



## 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

### ANNOTATED PROVISIONAL AGENDA

#### INTRODUCTION

1. Following the offer of the Government of Mexico, which was welcomed by the Conference of the Parties to the Convention on Biological Diversity in its decision XII/34, the eighth meeting of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety (hereinafter, “meeting of the Parties to the Cartagena Protocol” or “COP-MOP 8”) will be held in Cancun, Mexico from 4 to 17 December 2016, concurrently with the thirteenth meeting of the Conference of the Parties to the Convention on Biological Diversity (COP 13) and the second meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol on Access and Benefit-sharing (COP-MOP 2).
2. Registration for the meeting will commence on Wednesday, 30 November 2016 from noon at the Moon Palace Golf and Spa Resort, Cancun, Mexico. Consultations among delegations and preparatory meetings of regional groups may be held prior to the opening of the meetings on 4 December 2016.

#### ITEM 1. OPENING OF THE MEETING

3. The opening of the eighth meeting of the Parties to the Cartagena Protocol will take place on Sunday, 4 December 2016 concurrently with the opening of the thirteenth meeting of the Conference of the Parties to the Convention and the second meeting of the Parties to the Nagoya Protocol. The meeting will be opened by the President of the twelfth meeting of the Conference of the Parties or his representative. It is expected that the President of the twelfth meeting of the Conference of the Parties or his representative will call for the election of a representative of the host country as President of the thirteenth meeting of the Conference of the Parties. The term of office of the President will begin immediately following his or her election. The President of the thirteenth meeting of the Conference of the Parties will also serve as the President of the eighth meeting of the Parties to the Cartagena Protocol.
4. At the opening session, the outcomes of the high-level segment will be presented. Representatives of the Government of Mexico and other entities will make welcoming statement. The Executive Secretary will also address the meeting and highlight the main issues before the meeting.

## **ITEM 2. ORGANIZATION OF THE MEETING**

### **2.1. Adoption of the agenda**

5. In accordance with the programme of work of the Strategic Plan for the Cartagena Protocol on Biosafety for the period 2011–2020 (hereinafter the “Strategic Plan for the Cartagena Protocol”) as adopted in decision BS-V/16, and pursuant to rules 8 and 9 of the rules of procedure for meetings of the Parties to the Cartagena Protocol, the Executive Secretary has prepared a provisional agenda (UNEP/CBD/BS/COP-MOP/8/1) for consideration by the eighth meeting of the Parties to the Cartagena Protocol. The provisional agenda reflects the standing items identified in the programme of work and reports on substantive issues arising from previous decisions of the Parties to the Cartagena Protocol and issues stipulated in the operational objectives of the Strategic Plan for the Cartagena Protocol.

6. The meeting of the Parties to the Cartagena Protocol will be invited to consider and adopt its agenda on the basis of the revised provisional agenda prepared by the Executive Secretary.

### **2.2. Election of substitute officers**

7. The Bureau of the Conference of the Parties to the Convention serves as the Bureau of the meeting of the Parties to the Cartagena Protocol. In accordance with Article 29, paragraph 3, of the Cartagena Protocol, any member of the Bureau of the Conference of the Parties representing a Party to the Convention but, at that time, not a Party to the Cartagena Protocol, shall be substituted by a member to be elected by and from among the Parties to the Cartagena Protocol.

8. At its twelfth meeting, the Conference of the Parties elected 10 members of the Bureau for a term of office commencing upon the closure of the twelfth meeting and ending at the closure of the thirteenth meeting. Subsequently, the seventh meeting of the Parties to the Cartagena Protocol elected substitute Bureau members for those regions where the COP Bureau member was representing a Party to the Convention that was not a Party to the Cartagena Protocol. Thus the Bureau for the eighth meeting of the Parties to the Cartagena Protocol, in addition to the President, comprises:

Ms. Skumsa Mancotywa (South Africa)  
Mr. Mike Ipanga (Democratic Republic of the Congo)  
Ms. Fumiko Nakao (Japan)  
Mr. Yousef Hafedh (Saudi Arabia)  
Ms. Natalya Minchenko (Belarus)  
Ms. Senka Barudanovic (Bosnia and Herzegovina)  
Ms. Maria Luisa del Rio Mispireta (Peru)  
Mr. Randolph Edmead (St. Kitts and Nevis)  
Mr Norbert Bärlocher (Switzerland)\*  
Ms. Mette Gervin Damsgaard (Denmark)

9. The meeting of the Parties to the Convention will elect Bureau members whose terms of office will commence upon the closure of the meeting (rule 21 of the rules of procedure). In the event that one or more Bureau members are elected from Parties to the Convention that are not Parties to the Cartagena Protocol, substitute members will be elected by the meeting of the Parties to the Cartagena Protocol.

