

**Convention on  
Biological Diversity**

Distr.  
GENERAL

UNEP/CBD/BS/COP-MOP/8/INF/8  
24 November 2016

ORIGINAL: ENGLISH

CONFERENCE OF THE PARTIES SERVING AS THE  
MEETING OF THE PARTIES TO THE CARTAGENA  
PROTOCOL ON BIOSAFETY

Eighth meeting

Cancun, Mexico, 4-17 December 2016

Item 14.2 of the provisional agenda\*

**UPDATE OF THE COMPARATIVE ANALYSIS OF DATA FROM THE THIRD REPORTING  
CYCLE IN RELATION TO THE BASELINE DATA ON THE STATUS OF IMPLEMENTATION**

**ASSESSMENT AND REVIEW OF THE EFFECTIVENESS OF THE CARTAGENA PROTOCOL  
ON BIOSAFETY AND THE MID-TERM EVALUATION OF THE STRATEGIC PLAN FOR THE  
CARTAGENA PROTOCOL**

*Note by the Executive Secretary*

**I. INTRODUCTION**

1. In its decision BS-VII/3, the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol (COP-MOP) decided that the mid-term evaluation of the Strategic Plan should 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. Accordingly, the Executive Secretary was requested 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.

2. In its decision BS-VII/3, COP-MOP requested the relevant subsidiary body<sup>1</sup> entrusted with the task of reviewing the implementation of the Protocol, including contributions from the Liaison Group on Capacity-Building, to review the information gathered and analysed by the Executive Secretary, to undertake the third assessment and review of the effectiveness of the Protocol and to submit its findings and recommendations to COP-MOP for its consideration at its eighth meeting. COP-MOP also requested the Compliance Committee to provide input into the third assessment and review of the Protocol and the mid-term evaluation of the Strategic Plan.

3. To initiate the process of gathering data on the implementation of the Protocol, the Executive Secretary issued a notification<sup>2</sup> reminding Parties and inviting other Governments to complete and submit their third national reports no later than twelve months prior to the eighth meeting of COP-MOP. By 31 December 2015, 105 national reports had been received. The Executive Secretary used this

\* UNEP/CBD/BS/COP-MOP/8/1.

<sup>1</sup> The Subsidiary Body on Implementation was established through decision XII/26 and its mandate includes supporting COP-MOP in keeping under review the implementation of the Cartagena Protocol.

<sup>2</sup> Notification 2015-001 <https://www.cbd.int/doc/notifications/2015/ntf-2015-001-bs-nr-en.pdf>.

information as the basis for the analysis of information submitted by Parties in the third national reporting cycle as compared to the information provided in the second reporting cycle.<sup>3</sup>

4. The in-depth comparative analysis provided by the secretariat was considered by the Compliance Committee, at its thirteenth meeting,<sup>4</sup> and by the Liaison Group on Capacity Building, at its eleventh meeting,<sup>5</sup> whose input and contribution respectively, were submitted to SBI, at its first meeting.<sup>6</sup>

5. The Liaison Group on Capacity-building for Biosafety, highlighted the importance of preparing an updated analysis including the additional reports submitted after the deadline of 31 December 2015 and making the updated document available to COP-MOP at its eighth meeting as an information document. Accordingly, the Secretariat carried out an analysis of the 124 third national reports that had been received by 31 August 2016 and compared the findings with those provided in UNEP/CBD/SBI/1/4/Add.1.

6. The present note provides an update of the comparative analysis of data from the third national reports submitted by 31 August 2016 in relation to reports submitted by 31 December 2015. Section II provides a description of the methodology used, section III provides an overview of the most notable differences in the identified trends, and section IV provides conclusions.

## II. METHODOLOGY

7. To facilitate the compilation, aggregation and analysis of the available data as of 31 August 2016, the Secretariat made use of the online national report analyzer tool, which is available on the Biosafety Clearing-House.<sup>7</sup> The tool allowed for a comparison of data provided in the third national reports against related data in the second national reports and the Survey,<sup>8</sup> used as baseline data, to discern trends. The results of the analysis of data provided in the third national reports submitted by 31 August 2016 were contrasted with the results of the analysis carried out of the data of the third national reports submitted by 31 December 2015, as reflected in UNEP/CBD/SBI/1/4/Add.1 and presented to COP-MOP in UNEP/CBD/BS/COP-MOP/8/12/Add.1.

