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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

Third meeting

Curitiba, Brazil, 13 – 17 March 2006

Item 6 of the provisional agenda*

STATUS OF CAPACITY-BUILDING ACTIVITIES

Addendum

Draft updated Action Plan for building capacities for the effective implementation of the Cartagena Protocol on Biosafety

Note by the Executive Secretary

I. INTRODUCTION

1. In its decision BS-I/5, the Conference of the Parties serving as the meetings of the Parties to the Cartagena Protocol on Biosafety adopted an Action Plan for building capacities for the effective implementation of the Cartagena Protocol on Biosafety and a Coordination Mechanism for its implementation. In paragraph 5 of the same decision, the Conference of the Parties serving as the meetings of the Parties to the Protocol agreed to undertake a comprehensive review and possible revision of the Action Plan at its third meeting.

2. At its second meeting, the Conference of the Parties serving as the meeting of the Parties to the Protocol in its decision BS-II/3 invited Parties, other Governments and relevant organizations to submit to the Secretariat information on progress made in, and effectiveness of, the implementation of the Action Plan as well as views and suggestions on desired revisions to the Action Plan. The Executive Secretary was requested to develop a questionnaire to facilitate the submission of the above-mentioned information and to prepare, on the basis of the submissions received, a background paper describing, *inter alia*, the progress in, and effectiveness of, the implementation of the Action Plan, the unmet needs/gaps and strategic recommendations to be taken into account in the possible revision of the Action Plan. The Executive Secretary was also requested to prepare, depending on the outcome of the review, a draft revised Action Plan for consideration at the third meeting.

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3. The third meeting of the Liaison Group on Capacity-Building for Biosafety which was held in Tromsø, Norway on 20-21 January 2006 considered the draft background paper on the progress in, and effectiveness of, the implementation of the Action Plan for building capacities for the effective implementation of the Protocol prepared by the Executive Secretary (UNEP/CBD/BS/COP-MOP/3/4). It concluded that the current Action Plan did not require a comprehensive revision at this stage since most countries had just ratified the Protocol and were only embarking on building capacities for its implementation. In this regard, it was recommended that the Action Plan should be only be updated to incorporate key experiences and lessons learned during its initial implementation.

4. The present note presents a brief synthesis of the views and suggestions submitted by Parties, other Governments and relevant organizations regarding the desired revisions to the Action Plan as well as the general recommendations for improving its implementation. It also contains a draft updated Action Plan for Building Capacities for the Effective Implementation of the Protocol (annex I) developed on the basis of the submissions received.

II. A SYNTHESIS OF VIEWS AND SUGGESTIONS REGARDING THE POSSIBLE REVISIONS OF THE ACTION PLAN

5. In decision BS-II/3, paragraph 25, Parties, other Governments and relevant organizations were invited to submit to the Secretariat, among other information, views and suggestions on desired revisions to the Action Plan. In response to the questionnaire that was sent by the Executive Secretary to all Parties, other Governments and relevant organizations in September 2005, at least nine respondents were of the view that most of the key capacity-building elements needed for successful implementation of the Protocol are included in the current Action Plan. One respondent stated, "the Action Plan is currently comprehensive in its coverage. Gaps in its implementation seem to stem primarily from deficiencies at national level". Another responded observed that: "all relevant elements are included but there is very little progress in their implementation".

6. However, 11 respondents proposed new elements they wished to be included in the revised Action Plan. Some of the new proposed elements could in fact be considered activities or outputs under the existing elements of the Action Plan rather new elements *per se*. For example, some respondents proposed the inclusion of the following as new elements: reference laboratories to analyse samples and monitor the release of living modified organisms into the environment; practical training in methods for the detection and analysis of living modified organisms, documentation systems for shipments of living modified organisms and; establishment of national nodes of the Biosafety Clearing-House. All these could be considered outputs under the existing Action Plan elements (e.g. under institution-building, human-resources development and training or identification of living modified organisms).