### **2.3. Organization of work**

10. The meeting of the Parties to the Cartagena Protocol, in its decision BS-VII/9, paragraph 1, decided to hold its future ordinary meetings concurrent with the meetings of the Conference of the Parties to the Convention and the meetings of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol within a two-week period.

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\* Replacing Mr. Andreas Obrecht (Switzerland)

11. Accordingly, Parties to the Cartagena Protocol will be invited to consider and adopt the proposal for the organization of its work envisaged in the organization of work proposed for concurrent meetings during a two-week period as contained in document UNEP/CBD/BS/COP-MOP/8/1/Add.2. The proposed organization of work provides for plenary and two working groups sessions. The organization of work has been prepared following the process in paragraph 4 of decision XII/27 of the Conference of Parties to the Convention and in the light of recommendation 1/11 of the Subsidiary Body on Implementation.

12. Interpretation will be available for the plenary and the morning and afternoon sessions of the working groups.

13. The working documents and the information documents prepared for the meeting are listed in annex I to this document.

### **ITEM 3. REPORT ON THE CREDENTIALS OF REPRESENTATIVES TO THE EIGHTH MEETING OF THE PARTIES TO THE CARTAGENA PROTOCOL ON BIOSAFETY**

14. In accordance with rule 18 of the rules of procedure of the meetings of the Conference of the Parties to the Convention, which also applies, *mutatis mutandis*, to the meetings of the Parties to the Cartagena Protocol, Parties shall submit the credentials of their representatives and the names of alternate representatives and advisers to the Executive Secretary not later than twenty four hours after the opening of the meeting. According to rule 19 of the rules of procedure the credentials shall be examined by the Bureau of the meeting, which will submit a report thereon to the plenary for an appropriate decision.

15. In order to assist Parties in fulfilling the requirements of rule 18, the Executive Secretary distributed to national focal points a sample format of appropriate credentials in notification 2016-085, Ref. No. SCBD/OES/BD/WDY/moc/85810 of 4 July 2016). The notification also indicated that representatives of Parties to the Convention that are also Parties to the Nagoya Protocol and the Cartagena Protocol on Biosafety may submit a single set of credentials for the thirteenth meeting of the Conference of the Parties to the Convention, the eighth meeting of the Parties to the Cartagena Protocol on Biosafety and the second meeting of the Parties to the Nagoya Protocol.

16. The meeting of the Parties to the Cartagena Protocol will be invited to consider and adopt the report on credentials submitted to it by the Bureau.

### **ITEM 4. REPORT OF THE COMPLIANCE COMMITTEE**

17. The Compliance Committee under the Protocol is required to report and submit its recommendations to the Parties to the Cartagena Protocol. The Committee will submit its report on the work it has undertaken following the seventh meeting of the Parties to the Cartagena Protocol.

18. The eighth meeting of the Parties to the Cartagena Protocol is expected to consider the report and the recommendations of the Compliance Committee (UNEP/CBD/BS/COP-MOP/8/2) and to take appropriate actions.

19. The meeting of the Parties to the Cartagena Protocol will also be invited to elect new members to the Compliance Committee for a four-year term in order to replace ten members, i.e. two from each of the five regions, whose term is due to expire at the end of 2016.

### **ITEM 5. REPORT OF THE SUBSIDIARY BODY ON IMPLEMENTATION**

20. In decision BS-VII/9, paragraph 6 (1) (2), the meeting of the Parties to the Cartagena Protocol decided that the Subsidiary Body on Implementation of the Convention would also serve the Cartagena Protocol on Biosafety and further agreed that the terms of reference of the Subsidiary Body on Implementation should apply, *mutatis mutandis*, to the Subsidiary Body on Implementation when serving

the Cartagena Protocol on Biosafety. The first meeting of the Subsidiary Body on Implementation was held in Montreal, Canada, from 2 to 6 May 2016.

21. The meeting of the Parties to the Cartagena Protocol will have before it the report of the Subsidiary Body on Implementation (document UNEP/CBD/COP/13/6). Four recommendations include draft decisions for the meeting of the Parties to the Cartagena Protocol: SBI recommendation 1/3 on the third assessment and review of the effectiveness of the Cartagena Protocol and mid-term evaluation of the Strategic Plan for the Protocol will be considered under agenda item 14.2 while recommendations 1/9 on the SBI Modus Operandi and 1/11 integration of the Convention and its Protocols will be considered under the present agenda item. In addition, some other recommendations are relevant to the agenda of the present meeting. These concern the preparation of the organization of work, administration and budgetary matters, and national reporting as noted in these annotations under agenda items 2, 10 and 14.1 respectively.

#### **Modus operandi of the Subsidiary Body on Implementation**

22. The Subsidiary Body on Implementation considered and finalized a draft of its *modus operandi* and recommended that the thirteenth meeting of the Parties to the Convention adopt it (recommendation 1/9, para. 4, as contained in the annex to document UNEP/CBD/COP/13/6).

