



Convention on Biological Diversity

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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

Tenth meeting – Part II
Montreal, Canada, 7 to 19 December 2022
Agenda item 10

FINANCIAL MECHANISM AND RESOURCES (ARTICLE 28)

Note by the Executive Secretary

I. INTRODUCTION

1. In accordance with Article 28 of the Cartagena Protocol on Biosafety, the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol provides recommendations to the Conference of the Parties to the Convention through its decisions on matters related to the financial mechanism and resources. The decisions are further considered by the Conference of the Parties for inclusion in its guidance to the Global Environment Facility (GEF).

2. At its ninth meeting, in decision [CP-9/4](#), the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety urged 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 GEF Trust Fund (GEF-7), taking into account their obligations under the Cartagena Protocol on Biosafety and the Strategic Plan for the Cartagena Protocol on Biosafety for the period 2011-2020. In the same decision, the meeting of the Parties made recommendations to the Conference of the Parties on guidance to the Global Environment Facility with respect to biosafety, welcomed the seventh replenishment of the GEF Trust Fund and expressed its appreciation to the countries that contributed to the seventh replenishment.

3. The present document presents information related to the financial mechanism in relation to the Cartagena Protocol on Biosafety. Section II includes, among other things, information on the eighth replenishment (July 2022 to June 2026) of the GEF Trust Fund (GEF-8) and the GEF-8 strategy for biosafety. Section III presents conclusions and key findings from the Compliance Committee under the Cartagena Protocol on Biosafety; and section IV outlines elements for a draft decision.

II. THE FINANCIAL MECHANISM

A. GEF support for biosafety during its seventh replenishment period, 2018-2022

4. For the GEF-7 period, a total of \$1.29 billion was allocated to the biodiversity focal area, of which \$1.03 billion was provided to countries through the System for Transparent Allocation of Resources (STAR).¹ Of the total replenishment (\$4.4 billion), 0.2 per cent (\$8 million)² was indicatively allocated to support implementation of the Cartagena Protocol on Biosafety. The GEF-7 strategy also included support

¹ CBD/COP/15/8.

² GEF/R.7/22.

for the ratification and implementation of the Nagoya – Kuala Lumpur Supplementary Protocol on Liability and Redress to the Cartagena Protocol on Biosafety

5. Support for implementation of the Cartagena Protocol on Biosafety has been provided through objective 3 of the GEF-7 biodiversity focal area to further develop biodiversity policy and institutional frameworks. During the reporting period of the GEF report to the fifteenth meeting of the Conference of the Parties (1 July 2018 to 31 December 2021), one regional project involving three countries (Democratic Republic of the Congo, Madagascar, and Namibia) and one national project (Kyrgyz Republic) were presented for supporting the implementation of the Cartagena Protocol on Biosafety. GEF invested \$5.3 million, which leveraged \$13.3 million in co-financing.

6. A total of 99 countries received support for preparing and submitting their fourth national reports under the Cartagena Protocol on Biosafety. GEF provided this funding through two regional umbrella projects for the fourth national reports, “*Support to Preparation of the Fourth National Biosafety Reports to the Cartagena Protocol on Biosafety*” (together covering Latin America and the Caribbean, Central and Eastern Europe, Africa, and Asia-Pacific) for a total GEF grant amount of \$2.7 million which leveraged an additional \$2.35 million in co-financing.

B. Guidance from the Conference of the Parties to the Global Environment Facility

7. In accordance with decision [14/23](#) (para. 17), the Subsidiary Body on Implementation, at its third meeting, prepared proposals for a four-year outcome-oriented framework of programme priorities for the eighth replenishment period of the GEF Trust Fund for the Convention and its Protocols,³ aligned with the draft post-2020 global biodiversity framework. In accordance with the same decision (para. 16), the Subsidiary Body also considered the estimated funding and investment needs of eligible Parties for the eighth replenishment period of the GEF Trust Fund. Furthermore, the Subsidiary Body considered draft terms of reference for a sixth review of the effectiveness of the financial mechanism (see subsection D below). At its third meeting, the Subsidiary Body on Implementation adopted a recommendation that addresses these elements for the consideration of the Conference of the Parties at its fifteenth meeting (recommendation [3/7](#)).

