



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

Seventh meeting

Pyeongchang, Republic of Korea, 29 September - 3 October 2014

**DECISION ADOPTED BY THE CONFERENCE OF THE PARTIES SERVING AS THE
MEETING OF THE PARTIES TO THE CARTAGENA PROTOCOL ON BIOSAFETY**

BS-VII/3. Assessment and review of the effectiveness of the Protocol (Article 35)

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

1. *Decides that:*
 - (a) The third assessment and review of effectiveness of the Protocol be combined with the mid-term evaluation of the Strategic Plan at the eighth meeting of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol;
 - (b) The evaluation should also draw upon available information from the third national reports as a primary source, the Biosafety Clearing-House and where appropriate, additional data may be collected through dedicated surveys;
2. *Requests* the Executive Secretary to collect, compile and analyse information on the implementation of the Protocol using the third national reports as a primary source, with a view to contributing to the third assessment and review of the Protocol in conjunction with the mid-term evaluation of the Strategic Plan for the Cartagena Protocol on Biosafety for the period 2011-2020;
3. *Urges* Parties and invites other Governments to contribute effectively to the data collection process by completing and submitting their national reports in a timely manner and by providing adequate and complete information in their reports, in accordance with the relevant decisions on national reporting, especially with regard to timeframes for the submission of such reports;
4. *Urges* Parties and other Governments to make available all mandatory information in the Biosafety Clearing-House;
5. *Requests* the relevant subsidiary body entrusted with the task of reviewing the implementation of the Protocol, including contributions from the Liaison Group on Capacity-Building:
 - (a) To review the information gathered and analysed by the Executive Secretary with a view to contributing to the third assessment and review of the Protocol and the mid-term evaluation of the Strategic Plan for the Cartagena Protocol on Biosafety for the period 2011-2020;

(b) To undertake the third assessment and review of the effectiveness of the Protocol using a core set of identified information needs in the annex to this decision as may be adjusted by the group;

(c) To take into account the views of representatives of indigenous and local communities by ensuring their participation in the review process;

6. To submit its findings and recommendations to the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety for its consideration at its eighth meeting;

7. *Requests* the Compliance Committee to provide input into the third assessment and review of the Protocol and the mid-term evaluation of the Strategic Plan in the form of an evaluation of the status of implementation of the Protocol in meeting its objectives;

Annex

**POSSIBLE ELEMENTS AND CORRESPONDING CORE SET OF IDENTIFIED
INFORMATION NEEDS FOR THE THIRD ASSESSMENT AND REVIEW
IN CONJUNCTION WITH THE MIDTERM EVALUATION
OF THE STRATEGIC PLAN**

A. Coverage

Element 1. Geographic coverage of the Protocol and Protocol's coverage of transboundary movements of LMOs:

- (a) Number of Parties to the Protocol;
- (b) Number of Parties that have designated national focal points;
- (c) Number of Parties submitting timely national reports on their implementation of the Protocol;
- (d) Number of Parties importing LMOs from non-Parties;
- (e) Number of Parties exporting LMOs to non-Parties;
- (f) Number of Parties that are developing LMOs in public and research centres.

B. Domestic implementation of core procedures and annexes

Element 2. AIA procedures (or domestic regulatory frameworks consistent with the Protocol), in accordance with the Protocol, are established for the transboundary movement of LMOs for intentional introduction into the environment:

- (a) Number of Parties that have put in place laws and regulations and/or administrative measures for operation of the AIA procedure;
- (b) Number of Parties that have adopted a domestic regulatory framework consistent with the Protocol as regards the transboundary movement of LMOs for intentional introduction into the environment;
- (c) Number of Parties that have designated competent national authorities;
- (d) Number of Parties importing or exporting LMOs that do not have relevant laws and regulations in place governing transboundary movements of LMOs for intentional introduction into the environment;
- (e) Regional trends in adopting AIA procedures or domestic regulatory frameworks consistent with the Protocol.

Element 3. AIA procedures (or domestic regulatory framework consistent with the Protocol) for the transboundary movement of LMOs for intentional introduction into the environment are operational and functioning:

- (a) Number of Parties with domestic institutional and administrative (decision-making) arrangements in place to deal with AIA applications;
- (b) Number of Parties with a budgetary allocation for the operation of their national biosafety framework;
- (c) Number of Parties with permanent staff in place to administer their national biosafety frameworks (including AIA applications);
- (d) Number of Parties that have processed AIA applications and reached decisions on import;
- (e) Regional trends in operation and functioning of AIA procedures.

Element 4. Procedures for decision-making in relation to transboundary movements of living modified organisms intended for direct use as food or feed, or for processing (LMO-FFPs) are established and operational:

- (a) Number of Parties that have taken final decisions regarding domestic use, including placing on the market, of LMO-FFPs that may be subject to transboundary movement;
- (b) Number of Parties with a decision-making procedure specific to the import of LMO FFPs.