23. The Subsidiary Body also recommended that the meeting of the Parties to the Cartagena Protocol endorse the *modus operandi*, once adopted by the Conference of the Parties, and decide that the *modus operandi* should apply, *mutatis mutandis*, when the Subsidiary Body on Implementation serves the Cartagena Protocol (recommendation 1/9, para. 5). Thus the meeting of the Parties is invited to consider this recommendation.

#### **Integration among the Convention and its Protocols**

24. The meeting of the Parties to the Cartagena Protocol decided, in paragraph 4 of decision BS-VII/9, to establish criteria for reviewing, at its ninth meeting, experience in holding these meetings concurrently, and to complete the review at their tenth meeting in 2020.

25. In paragraph 8 of its recommendation 9/11, the Subsidiary Body on Implementation, recommends that the meeting of the Parties to the Cartagena Protocol decide to use certain criteria for reviewing experience with concurrent meetings. The recommendation also addresses the issue of contributions to the relevant voluntary trust funds in order to ensure the full and effective participation of representatives of developing country Parties, in particular the least developed countries and small island developing States among them, and Parties with economies in transition, in the concurrent meetings. The meeting of the Parties is invited to consider this recommendation.

#### **5.4 Use of the term “indigenous peoples and local communities”**

26. At its twelfth meeting, the Conference of the Parties decided to use the terminology “indigenous peoples and local communities” in future decisions and secondary documents under the Convention, as appropriate (decision XII/12 F). The decision set out the context and a number of qualifications. Further, the Subsidiary Body on Implementation recommended that the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol consider the possibility of applying, *mutatis mutandis*, decision XII/12 F of the Conference of the Parties to the Convention on the use of the terminology “indigenous peoples and local communities” (recommendation 1/12 as contained in the annex to document UNEP/CBD/COP/13/6). Accordingly, the meeting of the Parties may wish to consider this matter.

## **ITEM 6. CAPACITY-BUILDING AND THE ROSTER OF BIOSAFETY EXPERTS**

### **6.1. Report on the status of biosafety capacity-building activities and review of the Framework and Action Plan for Capacity-Building**

27. At its sixth meeting, the meeting of the Parties of the Cartagena Protocol adopted a Framework and Action Plan for Capacity-Building for the Effective Implementation of the Cartagena Protocol and requested the Executive Secretary to prepare, for consideration by the meetings of the Parties, reports on the status of its implementation on the basis of the submissions made by Parties, other Governments and relevant organizations. The Parties also agreed to review the Framework and Action Plan in conjunction with the mid-term review of the Strategic Plan for the Cartagena Protocol and the third assessment and review of the effectiveness of the Protocol at the present meeting.

28. Under this item, the meeting of the Parties to the Cartagena Protocol will review the elements and status of implementation of the Framework and Action Plan and, as appropriate, decide on the necessary revisions to its content and provide further guidance on measures for improving its implementation and effectiveness in supporting Parties to design, implement and evaluate biosafety capacity-building initiatives in a strategic, coherent and coordinated manner.

29. To facilitate the discussions, the meeting will have before it a note prepared by the Executive Secretary (UNEP/CBD/COP-MOP/8/3) containing a summary report on the status of implementation of the Framework and Action Plan and the synthesis of views and suggestions for the revision/improvement of the Framework and Action Plan submitted by Parties, other Governments and relevant organizations in a response to the notification sent by the Executive Secretary.

### **6.2. Report on the use of the Roster of Biosafety experts**

30. In decision BS-IV/4 the meeting of the Parties to the Cartagena Protocol adopted comprehensive measures and guidelines for improving the roster of biosafety experts and revitalized the Voluntary Fund for the Roster of Experts. In paragraph 4 of decision BS-VI/4, the Parties decided to expand the mandate of the roster of experts to include supporting, as appropriate and upon request, the work of the Secretariat, the meeting of the Parties to the Cartagena Protocol and other bodies under the Protocol, in relation to capacity-building for developing countries and countries with economies in transition.

31. In accordance with the guidelines for the roster, the Executive Secretary will prepare, for consideration of the present meeting of the Parties to the Cartagena Protocol, a note containing the report on the status and operations of the roster of experts (UNEP/CBD/BS/COP-MOP/8/3/Add.1). The note will also include recommendations from the Informal Advisory Committee of the Biosafety-Clearing House on the operations of the roster of experts and a report on the status and use of the Voluntary Fund for the Roster.

## **ITEM 7. OPERATION AND ACTIVITIES OF THE BIOSAFETY CLEARING-HOUSE**

32. Paragraph 1 of Article 20 of the Protocol establishes the Biosafety Clearing-House (BCH) in order to facilitate the exchange of information and experience pertaining to living modified organisms (LMOs) and assist Parties to implement the Protocol.