7. Some countries proposed the inclusion of the following as elements: human-health issues related to living modified organisms; the handling of confidential information; emergency measures to handle unintentional movements and measures to prevent illegal transboundary movements of living modified organisms; capacity-building for decision-making under the Protocol and; strengthening of biosafety research capacities. These may not be easily accommodated under the existing Action Plan elements. Accordingly, the Conference of the Parties serving as meeting of the Parties may wish to consider updating the current Action Plan to accommodate the new proposed elements as proposed in section 3 of the annex to this note.

III. POSSIBLE MEASURES TO IMPROVE THE IMPLEMENTATION AND EFFECTIVENESS OF THE ACTION PLAN

8. A number of respondents to the Action Plan review questionnaire proposed measures to improve the implementation and effectiveness of the Action Plan as well as possible strategies to address the key constraints encountered during the implementation of the Action Plan described in the note by the Executive Secretary (UNEP/CBD/BS/COP-MOP/3/4). They recommended that:

(a) Biosafety should be mainstreamed into the broader national development strategies and plans, including the Country Poverty Reduction Strategy Papers (PRSP), Country Assistance Strategies and other similar instruments;

(b) Governments that have not yet done so should be encouraged to adopt their national biosafety frameworks, including the biosafety laws and the proposed administrative systems;

(c) The scope of the capacity-building support provided by the GEF should be expanded to cover the additional needs and priorities identified by countries;

(d) Governments should be encouraged to increase national budgetary allocations for biosafety activities;

(e) Governments should continue to improve coordination of donor assistance for biosafety initiatives at the country level and to attract funding from a wide range of sources, including the private sector;

(f) Direct bilateral exchanges of technical experts between countries should be encouraged as a means for building capacities in biosafety and for encouraging bilateral or regional cooperation;

(g) Governments and relevant organizations should consider developing training of trainers' programmes in technical aspects of biosafety and joint biosafety initiatives through regional centres of excellence;

(h) Regional and subregional bodies, including United Nations regional economic Commissions, should be invited and encouraged to facilitate regional coordination of biosafety activities;

(i) Further effort should be made to coordinate and harmonize legislative and regulatory mechanisms at the regional and subregional levels;

(j) Periodic independent reviews of the quality and results of capacity building projects and activities should be encouraged.

9. The Ad Hoc Technical Expert Group on Risk Assessment which met in Rome from 15 to 18 November 2005 also identified a number of possible ways to address capacity limitations specifically related to the implementation of the risk assessment provisions of the Protocol at national level. These are outlined in a note by the Executive Secretary on risk assessment and risk management (UNEP/CBD/BS/COP-MOP/3/9) (paragraphs 32 and 33) and include the following:

(a) Promoting partnerships including South-South and North-South cooperation;

(b) Promoting synergy at national level between agencies and experts;

- (c) Developing a facility or network at international level to allow experts to link with other experts;
- (d) Increasing the availability of degree-granting programmes that focus on training biosafety professionals, as well as exchange and scholarship programmes;
- (e) Training in aspects of interdisciplinary teamwork;
- (f) Training in research to support risk assessment and how to conduct risk assessment;
- (g) Training in knowledge management, including how to find, use and interpret existing information, how to identify and address need-to-know gaps in information, and how to present risk assessments;
- (h) Identifying, strengthening, or where appropriate, establishing testing and detection facilities for living modified organisms;
- (i) Identifying, strengthening, or where appropriate, establishing regional, subregional and national centres of excellence in biosafety research;
- (j) Sharing of risk assessment information through the internet and other mechanisms, including through the Biosafety Clearing-House;
- (k) Increasing funding to support risk assessment research.

10. Furthermore, the second Coordination Meeting for Governments and Organizations Implementing or Funding Biosafety Capacity-Building Activities, which met in Tromsø, Norway from 18 to 20 January 2006 provided the following views and comments regarding possible measures for addressing the limiting factors to the implementation and effectiveness of the Action Plan identified in document UNEP/CBD/BS/COP-MOP/3/4. The report of the coordination meeting is available as information document (UNEP/CBD/BS/COP-MOP/3/INF/5).