8. Percentage values were used to compare the two data sets. The comparison of the two data sets was limited to trends identified on the basis of a comparison of information provided by Parties in the second reporting cycle, as compared to the information provided in the third national reports.<sup>9</sup>

9. The analysis showed that trends slightly change when also considering the additional third national reports submitted by 31 August 2016. Most changes in trends identified on the basis of a comparison of the two data sets vary between one and 4%. Only in a few instances, a difference of 5% or more was noted between the two data sets. Only the notable changes (i.e. 5% or more) in trends in relation to those shown in document UNEP/CBD/BS/COP-MOP/8/12/Add.1 are presented in section III below.

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<sup>3</sup> Information was drawn from a variety of sources including the national reports, the BCH and survey data.

<sup>4</sup> Held in Montreal, Canada, from 24 to 26 February 2016. The report of the meeting is available at: <https://www.cbd.int/doc/meetings/bs/bfcc-13/official/bfcc-13-06-en.doc>

<sup>5</sup> Held in Montreal, Canada, from 14 to 16 March 2016. The report of the meeting is available at <http://www.cbd.int/doc/meetings/bs/bslscb-11/official/bslscb-11-03-en.pdf>

<sup>6</sup> Held in Montreal, Canada, from 2 to 6 May 2016. The report of the meeting is available at <https://www.cbd.int/doc/?meeting=sbi-01>

<sup>7</sup> The data used to carry out the analysis can be viewed in the National Report Analyzer, available at <http://bch.cbd.int/database/reports/analyzer>.

<sup>8</sup> In decision VI/15, COP-MOP requested the Executive Secretary to undertake a dedicated survey to gather information corresponding to indicators in the Strategic Plan that could not be obtained from the second national reports or through other existing mechanisms (hereinafter the "Survey"). The Survey was conducted in 2013. Results of the survey are available at <http://bch.cbd.int/database/reports/surveyonindicators.shtml>

<sup>9</sup> An updated overview of information provided in the third national reports submitted by 31 August 2016 is available as UNEP/CBD/BS/COP-MOP/8/11.

### III. OVERVIEW OF NOTABLE CHANGES IN TRENDS

10. The notable changes in trends are presented under the Focal Areas and Operational Objectives of the Strategic Plan for the Implementation of the Cartagena Protocol on Biosafety for the Period 2011-2020 to which the data relate, indicating the corresponding paragraph number of document UNEP/CBD/BS/COP-MOP/8/12/Add.1.

11. The original text of the paragraph in which a notable change was observed is reproduced (as “*original*”) in which the relevant sentence appears underlined. The text containing the updated results is provided for the underlined sentence only (as “*updated*”). Changes in trends of 5% or more are presented in bold.

#### A. National Biosafety Frameworks (operational objectives 1.1 and 2.1)

##### Operational objective 1.1: National Biosafety Frameworks

###### Paragraph 30

12. (*Original*): Finally, with respect to indicator 1.1.5, the percentage of Parties that have made import decisions in accordance with Article 10 of the Protocol or the appropriate domestic legislation has remained almost unchanged, with 27 Parties (31%) indicating reporting that they have taken such decisions, one Party less than the baseline, on a total of 38% of Parties (38 Parties) reporting having ever received an application/notification. A total of 21% of Parties (21 Parties) reported having taken a decision in the current reporting period, which is a decrease of 2 Parties. All Parties that reported that they have taken a decision also noted that they have legislation in place for taking such decisions. Most of these Parties also reported that they have mechanisms in place, although one Party reported that it does not have such a mechanism in place, and two others reported that they have to some extent such mechanisms in place.

13. (*Updated*): A total of 18% of Parties (22 Parties) reported having taken a decision in the current reporting period, which is a decrease of 6 Parties, which constitutes a decrease of 7%.<sup>10</sup>

#### G. Socioeconomic considerations (operational objective 1.7)

###### Paragraph 66

14. (*Original*): In the analysis of the number of Parties reporting on their approaches to taking socioeconomic considerations into account (indicator 1.7.2) 38 Parties (48%) reported that they have specific approaches or requirements that facilitate how socioeconomic considerations should be taken into account in LMO decision-making. This constitutes a small increase in comparison to the information provided in setting the baseline, where 34 Parties (43%) reported that they have such approaches or requirements. At the regional level, the measurement of this indicator showed an increase in Africa (+25%) and a decrease in Asia and the Pacific (-8%) and WEOG (-6%), while CEE and GRULAC reported the same results as in the baseline.