33. The Strategic Plan for the Cartagena Protocol has set out "Information sharing" as one of its strategic objectives under Focal Area 4, which includes the following three operational objectives: (a) BCH effectiveness: to increase the amount and quality of information submitted to and retrieved from the BCH; (b) BCH as a tool for online discussions and conferences: to establish the BCH as a fully functional and effective platform for assisting countries in the implementation of the Protocol; and (c) Information sharing other than through the BCH: to enhance understanding through other information exchange mechanisms.

34. Accordingly, under this item, the Executive Secretary will prepare a note containing a progress report on the programme elements identified in the Multi-Year Programme of Work as annexed to decision BS-II/2 and an assessment of the BCH, based on the indicators set out in the Strategic Plan for the Protocol, using the information from the third national reports (UNEP/CBD/BS/COP-MOP/8/4). A report on the intersessional meeting held by the Informal Advisory Committee on the Biosafety Clearing-House will also be made available as an information document (UNEP/CBD/BS/COP-MOP/8/INF/1).

35. The Parties to the Cartagena Protocol will be invited to take note of the progress report and to provide, as appropriate, further guidance on the operation and activities of the BCH.

#### **ITEM 8. MATTERS RELATED TO THE FINANCIAL MECHANISM AND RESOURCES**

36. At its seventh meeting, the Conference of the Parties to the Cartagena Protocol adopted decision BS-VII/5 on matters related to the financial mechanism and resources, which included a recommendation to the Conference of the Parties to the Convention on further guidance to the financial mechanism with respect to biosafety. The Conference of the Parties to the Convention considered and included the recommendation it received in its guidance to the Global Environment Facility (GEF) as contained in paragraph 15 and appendix I of its decision XII/30.

37. Under this agenda item, the Parties to the Cartagena Protocol will review the status of implementation of previous guidance to the financial mechanism with respect to biosafety and the decision regarding mobilization of additional resources to support the implementation of the Cartagena Protocol and consider the need for further guidance.

38. To assist the meeting in its consideration of this item, the Executive Secretary will prepare a note providing a summary report on the status of implementation of the previous guidance to the financial mechanism with respect to biosafety based on the information received from Parties, the Secretariat of the Global Environment Facility, the implementing agencies of the Global Environment Facility and the Subsidiary Body on Implementation (UNEP/CBD/BS/COP-MOP/8/5). The note will also highlight the funding requirements for the implementation of the Cartagena Protocol in anticipation of the seventh replenishment of the Global Environment Facility Trust Fund. The meeting will also have before it the full report submitted by the Council of the Global Environment Facility to the thirteenth meeting of the Parties to the Convention on the status of implementation of the guidance to the financial mechanism, including the guidance with respect to biosafety (UNEP/CBD/COP/13/14/Add.1).

#### **ITEM 9. COOPERATION WITH OTHER ORGANIZATIONS, CONVENTIONS AND INITIATIVES**

39. The meeting of the Parties to the Cartagena Protocol, in its decision BS-VII/6 on cooperation with other organizations, conventions and initiatives, requested the Executive Secretary, subject to the availability of funds, to (a) further pursue cooperation with other organizations, conventions and initiatives with a view to meeting the strategic objective in focal area 5 of the Strategic Plan for the Protocol, on outreach and cooperation; (b) promote active participation of other conventions and related organizations in the BCH online discussions portal; and (c) continue efforts to gain observer status in those committees of the World Trade Organization that are relevant to biosafety.

40. Under this item, the Executive Secretary will provide an update on cooperative activities between the Secretariat and other organizations, conventions and initiatives relevant to the implementation of the Protocol, including the Green Customs Initiative, the Food and Agriculture Organization of the United Nations, the Organization for Economic Co-operation and Development, and the International Plant Protection Convention and the Secretariat of the United Nations Economic Commission for Europe Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (Aarhus Convention). This update will be available in document UNEP/CBD/BS/COP-MOP/8/6. The meeting will be invited to provide, as appropriate, further guidance

on cooperation, and/or to incorporate, as the case may be, the ongoing cooperation into its consideration of relevant items on its agenda.

**ITEM 10      REPORT OF THE EXECUTIVE SECRETARY ON THE  
ADMINISTRATION OF THE PROTOCOL AND ON  
BUDGETARY MATTERS**

41. In its decision BS-VII/7, the meeting of the Parties to the Cartagena Protocol adopted a programme budget for the distinct costs of the Secretariat services and for the biosafety work programme for the biennium 2015-2016. In paragraph 24 of the same decision, the Parties requested the Executive Secretary to prepare and submit, to the eighth meeting of the Parties, a programme budget for secretariat services and the biosafety work programme of the Protocol for the biennium 2017-2018, and to provide two alternatives for the budget based on (a) assessment of the required rate of growth for the programme budget which should not exceed a 5 per cent increase from the 2015-2016 level in nominal terms; (b) maintaining the core programme budget (BG Trust Fund) at the 2015-2016 level in nominal terms.

