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CONFERENCE OF THE PARTIES TO THE CONVENTION ON BIOLOGICAL DIVERSITY SERVING AS THE MEETING OF THE PARTIES TO THE CARTAGENA PROTOCOL ON BIOSAFETY
Ninth meeting
Sharm El-Sheikh, Egypt, 17-29 November 2018
Item 2 of the provisional agenda

DRAFT DECISIONS FOR THE NINTH MEETING OF THE CONFERENCE OF THE PARTIES SERVING AS THE MEETING OF THE PARTIES TO THE CARTAGENA PROTOCOL

INTRODUCTION

1. The present note contains a compilation of draft decisions for the consideration of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol. These draft decisions are organized according to the provisional agenda for the meeting and the revised annotations thereto (CBD/CP/MOP/9/1 and CBD/CP/MOP/9/1/Add.1/Rev.1).

2. This note includes the draft decisions contained in various recommendations from the twenty-second meeting of the Subsidiary Body on Scientific, Technical and Technological Advice, the second meeting of the Subsidiary Body on Implementation, and the fourteenth and fifteenth meetings of the Compliance Committee under the Cartagena Protocol. It also includes, highlighted in grey, additional elements of draft decisions developed by the Executive Secretary in the light of previous decisions from the meeting of the Parties, recommendations of the Ad hoc Technical Expert Group on Socio-Economic Considerations and conclusions of the Liaison Group on Capacity Building. The background and/or mandates for the elements contained in the draft decisions are provided in the documentation prepared for the ninth meeting of the Parties to the Cartagena Protocol.

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ELEMENTS OF DRAFT DECISIONS BY ITEMS OF THE AGENDA

Items 1, 2, 3 and 4

No decisions are foreseen under these items, which are either procedural or taken up under the relevant item of the agenda. In accordance with previous practice, the Conference of the Parties serving as the meeting of the Parties may wish to take note, in the report of the meeting, of the reports presented by subsidiary bodies (item 4 of the agenda).

Item 5. Report of the Compliance Committee

The following draft decision has been reproduced from the report of the Compliance Committee (document CBD/CP/MOP/9/2, annex, section A).

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

A. General issues

1. *Reminds* Parties of their responsibility and obligation to take the necessary and appropriate legal, administrative and other measures to implement the Protocol;

2. *Also reminds* Parties of their obligation to monitor the implementation of the obligations under the Protocol, in accordance with Article 33;

3. *Recalls* that Parties facing difficulties in complying with one or more obligations under the Protocol are encouraged to seek assistance from the Committee;

4. *Requests* Parties to collaborate fully when requested to provide information in relation to their compliance with obligations under the Protocol;

5. *Invites* Parties that have made progress in complying with certain obligations to share relevant information in the free-text fields in the fourth national reports or through bilateral or regional cooperation on the circumstances that may have contributed to their progress;

6. *Encourages* Parties to use free-text boxes in the reporting format to explain responses provided and invite Parties that are facing challenges in complying with certain obligations to share information on the challenges encountered in the free-text fields in the fourth national reports;

7. *Notes* with appreciation the efforts made by Parties to comply with their obligations under the Protocol to make information available to the BCH;

8. *Urges* Parties to make all required information available in the BCH in a timely manner, in particular risk assessments and final decisions relating to the first intentional transboundary movement of living modified organisms for intentional introduction into the environment, including living modified organisms intended for field trials;

9. *Reminds* Parties of the need to maintain up-to-date details of their national focal points on the BCH;

10. *Urges* Parties to coordinate at the national level to avoid inconsistency of information in the national reports and the BCH and encourage communication between national focal points and competent national authorities;

11. *Reminds* Parties of the importance of engaging constructively with all stakeholders, including with industry and the public for the effective implementation of the Protocol;

12. *Encourages* Parties to mainstream biosafety in their educational systems;

13. *Urges* Parties and *invites* other Governments to provide voluntary funds in support of those Parties requested by the Committee to develop and implement compliance action plans;

14. *Encourages* Parties to allocate funds to biosafety in national budgets;

B. Caution

Recalling Article 33 of the Protocol,

Also recalling section VI, paragraph 2(b), of the Procedures and Mechanisms on Compliance under the Cartagena Protocol on Biosafety,[1]

Noting with regret that Greece, the Marshall Islands, Montenegro and Turkmenistan have not submitted their national reports over multiple reporting cycles,

Noting that the Compliance Committee and the Executive Secretary have contacted Greece, the Marshall Islands, Montenegro and Turkmenistan on numerous occasions, in accordance with decision BS-V/1, including by offering support to these Parties to prepare their reports,

1. *Caution* Greece, the Marshall Islands, Montenegro and Turkmenistan for failure to fulfil their reporting obligations;

2. *Request* Greece, the Marshall Islands, Montenegro and Turkmenistan, as a matter of urgency, to submit their third national reports;

3. *Encourage* Greece, the Marshall Islands, Montenegro and Turkmenistan to seek the assistance of the Compliance Committee in accordance with decision BS-V/1, should they require support in preparing their reports;

[1] Decision BS-I/7, annex.

Item 6. Administration of the Protocol and budget for the trust funds

The following draft decision has been prepared by the Executive Secretary. The tables on administrative and budgetary matters, to be annexed to the decision will be provided in document CBD/COP/14/3.

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

Recalling its decision VIII/7, and decision XIII/32 of the Conference of the Parties to the Convention on Biological Diversity, as well as decision NP-2/13 of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol on Access and Benefit-sharing,

1. *Decides* to adopt an integrated programme of work and budget for the Convention on Biological Diversity, the Cartagena Protocol on Biosafety and the Nagoya Protocol on Access and Benefit Sharing of Genetic Resources;

2. *Also decides* to share all costs for Secretariat services among the Convention, the Cartagena Protocol and the Nagoya Protocol on a ratio of [*to be completed*] for the biennium 2019-2020;

3. *Approves* a core (BG) programme budget for the Cartagena Protocol on Biosafety of [*to be completed*] United States dollars for the year 2019 and of [*to be completed*] United States dollars for the year 2020, representing [*to be completed*] per cent of the integrated budget of [*to be completed*] United States dollars for the year 2019 and [*to be completed*] United States dollars for the year 2020 for the Convention and the Protocols, for the purposes listed in the tables xx and xx below;

4. *Adopts* the scale of assessments for the apportionment of expenses for 2019 and 2020 as contained in the table xx below;

5. *Acknowledges* the funding estimates for the Special Voluntary Trust Fund (BH) for Additional Voluntary Contributions in Support of Approved Activities of the Cartagena Protocol for the period 2019-2022 included in table xx below;

6. *Notes* that the Special Voluntary Trust Fund (BH) for Additional Voluntary Contributions in Support of Approved Activities of the Cartagena Protocol should be extended for a period of four years beginning 1 January 2020 and ending 31 December 2023 to allow the Executive Secretary to process the administrative closing of the Trust Fund, and requests the Executive Director of the United Nations Environment Programme to seek the approval of the United Nations Environment Assembly for this extension;

7. *Decides* to apply, mutatis mutandis, paragraphs [*to be completed*] and [*to be completed*] of decision 14/--[2] of the Conference of the Parties.

Table xx. Integrated biennium budget for the Trust Funds of the Convention on Biological Diversity and its Protocols 2019-2020

Table xx. Integrated biennium budget for the Trust Funds of the Convention on Biological Diversity and its Protocols 2019-2020 (by object of expenditure)

Table xx. Resource requirements from the Special Voluntary Trust Fund (BH) for Additional Voluntary Contributions in Support of Approved Activities of the Cartagena Protocol on Biosafety for the period 2019-2020

Table xx. Contributions to the Trust Fund for the Cartagena Protocol on Biosafety for the biennium 2019-2020

[2] The draft COP decision referred to in the present paragraph will be addressed under agenda item 7 of the Conference of the Parties.

Item 7. Matters related to the financial mechanism and resources (Article 28)

Paragraphs 1-3 of the following draft decision have been reproduced from the report of the Compliance Committee (document CBD/CP/MOP/9/2, annex, section B), and paragraphs 4-6 from document CBD/CP/MOP/9/12.

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

1. *Urges* eligible Parties to prioritize biosafety projects during the programming of their national allocations under the System for Transparent Allocation of Resources (STAR) within the framework of the seventh replenishment period of the Global Environment Facility Trust Fund, taking into account their obligations under the Cartagena Protocol on Biosafety, the Strategic Plan for the Cartagena Protocol on Biosafety for the period 2011-2020, and the guidance of the Conference of the Parties to the financial mechanism;

2. *Recommends* that the Conference of the Parties, in adopting its guidance to the financial mechanism with respect to support for the implementation of the Cartagena Protocol, invite the Global Environment Facility to make funding available:

(a) To assist eligible Parties that have not yet done so, in fully putting in place measures to implement the Protocol;

(b) To support eligible Parties in completing their fourth national reports;

(c) To support Parties in implementing compliance action plans regarding the achievement of compliance with the Protocol;

3. *Urges* eligible Parties to engage proactively with the Global Environment Facility, including through coordination with their operational focal point for the Global Environment Facility, to ensure that they are able to access available funds for biosafety;

4. *Welcomes* the seventh replenishment of the Global Environment Facility Trust Fund and *express its appreciation* to the countries that contributed to the seventh replenishment;

5. *Encourages* Parties to cooperate at the regional and subregional levels, and to request support from the Global Environment Facility for joint projects, in order to maximize synergies and opportunities for cost-effective sharing of resources, information, experiences and expertise;

6. *Requests* the Global Environment Facility to continue to provide Parties with support for the implementation of the Cartagena Protocol and to consider the establishment of a set-aside fund dedicated to regional biosafety projects, and for the completion of national biosafety frameworks in countries that have not done so yet, the set-aside fund possibly serving as a mechanism for addressing the decrease in the number of biosafety projects submitted by Parties.

Item 8. Capacity-building (Article 22)

The following draft decision has been reproduced from document CBD/CP/MOP/9/3. Paragraphs 1 and 7-11 were taken or adapted from recommendation 2/8, part III of the Subsidiary Body on Implementation. Paragraphs 2-6 and 12-13 were drawn from the conclusions of the Liaison Group on Capacity Building at its twelfth meeting (CBD/CP/LG-CB/12/3).

