020 global biodiversity framework?*

25. Some participants underlined that the Supplementary Protocol contributes to ensuring conservation and sustainable use of biodiversity and supporting the achievement of the 2050 vision.

26. Other participants suggested that the Supplementary Protocol supported innovation and research by providing clarity on processes, expectations from applicants on their responsibilities and the rules with which they need to comply. Participants noted that the Supplementary Protocol could also provide environmental safeguards for new technologies.

27. They further noted that the instrument serves as an example for addressing liability and redress for damage to biodiversity, which may be relevant for addressing this issue under the Convention.

4. *How might new technologies and their role in the conservation and sustainable use of biodiversity be addressed in the post-2020 global biodiversity framework?*

28. In discussing that question, there was recognition that the world continued to change, and the Convention and the Protocol needed to adapt and rise to the challenge. It was suggested that living modified organisms were already addressed by the Protocol, and the post-2020 global biodiversity framework perhaps needed instead to focus on other products developed by new technologies that lacked a framework, which might then need to be addressed under the Convention. Some participants noted how new technologies could be part of new solutions to achieve conservation and could have a positive impact on people's lives.

29. It was noted that regulatory frameworks were needed to support innovation but that the speed of scientific innovation made it difficult for governance and regulation to keep up.

30. It was pointed out that new technologies fell at the interface of the Cartagena and Nagoya Protocols and that coordination between the two instruments was needed. It was noted that coordination with other conventions was needed as there were many areas in common.

31. Several participants noted the need to consider the perspectives of indigenous peoples and local communities in discussing new technologies in the context of the post-2020 global biodiversity framework.

Session 2

Specific biosafety elements for the post-2020 global biodiversity framework

1. *Should a specific biosafety element in the post-2020 global biodiversity framework be linked to Parties' obligations under Articles 8(g) and 19 of the Convention? If a specific biosafety element of the post-2020 global biodiversity framework focuses on biosafety provisions of the Convention, will this be sufficient to support integration of the Protocol and the Convention?*

32. Many participants were concerned that biosafety was not explicitly addressed in the Aichi Biodiversity Targets. It was felt that including a specific biosafety element in the post-2020 global biodiversity framework could support greater synergies in integrating biosafety and the Convention.

33. Several participants noted that a specific biosafety element could be linked to Articles 8(g) and 19 of the Convention and that there were also linkages between biosafety and the provisions in the Convention on research, technology and technical and scientific cooperation, among other things. In addition, they noted that mainstreaming biosafety throughout the new framework would raise the profile of biosafety and encourage its implementation by Parties. This would also ensure that biosafety would be taken into account during the development of national biodiversity strategy and action plans (NBSAPs).

34. Some participants suggested that the biosafety-related provisions of the Convention should provide the basis for a specific biosafety element in the post-2020 framework but that it might be possible to include additional elements highlighting the role of the Protocol in achieving the objectives of the Convention. Other suggestions were that, if there was to be a single biosafety element in the framework, it

should encourage non-Parties to ratify the Protocol and implement their biosafety-related obligations under the Convention.

35. Some participants suggested that, in addition to including biosafety as a self-standing element in the framework, integrating biosafety throughout the post-2020 global biodiversity framework would contribute to the incorporation of biosafety and to facilitating access to resources, including from allocations under the Global Environment Facility.

2. *The following two specific biosafety targets were proposed in the submissions received as possible options for inclusion in the post-2020 global biodiversity framework:*

(a) *“All Parties possess and maintain the regulatory framework and the capacity to regulate, manage or control the risks associated with the use and release of living modified organisms which are likely to have adverse environmental impacts that could affect the conservation and sustainable use of biological diversity, taking also into account the risks to human health”;*

(b) *“By 2030, all Parties have in place means to regulate, manage or control the risks associated with the use and release of living modified organisms which are likely to have adverse environmental impacts that could affect the conservation and sustainable use of biological diversity, taking also into account the risks to human health. This can be achieved by implementing different approaches and modalities, an important one being the Cartagena Protocol on Biosafety and its specific Implementation Plan.”*

Do you agree? Please provide suggestions.

36. The wording of a specific biosafety target for inclusion in the post-2020 global biodiversity framework had been proposed through [submissions](#) received by the Secretariat further to [notification 209-027](#) and possible options (as specified above) were considered by participants during the consultation.

37. Some participants preferred the formulation in (b) above, as it was considered to be time-bound and more explicit; however, they also mentioned that they preferred to include language encouraging Parties to ratify the Cartagena Protocol. Some other participants raised the question as to whether it was necessary to spell out the modalities in option (b).

38. There were suggestions to add language on benefits, not just risks; the Supplementary Protocol; and communication and information exchange, e.g. through the Biosafety Clearing-House.

39. A few participants noted the need to address capacity-building and financial resources as enabling measures and to add language on the need to update regulatory frameworks, assessing and monitoring risks and compliance measures. One group discussed options for consolidating the two proposals.

Session 3

Biosafety as it relates to other issues and thematic areas that may be included in the post-2020 global biodiversity framework

1. *How might biosafety be relevant to the Aichi Biodiversity Targets in the current Strategic Plan for Biodiversity?*

40. Despite the absence of an explicit reference to biosafety in the Strategic Plan for Biodiversity 2011-2020, participants were of the opinion that biosafety was relevant to more than three quarters of the Aichi Biodiversity Targets. They discussed some of those linkages, including those related to Target 1 (awareness of biodiversity includes awareness of biosafety), Target 7 (the role of biosafety in sustainable management of areas under agriculture, aquaculture and forestry), Target 8 (the role of biosafety in pesticide use) and Target 9 (biosafety and invasive alien species).

2. *Are there additional thematic areas for potential inclusion in the post-2020 global biodiversity framework that are not addressed by the Aichi Biodiversity Targets where biosafety could be relevant?*
 41. The following additional thematic areas relevant to biosafety were noted:
 - (a) New and emerging technologies;
 - (b) human health;
 - (c) climate change adaptation and mitigation;
 - (d) ecosystem health;
 - (e) artificial intelligence and big data analysis;
 - (f) urban issues (greening);
 - (g) Soil biodiversity as a component of agricultural biodiversity;
 - (h) migratory species as a component of ecosystems.
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