42. The Parties to the Cartagena Protocol also stressed the importance of the decisions of the Conference of the Parties to the Convention and the meetings of the Parties of its Protocols on improving the efficiency of structures and processes under the Convention and its Protocols and on the outcome of the Functional Review of the Secretariat and their implications for the future budgets of the Cartagena Protocol. Accordingly, the Parties requested the Executive Secretary, in paragraph 23 of decision BS-VII/7, to provide information on savings resulting from any integration of work by the Secretariat.

43. In paragraph 15 of decision XII/32, the Conference of the Parties to the Convention, in deciding to share the costs for Secretariat services between those that are common to the Convention and the Cartagena Protocol on an 85:15 ratio for the biennium 2015-2016, while noting the proportionate division between the Convention and its two Protocols, noted that the proportionate division would need to be reconsidered for the 2017-2018 budget following discussions on the implementation of the Functional Review of the Secretariat.

44. Further, the Subsidiary Body on Implementation, in its recommendation 1/13, requested the Executive Secretary to prepare for the consideration of the Conference of the Parties, at its thirteenth meeting and the meetings of the Parties to the two Protocols, a proposal for the review of the manner in which the costs of the core budgets of the Secretariat are shared among the Convention, the Cartagena Protocol and the Nagoya Protocol in order to develop cost scenarios in the light of the functional review of the Secretariat, including the increased integration of work and proportional to the number of Parties to the respective instruments and their respective contributions.

45. Concerning the voluntary budget for activities, the Subsidiary Body on Implementation also called on Parties in a position to do so and on a voluntary basis to prepare for the thirteenth meeting of the Conference of the Parties, the eighth meeting of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol and the second meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol on the basis of information to be provided in advance by the Secretariat, with a view to making, during those meetings, pledges of financial support for voluntary activities envisaged in the draft decisions of the meetings, in order to assist the Secretariat in planning more effectively and utilizing the resources more efficiently.

46. The Conference of the Parties, in its decision XII/32, following a request from the meeting of the Parties to the Cartagena Protocol on Biosafety, in its [decision BS-VII/7](#), and the decision of the Conference of the Parties to hold the ordinary meetings of the Conference of the Parties of the Convention on Biological Diversity concurrently with the meetings of the Parties of its Protocols, decided to merge the special voluntary Trust Funds which facilitate participation of the Parties in the Convention and the Protocols. Further, the Subsidiary Body on Implementation, in its recommendation 1/13 requested the Executive Secretary to develop a proposal for the review and updating of the guidelines for the apportionment of funds for the participation of developing country Parties, in particular

the least developed countries and small island developing States as well as countries with economies in transition, in the meetings of the Convention and its Protocols with a view to promoting full and effective participation in meetings of the Conference of the Parties, concurrent meetings of the Parties of the Cartagena and Nagoya Protocols and meetings of subsidiary bodies;

47. In the light of the above, the Executive Secretary will prepare a note on the administration of the Convention and its Protocols, a note on budgetary matters and the final report of the in-depth functional review of the Secretariat. Each of these documents will cover the three instruments – the Convention, the Biosafety Protocol and the Nagoya Protocol. Accordingly, in its consideration of this agenda item, the meeting of the Parties to the Cartagena Protocol will have before it for review, decision and appropriate guidance, the following:

(a) A note by the Executive Secretary on the administration of the Convention and its Protocols (UNEP/CBD/BS/COP-MOP/8/7);

(b) A note by the Executive Secretary on budgetary matters (UNEP/CBD/BS/COP-MOP/8/7/Add.1);

(c) The final report of the functional review of the Secretariat (UNEP/CBD/BS/COP-MOP/8/7/Add.2).

48. It is expected that the Conference of the Parties to the Convention at its thirteenth meeting, the meeting of the Parties to the Cartagena Protocol at its eighth meeting and the meeting of the Parties to the Nagoya Protocol at its second meeting will establish a contact group on the budgets for the programmes of work of Convention and its Protocols for the 2017-2018 biennium to consider the agenda item.

#### **ITEM 11. RISK ASSESSMENT AND RISK MANAGEMENT**

49. In its decision BS-VII/12, the meeting of the Parties to the Cartagena Protocol welcomed the results of the testing of the Guidance on Risk Assessment of Living Modified Organisms (hereinafter the “Guidance”) and the package that aligns the Guidance and the Training Manual on Risk Assessment of Living Modified Organisms, and invited Parties, other Governments and relevant organizations to test or use the Guidance and the package in actual cases of risk assessment or as a tool for capacity-building activities in risk assessment, as appropriate.

