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LIAISON GROUP ON THE CARTAGENA  
PROTOCOL ON BIOSAFETY

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### **DEVELOPMENT OF THE DRAFT BIOSAFETY COMPONENT OF THE POST-2020 GLOBAL BIODIVERSITY FRAMEWORK**

#### **I. INTRODUCTION**

1. In its decision [14/34](#), the Conference of the Parties agreed on a process for the development of the post-2020 global biodiversity framework. It also established the Open-ended Working Group on the Post-2020 Global Biodiversity Framework to support the preparation of the post-2020 global biodiversity framework.

2. In its decision [CP-9/7](#), the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol took note of the preparatory process for the post-2020 global biodiversity framework and welcomed decision 14/34. The Conference of the Parties serving as the meeting of the Parties to the Protocol stressed the importance of including biosafety in the post-2020 global biodiversity framework as well as the necessity of developing a specific implementation plan for the Cartagena Protocol on Biosafety.

3. The Conference of the Parties serving as the meeting of the Parties to the Protocol invited Parties to participate in the process for developing the post-2020 global biodiversity framework and requested the Liaison Group to contribute to the development of the relevant elements of the biosafety component in the post-2020 global biodiversity framework, in consultation with the Co-Chairs of the Working Group. It also requested the Liaison Group to prepare, at its present meeting, a draft of the biosafety component of the post-2020 global biodiversity framework.

4. The Conference of the Parties serving as the meeting of the Parties to the Protocol requested the Executive Secretary to convene dedicated sessions to discuss biosafety matters during the global and regional consultation workshops referred to in decision 14/34. In this context, the Global Consultation Workshop on the Post-2020 Global Biodiversity Framework, Biosafety and the Cartagena Protocol was held in Nairobi on 25 August 2019, immediately prior to the first meeting of the Working Group on the Post-2020 Global Biodiversity Framework.

5. Under this agenda item, the Liaison Group will be invited to prepare a draft of the biosafety component of the post-2020 global biodiversity framework and outline the next steps in this regard. Section II below provides an overview of the process for the development of the post-2020 global biodiversity framework. Section III provides elements for the development of the biosafety component of the framework, including a summary description of the views submitted, the outcomes of the Global Consultation and the first meeting of the Open-ended Working Group on the Post-2020 Global Biodiversity Framework. Section IV provides suggestions for consideration by the Liaison Group.

## **II. DEVELOPMENT OF THE POST-2020 GLOBAL BIODIVERSITY FRAMEWORK AND INTERSESSIONAL WORK**

6. The Working Group on the Post-2020 Global Biodiversity Framework at its first meeting, held from 27 to 30 August 2019, discussed, among other things, potential elements of the structure and scope of the post-2020 global biodiversity framework and the future work programme of the Working Group.

7. The Working Group welcomed the offer of China to host an additional meeting of the Working Group in Kunming from 24 to 28 February 2020, and the offer of Colombia to host the third meeting of the Working Group in Cali from 27 to 31 July 2020.

8. The Working Group invited Parties, other Governments, relevant organizations and stakeholders to submit to the Executive Secretary proposals on the structure of the post-2020 global biodiversity framework by 15 September 2019.<sup>1</sup>

9. The Working Group 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 six weeks before the second meeting of the Working Group, drawing upon:

(a) The discussions at the first meeting of the Working Group, including the preliminary views as contained in annex I to the report on the meeting;<sup>2</sup>

(b) The outcomes of the eleventh meeting of the Ad Hoc Open-ended Working Group on Article 8(j) and Related Provisions and the twenty-third meeting of the Subsidiary Body on Scientific, Technical and Technological Advice;

(c) The results of other relevant meetings, consultations and workshops;

(d) Further submissions from Parties and observers.

10. The Working Group also requested that a preliminary overview of the zero draft be presented at the informal briefing by the Co-Chairs to be held on 24 November 2019. In addition, the zero draft is to facilitate the work of the Working Group at its second meeting.

