



**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

Eighth meeting  
Cancun, Mexico, 4-17 December 2016  
Agenda item 12

**DECISION ADOPTED BY THE PARTIES TO THE CARTAGENA PROTOCOL ON BIOSAFETY**

**VIII/16. Unintentional transboundary movements and emergency measures  
(Article 17)**

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

1. *Adopts* the operational definitions of the terms “unintentional transboundary movement” and “illegal transboundary movement”, as contained in the annex to the present decision, and *deems it appropriate* to use them for the purpose of facilitating the implementation of the Protocol;
2. *Encourages* Parties to make use of the operational definitions of the terms “unintentional transboundary movement” and “illegal transboundary movement” when completing their national reports;
3. *Urges* Parties to submit to the Biosafety Clearing-House information and available guidance on the mechanisms for emergency measures in case of a release that leads or may lead to an unintentional transboundary movement of a living modified organism that is likely to have significant adverse effects on the conservation and sustainable use of biological diversity, taking also into account risks to human health;
4. *Takes note* of the draft training manual on the detection and identification of living modified organisms;
5. *Invites* Parties to provide information regarding their capacity and needs in the detection and identification of living modified organisms, including a list of laboratories and their specific activities;
6. *Encourages* Parties to establish effective mechanisms to support the workflow for sampling, detection and identification by, for example, providing border control officials and laboratories with the appropriate mandates to sample, detect and identify living modified organisms, ensuring that laboratories remain functional and that they receive high-quality test samples;

7. *Also encourages* Parties to establish, support and participate in regional and subregional networks on the detection of living modified organisms in order to promote technical cooperation in the field and, subject to the availability of funds, for example through the roster of biosafety experts, provide the networks with opportunities to host training workshops, and *requests* the Global Environment Facility to provide funds for the hosting of such workshops;

8. *Invites* Parties to nominate experts in the field of living modified organism detection and identification to the roster of biosafety experts;

9. *Encourages* Parties, other Governments and relevant organizations to submit to the Biosafety Clearing-House information on methods for the detection and identification of living modified organisms, with special emphasis on validated methods;

10. *Requests* the Executive Secretary:

(a) To continue organizing online discussions and face-to-face meetings, subject to the availability of resources, of the Network of Laboratories focusing on the detection and identification of living modified organisms;

(b) To continue convening, in cooperation with relevant organizations, subject to the availability of resources, regional and subregional capacity-building activities, such as online training and face-to-face workshops in the fields of sampling, detection and identification of living modified organisms with specific emphasis on the topics of (i) sampling at the border, including training, (ii) establishment and maintenance of quality assurance and quality control systems, (iii) interpretation of the results of living modified organism analysis reports, (iv) environmental sampling, (v) developing reference materials, (vi) validation procedures, and (vii) measurement of uncertainty;

(c) To continue working on the draft training manual, in an expeditious manner, in collaboration with the Network of Laboratories for the Detection and Identification of Living Modified Organisms, and make a draft version available, in all official languages, for consideration by the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol at its ninth meeting with a view to its possible approval before its official final publication;

(d) To improve the user interface of the methods for the detection and identification of living modified organisms with a view to creating a searchable and indexed database and regularly update its content, as needed;

(e) To create in the Biosafety Clearing-House a system for the easy identification of capacity-building training opportunities related to detection and identification of living modified organisms;

(f) To align the language of the relevant questions in the draft format for the fourth national report with the operational definitions contained in the annex to the present decision.

#### *Annex*

### **Operational definitions of the terms “unintentional transboundary movement” and “illegal transboundary movement”<sup>1</sup>**

“*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.

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<sup>1</sup> These operational definitions supersede any previous draft versions, including those proposed by the Compliance Committee.

“*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.

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