50. In that same decision, the Parties to the Cartagena Protocol also decided, inter alia:

(a) To establish the mechanism outlined in the annex to the decision for revising and improving the Guidance on the basis of the feedback provided through the testing with a view to having an improved version of the Guidance by its eighth meeting;

(b) To extend the Open-ended Online Expert Forum (Online Forum) and the Ad Hoc Technical Expert Group (AHTEG) on Risk Assessment and Risk Management with revised terms of reference and expanded composition;

(c) To invite Parties to submit (i) information on their needs and priorities for further guidance on specific topics of risk assessment of living modified organisms, and (ii) existing guidance on specific topics of risk assessment of living modified organisms, and requested the Executive Secretary to synthesize the views submitted for consideration of this meeting;

(d) To consider, at this meeting, the need for the development of further guidance on topics prioritized on the basis of the needs indicated by the Parties with a view to moving towards operational objectives 1.3 and 1.4 of the Strategic Plan and its outcomes;

(e) To request the Executive Secretary, subject to the availability of funds, to conduct capacity-building activities in risk assessment using the aligned package, and to invite Parties, other Governments and international organizations to provide funds and in-kind assistance to implement these capacity-building activities; and

(f) To recommend to the Conference of the Parties to the Convention, a coordinated approach with the meeting of the Parties to the Cartagena Protocol on the issue of synthetic biology, taking into account that the provisions of the Protocol may also apply to living organisms resulting from synthetic biology.

51. To facilitate discussions under this item, the meeting of the Parties to the Cartagena Protocol will have before it for its consideration, a note prepared by the Executive Secretary on risk assessment and risk management (UNEP/CBD/BS/COP-MOP/8/8) and the revised version of the Guidance on Risk Assessment of Living Modified Organisms as an outcome of the work of the Online Forum and of the Ad Hoc Technical Expert Group (UNEP/CBD/BS/COP-MOP/8/8/Add.1).

52. The meeting will also have before it, as information documents, the reports of the Open-ended Online Expert Forum on Risk Assessment and Risk Management (UNEP/CBD/BS/COP-MOP/8/INF/2) and of the Ad Hoc Technical Expert Group on Risk Assessment and Risk Management (UNEP/CBD/BS/COP-MOP/8/INF/3) summarizing their activities during the last intersessional period, as well as a detailed account of actions taken by the Online Forum and AHTEG on the individual suggestions provided through the testing of the Guidance with justification for those suggestions that were not taken on board during the revision of the Guidance (UNEP/CBD/BS/COP-MOP/8/INF/4).

## **ITEM 12. UNINTENTIONAL TRANSBOUNDARY MOVEMENTS AND EMERGENCY MEASURES**

53. The seventh meeting of the Parties to the Cartagena Protocol, in its decision BS-VI/10:

(a) Invited Parties and other Governments to submit to the Executive Secretary: (i) information on actual cases of unintentional transboundary movement and case studies related to their existing mechanisms for emergency measures in case of unintentional transboundary, including information on existing rapid alert mechanisms and monitoring systems; and (ii) views on what constitutes unintentional transboundary movements in contrast with illegal transboundary movements and what type of information should be exchanged through the Biosafety Clearing-House; and

(b) Requested the Online Network of Laboratories for the Detection and Identification of Living Modified Organisms to continue working on issues relevant to the detection and identification of living modified organisms with a view to achieving the operational objectives of the Strategic Plan relevant to the implementation of Article 17.

54. Further in the same decision, the Parties also requested the Executive Secretary, inter alia, to:

(a) Create, in the Biosafety Clearing-House, a system for the easy identification of notifications relating to unintentional transboundary movements of living modified organisms within the context of Article 17, and provide cross-references among the notifications and relevant detection methods, where applicable;

(b) Organize, in cooperation with relevant organizations, subject to the availability of funds, capacity-building activities such as online and face-to-face training workshops on sampling, detection and identification of living modified organisms to assist Parties in fulfilling the requirements under Article 17 and towards achieving the relevant outcomes of the Strategic Plan;

(c) Compile and synthesize information submitted by Parties and other Governments for consideration by the Compliance Committee at its thirteenth meeting and, on the basis of this compilation, submit suggested clarifications on what constitutes an unintentional transboundary movement in contrast with an illegal transboundary movement.

55. To facilitate discussions on this item, the Executive Secretary will prepare a note which includes a summary of the outcomes of the activities undertaken by the Network of Laboratories for the Detection and Identification of Living Modified Organisms, an overview of the capacity-building activities undertaken during the intersessional period, a summary of the improvements done to the BCH in the

context of article 17, and clarifications suggested by the Compliance Committee on what constitutes an intentional transboundary movement of living modified organisms in contrast with an illegal transboundary movement (UNEP/CBD/BS/COP-MOP/8/9).