11. The Working Group took note of the preliminary list of meetings, consultations and workshops for the development of the post-2020 global biodiversity framework as contained in annex II to the report on the meeting. It requested the Co-Chairs and the Executive Secretary to prepare a detailed workplan and to present it at the informal briefing by the Co-Chairs on 24 November 2019.

## **III. DEVELOPMENT OF THE BIOSAFETY COMPONENT OF THE POST-2020 GLOBAL BIODIVERSITY FRAMEWORK**

12. The Global Consultation provided the first intersessional occasion for a discussion dedicated specifically to addressing biosafety in the post-2020 global biodiversity framework. As a basis for the discussions, the Secretariat issued a document ([CBD/POST2020/WS/2019/7/2](#)) which included a summary of views submitted relevant to the issue.<sup>3</sup> The summary is reproduced in subsection (a) below, and a more detailed synthesis is available as an information document (CBD/CP/LG/2019/1/INF/1). Subsection (b) provides an overview of the outcomes of the Global Consultation. Subsection (c) presents a summary of relevant outcomes from the first meeting of the Working Group on the Post-2020 Global Biodiversity Framework.

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<sup>1</sup> Submissions received are being made available online at <https://www.cbd.int/conferences/post2020/submissions/2019-075>. An update on any relevant submissions will be provided during the meeting of the Liaison Group.

<sup>2</sup> CBD/WG2020/1/5.

<sup>3</sup> This includes both views submitted in response to notification 2019-008, on the post-2020 global biodiversity framework, and in response to notification 2019-027, on the post-2020 process under the Cartagena Protocol, that touch on fundamental linkages between biosafety and biodiversity.

### A. Summary of views submitted

13. While biosafety is relevant to several of its Strategic Goals and Targets, the [Strategic Plan for Biodiversity 2011-2020](#) does not explicitly refer to biosafety. Rather, a specific instrument was dedicated to biosafety in the form of the [Strategic Plan for the Cartagena Protocol](#) 2011-2020.

14. Similarly, no specific reference to biosafety is included in the [Sustainable Development Goals](#).<sup>4</sup> Nonetheless, biosafety is of relevance to a number of the Sustainable Development Goals and their targets and the implementation of the Cartagena Protocol can contribute to the attainment of these Goals and Targets.

15. The submissions generally underscored the importance of ensuring that the post-2020 global biodiversity framework is aligned with the Sustainable Development Goals and referred in this context to the contribution of biosafety and the Protocol to areas such as food security and health.

16. The submissions suggested that biosafety is inextricably linked with the objectives of the Convention, in particular for its contribution to conservation and sustainable use of biological diversity, and that for this reason biosafety should be included in the post-2020 global biodiversity framework.

17. It was suggested that any target related to biosafety should focus on commitments of Parties under the Convention. In this context, reference was made to focusing on issues addressed in the Articles of the Convention related to biosafety, in particular Articles 8(g) and 19.

18. Including biosafety in the post-2020 global biodiversity framework was considered to contribute to the integration of the work under the Convention and the Protocols. Suggestions were made that targets and indicators developed under the Protocol should be supportive of the post-2020 global biodiversity framework and that this would contribute to integration and greater contribution of the Protocol to the achievement of the objectives of the Convention. The submissions generally highlighted the need to develop simple and specific, or SMART,<sup>5</sup> biosafety indicators in the post-2020 global biodiversity framework.

19. Several submissions stressed the importance of considering new and emerging technologies, including synthetic biology and gene editing, in the development of the post-2020 global biodiversity framework and its biosafety component.

20. It was suggested that addressing biosafety within the post-2020 global biodiversity framework would facilitate participation by developing countries in biotechnology research, as well as access, on mutually agreed terms, to the results and benefits arising from biotechnologies.

21. It was also suggested that a biosafety target should focus on advancement of the number of Parties having ratified the Cartagena Protocol and the Nagoya – Kuala Lumpur Supplementary Protocol on Liability and Redress.