15. (*Updated*): At the regional level, the measurement of this indicator showed an increase in Africa (+26%) and GRULAC (+6%), a decrease in Asia and the Pacific (-7%) and WEOG (-11%), while CEE reported the same results as in the baseline.

#### H. Transit, contained use, unintentional transboundary movements and emergency measures (operational objective 1.8)

###### Paragraph 69

16. (*Original*): In the analysis of the percentage of Parties that have in place measures to manage LMOs in transit (indicator 1.8.1), the third national reports indicate that 69% of Parties regulate the transit of LMOs, either fully or to some extent, which represents an increase of 8%, as shown in figure 6. Some regional differences are noted. In WEOG all Parties reported that they have regulated transit, while in the CEE, only 88% of Parties reported that they have regulated transit. In Africa, Asia and the Pacific, and

<sup>10</sup> As opposed to a decrease of 2% reported in the third national reports received by 31 December 2015.

GRULAC, the percentage of Parties that have regulated or regulated to some extent is also higher (respectively 57%; 50% and 60%).

17. (*Updated*): In Africa, Asia and the Pacific, and GRULAC, the percentage of Parties that have regulated or regulated to some extent is also higher (respectively 59%; 56% and 58%). An increase is reported in Africa +8%, Asia and the Pacific (+20%),<sup>11</sup> CEE (+6%) and GRULAC (+5%). No changes were reported in WEOG.

## **J. Compliance and review (operational objective 3.2)**

### **Paragraph 95**

18. (*Original*): A total of 75 Parties (71%) have reported that they have adopted laws, regulations or administrative measures for the operation of the AIA procedure, or have a domestic regulatory framework that is consistent with the Protocol, which is an increase of 4 Parties. A total of 69 Parties reported that a mechanism for taking decisions regarding first intentional introduction into the environment has been established, which is the same result as in the baseline. Regional differences are however noted. The percentage of Parties within the regions that report that a mechanism is fully in place varies between 47% (GRULAC) and 100% (WEOG). Most Parties that have reported having laws, regulations or administrative measures also report that they have mechanisms for taking decisions in place (or in place to some extent) for taking decisions regarding first intentional introduction into the environment.

19. (*Updated*): The percentage of Parties within the regions that report that a mechanism is fully in place varies between 47% (0% change in respect of the 2<sup>nd</sup> reporting cycle)<sup>12</sup> in GRULAC, 56% (-3%) in Africa, 56% (0% change) in Asia and the Pacific, 82% (0% change)<sup>13</sup> in CEE, and 100% (0% change) in WEOG.

### **Paragraph 100**

20. (*Original*): A total of 41 Parties indicated that they have taken a decision on LMOs-FFP, which represents an increase of 7 Parties (+7%), and 25<sup>14</sup> Parties reported that they have taken a decision on the import of LMOs-FFP in the current reporting period. A total of 25<sup>15</sup> Parties reported that they have taken a decision on domestic use, including placement on the market of LMOs-FFP. Most Parties that reported that they have taken a decision also reported that they have legislation and a mechanism in place for taking such decisions. However, five Parties reported that they have neither a mechanism nor specific legislation in place, although one of them clarifies that informal arrangements have been established and another indicates that, on the occasion when a decision was taken, the imports were rejected.

21. (*Updated*): A total of 45 Parties indicated that they have taken a decision on LMOs-FFP, which represents an increase of 8 Parties (7%), and 26 Parties reported that they have taken a decision on the import of LMOs-FFP in the current reporting period, which represents an increase of 1%.<sup>16</sup>

### **Paragraph 103**

22. (*Original*): Despite the reported progress (+10%) on submission of summaries of any type of risk assessments to the BCH, only about a third of Parties (38%) reported that they have done so in all cases. In one region, Africa, none of the Parties reports having submitted such summaries in all cases. Considerable regional progress is reported in Asia and the Pacific (+27%) and GRULAC (+28%). When considering the number of Parties that have indicated that they have submitted summaries in some cases

<sup>11</sup> As opposed to an increase of 15% reported in the third national reports received by 31 December 2015.