56. The meeting of the Parties to the Cartagena Protocol will also have before it, as information documents: the report of the Workshop of the Network of Laboratories for the Detection and Identification of Living Modified Organisms (UNEP/CBD/BS/COP-MOP/8/INF/4); the reports of the capacity-building workshops undertaken during the intersessional period (UNEP/CBD/BS/COP-MOP/8/INF/5); and synthesis of the information and views submitted by Parties and other Governments on matters related to unintentional transboundary movements as specified in decision BS-VII/10, paragraphs 1 and 2 (UNEP/CBD/BS/COP-MOP/8/INF/6).

### **ITEM 13. TRANSIT AND CONTAINED USE OF LIVING MODIFIED ORGANISMS (ARTICLE 6)**

57. In decision BS-VII/4, Parties and other Governments were invited to submit to the Executive Secretary information, tools, practical experience and guidance related to their existing mechanisms and requirements relating to the contained use of living modified organisms, including any specific requirement relating to the type and level of containment, and the Executive Secretary was requested to create sections in the Biosafety Clearing-House where such information could be submitted and easily retrieved.

58. In the same decision, the Parties to the Cartagena Protocol decided to consider, at its eighth meeting, taking into account the information provided by Parties and other Governments, the gaps and needs identified, if any, with a view to facilitating the implementation of the Protocol's provisions on contained use of living modified organisms.

59. In the programme of work for the period 2012-2016, as annexed to the decision BS-V/16, the meeting of the Parties to the Cartagena Protocol agreed to further consider, at its eighth meeting, the rights and obligations of transit States pursuant to Article 6(1), decision BS-V/10, and Operational Objective 1.8 of the Strategic Plan for the Cartagena Protocol, and to review the status of implementation of the provisions of the Protocol or any decision by Parties related to the transit of living modified organisms.

60. To facilitate discussions on this item, the Executive Secretary will prepare a note containing an analysis of the status of implementation of the provisions of the Protocol and of the decisions by Parties related to the transit of living modified organisms, as well as a synthesis of the information relating to contained use submitted by Parties and other Governments as per paragraph 58 above (UNEP/CBD/BS/COP-MOP/8/10).

### **ITEM 14. REVIEW OF IMPLEMENTATION AND EFFECTIVENESS OF THE PROTOCOL**

#### **14.1 Monitoring and reporting**

61. Article 33 of the Protocol requires each Party to report, at intervals to be determined by the meeting of the Parties to the Cartagena Protocol, on measures that it has taken to implement the Protocol.

62. At its seventh meeting, the Parties to the Cartagena Protocol considered and agreed on the format for the third national report. Information from third national reports was intended to be used as the main source of data for both the mid-term review of the implementation of the Strategic Plan for the Cartagena Protocol and the third assessment and review of the Protocol, which are planned to be completed at the eighth meeting of the Parties to the Protocol.

63. Accordingly, the Executive Secretary will prepare a note (UNEP/CBD/BS/COP-MOP/8/11) which will contain analysis of the third national reports received by 31 August 2016. All the third national

reports or any national report submitted for the first time will be made available through the Biosafety Clearing-House. The Parties will be invited to consider the reports submitted and to provide guidance on follow up actions, including guidance on the modalities of the preparation of the fourth national report scheduled to coincide with the final review of the implementation of the Strategic Plan at tenth meeting of the Parties to the Cartagena Protocol.

64. The meeting of Parties to the Protocol will also be invited to consider recommendation 1/10 of the Subsidiary Body on Implementation, on national reporting, where the Conference of the Parties is expected to request the Executive Secretary to develop, subject to subsequent endorsement by the Conference of the Parties serving as the meetings of the Parties to the Cartagena and Nagoya Protocols, proposals for the alignment of national reporting under the Convention and the Protocols, and to report on progress to the Subsidiary Body on Implementation at its second meeting.

#### **14.2 Third assessment and review of the effectiveness of the Cartagena Protocol and the mid-term evaluation of the Strategic Plan**

65. The meeting of the Parties to the Cartagena Protocol is required, under Article 35 of the Protocol, to undertake an evaluation of the effectiveness of the Protocol, including an assessment of its procedures and annexes, at least every five years. In accordance with this requirement, the first and second assessment and review were carried out by the fourth meeting of the Parties to the Cartagena Protocol in 2008, and at the sixth meeting in 2012, respectively.

66. In decision BS-V/16, the Parties to the Cartagena Protocol adopted the Strategic Plan for the Cartagena Protocol on Biosafety for the Period 2011-2020. The Parties to the Cartagena Protocol decided that a mid-term evaluation of the Strategic Plan should be conducted five years after its adoption, in conjunction with the third assessment and review.