### B. Summary of the outcomes of the Global Consultation

22. The outcomes of the Global Consultation are captured in the report on the workshop (CBD/POST2020/WS/2019/7/3). In addition, the rapporteur for the Global Consultation, Mr. Dorington Ogoyi (Kenya) gave an oral report on the Global Consultation to the Working Group on the Post-2020 Global Biodiversity Framework, which is captured in the report on the meeting. A summary of the outcomes is provided in this subsection.

23. Participants emphasized that implementation of biosafety contributes to the conservation and sustainable use of biological diversity and thus to the achievement of the goals of the Convention and the

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<sup>4</sup> In contrast, biodiversity and access and benefit-sharing are reflected explicitly. Goal 15 relates, among other things, to halting biodiversity loss, and several related targets address biodiversity. Both target 5 under Goal 2 and target 6 under Goal 15 are dedicated specifically to the promotion of access to genetic resources and fair and equitable sharing of benefits arising from the utilization of genetic resources.

<sup>5</sup> Specific, measurable, attainable, realistic and timely.

2050 Vision of living in harmony with nature as well as broader development goals, such as the Sustainable Development Goals. It was felt that biosafety was relevant to most of the Sustainable Development Goals and the Aichi Biodiversity Targets.

24. Participants stressed that all Parties of the Convention have biosafety obligations, including through Articles 8(g) and 19 of the Convention and through the provisions related to research, technology and technical and scientific cooperation. Participants noted that biosafety was relevant to most Aichi Biodiversity Targets, but that, nonetheless, biosafety had not been explicitly included in the Strategic Plan for Biodiversity.

25. Participants expressed the view that including a specific biosafety element in the post-2020 global biodiversity framework could support greater synergies in integrating biosafety and the Convention, including by helping with communication and coordination between focal points and with other sectors at the national level. In this respect, participants also stressed the importance of biosafety mainstreaming.

26. 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. Others suggested that, if there were to be a single biosafety element in the framework, it should encourage non-Parties to ratify the Protocol and implement their obligations under the Convention for biosafety.

27. During the Global Consultation, participants considered two proposals, made through the submissions, containing language for a specific biosafety target for inclusion in the post-2020 global biodiversity framework, as reproduced below:

(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.”

28. In discussing these specific proposals, participants suggested adding language related to the need to ratify the Cartagena Protocol, the benefits of biotechnologies, information exchange, regulatory frameworks, financial resources and text related to the Nagoya–Kuala Lumpur Supplementary Protocol on Liability and Redress.

29. Some participants considered alternative wording to combine elements of the two proposals.

30. It was pointed out that new technologies fall at the interface of the Cartagena and Nagoya Protocols and that coordination between the two instruments is needed. It was also noted that coordination with other conventions is needed as there are many areas in common. It was suggested that living modified organisms were already addressed by the Protocol so perhaps the post-2020 global biodiversity framework should instead focus on other products developed by new technologies that lack a framework and so may need to be addressed under the Convention.

31. From among the areas that might be addressed in the post-2020 global biodiversity framework, participants in the Global Consultation identified those to which biosafety might be of particular relevance: new and emerging technologies; human health; climate change adaptation and mitigation; ecosystem health; artificial intelligence and big data analysis; urban issues (greening); soil biodiversity as a component of agricultural biodiversity; and migratory species as a component of ecosystems.

### **C. Summary of outcomes of the Working Group on the Post-2020 Global Biodiversity Framework relevant to the development of the biosafety component**

32. The outcomes of the first meeting of the Working Group on the Post-2020 Global Biodiversity Framework are captured in the report on the meeting (CBD/WG2020/1/5). The Working Group developed “possible elements of a post-2020 global biodiversity framework for further discussion”, as contained in annex I to the report, while recognizing that the issues raised should not be taken to mean that agreement was reached on any particular issue.<sup>6</sup>

33. While biosafety was not explicitly addressed in the possible elements of the post-2020 biodiversity framework, explicit reference to the Protocols to the Convention was made at various levels.