8. The draft four-year outcome-oriented framework of programme priorities for the eighth replenishment period (2022–2026) includes elements aimed at addressing the proposed implementation plan for the Cartagena Protocol on Biosafety (2021-2030) and the capacity-building action plan for the Cartagena Protocol on Biosafety (2021-2030).

Estimated funding and investment needs over the eighth replenishment of the GEF Trust Fund

9. In decision 14/23, the Conference of the Parties adopted the terms of reference for a full assessment of the amount of funds needed for the implementation of the Convention and its Protocols during the eighth replenishment period of the GEF Trust Fund. The Conference of the Parties invited relevant Parties to submit to the Executive Secretary their estimated funding and investment needs under the financial mechanism for the third determination of funding and investment requirements by the Conference of the Parties at its fifteenth meeting in connection with the eighth replenishment of the GEF Trust Fund. It also requested the Executive Secretary, working with the contracted expert team, to prepare a compilation of estimated funding and investment needs submitted by relevant Parties, building on and further fine-tuning the methodology and the three scenarios used by the second determination of funding needs, for consideration by the Subsidiary Body on Implementation at its third meeting, to inform the third determination of funding requirements by the Conference of the Parties at its fifteenth meeting, in anticipation of the eighth replenishment of the GEF Trust Fund.

10. The report on the full assessment of funds needed for the implementation of the Convention and its Protocols during the eighth replenishment period of the GEF Trust Fund, which was prepared by the contracted experts, is available in information document CBD/SBI/3/INF/44, and the summary of the report is available in document CBD/SBI/3/6/Add.2/Rev.1.

³ Annex I to recommendation 3/7 of the Subsidiary Body on Implementation.

11. While it was acknowledged that the assessment was based on limited inputs, a total of 44 countries submitted analysis indicating that the total funding needs for 210 projects envisaged through the questionnaire survey amounted to \$4,049,921,897, with 21 per cent of projects being for the Cartagena Protocol. However, as not all eligible Parties submitted data, three different scenarios were used to extrapolate data from existing sources and to estimate the financial needs. The three scenarios resulted in estimates of GEF funding needs for implementing the Convention and its Protocols, over the eighth replenishment period, ranging from \$1.5 billion to \$3.7 billion.

12. Regarding the Cartagena Protocol on Biosafety, the expert team reviewed the data provided by countries through the fourth national report. Question 167 in the national report is related to Article 28 on the financial mechanism and resources, and asked countries to report on how much funding the country had mobilized to support implementation of the Protocol beyond the regular national budgetary allocation in the reporting period. More than 60 per cent of the countries reported raising between a few thousand dollars to \$500,000 or more in the reporting period. It should be noted, however, that as question 167 is limited to current resource mobilization efforts by countries, the national reports to the Protocol do not give any indication of estimated future needs from GEF.

C. GEF-8 programming for biosafety

13. The negotiation of the eighth replenishment of the GEF Trust Fund was concluded in April 2022 and the policy recommendations and programming directions for GEF-8 were endorsed by the GEF Council at its 62nd meeting in June 2022. Support for biodiversity objectives and for the implementation of the Convention and its Protocols are provided under the biodiversity focal area, other focal areas, and integrated programmes.

14. The GEF-8 replenishment has allocated an indicative total of \$1.89 billion to the biodiversity focal area, representing 36 per cent of the total GEF-8 resource envelope. This retains biodiversity as the largest focal area and increases its relative percentage of the GEF funding envelope from 32 per cent in the seventh replenishment to 36 per cent in the eighth replenishment. In absolute terms, it reflects a 46 per cent increase in funding allocated to biodiversity compared to the GEF-7 level of \$1.29 billion. The indicative GEF-8 resource allocation for biodiversity is set in the context of a record total replenishment amount of \$5.25 billion. Of the total replenishment, 1.5 per cent (\$81 million) is being allocated to the two Protocols of the Convention.