Insufficient funding

- (a) Recipient countries should incorporate biosafety capacity building into their national development policies and strategies, which are often used by donors and organizations in developing their assistance policies and programmes;
- (b) Recipient countries should also allocate adequate funds for biosafety activities in their national budgets;
- (c) Donors should incorporate biosafety capacity building support into their development aid policies and strategies, and in the corresponding sectoral, bilateral and multilateral programmes.

Lack of adequate human capacities:

- (a) Countries should utilize opportunities offered by biotechnology capacity-building activities to the extent that they are relevant for biosafety;
- (b) Building capacity for biosafety should go beyond creating awareness about technical and scientific issues, through seminars and short-term training activities. It should aim at creating core

expertise through long-term training, including attachment of personnel to specialized institutions, located in the country or abroad;

(c) In order to ensure sustainability of biosafety capacity-building efforts, a long-term perspective should be taken in the design and implementation of projects. As well, local experts and national training institutions should spearhead the implementation of training programmes.

Low priority given to biosafety:

(a) National institutions dealing with biosafety should make use of all available opportunities to raise public and political awareness in biosafety issues;

(b) Both donor and recipient governments should integrate biosafety in their broader sustainable development strategies and approaches such as those related to the achievement of the Millennium Development Goals.

Lack of information:

(a) Every country should make an effort to improve the level and quality of information provided in the capacity building databases on the Biosafety Clearing-House,

(b) Countries receiving assistance for improving national participation in the Biosafety Clearing-House under the UNEP/GEF project should provide relevant information to the BCH upon completion of the project.

(c) All biosafety capacity-building projects should include a requirement to provide information on the project, its outcomes and lessons learned to the capacity-building databases in the Biosafety Clearing-House.

Poor coordination and collaboration:

(a) Each Government should establish a coordination mechanism for biosafety capacity building in accordance with decision BS-I/5, paragraph 23;

(b) Best practices in coordination and collaboration should be documented and publicized, including through the Biosafety Clearing-House.

11. The Conference of the Parties serving as the meeting of the Parties to the Protocol may wish to update the Action Plan to integrate some of the above-mentioned measures to facilitate its implementation and effectiveness, as proposed as proposed in sections 4 and 5 of the annex to this note. It may also wish to adopt, as appropriate, some of the measures in its decision on capacity-building as proposed in section VII of document UNEP/CBD/BS/COP-MOP/3/4.

IV. CONCLUSION AND RECOMMENDATIONS

12. In general, the Action Plan, as it currently stands, is still relevant and comprehensive enough to guide the capacity-building efforts for the effective implementation of the Protocol. The main problem has to do with is the slow progress in its implementation due to the various constraints outlined in document UNEP/CBD/BS/COP-MOP/3/4, rather than with the scope and design of the Action Plan *per se*. Therefore, as recommended by third meeting of the Liaison Group on Capacity-Building for Biosafety, the Action Plan may not require a comprehensive revision at this stage. It perhaps only

requires a minimal update to incorporate key experiences and lessons learned during its initial implementation.

13. In this regard, the Conference of the Parties serving as the meeting of the Parties to the Protocol, in its decision on capacity-building, may wish to adopt an updated version of the Action Plan, as proposed in the annex below.

*Annex***DRAFT UPDATED ACTION PLAN FOR BUILDING CAPACITIES FOR THE EFFECTIVE IMPLEMENTATION OF THE BIOSAFETY PROTOCOL ^{1/}***1. Objective of the Action Plan*

1. The objective of this Action Plan is to facilitate and support the development and strengthening of capacities for the ratification and effective implementation of the Cartagena Protocol on Biosafety at the national, sub regional, regional and global levels in a timely manner. In this regard, the provision of financial, technical and technological support to developing countries, in particular the least developed and small island developing States among them, as well as countries with economies in transition, including countries amongst these that are centres of origin and centres of genetic diversity, is essential.