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

Recalling decisions BS-VI/3 and CP-VIII/3,

1. *Takes note* of the progress report on the implementation of the short-term action plan (2017-2020) to enhance and support capacity-building for the implementation of the Convention and its Protocols;[3]

2. *Also takes note* of the status of implementation of the Framework and Action Plan for Capacity-Building for the Effective Implementation of the Cartagena Protocol on Biosafety (2012-2020);

3. *Urges* Parties, for the remaining period of the Framework and Action Plan, to prioritize and focus on, as appropriate, operational objectives relating to the development of national biosafety legislation, risk assessment, detection and identification of living modified organisms, and public awareness, education and participation, and *takes note* of the importance of biosafety mainstreaming and information sharing for further strengthening national biosafety frameworks in the remaining period of the Framework and Action Plan and beyond;

4. *Also urges* Parties to prioritize capacity-building activities on liability and redress as set out under focal area 4 of the Framework and Action Plan, in the remaining period of the Framework and Action Plan, in view of the recent entry into force of the Nagoya – Kuala Lumpur Supplementary Protocol on Liability and Redress;

5. *Invites* Parties, other Governments and relevant organizations in a position to do so to provide additional financial and technical support to enable developing country Parties, in particular the least developed countries and small island developing States among them, and Parties with economies in transition, to further implement the Framework and Action Plan;

6. *Takes note* of the outcomes of the twelfth meeting of the Liaison Group on Capacity-Building on Biosafety, and *acknowledges* the need for a specific action plan for capacity-building for implementation of the Cartagena Protocol and its Supplementary Protocol that is aligned with the specific follow-up to the Strategic Plan for the Cartagena Protocol on Biosafety and complementary to the long-term strategic framework for capacity-building beyond 2020;

7. *Takes note* of decision 14/--,[4] in which the Conference of the Parties requested the Executive Secretary to commission a study, subject to the availability of resources, to provide an information base for the preparation of a long-term strategic framework for capacity-building beyond 2020, *welcomes* the terms of reference for the study annexed to that decision, and *requests* that aspects relevant to the Cartagena Protocol be considered in the study;

8. *Invites* Parties, indigenous peoples and local communities and relevant organizations to provide the Executive Secretary with views and suggestions on possible elements of a specific action plan for capacity-building on biosafety, covering the Cartagena Protocol and its Supplementary Protocol, as well as on the need to include a biosafety component in the long-term strategic framework for capacity-building beyond 2020;

[3] The updated report is contained in information document CBD/COP/14/INF/10.

[4] The draft COP decision referred to in the present paragraph will be addressed under agenda item 10 of the Conference of the Parties.

9. *Also invites* Parties, as well as indigenous peoples and local communities and relevant organizations to participate in the consultative workshops and online discussion forums on the draft long-term strategic framework for capacity-building beyond 2020, in conjunction with the preparatory process for the post-2020 global biodiversity framework;

10. *Requests* the Liaison Group on Capacity-Building for Biosafety, at its thirteenth meeting, to contribute to the development of (a) the draft action plan for capacity-building for implementation of the Cartagena Protocol and its Supplementary Protocol and (b) the draft long-term strategic framework for capacity-building beyond 2020, as appropriate, and, at its fourteenth meeting, to review the final draft of the action plan for capacity-building on biosafety, taking into account information provided in the fourth national reports under the Cartagena Protocol;

11. *Requests* the Executive Secretary, subject to the availability of resources, to submit (a) a draft action plan for capacity-building for implementation of the Cartagena Protocol and its Supplementary Protocol and (b) a draft long-term strategic framework for capacity-building beyond 2020, 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 on Biosafety at its tenth meeting;

12. *Also requests* the Executive Secretary, subject to the availability of resources and in collaboration with relevant organizations, to facilitate and support implementation of the priority capacity-building activities for supporting the implementation of the Cartagena Protocol on Biosafety contained in the Framework and Action Plan for Capacity-Building for the Effective Implementation of the Cartagena Protocol on Biosafety (2012-2020), as contained in annex I to decision BS-VI/3, and in accordance with the Short-term Action Plan (2017-2020) to Enhance and Support Capacity-Building for the Implementation of the Convention and its Protocols as annexed to decision XIII/23 of the Conference of the Parties;

13. *Further requests* the Executive Secretary to ensure an adequate level of participation of biosafety experts, including those with expertise on the Supplementary Protocol, during consultations throughout the development of the strategic framework for capacity-building beyond 2020.

Item 9. Operation and activities of the Biosafety Clearing-House (Article 20)

The following draft decision has been reproduced from document CBD/CP/MOP/9/4.

The Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety

1. *Welcomes* the continued efforts by Parties, other Governments and relevant organizations in supporting the implementation of the Biosafety Clearing-House and carrying out related capacity-building activities, and *invites* them to continue doing so with a view to further strengthening the role of the Biosafety Clearing-House in the implementation of the Cartagena Protocol;

2. *Welcomes* the implementation of the "UNEP-GEF Project for Sustainable Capacity Building for Effective Participation in the Biosafety Clearing-House" (BCH III Project);

3. *Decides* that the Informal Advisory Committee on the Biosafety Clearing-House will hold at least one meeting, and informal online discussions as needed, and report on the outcomes of its work to the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol at its tenth meeting;

4. *Endorses* the joint modalities of operation for the clearing-house mechanism of the Convention, the Biosafety Clearing-House and the Access and Benefit-sharing Clearing-House, contained in the annex to this decision,[5] which are complementary to the modalities of operation of the Biosafety Clearing-House adopted in decision BS-I/3;

5. *Recalls* decision CP-VIII/2, and *requests* the Executive Secretary, as a matter of priority, to act upon the requests in decision CP-VIII/2 and, in particular:

(a) To complete the migration of the Biosafety Clearing-House to its new platform;

(b) To continue making improvements to the central portal of the Biosafety Clearing-House and following up on the recommendations of the Informal Advisory Committee on the Biosafety Clearing-House at its tenth meeting;

(c) To facilitate the development, in collaboration with the United Nations Environment Programme through the BCH III Project, of training materials based on the new platform and user interface;

(d) To ensure the allocation of adequate and specific resources, both human and financial, for the improvement and maintenance of the Biosafety Clearing-House;

6. *Invites* Parties, other Governments and relevant organizations to submit to the Executive Secretary views on the changes made as a result of the migration and improvements referred to in paragraph 5 above, particularly with regard to the procedure for registering information, the tools for the analysis of search results, and the graphical representations of data, and requests the Executive Secretary to take these views into account for further improving the Biosafety Clearing-House and to submit a report for consideration by the Conference of the Parties serving as the meeting of the Parties to the Protocol at its tenth meeting.

[5] The joint modalities of operation contained in the annex to this document would be annexed to the decision for adoption.

Item 10. Monitoring and reporting (Article 33) and assessment and review of the effectiveness of the Protocol (Article 35)

Monitoring and reporting (Article 33 of the Cartagena Protocol on Biosafety)

Paragraph 1 of the following draft decision is taken from the report of the Compliance Committee (document CBD/CP/MOP/9/2, annex, section D). Paragraphs 2-7 of the draft decision come from recommendation SBI-2/13 while paragraph 8 comes from recommendation SBI-2/11. The updated draft format for the fourth national report comes from the annex to document CBD/CP/MOP/9/5. The list of Parties in footnote 7 is up-to-date as of 10 May 2018. An update on this matter will be provided to the Conference of the Parties serving as the meeting of the Parties at its ninth meeting, as necessary.

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

Recalling decision CP-VIII/14, in which the Executive Secretary was requested to develop a revised format for the fourth national reports with a view to ensuring that complete and accurate information is captured while striving to ensure the applicability of the baseline information, established in decision BS-VI/15,

Welcoming the review by the Subsidiary Body on Implementation at its second meeting, of the draft revised format for the fourth national report, as proposed by the Executive Secretary,

Recognizing the importance of improving the alignment of national reporting under the Convention and its Protocols and of enhancing synergies among the biodiversity-related conventions and the Rio conventions as well as the 2030 Agenda for Sustainable Development[6] and reporting tools for the Sustainable Development Goals, and *noting* the progress made thus far in this respect,

1. *Welcomes* the additional third national reports submitted, and *urges* the Parties that have not yet submitted their third national report to do so as soon as possible;[7]

2. *Adopts* the reporting format annexed hereto and requests Parties to use it for the fourth national report on the implementation of the Cartagena Protocol on Biosafety;

3. *Invites* Parties to prepare their reports through a consultative process involving all relevant national stakeholders, including indigenous peoples and local communities, as appropriate;

4. *Encourages* Parties to respond to all questions in the reporting format, and stresses the importance of the timely submission of fourth national reports in order to facilitate the fourth assessment and review of the effectiveness of the Cartagena Protocol and the final evaluation of the Strategic Plan for the Cartagena Protocol on Biosafety for the period 2011-2020;[8]

5. *Requests* Parties and invites other Governments to submit to the Secretariat their fourth national report on the implementation of the Cartagena Protocol on Biosafety:

(a) In an official language of the United Nations;

(b) Twelve months prior to the tenth meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol, which will consider the report;

(c) Preferably online through the Biosafety Clearing-House, or offline using the appropriate form that will be made available by the Secretariat for this purpose, duly signed by the national focal point for the Cartagena Protocol;

[6] General Assembly resolution 70/1 of 25 September 2015.

[7] Angola, Azerbaijan, Belize, Cabo Verde, Comoros, Democratic People's Republic of Korea, Djibouti, Greece, Jordan, Libya, Marshall Islands, Montenegro, Myanmar, Nauru, Papua New Guinea, Qatar, Saudi Arabia, Serbia, Seychelles, State of Palestine, Syrian Arab Republic, the former Yugoslav Republic of Macedonia,,Turkmenistan.

[8] Decision BS-V/16, annex I.

6. *Requests* the Executive Secretary to continue making available, in the online reporting tool, the option to view and select the answers provided in the previous national report submitted by the Party concerned;

7. *Recommends* to the Conference of the Parties, in adopting guidance to the financial mechanism, that it invite the Global Environment Facility to make available, in a timely manner, financial resources to eligible Parties to facilitate the preparation and submission of their fourth national reports under the Protocol;

8. *Accepts* the invitation of the Conference of the Parties to the Convention, contained in decision 14/-,[9] and *agrees* to have a synchronized national reporting cycle commencing in 2023.

Annex

UPDATED DRAFT FORMAT FOR THE FOURTH NATIONAL REPORT UNDER THE CARTAGENA PROTOCOL ON BIOSAFETY

Origin of the report

1.	**Country:**	**[**	**Type your text here**	**]**
Contact person submitting the report				
2.	Name:	**[**	**Type your text here**	**]**
3.	Title:	**[**	**Type your text here**	**]**
4.	Organization:	**[**	**Type your text here**	**]**
5.	Mailing address:	**[**	**Type your text here**	**]**
6.	Telephone:	**[**	**Type your text here**	**]**
7.	Fax:	**[**	**Type your text here**	**]**
8.	E-mail:	**[**	**Type your text here**	**]**
9.	Organizations/stakeholders who were consulted or participated in the preparation of this report:	**[**	**Type your text here**	**]**
Submission				
10.	Date of submission:	**[**	**day / month / year**	**]**
11.	Time period covered by this report:	**From [month / year] to [month / year]**		

Signature of the reporting officer[10] _____

[9] The draft COP decision referred to in the present paragraph will be addressed under agenda item 12 of the Conference of the Parties.