15. Objective 2 of the GEF-8 biodiversity focal area addresses support to effectively implement the Cartagena Protocol.⁴ Under this objective, GEF will support the ratification of the Protocol by the countries that have not done so and support the implementation of national biosafety frameworks. The aim of GEF investment is to build capacity to ensure that countries have functional national biosafety frameworks and are in full compliance with the requirements of the Protocol and have mobilized adequate resources to support implementation of the Protocol. Parties will be supported to implement the provisions of the Protocol, including capacity-building related to risk assessment and risk management in the context of country-driven projects, and enhancing public awareness, education and participation concerning the safe transfer, handling and use of living modified organisms. In addition, GEF will support the updating and revision of existing national biosafety frameworks and compliance action plans to adapt to the regulation and safe use of new biotechnologies to allow countries to address synthetic biology consistent with the provisions of the Protocol. GEF will support thematic projects addressing some of the specific provisions of the Cartagena Protocol. The thematic projects will also address the integrated approach anticipated in the draft post-2020 global biodiversity framework and the post-2020 implementation plan and capacity-building action plan for the Cartagena Protocol. Such projects should be developed at the regional or subregional level and be built on a common set of targets and opportunities to implement the Protocol beyond the development and implementation of national biosafety frameworks. GEF will also provide support for the ratification and implementation of the Nagoya – Kuala Lumpur Supplementary Protocol on Liability and

⁴ GEF/R.08/29/Rev.01.

Redress. There will also be a specific focus on capacity-building and regional cooperation to support the effective implementation of the Supplementary Protocol. The Food Systems Integrated Program has been identified as one of the associated programming investments that will contribute to achieving the post-2020 global biodiversity framework action targets related to biosafety.

16. The Cartagena Protocol also stands to benefit from the priority activities that will be supported through the focal area set-aside for enabling activities. Support will be provided to produce the national report to the Cartagena Protocol as part of the activities provided for under objective 3 of the biodiversity focal area.

17. In addition, the inclusion of a specific biosafety-related target in the post-2020 global biodiversity framework would provide an additional opportunity for supporting activities relevant to the Cartagena Protocol as part of the implementation of the global framework.

D. Sixth review of the effectiveness of the financial mechanism

18. In decision 14/23 the Parties requested the Executive Secretary to take into account the experiences gained from past reviews of the effectiveness of the financial mechanism in preparing the terms of reference for the sixth review of the effectiveness of the financial mechanism, for consideration by the Conference of the Parties at its fifteenth meeting. The Subsidiary Body on Implementation at its third meeting considered the draft terms of reference prepared by the Executive Secretary and proposed terms of reference for the consideration of the Conference of the Parties at its fifteenth meeting, contained in annex III to recommendation 3/7 of the Subsidiary Body.

19. The sixth review will consider the effectiveness of the financial mechanism for the implementation of the Convention and its Protocols. In this regard, Parties to the Cartagena Protocol on Biosafety may benefit from participating actively in the review and sharing their experiences in accessing and utilizing GEF resources. This review will be a key tool for gaining a clearer understanding of the specific underlying context that has resulted in a low utilization of the funding allocated by GEF to support the implementation of the Cartagena Protocol. The review will be an opportunity to get a better understanding of the contribution of the biosafety activities to the strategic objectives of the biodiversity window under the seventh replenishment and to strengthening of capacity for implementation of the Protocol.

III. CONCLUSIONS

20. While GEF, through its seventh replenishment cycle, has continued to make funds available to Parties to be used towards the implementation of the Cartagena Protocol on Biosafety and the Nagoya – Kuala Lumpur Supplementary Protocol on Liability and Redress, the uptake of these resources by Parties has been limited. The ratification processes were directly influenced by the initiation, and especially the completion, of the GEF projects. The enabling activities supported by GEF for preparation of national reports and the Biosafety Clearing-House third phase (BCH III) project play a significant role in supporting the implementation of the Protocol.

21. A total of 71 eligible countries have yet to request support to implement their national biosafety frameworks using the GEF modalities. This means that there are still many Parties that could request support.

22. The structure and content of the four-year outcome-oriented framework of programme priorities for the eighth replenishment period of the GEF Trust Fund includes elements from the draft implementation plan and capacity-building action plan for the Cartagena Protocol (CBD/SBI/3/18) and the outcomes of the fourth assessment and review of the Cartagena Protocol on Biosafety, as these all provide useful information on biosafety actions taken by the Parties that could be informative in the planning of next programming directions.