2. To achieve the above objective, this action plan aims to provide a general strategic framework to guide and facilitate the identification of country needs, priorities, actions and mechanisms of implementation and funding of capacity-building efforts at the national, regional and international levels.

2. Guiding principles and approaches

3. **In light of the operational experience and lessons learned from relevant processes, capacity-building initiatives undertaken in support of this Action Plan should, as appropriate:**

(a) **Be country-driven, i.e. responsive to the needs and priorities identified by the recipient countries themselves, taking into account the dynamic nature of some capacity-building needs;**

(b) **Ensure national ownership and leadership, including the setting of the agenda and the design, implementation and coordination of the initiatives;**

(c) **Ensure systematic and timely participation of all relevant stakeholders in the formulation planning and implementation of capacity-building initiatives.**

(d) **Recognizing that capacity-building is a dynamic, progressive and long-term process, apply an adaptive and learning-by-doing approach;**

(e) **Maximize synergy and complementarity among all capacity-building initiatives relevant to biosafety;**

(f) **Apply a results-oriented approach, focusing on achieving specific capacity-building outcomes;**

(g) **Promote policy dialogue with donors and organizations providing biosafety capacity-building assistance and encourage the participation of civil society and the private sector in such dialogue;**

(h) **Apply a holistic approach, integrating biosafety activities with relevant sectoral and national policies, strategies and programmes;**

^{1/} The new text added to the previous Action Plan is highlighted in **BOLD**.

(i) **Encourage the development and implementation of nationally-designed and resourced activities that address the specific needs and priorities of each country.**

3. *Key elements requiring concrete action*

4. The following key elements are meant to be considered in a flexible manner, taking into account the different situations, capabilities and stages of development in each country.

- (a) Institutional capacity-building:
 - (i) Legislative and regulatory framework;
 - (ii) Administrative framework;
 - (iii) Technical, scientific and telecommunications infrastructures;
 - (iv) Funding and resource management;
 - (v) Mechanisms for follow-up, monitoring and assessment;
- (b) Human-resources development and training;
- (c) Risk assessment and other scientific and technical expertise;
- (d) Risk management
- (e) Awareness, participation and education at all levels, including for decision makers, stakeholders and the general public;
- (f) Information exchange and data management, including full participation in the Biosafety Clearing-House;
- (g) Scientific, technical and institutional collaboration at sub regional, regional and international levels;
- (h) Technology transfer;
- (i) Identification of living modified organisms, **including their detection**;
- (j) Socio-economic considerations;
- (k) **Implementation of the documentation requirements under Article 18.2 of the Protocol**
- (l) **Handling of confidential information**
- (m) **Measures to address unintentional and/or illegal transboundary movements of living modified organisms**;
- (n) **Scientific biosafety research relating to living modified organisms**;
- (o) **The taking into account risks to human health.**

4. *Processes/steps*

5. The following processes/steps should be undertaken within appropriate timeframes:
- (a) **Identification of existing capacities** and assessment of capacity-building needs;
 - (b) Prioritization of the key elements by each country and the sequencing of actions, including development of timelines, for building capacities in biosafety;
 - (c) Mobilization of existing capacities and ensuring their effective utilization;
 - (d) Identification of the coverage and gaps in capacity-building initiatives and resources that could support the ratification and implementation of the Protocol, from the following:
 - (i) Global Environment Facility (GEF);
 - (ii) Multilateral agencies;
 - (iii) Other international sources;
 - (iv) Bilateral sources;
 - (v) Other stakeholders;
 - (vi) National sources;
 - (e) Enhancement of the effectiveness and adequacy of financial resources to be provided by multilateral and bilateral donors and other donors to developing countries, in particular the least developed and small island developing States among them, as well as countries with economies in transition taking, including countries amongst these that are centres of origin and centres of genetic diversity;
 - (f) Enhancement of synergies and coordination of capacity-building initiatives at different levels;
 - (g) Development of indicators for evaluating capacity-building measures at different levels;
 - (h) **Identification and maximization of opportunities for partnerships and collaborative initiatives in order to leverage resources and achieve greater impact.**