[10] This document is a protected form in MS Word format to enable further processing of the information contained therein by the CBD Secretariat. Only text entries and checkboxes may be changed. Once you finish filling in the form, please save it and print this first page for signature. This form is also available in the BCH for electronic submission at: [LINK TO BE ADDED]

IMPORTANT: To facilitate the analysis of the information contained in this report, it is recommended that Parties submit the report online through the Biosafety Clearing-House or as an attachment to an e-mail in MS Word format, together with a scanned copy of the signed first page, to the Secretariat at: secretariat@cbd.int.

12. If your country is not a Party to the Cartagena Protocol on Biosafety (CPB), is there any national process in place towards becoming a Party?	☐ Yes ☐ No
13. Here you may provide further details: [Type your text here]	
Article 2 – General provisions *Article 2 requires each Party to take the necessary and appropriate legal, administrative and other measures to implement its obligations under the Protocol*	
14. Has your country introduced the necessary national measures for the implementation of the Protocol?	☐ National measures are fully in place ☐ National measures are partially in place ☐ Only temporary measures have been introduced ☐ Only draft measures exist ☐ No measures have yet been taken
15. Which specific instruments are in place for the implementation of national biosafety measures?	☐ One or more national biosafety laws ☐ One or more national biosafety regulations ☐ One or more sets of biosafety guidelines ☐ Other laws, regulations or guidelines that indirectly apply to biosafety ☐ No instruments are in place
16. Has your country undertaken initiatives to mainstream biosafety into national biodiversity strategies and action plans, other policies, or legislation?	☐ Yes: [Please specify] ☐ No ☐ Other: [Please specify]
17. Has your country established a mechanism for budget allocations for the operation of its national biosafety measures?	☐ Yes ☐ Yes, to some extent: [Please specify] ☐ No
18. Does your country have permanent staff to administer functions directly related to biosafety?	☐ Yes ☐ No
19. If you answered *Yes* to question 18, how many permanent staff members are in place whose functions are directly related to biosafety ?	☐ 1 to 4 ☐ 5 to 9 ☐ 10 or more *Is this number adequate:* ☐ *Yes* ☐ *No*

Please *do not* send this report via fax or postal mail or in electronic formats other than MS Word.

20.	Here you may provide further details on the implementation of Article 2 in your country: [Type your text here]	
	Article 5 – Pharmaceuticals	
21.	Does your country regulate the transboundary movement, handling or use of living modified organisms (LMOs) which are pharmaceuticals to humans?	☐ Yes ☐ Yes, to some extent: [Please specify] ☐ No
22.	Here you may provide further details on the implementation of Article 5 in your country: [Type your text here]	
	Article 6 – Transit and contained use	
23.	Does your country regulate the transit of LMOs?	☐ Yes ☐ Yes, to some extent: [Please specify] ☐ No
24.	Does your country regulate the contained use of LMOs?	☐ Yes ☐ No
25.	Has your country taken a decision concerning the import of LMOs for contained use?	☐ Yes ☐ No
26.	Here you may provide further details on the implementation of Article 6 in your country: [Type your text here]	

	Articles 7 to 10: Advance informed agreement (AIA) and intentional introduction of LMOs into the environment	
27.	Has your country established legal requirements for exporters under its jurisdiction to notify in writing the competent national authority of the Party of import prior to the intentional transboundary movement of an LMO that falls within the scope of the AIA procedure?	☐ Yes ☐ Yes, to some extent: [Please specify] ☐ No
28.	When acting as the Party of export, has your country established legal requirements for the accuracy of information contained in the notification provided by the exporter?	☐ Yes ☐ Yes, to some extent: [Please specify] ☐ No ☐ Not applicable (Party currently not exporting LMOs)
29.	In the current reporting period, has your country received a notification regarding intentional transboundary movements of LMOs for intentional introduction into the environment?	☐ Yes ☐ No

30.	If you answered *Yes* to question 29, did the notification(s) contain complete information (at a minimum the information specified in Annex I to the Cartagena Protocol on Biosafety)?	☐ Yes, always ☐ In some cases only ☐ No
31.	If you answered *Yes* to question 29, has your country acknowledged receipt of the notification(s) to the notifier within ninety days of receipt?	☐ Yes, always ☐ In some cases only ☐ No
32.	If you answered *Yes* to question 29, has your country informed of its decision(s):	
	a. The notifier?	☐ Yes, always ☐ In some cases only ☐ No
	b. The Biosafety Clearing-House (BCH)?	☐ Yes, always ☐ In some cases only ☐ No
33.	In the current reporting period, has your country taken a decision in response to the notification(s) regarding intentional transboundary movements of LMOs for intentional introduction into the environment?	☐ Yes ☐ No
34.	If you answered *Yes* to question 33, how many LMOs has your country approved for import for intentional introduction into the environment?	☐ None ☐ 1 to 4 ☐ 5 to 9 ☐ 10 or more
35.	If you answered *under question 34* that *LMOs were approved*, have all these LMOs actually been imported into your country?	☐ Yes, always ☐ In some cases only ☐ No
36.	If you answered *Yes* to question 33, what percentage of your country's decisions fall into the following categories?	[%] Approval of the import/use of the LMO(s) without conditions [%] Approval of the import/use of the LMO(s) with conditions [%] Prohibition of the import/use of the LMO(s) [%] Request for additional relevant information [%] Inform the notifier that the period for communicating the decision has been extended
37.	If you answered *under question 36* that your country has taken a decision to *approve the import with conditions* or to *prohibit the*	☐ Yes, always ☐ In some cases only

	import, were the reasons provided?	☐ No
38.	Here you may provide further details on the implementation of Articles 7 to 10 in your country, including measures in case of lack of scientific certainty on potential adverse effects of LMOs for intentional introduction to the environment: [Type your text here]	
	Article 11 – Procedure for living modified organisms intended for direct use as food or feed, or for processing (LMOs-FFP)	
39.	Does your country have law(s), regulation(s) or administrative measures for decision-making regarding domestic use, including placing on the market, of LMOs that may be subject to transboundary movement for direct use as food or feed, or for processing?	☐ Yes ☐ No
40.	Has your country established legal requirements for the accuracy of information to be provided by the applicant regarding the domestic use, including placing on the market, of LMOs that may be subject to transboundary movement for direct use as food or feed, or for processing?	☐ Yes ☐ Yes, to some extent: [Please specify] ☐ No
41.	In the current reporting period, how many decisions has your country taken <u>regarding domestic use</u>, including placing on the market, of LMOs that may be subject to transboundary movement for direct use as food or feed, or for processing?	☐ None ☐ 1 to 4 ☐ 5 to 9 ☐ 10 or more
42.	Does your country have law(s), regulation(s) or administrative measures for decision-making regarding the import of LMOs for direct use as food or feed, or for processing?	☐ Yes ☐ No
43.	In the current reporting period, how many decisions has your country taken <u>regarding the import</u> of LMOs for direct use as food or feed, or for processing?	☐ None ☐ 1 to 4 ☐ 5 to 9 ☐ 10 or more
44.	Here you may provide further details on the implementation of Article 11 in your country, including measures in case of lack of scientific certainty on potential adverse effects of LMOs that may be subject to transboundary movement for direct use as food or feed, or for processing: [Type your text here]	
	Article 12 – Review of decision	
45.	Has your country established a mechanism for the review and change of a decision regarding an intentional transboundary movement of LMOs?	☐ Yes ☐ Yes, to some extent: [Please specify] ☐ No
46.	In the current reporting period, has your	☐ Yes

	country reviewed and/or changed a decision regarding an intentional transboundary movement of an LMO?	☐ No
47.	If you answered *Yes* to question 46, how many decisions were reviewed and/or changed?	☐ 1 to 4 ☐ 5 to 9 ☐ 10 or more
48.	If you answered *Yes* to question 46, were any of the reviews triggered by a request from the Party of export or the notifier?	☐ Yes ☐ No
49.	If you answered *Yes* to question 48, did your country provide a response within ninety days setting out the reasons for the decision?	☐ Yes, always ☐ In some cases only ☐ No
50.	If you answered *Yes* to question 46, were any of the reviews initiated by your country as the Party of import?	☐ Yes ☐ No
51.	If you answered *Yes* to question 50, did your country, within thirty days, set out the reasons for the decision and inform:	
	a. The notifier?	☐ Yes, always ☐ In some cases only ☐ No
	b. The BCH?	☐ Yes, always ☐ In some cases only ☐ No
52.	Here you may provide further details on the implementation of Article 12 in your country: [Type your text here]	
	Article 13 – Simplified procedure	
53.	Has your country established a mechanism for the application of the simplified procedure regarding an intentional transboundary movement of LMOs?	☐ Yes ☐ Yes, to some extent: [Please specify] ☐ No
54.	In the current reporting period, has your country applied the simplified procedure?	☐ Yes ☐ No
55.	If you answered *Yes* to question 54, for how many LMOs has your country applied the simplified procedure?	☐ None ☐ 1 to 5 ☐ 5 or more
56.	If you answered *Yes* to question 54, has your country informed the Parties through the BCH of the cases where the simplified	☐ Yes, always ☐ In some cases only

	procedure was applied?	☐ No
57.	Here you may provide further details on the implementation of Article 13 in your country: [Type your text here]	
	Article 14 – Bilateral, regional and multilateral agreements and arrangements	
58.	How many bilateral, regional or multilateral agreements or arrangements relevant to biosafety has your country established with other Parties/non-Parties?	☐ None ☐ 1 to 4 ☐ 5 to 9 ☐ 10 or more
59.	If you answered *under question 58* that *agreements or arrangements were established*, please provide a brief description of their scope and objective: [Type your text here]	
60.	Here you may provide further details on the implementation of Article 14 in your country: [Type your text here]	
	Articles 15 & 16 – Risk assessment and risk management	
61.	Does the domestic regulatory framework of your country require risk assessments of LMOs to be conducted?	☐ Yes ☐ No
62.	If you answered *Yes* to question 61, with regard to which LMOs does the requirement apply (select all that apply)?	☐ For imports of LMOs for intentional introduction into the environment ☐ For imports of LMOs intended for direct use as food or feed, or for processing ☐ For decisions regarding domestic use, including placing on the market, of LMOs that may be subject to transboundary movements for direct use as food or feed, or for processing ☐ For imports of LMOs for contained use ☐ Other: [Please specify]
63.	Has your country established a mechanism to conduct risk assessments prior to taking decisions regarding LMOs?	☐ Yes ☐ Yes, to some extent: [Please specify] ☐ No
64.	If you answered *Yes* to question 63, does the mechanism include procedures to identify and/or train national experts to conduct risk assessments?	☐ Yes ☐ No