<sup>12</sup> As opposed to an increase of 7% reported in the third national reports received by 31 December 2015.

<sup>13</sup> As opposed to a decrease of 5% reported in the third national reports received by 31 December 2015.

<sup>14</sup> This figure appeared to be incorrect in the analysis presented to SBI and has been updated in UNEP/CBD/BS/COP-MOP/8/12/Add.1.

<sup>15</sup> This figure appeared to be incorrect in the analysis presented to SBI and has been updated in UNEP/CBD/BS/COP-MOP/8/12/Add.1.

<sup>16</sup> As opposed to an increase of 6% reported in the third national reports received by 31 December 2015.

only, overall figures rise to just over two thirds (70%), which is a considerable increase (+16%) as compared to the baseline.

23. (*Updated*): Considerable regional progress is reported in Asia and the Pacific (+25%) and GRULAC (+34%).

### Paragraph 113

24. (*Original*): Out of 78 Parties that responded to the related question in the second and third reporting cycle, about two thirds of Parties (56 Parties or 72%) reported that they have a monitoring system in place, which is an increase of 6 Parties (8%). Within the regions, differences are noted: within GRULAC, fewer Parties report having monitoring systems (42%) than in CEE (93%), WEOG (80%), Africa (78%) and Asia and the Pacific (57%). Out of 78 Parties responding to the related question in the second and third reporting cycles, a slightly higher number of Parties (59 Parties or 76%) reported that they have an enforcement system in place, with similar but slightly more pronounced regional differences (CEE 100%; WEOG 88%; Africa 78%; Asia and the Pacific 77%; GRULAC 25%).

25. (*Updated*): Within the regions, differences are noted: within GRULAC, fewer Parties report having monitoring systems (35%) (a decrease of 6%)<sup>17</sup> than in CEE (93%) (a 7% increase), WEOG (81%) (a 19% decrease), Africa (69%) (a 19% increase)<sup>18</sup> and Asia and the Pacific (63%) (a 13% increase).

### Paragraph 118

26. (*Original*): About a third of 80 Parties that responded to the related questions in both the second and third reporting cycles (26 Parties or 33%) indicate that they dispose of predictable and reliable funding for capacity-building for the effective implementation of the Protocol, with the lowest results reported in GRULAC and Africa. Considerable regional differences are noted. Within Africa and GRULAC, 4 (17%) and 2 (17%) Parties respectively report having such resources. In Asia and the Pacific, WEOG and CEE respectively 6 (43%), 7 (44%) and 7 (50%) Parties reported that they have such funding. In the second reporting cycle, a total of 37 out of 80 Parties (46%) indicated having predictable and reliable funding for capacity-building for the implementation of the Protocol. Both overall and regional scores were higher in the Survey.

27. (*Updated*): Within Africa and GRULAC, 4 (15%) and 3 (18%) Parties respectively report having such resources, which constitutes a decrease of 11% and 17%,<sup>19</sup> respectively.

## IV. CONCLUSIONS

28. The analysis showed that trends slightly change when also considering the additional third national reports submitted by 31 August 2016. Most changes in trends identified on the basis of a comparison of the two data sets vary between one and 4%. Only in 11 instances, trends identified changed by 5% or more when comparing the two data sets. In nine cases, the difference related to regional breakdowns. In two instances, the global trends changed by 5% or more:

(a) The percentage of Parties reporting to have taken a decision regarding intentional transboundary movements of LMOs for intentional introduction into the environment in the current reporting period.

29. On the basis of the analysis of third national reports submitted by 31 December 2015, a decrease of 2% was noted, while on the basis of the analysis of third national reports submitted by 31 August 2016, a decrease of 7% was noted.

(b) The percentage of Parties reporting to have taken a decision regarding the import of LMOs-FFP in the current reporting period.

<sup>17</sup> As opposed to 0% change reported in the third national reports received by 31 December 2015

<sup>18</sup> As opposed to an increase of 26% reported in the third national reports received by 31 December 2015

<sup>19</sup> As opposed to a decrease of 33% reported in the third national reports received by 31 December 2015.

On the basis of the analysis of third national reports submitted by 31 December 2015, an increase of 6% was noted, while on the basis of the analysis of third national reports submitted by 31 August 2016, an increase of 1% was noted.

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