



Convention on Biological Diversity

Distr.: Limited
23 October 2024

Original: English

Conference of the Parties to the Convention on Biological Diversity serving as the meeting of the Parties to the Cartagena Protocol on Biosafety Eleventh meeting

Cali, Colombia, 21 October–1 November 2024

Agenda item 14

Nagoya-Kuala Lumpur Supplementary Protocol on Liability and Redress

Working Group II

Nagoya-Kuala Lumpur Supplementary Protocol on Liability and Redress

Draft decision submitted by the Chair of Working Group II

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 to the Cartagena Protocol on Biosafety,¹

Recalling decision CP-10/13 of 10 December 2022,

Also recalling Goal A.10 of the implementation plan² and the capacity-building action plan³ for the Cartagena Protocol on Biosafety,⁴

1. *Welcomes* the additional instruments of ratification, acceptance, approval or accession to the Nagoya-Kuala Lumpur Supplementary Protocol on Liability and Redress to the Cartagena Protocol on Biosafety⁵ that have been deposited since the adoption of decision [CP-10/13](#);

2. *Notes with regret* the limited number of Parties to the Cartagena Protocol that have ratified the Nagoya-Kuala Lumpur Supplementary Protocol, and invites all Parties to the Cartagena Protocol that have not yet done so to deposit an instrument of ratification, acceptance, approval or accession to the Supplementary Protocol as soon as possible;

¹ In accordance with paragraph 1 of Article 14 of the Nagoya-Kuala Lumpur Supplementary Protocol, and subject to paragraph 2 of Article 32 of the Convention, the Conference of the Parties serving as the meeting of the Parties to the Protocol shall serve as the meeting of the Parties to the Supplementary Protocol. Consequently, the present decision has been adopted by the Parties to the Supplementary Protocol.

² Decision CP-10/3, annex.

³ Decision CP-10/4, annex.

⁴ United Nations, *Treaty Series*, vol. 2226, No. 30619.

⁵ See United Nations Environment Programme, document UNEP/CBD/BS/COP-MOP/5/17, annex, decision BS-V/11.

3. *Welcomes* the additional records published in the Biosafety Clearing-House containing the contact details of the competent authorities to perform the functions set out in Article 5 of the Nagoya-Kuala Lumpur Supplementary Protocol;
4. *Reminds* Parties to the Nagoya-Kuala Lumpur Supplementary Protocol to designate a competent authority to perform the functions set out in Article 5 of the Supplementary Protocol and to publish information on the competent authorities using the common format available for that purpose in the Biosafety Clearing-House;
5. *Welcomes* the information provided by Parties on the measures in place to provide for financial security for damage from living modified organisms, while noting with regret that only a few Parties have provided such information;
6. *Invites* Parties to share information on financial security mechanisms, together with other information on national measures for the implementation of the Nagoya-Kuala Lumpur Supplementary Protocol, in their fifth national reports, and requests the Executive Secretary to use that information when preparing the documentation for the first assessment and review of the effectiveness of the Supplementary Protocol;⁶
7. *Reminds* Parties to the Nagoya-Kuala Lumpur Supplementary Protocol of the importance of the polluter pays principle, and encourages them to take the principle into account, where applicable, when further developing financial security mechanisms;
8. *Invites* Parties, other Governments and organizations to carry out capacity-building and awareness-raising activities in support of the ratification and the effective implementation of the Nagoya-Kuala Lumpur Supplementary Protocol, and encourages donors to provide the resources necessary in that regard, further to Goal A.10 of the implementation plan and the capacity-building action plan for the Cartagena Protocol;
9. *Requests* the Executive Secretary, subject to the availability of resources, to continue to undertake awareness-raising and capacity-building activities and to provide support to Parties for implementing the Nagoya-Kuala Lumpur Supplementary Protocol at the national level.

⁶ See decision CP-10/13, para. 12.