Capacity-building in risk assessment or risk management

65. How many people in your country have been trained in risk assessment, risk management and monitoring of LMOs?

a. Risk assessment:

☐ None
☐ 1 to 9
☐ 10 to 49
☐ 50 to 99
☐ 100 or more

Is this number adequate: ☐ *Yes* ☐ *No*

b. Risk management:

☐ None
☐ 1 to 9
☐ 10 to 49
☐ 50 to 99
☐ 100 or more

Is this number adequate: ☐ *Yes* ☐ *No*

c. Monitoring:

☐ None
☐ 1 to 9
☐ 10 to 49
☐ 50 to 99
☐ 100 or more

Is this number adequate: ☐ *Yes* ☐ *No*

66.	Is your country using training material and/or technical guidance for training in risk assessment and risk management of LMOs?	☐ Yes ☐ No
67.	If you answered *Yes* to question 66, is your country using the "Manual on Risk Assessment of LMOs" (developed by the CBD Secretariat) for training in risk assessment?	☐ Yes ☐ No
68.	If you answered *Yes* to question 66, is your country using the "Guidance on Risk Assessment of LMOs" (developed by the Online Forum and the AHTEG on Risk Assessment and Risk Management) for training in risk assessment?	☐ Yes ☐ No
69.	Does your country have specific needs for further guidance on specific topics of risk assessment of LMOs?	☐ Yes: [Please specify] ☐ No

70. Does your country have the capacity to detect, identify, assess the risk of and/or monitor LMOs or specific traits that may have adverse effects on the conservation and sustainable use of biological

	diversity, taking into account risks to human health?	
	a. Detect:	☐ Yes ☐ No
	b. Identify:	☐ Yes ☐ No
	c. Assess the risk:	☐ Yes ☐ No
	d. Monitor:	☐ Yes ☐ No
Conducting risk assessment or risk management		
71.	Has your country adopted or used any guidance documents for the purpose of conducting risk assessment or risk management, or for evaluating risk assessment reports submitted by notifiers?	
	a. Risk assessment:	☐ Yes ☐ No
	b. Risk management:	☐ Yes ☐ No
72.	If you answered *Yes* to question 71, is your country using the "Guidance on Risk Assessment of LMOs" (developed by the Online Forum and the AHTEG on Risk Assessment and Risk Management) for conducting risk assessment or risk management, or for evaluating risk assessment reports submitted by notifiers?	☐ Yes ☐ No
73.	Has your country adopted common approaches or methodologies to risk assessment in coordination with other countries?	☐ Yes ☐ No
74.	Has your country cooperated with other Parties with a view to identifying LMOs or specific traits that may have adverse effects on the conservation and sustainable use of biological diversity?	☐ Yes ☐ No
75.	In the current reporting period, has your country conducted any kind of risk assessment of LMOs, including for contained use, field trials, commercial purposes, direct use as food, feed, or for processing?	☐ Yes ☐ No
76.	If you answered *Yes* to question 75, how many risk assessments were conducted?	☐ 1 to 9 ☐ 10 to 49

	☐ 50 to 99 ☐ More than 100
77. If you answered *Yes* to question 75, please indicate the scope of the risk assessments (select all that apply):	☐ LMOs for contained use (in accordance with Article 3) ☐ LMOs for intentional introduction into the environment for experimental testing or field trials ☐ LMOs for intentional introduction into the environment for commercial purposes ☐ LMOs for direct use as food ☐ LMOs for direct use as feed ☐ LMOs for processing ☐ Other: [Please specify]
78. If you answered *Yes* to question 75, were risk assessments conducted for all decisions taken on LMOs for intentional introduction into the environment or on domestic use of LMOs that may be subject to transboundary movement for direct use as food or feed, or for processing?	☐ Yes, always ☐ In some cases only ☐ No
79. Has your country established appropriate mechanisms, measures and strategies to regulate and manage risks identified in the risk assessment of LMOs?	☐ Yes ☐ No
80. Has your country taken appropriate measures to prevent unintentional transboundary movements of LMOs, including such measures as requiring a risk assessment to be carried out prior to the first release of a LMO?	☐ Yes ☐ No
81. Has your country taken measures to ensure that any LMO, whether imported or locally developed, undergoes an appropriate period of observation that is commensurate with its life-cycle or generation time before it is put to its intended use?	☐ Yes ☐ Yes, to some extent: [Please specify] ☐ No
82. Has your country established a mechanism for monitoring potential effects of LMOs released into the environment?	☐ Yes ☐ Yes, to some extent: [Please specify] ☐ No
83. Does your country have the necessary infrastructure (e.g. laboratory facilities) for monitoring or managing LMOs?	☐ Yes ☐ No
84. Here you may provide further details on the implementation of Articles 15 and 16 in your country: [Type your text here]	

Article 17 – Unintentional transboundary movements[11] and emergency measures	
85. Has your country established measures to notify affected or potentially affected States, the Biosafety Clearing-House and, where appropriate, relevant international organizations in case of a release under its jurisdiction that leads, or may lead, to an unintentional transboundary movement?	☐ Yes ☐ Yes, to some extent: [Please specify] ☐ No
86. In the current reporting period, how many releases of LMOs occurred under your country's jurisdiction that led, or may have led, to an unintentional transboundary movement?	☐ None ☐ 1 to 4 ☐ 5 to 9 ☐ 10 or more
87. If you answered *under question 86* that a *release occurred*, has your country notified affected or potentially affected States, the Biosafety Clearing-House and, where appropriate, relevant international organizations?	☐ Yes, always ☐ In some cases only ☐ No
88. Does your country have the capacity to take appropriate response measures in response to unintentional transboundary movements?	☐ Yes ☐ No
89. In the current reporting period, how many times has your country become aware of an unintentional transboundary movement into its territory?	☐ None ☐ 1 to 4 ☐ 5 to 9 ☐ 10 or more
90. Here you may provide further details on the implementation of Article 17 in your country: [Type your text here]	

Article 18 – Handling, transport, packaging and identification	
91. Has your country taken measures to require that *LMOs that are subject to transboundary movement* are handled, packaged and transported under conditions of safety, taking into account relevant international rules and standards?	☐ Yes ☐ Yes, to some extent: [Please specify] ☐ No
92. Has your country taken measures to require that documentation accompanying LMOs-FFP, *in cases where the identity of the LMOs*	☐ Yes ☐ Yes, to some extent: [Please specify]

[11] In accordance with the operational definition adopted in decision CP-VIII/16, "'Unintentional transboundary movement' is a transboundary movement of a living modified organism that has inadvertently crossed the national borders of a Party where the living modified organism was released, and the requirements of Article 17 of the Protocol apply to such transboundary movements only if the living modified organism involved is likely to have significant adverse effects on the conservation and sustainable use of biological diversity, taking also into account risks to human health, in the affected or potentially affected States."

	is not known, clearly identifies that they *may contain LMOs* and are not intended for intentional introduction into the environment, as well as a contact point for further information?	☐ No
93.	Has your country taken measures to require that documentation accompanying LMOs-FFP, *in cases where the identity of the LMOs is known*, clearly identifies that they *contain LMOs* and are not intended for intentional introduction into the environment, as well as a contact point for further information?	☐ Yes ☐ Yes, to some extent: [Please specify] ☐ No
94.	If you answered *Yes* to question(s) 91, 92 and/or 93, what type of documentation accompanying LMOs does your country require?	☐ Documentation specific for LMOs ☐ As part of other documentation (not specific for LMOs) ☐ Other: [Please specify]
95.	Has your country taken measures to require that documentation accompanying *LMOs that are destined for contained use* clearly identifies them as *LMOs* and specifies any requirements for the safe handling, storage, transport and use, the contact point for further information, including the name and address of the individual and institution to whom the LMO are consigned?	☐ Yes ☐ Yes, to some extent: [Please specify] ☐ No
96.	If you answered *Yes* to question 95, what type of documentation does your country require for the identification of LMOs that are destined for contained use?	☐ Documentation specific for LMOs ☐ As part of other documentation (not specific for LMOs) ☐ Other: [Please specify]
97.	Has your country taken measures to require that documentation accompanying *LMOs that are intended for intentional introduction into the environment of the Party of import*, clearly identifies them as *living modified organisms*; specifies the identity and relevant traits and/or characteristics, any requirements for the safe handling, storage, transport and use, the contact point for further information and, as appropriate, the name and address of the importer and exporter; and contains a declaration that the movement is in conformity with the requirements of this Protocol applicable to the exporter?	☐ Yes ☐ Yes, to some extent: [Please specify] ☐ No
98.	If you answered *Yes* to question 97, what type of documentation does your country require for the identification of LMOs that are intended for intentional introduction into the environment?	☐ Documentation specific for LMOs ☐ As part of other documentation (not specific for LMOs) ☐ Other: [Please specify]

99. Does your country have available any guidance for the purpose of ensuring the safe handling, transport, and packaging of living modified organisms?	☐ Yes ☐ No
100. Does your country have the capacity to enforce the requirements of identification and documentation of LMOs?	☐ Yes ☐ Yes, to some extent: [Please specify] ☐ No
101. How many customs officers in your country have received training in the identification of LMOs?	☐ None ☐ 1 to 9 ☐ 10 to 49 ☐ 50 to 99 ☐ 100 or more *Is this number adequate:* ☐ *Yes* ☐ *No*
102. Has your country established procedures for the sampling and detection of LMOs?	☐ Yes ☐ Yes, to some extent: [Please specify] ☐ No
103. How many laboratory personnel in your country have received training in detection of LMOs?	☐ None ☐ 1 to 9 ☐ 10 to 49 ☐ 50 to 99 ☐ 100 or more *Is this number adequate:* ☐ *Yes* ☐ *No*
104. Does your country have reliable access to laboratory facilities for the detection of LMOs?	☐ Yes ☐ No
105. How many laboratories in your country are certified for LMO detection?	☐ None ☐ 1 to 4 ☐ 5 to 9 ☐ 10 to 49 ☐ 50 or more
106. If you answered *under question 105* that *certified laboratories exist in your country*, how many of them are currently operating in the detection of LMOs?	☐ None ☐ 1 to 4 ☐ 5 to 9 ☐ 10 to 49 ☐ 50 or more
107. Here you may provide further details on the implementation of Article 18 in your country:	