34. As part of the possible issues to reflect in the mission and/or apex and milestones of the post-2020 global biodiversity framework, reference was made to the three objectives of the Convention and the Protocols. The Protocols were also included in the list of possible issues to be reflected in the goals. While at the target level no specific reference was made to the Protocols, one of the issues that could be reflected at the target level was described as follows: “consistent, coherent, compatible and mutual supportive of other relevant multilateral environmental agreements and processes”. While no specific reference was made to the Protocols under the description of possible issues to be reflected in the indicators, annex I states that indicators and baselines should be identified at the same time as the targets of the post-2020 global biodiversity framework.

35. Reference to the Protocols was also made in the context of the description of “means of implementation and enabling conditions”, where one of the possible issues to reflect is “lessons learned from the implementation to date of the Convention and its Protocols”.

### **IV. SUGGESTIONS FOR THE FURTHER DEVELOPMENT OF THE BIOSAFETY COMPONENT**

36. Considering the early stage of preparation of the post-2020 global biodiversity framework to date and bearing in mind that important advances in the preparation of the post-2020 global biodiversity framework are expected in the coming months, the Liaison Group may wish, at its thirteenth meeting, to develop a preliminary biosafety component of the post-2020 global biodiversity framework taking into account the proposals for a specific biosafety target contained in the submissions, as reproduced in paragraph 27 above, the other views expressed through the submissions (summarized in section III.A above) and the additional input made during the Global Consultation (summarized in section III.B).

37. In this context, the Liaison Group may wish to reflect on possible specific elements, which may include, for example, a possible goal and target as well as potential sub-targets and indicators. This may facilitate the incorporation of some or all of these elements in the post-2020 global biodiversity framework, as the final format and structure of the framework is developed further. The Liaison Group may also wish to consider the interlinkages among the post-2020 implementation plan for the Protocol, the biosafety elements of the post-2020 global biodiversity framework, and the post-2020 framework as a whole.

38. The Liaison Group may also wish to consider the next steps in the process for developing the biosafety component of the post-2020 global biodiversity framework. As currently foreseen, the timing of the meetings of the Liaison Group and the Working Group on the Post-2020 Global Biodiversity Framework is as follows:

- (a) 22-25 October 2019: thirteenth meeting of the Liaison Group;

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<sup>6</sup> Annex I, paragraph 1, of the report on the first meeting of the Working Group on the Post-2020 Global Biodiversity Framework (CBD/WG2020/1/5) states: “The views expressed herein should be considered by the Co-Chairs of the Open-ended Working Group on the Post-2020 Global Biodiversity Framework when preparing further documentation related to the post-2020 global biodiversity framework for the Working Group. However, the issues raised in the present note should not be taken to mean that an agreement was reached on any particular issue. Further, the present note should be considered alongside the official statements made by Parties during the first meeting of the Working Group and is not intended to replace them.”

- (b) 24-28 February 2020: second meeting of the Working Group;
- (c) April 2020 (tentative): fourteenth meeting of the Liaison Group;
- (d) 27-31 July 2020: third meeting of the Working Group.

39. The preliminary list of meetings, consultations and workshops for the development of the post-2020 global biodiversity framework contained in annex II of the report on the first meeting of the Working Group on the Post-2020 Global Biodiversity Framework indicates that the Liaison Group is to prepare a draft of the biosafety component of the post-2020 global biodiversity framework which will be submitted to the Working Group at its second meeting.

40. In this regard, the Liaison Group may wish to explore whether further consideration of this matter at its fourteenth meeting would be opportune.

41. The Liaison Group may also wish to consider opportunities for and timing of coordination with the Co-Chairs of the Working Group on the Post-2020 Global Biodiversity Framework in the light of decision CP-9/7, in which the Liaison Group was requested to develop the elements of the biosafety component of the post-2020 global biodiversity framework in consultation with the Co-Chairs of the Working Group on the Post-2020 Global Biodiversity Framework.

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