Element 5. Risk assessment procedures for LMOs are established and operational:

- (a) Number of Parties with risk assessment guidance in place for LMOs;
- (b) Number of Parties that have conducted risk assessments as part of a decision-making process regarding an LMO;
- (c) Number of Parties with an advisory committee or other arrangements in place for conducting or reviewing risk assessment;
- (d) Number of decisions in the Biosafety Clearing-House accompanied by a summary of the risk assessment of the LMO;
- (e) Number of Parties with the necessary domestic capacity to conduct risk assessment;
- (f) Number of Parties reporting having used Annex III of the Protocol or any other guidance on risk assessment agreed to by the Conference of the Parties serving as the meeting of the Parties to the Protocol;
- (g) Regional trends in relation to risk assessment capacity.

Element 6. Procedures for the establishment of appropriate LMO risk management measures and monitoring are established and operational:

- (a) Number of Parties that have authorized introductions of LMOs into the environment and that have requirements and/or procedures in place and enforced to regulate, manage and control risks identified in risk assessments;
- (b) Number of Parties with capacity to detect and identify the presence of LMOs;
- (c) Regional trends in relation to risk management capacity.

Element 7. Procedures for identifying and addressing illegal transboundary movements of LMOs are in place and operational:

- (a) Number of Parties with domestic measures to prevent and penalize illegal transboundary movements, including through the regulation of transit and contained use;

(b) Number of Parties reporting having received information concerning cases of illegal transboundary movements of an LMO to or from territories under its jurisdiction;

(c) Number of Parties with capacity to detect illegal transboundary movements of LMOs (e.g. personnel, technical capacity).

Element 8. Procedures for preventing, identifying and addressing unintentional transboundary movements of LMOs are established and operational, including notification procedures and emergency measures:

(a) Number of Parties having notified to the Biosafety Clearing-House their contact points regarding unintentional transboundary movement of LMOs in accordance with Article 17;

(b) Number of Parties with a mechanism in place for notifying potentially affected States of actual or potential unintentional transboundary movements of LMOs;

(c) Number of instances of unintentional transboundary movements identified;

(d) Number of Parties with a mechanism to identify and determine significant adverse effects on biological diversity of any unintentional transboundary movements of LMOs.

Element 9. Appropriate requirements are established and implemented in relation to the Protocol's requirements on the handling, transport, packaging and identification of LMOs:

Number of Parties with requirements for handling, transport, packaging and identification of LMOs in place consistent with Article 18 of the Protocol and relevant subsequent decisions of the Conference of the Parties serving as the meeting of the Parties to the Protocol for:

(i) Contained use;

(ii) Intentional introduction into the environment;

(iii) LMO-FFPs.

Element 10. Procedures for notification of required information to the Biosafety Clearing-House are established and operational:

(a) Number of Parties that have allocated responsibilities for notification of information to the Biosafety Clearing-House;

(b) Number of Parties that have in place systems for the management of biosafety information necessary for the implementation of the Protocol.

Element 11. Programme of work on public awareness, education and participation being implemented:

(a) Number of Parties implementing public-awareness programmes or activities;

(b) Number of Parties providing for some level of public participation in decision-making processes on LMOs.

C. International level procedures and mechanisms

Element 12. Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol serves its purpose as a governing body:

(a) Number of decisions taken by the COP-MOP which facilitate the implementation of obligations under the Protocol by elaborating specific measures;

(b) Contribution of ad hoc technical expert groups to policy development and implementation (number of guidelines and other instruments adopted by the COP-MOP on the basis of contribution by expert groups);

(c) Number of relevant international organizations that have contributed services and information to the Protocol process.

Element 13. Framework and Action Plan for Capacity-Building being effectively implemented:

(a) Amount of funding provided or received for supporting biosafety capacity-building activities and the impacts resulting from such funding;

(b) Number of Parties seeking assistance to be able to use experts from the roster of experts and number of Parties actually receiving such assistance;

(c) Number of Parties reporting using local expertise to undertake or review risk assessments and other activities relating to the implementation of the Protocol.

Element 14. Compliance Committee is functioning:

(a) Parties raise issues with the Compliance Committee concerning their own compliance with Protocol obligations;

(b) Compliance Committee has decision-making rules of procedure in place.

Element 15. The Biosafety Clearing-House is operational and accessible:

(a) Number of Parties and other users accessing the Biosafety Clearing-House on a regular basis, i.e. at least once a month;

(b) Number of Parties reporting difficulties accessing or using the Biosafety Clearing-House;

(c) Extent to which information on the Biosafety Clearing-House is reliable and up to date.

D. Impacts of transboundary movements of LMOs on biological diversity, taking also into account risks to human health

Element 16. Consideration should be given to the work on Aichi Biodiversity Targets in the context of the Convention on Biological Diversity:

Number of Parties that have integrated biosafety into their national biodiversity strategy and action plans.