[Type your text here]	
Article 19 – Competent national authorities and national focal points	
108. In case your country has designated more than one competent national authority, has your country established a mechanism for the coordination of their actions prior to taking decisions regarding LMOs?	☐ Yes ☐ No ☐ Not applicable (no competent national authority was designated)
109. Has your country established adequate institutional capacity to enable the competent national authority(ies) to perform the administrative functions required by the Cartagena Protocol on Biosafety?	☐ Yes ☐ Yes, to some extent: [Please specify] ☐ No
110. Has your country undertaken initiatives to strengthen collaboration among national focal points, competent national authority(ies) and other institutions on biosafety-related matters?	☐ Yes: [Please specify] ☐ No
111. Here you may provide further details on the implementation of Article 19 in your country: [Type your text here]	
Article 20 – Information sharing and the Biosafety Clearing-House (BCH)	
112. Please provide an overview of the status of the mandatory information provided by your country to the BCH by specifying for each category of information whether it is available and whether it has been submitted to the BCH.	
a. Existing legislation, regulations and guidelines for implementing the Protocol, as well as information required by Parties for the advance informed agreement procedure (Article 20, paragraph 3 (a))	☐ Information available and in the BCH ☐ Information available but not in the BCH ☐ Information available but only partially available in the BCH ☐ Information not available
b. Legislation, regulations and guidelines applicable to the import of LMOs intended for direct use as food or feed, or for processing (Article 11, paragraph 5)	☐ Information available and in the BCH ☐ Information available but not in the BCH ☐ Information available but only partially available in the BCH ☐ Information not available
c. Bilateral, multilateral and regional agreements and arrangements (Article 14, paragraph 2, and Article 20, paragraph 3 (b))	☐ Information available and in the BCH ☐ Information available but not in the BCH ☐ Information available but only partially available in the BCH ☐ Information not available
d. Contact details for competent national authorities (Article 19, paragraphs 2 and 3),	☐ Information available and in the BCH

	national focal points (Article 19, paragraphs 1 and 3), and emergency contacts (Article 17, paragraph 3 (e))	☐ Information available but not in the BCH ☐ Information available but only partially available in the BCH ☐ Information not available
e.	Decisions by a Party regarding transit of LMOs (Article 6, paragraph 1)	☐ Information available and in the BCH ☐ Information available but not in the BCH ☐ Information available but only partially available in the BCH ☐ Information not available
f.	Decisions by a Party regarding import of LMOs for contained use (Article 6, paragraph 2)	☐ Information available and in the BCH ☐ Information available but not in the BCH ☐ Information available but only partially available in the BCH ☐ Information not available
g.	Notifications regarding the release under your country's jurisdiction that leads, or may lead, to an unintentional transboundary movement of a LMO that is likely to have significant adverse effects on biological diversity (Article 17, paragraph 1)	☐ Information available and in the BCH ☐ Information available but not in the BCH ☐ Information available but only partially available in the BCH ☐ Information not available
h.	Information concerning cases of illegal transboundary movements of LMOs (Article 25, paragraph 3)	☐ Information available and in the BCH ☐ Information available but not in the BCH ☐ Information available but only partially available in the BCH ☐ Information not available
i.	Decisions regarding the importation of LMOs for intentional introduction into the environment (Article 10, paragraph 3)	☐ Information available and in the BCH ☐ Information available but not in the BCH ☐ Information available but only partially available in the BCH ☐ Information not available
j.	Information on the application of domestic regulations to specific imports of LMOs (Article 14, paragraph 4)	☐ Information available and in the BCH ☐ Information available but not in the BCH ☐ Information available but only partially available in the BCH ☐ Information not available
k.	Decisions regarding the domestic use of LMOs that may be subject to transboundary movement for direct use as food or feed, or for processing (Article 11, paragraph 1)	☐ Information available and in the BCH ☐ Information available but not in the BCH ☐ Information available but only partially

	available in the BCH ☐ Information not available
l. Decisions regarding the import of LMOs intended for direct use as food or feed, or for processing that are taken under domestic regulatory frameworks (Article 11, paragraph 4) or in accordance with Annex III to the Protocol (Article 11, paragraph 6)	☐ Information available and in the BCH ☐ Information available but not in the BCH ☐ Information available but only partially available in the BCH ☐ Information not available
m. Declarations regarding the framework to be used for LMOs intended for direct use as food or feed, or for processing (Article 11, paragraph 6)	☐ Information available and in the BCH ☐ Information available but not in the BCH ☐ Information available but only partially available in the BCH ☐ Information not available
n. Review and change of decisions regarding intentional transboundary movements of LMOs (Article 12, paragraph 1)	☐ Information available and in the BCH ☐ Information available but not in the BCH ☐ Information available but only partially available in the BCH ☐ Information not available
o. Cases where intentional transboundary movement may take place at the same time as the movement is notified to the Party of import (Article 13, paragraph 1 (a))	☐ Information available and in the BCH ☐ Information available but not in the BCH ☐ Information available but only partially available in the BCH ☐ Information not available
p. LMOs granted exemption status by each Party (Article 13, paragraph 1 (b))	☐ Information available and in the BCH ☐ Information available but not in the BCH ☐ Information available but only partially available in the BCH ☐ Information not available
q. Summaries of risk assessments or environmental reviews of LMOs generated by regulatory processes and relevant information regarding products thereof (Article 20, paragraph 3 (c))	☐ Information available and in the BCH ☐ Information available but not in the BCH ☐ Information available but only partially available in the BCH ☐ Information not available
113. Please provide a brief explanation if you answered that the information is available *but not in the BCH* or *only partially available in the BCH* to any item under question 112: [Type your text here]	
114. Has your country established a mechanism	☐ Yes

for strengthening the capacity of the BCH national focal point to perform its administrative functions?	☐ Yes, to some extent: [Please specify] ☐ No
115. Has your country established a mechanism for the coordination among the BCH national focal point, the Cartagena Protocol national focal point, and the competent national authority(ies) for making information available to the BCH?	☐ Yes ☐ Yes, to some extent: [Please specify] ☐ No
116. Does your country use the information available in the BCH in its decision-making processes on LMOs?	☐ Yes, always ☐ Yes, in some cases ☐ No ☐ Not applicable (no decisions were taken)
117. Has your country experienced difficulties accessing or using the BCH?	☐ Yes: [Please specify] ☐ No
118. In the current reporting period, how many biosafety-related events (e.g. seminars, workshops, press conferences, educational events) has your country organized?	☐ None ☐ 1 to 4 ☐ 5 to 9 ☐ 10 to 24 ☐ 25 or more
119. In the current reporting period, how many biosafety-related publications has your country published?	☐ None ☐ 1 to 9 ☐ 10 to 49 ☐ 50 to 99 ☐ 100 or more
120. Here you may provide further details on the implementation of Article 20 in your country: [Type your text here]	
Article 21 – Confidential information	
121. Has your country established procedures to protect confidential information received under the Protocol?	☐ Yes ☐ Yes, to some extent: [Please specify] ☐ No
122. Does your country allow the notifier to identify information that is to be treated as confidential?	☐ Yes, always ☐ In some cases only ☐ No
123. Here you may provide further details on the implementation of Article 21 in your country: [Type your text here]	

Article 22 – Capacity-building	
124. Does your country have predictable and reliable funding for building capacity for the effective implementation of the Protocol?	☐ Yes ☐ Yes, to some extent: [Please specify] ☐ No
125. Has your country received external support or benefited from collaborative activities with other Parties in the development and/or strengthening of human resources and institutional capacities in biosafety?	☐ Yes ☐ Yes, to some extent: [Please specify] ☐ No
126. If you answered *Yes* to question 125, how were these resources made available?	☐ Bilateral channels ☐ Regional channels ☐ Multilateral channels
127. Has your country provided support to other Parties in the development and/or strengthening of human resources and institutional capacities in biosafety?	☐ Yes ☐ Yes, to some extent: [Please specify] ☐ No
128. If you answered *Yes* to question 127, how were these resources made available?	☐ Bilateral channels ☐ Regional channels ☐ Multilateral channels
129. In the reporting period, has your country initiated a process to access funds from the Global Environment Facility (GEF) for building capacity in biosafety?	☐ Yes: [Please specify] ☐ No
130. If you answered *Yes* to question 129, how would you characterize the process?	☐ Very easy ☐ Easy ☐ Average ☐ Difficult ☐ Very difficult
131. In the current reporting period, has your country undertaken activities for the development and/or strengthening of human resources and institutional capacities in biosafety?	☐ Yes ☐ Yes, to some extent: [Please specify] ☐ No
132. If you answered *Yes* to question 131, in which of the following areas were these activities undertaken (select all that apply)?	☐ Institutional capacity and human resources ☐ Integration of biosafety in cross-sectoral and sectoral legislation, policies and institutions (mainstreaming biosafety) ☐ Risk assessment and other scientific and technical expertise ☐ Risk management ☐ Public awareness, participation and education in biosafety

	☐ Information exchange and data management, including participation in the Biosafety Clearing-House ☐ Scientific, technical and institutional collaboration at subregional, regional and international levels ☐ Technology transfer ☐ Identification of LMOs, including their detection ☐ Socioeconomic considerations ☐ Implementation of the documentation requirements under Article 18.2 of the Protocol ☐ Handling of confidential information ☐ Measures to address unintentional and/or illegal transboundary movements of LMOs ☐ Scientific biosafety research relating to LMOs ☐ Taking into account risks to human health ☐ Liability and redress ☐ Other: [Please specify]
133. In the current reporting period, has your country carried out a capacity-building needs assessment?	☐ Yes ☐ No
134. Does your country still have capacity-building needs?	☐ Yes ☐ No
135. If you answered *Yes* to question 134, which of the following areas still need capacity-building (select all that apply)?	☐ Institutional capacity and human resources ☐ Integration of biosafety in cross-sectoral and sectoral legislation, policies and institutions (mainstreaming biosafety) ☐ Risk assessment and other scientific and technical expertise ☐ Risk management ☐ Public awareness, participation and education in biosafety ☐ Information exchange and data management, including participation in the Biosafety Clearing-House ☐ Scientific, technical and institutional collaboration at subregional, regional and international levels ☐ Technology transfer ☐ Sampling, detection and identification of LMOs ☐ Socioeconomic considerations ☐ Implementation of the documentation requirements for handling, transport, packaging and identification ☐ Handling of confidential information ☐ Measures to address unintentional and/or illegal transboundary movements of LMOs ☐ Scientific biosafety research relating to LMOs ☐ Taking into account risks to human health ☐ Liability and redress