5. *Implementation ^{2/}*

6. The activities hereunder are indicative tasks to be undertaken at different levels to implement the associated elements and processes identified above. The sequence in which they are listed does not establish any order of priority:

5.1 *National level*

- (a) Assessment of the effectiveness and adequacy of existing capacity;
- (b) Assessment of the short-term and long-term requirements for internal and external funding;

^{2/} The activities listed below include those contained in the Appendix to the previous Action Plan (contained in decision BS-I/5, annex 1)

(c) **Development of a national biosafety capacity-building strategy and action plan, prioritizing the capacity-building needs and defining specific objectives, outputs, targets and timelines;**

(d) **Integration of biosafety into broader national development strategies and plans, including Country Poverty Reduction Strategy Papers (PRSP), Country Assistance Strategies and/or other similar instruments;**

(e) Development and implementation of national ~~regulatory~~ **biosafety** frameworks ~~on biosafety~~;

(f) Development and/or strengthening of institutional, administrative, financial and technical capacities, including the designation of national focal points and competent national authorities;

(g) Development of a mechanism for handling requests or notifications, including risk assessment and decision-making, as well as public information and participation;

(h) Establishment of a mechanism for monitoring and compliance;

(i) Establishment of a mechanism to inform all stakeholders;

(j) Establishment of a system to facilitate appropriate participation of all relevant stakeholders;

(k) **Establishment and/or strengthening of a national coordination mechanism in order to promote synchronized and synergistic implementation of capacity-building activities and the harmonized use of donor assistance at the country level.**

5.2 *Subregional and regional levels*

(a) Assessment of national, bilateral and multilateral funding;

(b) Establishment of regional websites and databases;

(c) Establishment of mechanisms for regional and sub regional coordination and harmonization of regulatory frameworks, where appropriate;

(d) Promotion of regional and subregional collaborative arrangements;

(e) Establishment of regional and subregional advisory mechanisms;

(f) Establishment and/or strengthening of regional and subregional centres of excellence and training.

5.3 *International level*

(a) Ensuring the effective functioning of the Biosafety Clearing-House;

(b) Enhancing the effectiveness, adequacy and coordination of financial resources provided by multilateral and bilateral donors and other donors to developing countries, in particular the least developed and small island developing States among them and countries with economies in transition, including countries amongst these that are centres of origin and centres of genetic diversity;

- (c) Development and effective use of the roster of experts;
- (d) Enhancing synergies and coordination among capacity-building initiatives;
- (e) Strengthening South-South cooperation.
- (f) Development/updating of international guidance by relevant international organizations, including the United Nations Environment Programme (UNEP), the Food and Agriculture Organization of the United Nations (FAO), IUCN and others;
- (g) Regular review and provision of further guidance by the Conference of the Parties to the Convention serving as the meeting of the Parties to the Protocol.

6. *Monitoring and coordination*

7. Because of the multitude of different actors undertaking different capacity building initiatives, mutual information, coordination and regular monitoring will be promoted in order to avoid duplications and to identify gaps. This exercise will lead to a focus of capacity building on biosafety, ratification, and implementation of the Cartagena Protocol on Biosafety. The Secretariat and the Biosafety Clearing-House will be actively involved in the process.

8. The Secretariat will prepare, on the basis of submissions by Governments, a report on the steps taken by countries, multilateral/bilateral and other international actors towards the implementation of the Action Plan. The report will be submitted to the Conference of the Parties serving as the meeting of the Parties to the Protocol so that it identifies whether the actions listed under section 5 above have been carried out successfully and effectively.

7. *Review of the Action Plan*

9. **A review of the Action Plan will be undertaken every five years by the Conference of the Parties serving as the meeting of the Parties to the Protocol, based on an independent evaluation of the effectiveness and outcomes of capacity-building initiatives implemented in support of the Action Plan.**