23. Biosafety is a highly technical and specialized area. The required competence for the full implementation of the Cartagena Protocol requires systematic and longer-term training of staff. Furthermore, in the context of the fourth assessment and review of the Protocol and the final evaluation of the Strategic Plan for the Cartagena Protocol on Biosafety for the period 2011-2020, the Subsidiary Body on

Implementation at its third meeting recommended that the Conference of the Parties serving as the meeting of the Parties to the Protocol note with concern that only approximately half of the Parties to the Protocol had fully put in place legal, administrative and other measures for the implementation of the Protocol, and urge Parties that have not yet fully done so to put in place their national biosafety frameworks, in particular biosafety legislation, as a matter of priority (recommendation 3/2 of the Subsidiary Body).

24. It is clearly unknown at this stage how many requests for biosafety projects Parties will submit to GEF during the eighth replenishment cycle, but if these countries decide to use part of their GEF allocations towards biosafety, the global level of implementation of and compliance with the Protocol could substantially improve. In addition, the ratification and uptake of the Nagoya – Kuala Lumpur Supplementary Protocol on Liability and Redress could also be positively impacted if Parties decide to use GEF funds on biosafety projects.

25. Developments regarding the resource mobilization component of the post-2020 global biodiversity framework are also of relevance to the Cartagena Protocol on Biosafety. Parties to the Protocol have an opportunity to include biosafety considerations in the update and implementation of national finance plans or similar instruments based on national biodiversity strategies and action plans, in view of mobilizing adequate resources for the effective implementation of the post-2020 global biodiversity framework. The Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol may wish to consider how the resource mobilization component of the post-2020 global biodiversity framework can support the implementation of the Protocol, as well as support the achievement of the relevant biosafety target.

26. The Compliance Committee under the Cartagena Protocol on Biosafety made several recommendations to be considered by the Conference of the Parties serving as a meeting of the Parties, as set out in its report.⁵

IV. SUGGESTED ELEMENTS OF A DRAFT DECISION

27. In the light of the information presented above and taking into account the recommendations made by the Compliance Committee under the Cartagena Protocol pertaining to the financial mechanism and resources,⁶ the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol may wish to adopt a decision on the implementation of Article 28 on the financial mechanism and resources, along the following lines:

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

1. *Welcomes* the eighth replenishment of the Global Environment Facility Trust Fund and its programming directions and the support this makes available to Parties for the implementation of the Cartagena Protocol;

2. *Notes with concern* that very few projects were presented for supporting the implementation of the Cartagena Protocol on Biosafety during the seventh replenishment period of the Global Environment Facility Trust Fund;

3. *Recommends* that the Conference of the Parties, in adopting its guidance to the Global Environment Facility with respect to support for the implementation of the Cartagena Protocol, invite the Global Environment Facility:

(a) To make funds available in a timely manner to support eligible Parties in preparing and submitting their fifth national reports;

(b) To make funds available to support Parties in implementing compliance action plans regarding the achievement of compliance with the Protocol;

⁵ CBD/CP/MOP/10/2.

⁶ CBD/CP/MOP/10/2, annex, section D.

(c) To make specific funding available to eligible Parties to (i) support development and implementation of legal, administrative and other measures to implement the Protocol (including risk assessment and risk management; detection and identification of living modified organisms; public awareness, education and participation; socioeconomic considerations; liability and redress; national reporting; and technology transfer); and (ii) support eligible Parties in implementing compliance action plans regarding the achievement of compliance with the Protocol;

4. *Urges* Parties to the Convention that are also Parties to the Cartagena Protocol to include biosafety projects in their utilization of the funding allocated to them under the System for Transparent Allocation of Resources for the eighth replenishment period of the Global Environment Facility Trust Fund, taking into account their obligations under the Cartagena Protocol on Biosafety, the post-2020 implementation plan and capacity-building action plan for the Cartagena Protocol, and the guidance of the Conference of the Parties to the Global Environment Facility;

5. *Encourages* Parties to include needs and provisions for the implementation of the Cartagena Protocol in their national biodiversity finance plans and in their national implementation of the resource mobilization strategy for the post-2020 period.