	☐ Other: [Please specify]
136. Has your country developed a capacity-building strategy or action plan?	☐ Yes ☐ No
137. Does your country have in place a functional national mechanism for coordinating biosafety capacity-building initiatives?	☐ Yes ☐ No
138. Here you may provide further details on the implementation of Article 22 in your country, including further details about your experience in accessing GEF funds: [Type your text here]	

Article 23 – Public awareness and participation	
139. Is biosafety public awareness, education and/or participation addressed in legislation or policy in your country?	☐ Yes ☐ Yes, to some extent: [Please specify] ☐ No
140. In the current reporting period, has your country cooperated with other States and international bodies in relation to public awareness, education and participation?	☐ Yes: [Please specify] ☐ No
141. Has your country established a mechanism to ensure public access to information on LMOs?	☐ Yes ☐ Yes, to some extent: [Please specify] ☐ No
142. Does your country have in place a national communication strategy on biosafety?	☐ Yes: [Please specify] ☐ No
143. Does your country have any awareness and outreach programmes on biosafety?	☐ Yes: [Please specify] ☐ No
144. Does your country currently have a national biosafety website?	☐ Yes ☐ No
145. How many academic institutions in your country are offering biosafety education and training courses and programmes?	☐ None ☐ 1 to 4 ☐ 5 to 9 ☐ 10 or more *Is this number adequate:* ☐ *Yes* ☐ *No*

146. How many educational materials and/or online modules on biosafety are available and accessible to the public in your country?	☐ None ☐ 1 to 4 ☐ 5 to 9 ☐ 10 to 24 ☐ 25 to 99 ☐ 100 or more *Is this number adequate:* ☐ *Yes* ☐ *No*
147. Has your country established a mechanism to consult the public in the decision-making process regarding LMOs?	☐ Yes ☐ Yes, to some extent: [Please specify] ☐ No
148. Has your country informed the public about existing modalities for public participation in the decision-making process regarding LMOs?	☐ Yes ☐ Yes, to some extent: [Please specify] ☐ No
149. If you answered *Yes* to question 148, please indicate the modalities used to inform the public:	☐ National websites ☐ Newspapers ☐ Forums ☐ Mailing lists ☐ Public hearings ☐ Social media ☐ Other: [Please specify]
150. In the current reporting period, how many times has your country consulted the public in the decision-making process regarding LMOs?	☐ None (decisions taken without consultation) ☐ 1 to 4 ☐ 5 or more ☐ Not applicable (no decisions were taken)
151. Has your country informed the public about the means to access the Biosafety Clearing-House?	☐ Yes ☐ No
152. Here you may provide further details on the implementation of Article 23 in your country: [Type your text here]	
Article 24 – Non-Parties	
153. Has your country entered into any bilateral, regional, or multilateral agreement with non-Parties regarding transboundary movements of LMOs?	☐ Yes ☐ No
154. In the current reporting period, has your country imported LMOs from a non-Party?	☐ Yes ☐ No

155. In the current reporting period, has your country exported LMOs to a non-Party?	☐ Yes ☐ No
156. If you answered *Yes* to question 154 and/or 155, were the transboundary movements of LMOs consistent with the objective of the Cartagena Protocol on Biosafety?	☐ Yes, always ☐ In some cases only ☐ No
157. Here you may provide further details on the implementation of Article 24 in your country: [Type your text here]	
Article 25 – Illegal transboundary movements[12]	
158. Has your country adopted domestic measures aimed at preventing and/or penalizing transboundary movements of LMOs carried out in contravention of its domestic measures to implement the Cartagena Protocol?	☐ Yes ☐ Yes, to some extent: [Please specify] ☐ No
159. In the current reporting period, how many cases of illegal transboundary movements of LMOs has your country become aware of?	☐ None ☐ 1 to 4 ☐ 5 to 9 ☐ 10 or more
160. If you indicated *under question 159* that *your country became aware of cases of illegal transboundary movements*, has the origin of the LMO(s) been established?	☐ Yes ☐ Yes, some cases ☐ No
161. Here you may provide further details on the implementation of Article 25 in your country: [Type your text here]	
Article 26 – Socio-economic considerations	
162. Does your country have any specific approaches or requirements that facilitate how socioeconomic considerations should be taken into account in LMO decision-making?	☐ Yes ☐ No
163. In the current reporting period, have socioeconomic considerations arising from the impact of LMOs been taken into account in decision-making?	☐ Yes, always ☐ In some cases only ☐ No ☐ Not applicable (no decisions were taken)

[12] In accordance with the operational definition adopted in decision CP VIII/16, "'Illegal transboundary movement' is a transboundary movement of living modified organisms carried out in contravention of the domestic measures to implement the Protocol that have been adopted by the Party concerned".

164. How many peer-reviewed published materials has your country used for the purpose of elaborating or determining national actions with regard to socioeconomic considerations?	☐ None ☐ 1 to 4 ☐ 5 to 9 ☐ 10 to 49 ☐ 50 or more *Is this number adequate:* ☐ *Yes* ☐ *No*
165. Has your country cooperated with other Parties on research and information exchange on any socioeconomic impacts of LMOs?	☐ Yes ☐ No
166. Here you may provide further details on the implementation of Article 26 in your country: [Type your text here]	
Article 28 – Financial mechanism and resources	
167. In the current reporting period, how much funding (in the equivalent of US dollars) has your country mobilized to support implementation of the Cartagena Protocol beyond the regular national budgetary allocation?	☐ Nothing ☐ 1 to 4,999 USD ☐ 5,000 to 49,999 USD ☐ 50,000 to 99,999 USD ☐ 100,000 to 499,000 USD ☐ 500,000 USD or more
Article 33 – Monitoring and reporting *Article 33 requires Parties to monitor <u>the implementation of its obligations</u> under the Cartagena Protocol and to report to the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on measures taken to implement the Protocol*	
168. Does your country have in place a system to monitor and enforce the implementation of the Cartagena Protocol?	☐ Yes ☐ No
Nagoya-Kuala Lumpur Supplementary Protocol on Liability and Redress *Parties to the Cartagena Protocol that are not yet Party to the Supplementary Protocol are also invited to respond to the questions below*	
169. Is your country a Party to the Nagoya-Kuala Lumpur Supplementary Protocol on Liability and Redress?	☐ Yes ☐ No
170. If you answered *No* to question 169, is there any national process in place towards becoming a Party to the Supplementary Protocol?	☐ Yes ☐ No

171. Has your country introduced the necessary measures for the implementation of the Supplementary Protocol?	☐ National measures are fully in place ☐ National measures are partially in place ☐ Only temporary measures have been introduced ☐ Only draft measures exist ☐ No measures have yet been taken
172. Which instruments are in place for the implementation of the Supplementary Protocol?	☐ One or more national laws: [Please specify] ☐ One or more national regulations: [Please specify] ☐ One or more sets of guidelines: [Please specify] ☐ No instruments are in place
173. Does your country have administrative or legal instruments that require response measures to be taken: a. In case of damage resulting from LMOs?	☐ Yes ☐ No
b. In case there is sufficient likelihood that damage will result if response measures are not taken?	☐ Yes ☐ No
174. If you answered *Yes* to question 173a, do these instruments impose requirements on an operator (select all that apply)?	☐ Yes, the operator must inform the competent authority of the damage ☐ Yes, the operator must evaluate the damage ☐ Yes, the operator must take response measures ☐ Yes, other requirements: [Please specify] ☐ No
175. If you answered *Yes* to question 173a, do these instruments require the operator to take response measures to avoid damage?	☐ Yes ☐ No
176. If you answered *Yes* to question 173a or 173b, do these instruments provide for a definition of "operator"?	☐ Yes ☐ No

177. If you answered *Yes* to question 176, which of the following could be an 'operator' (select all that apply)?	☐ Permit holder ☐ Person who placed the LMO on the market ☐ Developer ☐ Producer ☐ Notifier ☐ Exporter ☐ Importer ☐ Carrier ☐ Supplier ☐ Other: [Please specify]
178. Has a competent authority been identified for carrying out the functions set out in the Supplementary Protocol?	☐ Yes: [Please specify] ☐ No
179. If you answered *Yes* to question 178, what measures may the competent authority take (select all that apply)?	☐ Identify the operator that caused the damage ☐ Evaluate the damage ☐ Determine response measures to be taken by operator ☐ Implement response measures ☐ Recover costs and expenses of the evaluation of the damage and the implementation of any response measures from the operator ☐ Other: [Please specify]
180. Does your country have measures in place to provide for financial security for damage resulting from LMOs?	☐ Yes ☐ No
181. If you answered *Yes* to question 180, what type of financial security measures are in place (select all that apply)?	☐ Requirement to provide evidence for secure source of funding ☐ Mandatory insurance ☐ Government schemes, including funds ☐ Other: [Please specify]
182. Does your country have rules and procedures on civil liability that address damage resulting from LMOs, or has such damage been recognized in court rulings (select all that apply)?	☐ Yes, in a civil liability instrument ☐ Yes, in court rulings ☐ Yes, in other instruments: [Please specify] ☐ No
183. Have there been any occurrences of damage resulting from LMOs in your country?	☐ Yes: [Please specify] ☐ No
184. If you answered *Yes* to question 183, have response measures been taken?	☐ Yes: [Please specify] ☐ No

185. Here you may provide further details on any activities undertaken in your country towards the implementation of the Nagoya-Kuala Lumpur Supplementary Protocol on Liability and Redress: [Type your text here]
Other information
186. Please use this field to provide any other information on issues related to national implementation of the Cartagena Protocol and the Supplementary Protocol, including any obstacles or impediments encountered. [Type your text here]
Comments on reporting format
187. Please use this field to provide any other information on difficulties that you have encountered in filling in this report. [Type your text here]

Item 10. Monitoring and reporting (Article 33) and assessment and review of the effectiveness of the Protocol (Article 35) *(continued)*

Assessment and review of the effectiveness of the Cartagena Protocol (Article 35)

The following draft decision has been reproduced from recommendation SBI-2/12.

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

Recalling decision BS-V/16, adopting the Strategic Plan of the Cartagena Protocol on Biosafety for the period 2011-2020,

1. *Reiterates* its invitation to Parties, for the remaining period of the Strategic Plan for the Cartagena Protocol on Biosafety for 2011-2020, to consider prioritizing the operational objectives relating to the development of biosafety legislation, risk assessment, detection and identification of living modified organisms, and public awareness in view of their critical importance in facilitating the implementation of the Protocol;

2. *Decides* that the fourth assessment and review of the Cartagena Protocol will be combined with the final evaluation of the Strategic Plan for the Cartagena Protocol for the period 2011-2020;

3. *Requests* the Executive Secretary:

(a) To continue making improvements to the online national report analyser tool to facilitate the compilation, aggregation and analysis of the data in the fourth national reports and other sources against related baseline data that was obtained during the second national reporting cycle;

(b) To analyse and synthesize information on the implementation of the Protocol using, inter alia, the fourth national reports as a primary source, the Biosafety Clearing-House and experience from capacity-building projects and the Compliance Committee, where appropriate, to facilitate the fourth assessment and review of the Protocol in conjunction with the final evaluation of the Strategic Plan, and make this information available to the Liaison Group on Capacity-Building and, as appropriate, the Compliance Committee;

4. *Requests* the Liaison Group on Capacity-Building and the Compliance Committee, working in a complementary and non-duplicative manner, to contribute to the fourth assessment and review of the Cartagena Protocol and the final evaluation of the Strategic Plan, and to submit their conclusions for consideration by the Subsidiary Body on Implementation;

5. *Requests* the Subsidiary Body on Implementation, at its third meeting, to consider the information provided and conclusions reached by the Liaison Group and the Compliance Committee, and to submit its findings and recommendations to the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol at its tenth meeting with a view to facilitating the fourth assessment and review of the Cartagena Protocol and the final evaluation of the Strategic Plan for the Cartagena Protocol on Biosafety for the period 2011-2020.

Item 11. Enhancing integration under the Convention and its Protocols with respect to biosafety-related provisions

No decision is expected under this item.

The Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol will be invited to take note, in the report of the meeting, of the decision of the Conference of the Parties under agenda item 13 of the Conference of the Parties.

Item 12. Cooperation with other conventions, international organizations and initiatives

No decision is expected under this item.

Item 13. Review of effectiveness of structures and processes under the Convention and its Protocols

Review of experience in holding concurrently meetings of the Conference of the Parties to the Convention, the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol, and the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol

The following draft decision has been reproduced from recommendation 2/15, section A of the Subsidiary Body on Implementation, and it is identical to the draft decision on the same subject under agenda item 15 of the fourteenth meeting of the Conference of the Parties.

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

Recalling decisions XII/27, BS-VII/9 and NP-1/12, XIII/26, XIII/33, CP-VIII/10 and NP-2/12,

Having reviewed the experience in holding concurrently meetings of the Conference of the Parties, the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol and the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol, using the criteria determined in decisions XIII/26, CP-VIII/10 and NP-2/12, respectively, and *taking into account* the views of Parties, observers and participants at the thirteenth meeting of the Conference of the Parties to the Convention, the eighth meeting of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol and the second meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol, and through the surveys conducted after the meetings,

Recognizing that a further review will be undertaken at the fifteenth meeting of the Conference of the Parties to the Convention, the tenth meeting of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol and the fourth meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol,

1. *Notes with satisfaction* that the concurrent meetings have allowed for increased integration among the Convention and its Protocols, and improved consultations, coordination and synergies among the respective national focal points;

2. *Notes* that most of the criteria were considered as being met or partially met, and that further improvements in the functioning of the concurrent meetings are desirable, in particular to improve the outcomes and effectiveness of the meetings of the Parties to the Protocols;

3. *Reiterates* the importance of ensuring the full and effective participation of representatives of developing country Parties, in particular the least developed countries and small island developing States among them, and countries with economies in transition, in the concurrent meetings, and *highlights*, in this respect, the importance, in particular, of ensuring adequate participation of representatives in meetings of the Protocols by making funding available for such participation, including in intersessional meetings;

4. *Requests* the Bureau and the Executive Secretary, when finalizing the proposed organization of work for the fifteenth meeting of the Conference of the Parties to the Convention, the tenth meeting of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol and the fourth meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol, to take into account the present decision and the information contained in the note by the Executive Secretary;[13]

[13] CBD/SBI/2/16 and Add.1.

Procedure for avoiding or managing conflicts of interest in expert groups

The following is taken from recommendation 2/15, section B of the Subsidiary Body on Implementation, and is closely linked to the draft decision on the same subject under agenda item 15 of the fourteenth meeting of the Conference of the Parties.

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

Recognizing the critical importance of taking decisions on the basis of the best available expert advice,

Recognizing also the need to avoid conflicts of interest by members of expert groups established from time to time to develop recommendations,

1. *Approves* the procedure for avoiding or managing conflicts of interest contained in the annex to the decision 14/--;[14]

2. *Requests* the Executive Secretary to ensure the implementation of the conflict of interest management procedure with respect to the work of technical expert groups, in consultation with the Bureau of the Subsidiary Body on Scientific, Technical and Technological Advice or the Conference of the Parties, as appropriate.

[14] The draft COP decision referred to in the present paragraph will be addressed under agenda item 15 of the Conference of the Parties. The annex was finalized in accordance with paragraph 3 of the recommendation of the Subsidiary Body on Implementation requesting the Executive Secretary to invite views. The revised annex is included in the compilation of decisions for the fourteenth meeting of the Conference of the Parties as CBD/COP/14/2.

Item 14. Preparation for the follow-up to the Strategic Plan for Biodiversity 2011-2020 and the Strategic Plan for the Cartagena Protocol on Biosafety 2011-2020

The following draft decision has been reproduced from document CBD/CP/MOP/9/7. Paragraphs 1, 4 and 5 below come from recommendation 2/19, part B of the Subsidiary Body on Implementation. Paragraphs 2, 3, 6, 7 and 8 are derived from the conclusions of the Liaison Group on Capacity Building at its twelfth meeting.

The Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety

1. *Takes note* of the proposed preparatory process for the post-2020 global biodiversity framework in follow-up to the Strategic Plan for Biodiversity 2011-2020, and *welcomes* decision 14/--[15] of the Conference of the Parties;

2. *Notes* the value of including biosafety in the post-2020 global biodiversity framework as well as developing a specific follow-up to the Strategic Plan for the Cartagena Protocol on Biosafety for the period 2011-2020;

3. *Also notes* 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;

4. *Invites* Parties to participate in the process for developing the post-2020 global biodiversity framework;

5. *Decides* to develop a specific follow-up to the Strategic Plan for the Cartagena Protocol on Biosafety for the period 2011-2020 that is complementary to the post-2020 global biodiversity framework, and *requests* the Executive Secretary to facilitate the development of its elements;

6. *Agrees* that the specific follow-up to the Strategic Plan for the Cartagena Protocol will: (a) be developed as an implementation tool; (b) reflect the elements of the Strategic Plan for the Cartagena Protocol for the period 2011-2020 that are still relevant while ensuring sufficient flexibility to account for new developments; and (c) comprise indicators that are simple and easily measurable to facilitate the review of progress in implementation of the Protocol;

7. *Requests* the Liaison Group on Capacity-Building for Biosafety to contribute to the development of the biosafety component in the post-2020 global biodiversity framework and to the specific follow-up to the Strategic Plan for the Cartagena Protocol on Biosafety for the period 2011-2020 that is complementary to the post-2020 global biodiversity framework, and *invites* the Compliance Committee to support these processes, as required;

8. *Requests* the Executive Secretary:

(a) To facilitate and support the inclusion of the biosafety component in the post-2020 global biodiversity framework;

(b) To ensure that dedicated sessions are convened to discuss biosafety matters during the global consultation workshop(s) referred to in decision 14/--[16];

(c) To facilitate the participation of an adequate number 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, including in the relevant consultation workshop(s);

[15] The draft COP decision referred to in the present paragraph will be addressed under agenda item 17 of the Conference of the Parties.

[16] The draft COP decision referred to in the present paragraph will be addressed under agenda item 17 of the Conference of the Parties.

(d) To convene meetings of the Liaison Group on Capacity-Building in order to contribute to the development of the biosafety component in the post-2020 global biodiversity framework and the specific follow-up to the Strategic Plan for the Cartagena Protocol that is complementary to the post-2020 global biodiversity framework;

(e) To prepare a draft of the specific follow-up to the Strategic Plan for the Cartagena Protocol that is complementary to the post-2020 global biodiversity framework, for consideration by the Subsidiary Body on Implementation at its third meeting and the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol at its tenth meeting.

Item 15. Risk assessment and risk management (Articles 15 and 16)

The following draft decision has been reproduced from recommendation 22/2 of the Subsidiary Body on Technical and Technological Advice.

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

Recalling decisions BS-VII/12 and XII/24 recommending a coordinated approach on the issue of synthetic biology,

Reaffirming decision XII/24 of the Conference of the Parties urging Parties and inviting other Governments to take a precautionary approach, in accordance with the preamble of the Convention and with Article 14, when addressing threats of significant reduction or loss of biological diversity posed by organisms, components and products resulting from synthetic biology, in accordance with domestic legislation and other relevant international obligations,

1. *Notes* the availability of numerous guidance documents and other resources to support the process of risk assessment, but *recognizes* the gaps and needs identified by some Parties;

2. *Recognizes* the divergence of views among Parties on whether or not additional guidance on specific topics of risk assessment is needed;

3. *Also recognizes* that, as there could be potential adverse effects arising from organisms containing engineered gene drives, before these organisms are considered for release into the environment, research and analysis are needed, and specific guidance may be useful, to support case-by-case risk assessment;

4. *Notes* the conclusions of the Ad Hoc Technical Expert Group on Synthetic Biology that, given the current uncertainties regarding engineered gene drives, the free, prior and informed consent of indigenous peoples and local communities might be warranted when considering the possible release of organisms containing engineered gene drives that may impact their traditional knowledge, innovation, practices, livelihood and use of land and water;

5. *Calls for* broad international cooperation, knowledge sharing and capacity-building to support, inter alia, Parties in assessing the potential adverse effects on the conservation and sustainable use of biodiversity from [living modified organisms produced through genome editing,] living modified organisms containing engineered gene drives and living modified fish, taking into account risks to human health, the value of biodiversity to indigenous peoples and local communities, and relevant experiences of individual countries in performing risk assessment of such organisms in accordance with annex III of the Cartagena Protocol;

6. *Decides* to establish a process for the identification and prioritization of specific issues regarding risk assessment of living modified organisms for consideration by the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol with a view to developing further guidance on risk assessment on the specific issues identified, taking into account annex I;

7. *Also decides* to consider, at its tenth meeting, whether additional guidance materials on risk assessment are needed for [(a) living modified organisms produced through genome editing,] (b) living modified organisms containing engineered gene drives, and (c) living modified fish;

8. *Further decides* to establish an ad hoc technical expert group on risk assessment, composed of experts selected in accordance with the consolidated modus operandi of Subsidiary Body on Scientific, Technical and Technological Advice,[17] in accordance with the terms of reference in annex II;

9. *Decides* to extend the online forum on risk assessment and risk management to assist the ad hoc technical expert group on risk assessment;

[17] Decision VIII/10, annex III.

10. *Invites* Parties, other Governments, indigenous peoples and local communities, and relevant organizations to submit to the Executive Secretary information relevant to the work of the online forum and Ad Hoc Technical Expert Group;

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

(a) To commission a study informing the application of annex I to [(i) living modified organisms produced through genome editing,] (ii) living modified organisms containing engineered gene drives and (iii) living modified fish, to facilitate the process referred to in paragraph 5 above, and present it to the open-ended online forum and Ad Hoc Technical Expert Group on Risk Assessment and Risk Management;

(b) To collect and synthesize relevant information to facilitate the work of the online forum and the ad hoc technical expert group;

(c) To assist the lead moderator of the online forum in convening discussions and reporting on the results of the discussions;

(d) To convene a face-to-face meeting of the ad hoc technical expert group on risk assessment;

12. *Requests* the Subsidiary Body on Scientific, Technical and Technological Advice to make a recommendation as to whether additional guidance materials on risk assessment are needed for [(i) living modified organisms produced through genome editing,] (ii) living modified organisms containing engineered gene drives, and (iii) living modified fish for consideration by the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol at its tenth meeting.

Annex I

Identification and prioritization of specific issues of risk assessment of living modified organisms that may warrant consideration

The process for recommending specific issues of risk assessment for consideration by the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety should include a structured analysis to evaluate whether the specific issues fulfil the following:

(a) Are identified by Parties as priorities, taking into account the challenges to risk assessment, particularly for developing country Parties and countries with economies in transition;

(b) Fall within the scope and objective of the Cartagena Protocol;

(c) Pose challenges to existing risk assessment frameworks, guidance and methodologies, for example, the issue at hand has been assessed with existing risk assessment frameworks but pose specific technical or methodological challenges that require further attention;

(d) The challenges in addressing the specific issue are clearly described;

and considering, inter alia:

(e) The specific issues concerns living modified organisms that:

(i) Have the potential to cause [serious or irreversible] adverse effects on biodiversity, taking into account the urgent need to protect specific aspects of biodiversity, such as an endemic/rare species or a unique habitat or ecosystem, taking into account risks to human health and the value of biological diversity to indigenous peoples and local communities;

(ii) May be introduced into the environment either deliberately or accidentally;

(iii) Have the potential to disseminate across national borders;

(iv) Are already, or are likely to be, commercialized or in use somewhere in the world;

and consider a stock-taking exercise to determine if resources on similar issues have been developed by national, regional and international bodies and, if so, whether such resources may be revised or adapted to the objective of the Cartagena Protocol, as appropriate.

Annex II

Terms of reference for the Ad Hoc Technical Expert Group on Risk Assessment

The Ad Hoc Technical Expert Group on Risk Assessment, taking into account the work undertaken by the Ad Hoc Technical Expert Group on Synthetic Biology, shall:

(a) Review the study referred to in para 11 (a) above, and perform an analysis on [(i) living modified organisms produced through genome editing,] (ii) living modified organisms containing engineered gene drives and (iii) living modified fish, according to annex I, and supported by the data in the study;

(b) Consider the needs and priorities for further guidance and gaps in existing guidance identified by Parties in response to decision CP-VIII/12 with regard to specific topics of risk assessment and prepare an analysis;

(c) Make recommendations on (i) the need for guidance to be developed on risk assessment of [living modified organisms produced through genome editing,] living modified organisms containing engineered gene drives and living modified fish, and (ii) any adjustments to annex I;

(d) Prepare a report for consideration by the Subsidiary Body on Scientific, Technical and Technological Advice with a view to enabling the Subsidiary Body to prepare a recommendation for consideration by the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety at its tenth meeting.

Item 16. Unintentional transboundary movements and emergency measures (Article 17)

The following draft decision has been reproduced from document CBD/CP/MOP/9/8.

The Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety

1. *Acknowledges* that the lack of fully operational biosafety frameworks impacts the capacity of countries to implement provisions relating to the detection and identification of living modified organisms, particularly in the absence of a legal framework that mandates such activities; and *urges* Parties to establish provisions for the detection and identification of living modified organisms;

2. *Welcomes* the draft training manual on detection and identification of living modified organisms[18] as a useful tool for building capacities in this field;

3. *Encourages* Parties to require exporters of living modified organisms to provide the appropriate reference materials to enable the laboratory work on detection and identification of such organisms for regulatory purposes;

4. *Invites* Parties, in particular those that have not yet done so, to share information regarding their capacities and needs in the detection and identification of living modified organisms, including a list of laboratories and their specific activities;

5. *Encourages* Parties to make funds available for training of laboratory personnel in the field of detection and identification of living modified organisms, including through the provision of co-financing opportunities, and to continue participating in regional and subregional networks on the detection and identification of living modified organisms;

6. *Invites* the Global Environment Facility to provide funds for regional projects that could support countries' actions towards detection and identification of living modified organisms, and in particular that could promote North-South and South-South sharing of experiences and lessons;

7. *Invites* the Food and Agriculture Organization of the United Nations to continue collaborating with the Secretariat of the Convention on Biological Diversity in order to improve the capacities of countries with regard to detection of genetically modified foods and living modified organisms;

8. *Requests* the Executive Secretary, subject to the availability of funds:

(a) To continue collecting information relevant to the detection and identification of living modified organisms and making it available in a user-friendly manner through the Biosafety Clearing-House;

(b) To continue facilitating discussions of the Network of Laboratories for Detection and Identification of Living Modified Organisms, and face-to-face meetings as appropriate;

(c) To continue efforts to build the capacity of developing countries in relation to the detection and identification of living modified organisms in the context of unintentional transboundary movements.

[18] As contained in CBD/CP/MOP/9/8/Add.1.

Item 17. Transit and contained use of living modified organisms (Article 6)

The following draft decision has been reproduced from document CBD/CP/MOP/9/9,incorporating the recommendations by the Compliance Committee as per document CBD/CP/MOP/9/2, annex, section C.

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

1. *Takes note* of the Committee's assessment of information on the BCH submitted by Parties as decisions under contained use;

2. *Reminds* Parties of their obligation under Article 20, paragraph 3 (d) to publish in the BCH their final decisions regarding the importation or release of living modified organisms and to encourage other Governments to do so;

3. *Reminds* Parties that:

(a) Article 3(b) of the Protocol sets out the definition of contained use, namely "any operation, undertaken within a facility, installation or other physical structure, which involves living modified organisms that are controlled by specific measures that effectively limit their contact with, and their impact on, the external environment";

(b) Intentional introduction into the environment can include introduction both for experimental or for commercial purposes;

(c) A field trial, confined field trial or experimental introduction is to be regarded as intentional introduction into the environment and not as contained use.

Item 18. Socio-economic considerations (Article 26)

The following draft decision has been reproduced from document CBD/CP/MOP/9/10.

The Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety

Recalling decisions BS-VI/13, BS-VII/13 and CP-VIII/13,

1. *Welcomes* the "Guidance on the Assessment of Socio-Economic Considerations in the Context of Article 26 of the Cartagena Protocol on Biosafety";[19]

2. *Invites* Parties and other Governments to make use of the "Guidance on the Assessment of Socio-Economic Considerations in the Context of Article 26 of the Cartagena Protocol on Biosafety", as appropriate;

3. *Invites* Parties, other Governments and organizations to submit examples of methodologies and applications of socio-economic considerations in the light of the elements of the "Guidance on the Assessment of Socio-Economic Considerations in the Context of Article 26 of the Cartagena Protocol on Biosafety" and *requests* the Executive Secretary to compile the information submitted;

4. *Decides* to extend the Ad Hoc Technical Expert Group on Socio-Economic Considerations with a mandate to supplement the "Guidance on the Assessment of Socio-Economic Considerations in the Context of Article 26 of the Cartagena Protocol on Biosafety" with examples of methodologies and applications of socio-economic considerations, taking into account the information submitted in response to paragraph 3 above, for consideration by the tenth meeting of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol;

5. *Requests* the Executive Secretary, subject to the availability of resources, to convene a face-to-face meeting of the Ad Hoc Technical Expert Group on Socio-Economic Considerations.

[19] As contained in CBD/CP/MOP/9/10, annex.

Item 19. Nagoya – Kuala Lumpur Supplementary Protocol on Liability and Redress

The following draft decision has been reproduced from document CBD/CP/MOP/9/11.

The Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety and further serving as the meeting of the Parties to the Nagoya – Kuala Lumpur Supplementary Protocol on Liability and Redress,[20]

1. *Welcomes* the entry into force of the Nagoya – Kuala Lumpur Supplementary Protocol on Liability and Redress to the Cartagena Protocol on Biosafety;

2. *Congratulates* those Parties that have deposited their instrument of ratification, acceptance, approval or accession to the Nagoya – Kuala Lumpur Supplementary Protocol on Liability and Redress and *urges* them to take the necessary steps for its implementation;

3. *Urges* all Parties to the Cartagena Protocol on Biosafety that have not yet done so to deposit their instrument of ratification, acceptance, approval or accession to the Nagoya – Kuala Lumpur Supplementary Protocol on Liability and Redress as soon as possible;

4. *Welcomes* the activities undertaken to facilitate the entry into force and implementation of the Nagoya – Kuala Lumpur Supplementary Protocol on Liability and Redress and the support provided by donors in this regard;

5. *Requests* the Executive Secretary, subject to the availability of funds, to continue undertaking further awareness-raising activities and to provide support to Parties in implementing the Supplementary Protocol at the domestic level;

6. *Requests* Parties to the Supplementary Protocol to designate a competent authority to perform the functions set out in the Nagoya – Kuala Lumpur Supplementary Protocol on Liability and Redress (Article 5), and to make the contact information of its competent authority available on the Biosafety Clearing-House;

7. *Requests* Parties to the Supplementary Protocol and *invites* other Governments to report on their measures to implement the Supplementary Protocol by responding to the questions related to the Supplementary Protocol in the format for the fourth national report under the Cartagena Protocol as contained in the annex to decision CP-9/--;

8. *Requests* the Executive Secretary to undertake a comprehensive study, for consideration by the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety at its tenth meeting, addressing:

(a) The modalities of financial security mechanisms;

(b) An assessment of the environmental, economic and social impacts of such mechanisms, in particular on developing countries;

(c) An identification of the appropriate entities to provide financial security;

9. *Also requests* the Executive Secretary to create the appropriate common format in the Biosafety Clearing-House to enable Parties to share the contact information of their competent authorities pursuant to Article 5 of the Nagoya – Kuala Lumpur Supplementary Protocol on Liability and Redress.

[20] Consistent with Article 32, paragraph 2, of the Convention on Biological Diversity, which specifies that decisions under any protocol shall be taken only by the parties to the protocol concerned.