67. At its sixth meeting, the meeting of the Parties to the Cartagena Protocol decided that the data and information provided for the second assessment and review would form the baseline for measuring progress in implementing the Protocol, in particular the subsequent evaluation of the effectiveness of the Protocol and the mid-term evaluation of the implementation of the Strategic Plan.

68. In decision BS-VII/3, the Parties decided that the third assessment and review be combined with the mid-term evaluation of the Strategic Plan for consideration at the eighth meeting of the Parties to the Cartagena Protocol. It also requested the Executive Secretary to collect, compile and analyse information on the implementation of the Protocol using the third national reports as a primary source. Parties further requested the relevant subsidiary body entrusted with the task of reviewing the implementation of the Protocol, in this case the Subsidiary Body on Implementation, (a) to review the information gathered and analyzed by the Executive Secretary; (b) to undertake the third assessment and review of the effectiveness of the Protocol using a core set of identified information needs; and (c) to take into account the views of representatives of indigenous and local communities by ensuring their participation in the review process, including contributions from the Liaison Group on Capacity-building, and to submit its findings and recommendations to the eighth meeting of the Parties to the Cartagena Protocol.

69. In decision BS-VII/3, the meeting of the Parties to the Cartagena Protocol 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 in the form of an evaluation of the status of implementation of the Protocol in meeting its objectives.

70. Accordingly, the Subsidiary Body on Implementation considered, at its first meeting, the third assessment and review of the effectiveness of the Protocol and the midterm evaluation of the Strategic Plan on the basis of the comparative analysis prepared by the Executive Secretary, contributions from the Liaison Group on Capacity-building and the input provided by the Compliance Committee. This comparative analysis was developed by comparing data from the third reporting cycle with the baseline data of the second reporting cycle as set out by the Parties to the Cartagena Protocol in decision BS-VI/15 (UNEP/CBD/BS/COP-MOP/8/11/Add.1).

71. The meeting of the Parties to the Protocol will have before it the findings and recommendations of the Subsidiary Body on Implementation for its consideration and appropriate decision (UNEP/CBD/BS/COP-MOP/8/11/Add.2).

#### **ITEM 15. SOCIO-ECONOMIC CONSIDERATIONS**

72. At its sixth meeting, the meeting of the Parties to the Cartagena Protocol, in its decision BS-VI/13, established an ad hoc technical expert group to develop conceptual clarity on socio-economic considerations in the context of paragraph 1 of Article 26 of the Protocol. The Ad Hoc Technical Expert Group (AHTEG) on Socio-economic Considerations drafted “Elements of a Framework for Conceptual Clarity on Socio-Economic Consideration” (hereinafter “Elements of a Framework”) and submitted its report to the seventh meeting of the Parties to the Cartagena Protocol.

73. At its seventh meeting, the meeting of the Parties to the Cartagena Protocol, in decision BS-VII/13, decided to extend the AHTEG on Socio-economic Considerations, subject to the availability of funds, and mandated it to work, in a stepwise approach, on: (a) the further development of conceptual clarity on socio-economic considerations arising from the impact of living modified organisms on the conservation and sustainable use of biological diversity, taking into account and improving upon the “Elements of a Framework” and any information that may be provided through the activities requested of the Executive Secretary in paragraph 5 of the decision; and (b) developing an outline for guidance with a view to making progress towards achieving operational objective 1.7 of the Strategic Plan and its outcomes.

74. The decision also invited the submission of views on the “Elements of a Framework” and requested the Executive Secretary to: (a) compile and disseminate information related to definitions of socio-economic considerations and applications of socio-economic considerations in decision-making on living modified organisms; (b) convene online discussions; (c) compile and synthesize the views and comments submitted on the “Elements of a Framework”; and (d) commission, subject to the availability of funds, a study on international agreements that may have relevance to socio-economic considerations and to make the report available in the Biosafety Clearing-House.

75. Accordingly, the Executive Secretary convened online discussion groups from 30 March to 6 May 2015. In the light of the lack of sufficient funding to organize a face-to-face meeting of the AHTEG, and in consultation with the co-chairs of the AHTEG, it was decided to organize an online discussion to enable the AHTEG to undertake certain aspects of its mandate, focusing in particular on the further development of conceptual clarity. The Secretariat prepared a compilation of information on definitions of socio-economic considerations and practical applications of socio-economic considerations in decision-making on living modified organisms and prepared a document containing a synthesis of the views and comments submitted on the “Elements of a Framework”. The Secretariat also commissioned the preparation of a study on international agreements that may have relevance to socio-economic considerations. The study will be made available through the Biosafety-Clearing House.

76. Accordingly, the Executive Secretary will prepare a note which will contain a description of the intersessional activities related to socio-economic considerations as well as the outcome of the online discussion of the AHTEG on socio-economic considerations, for consideration by the Parties at their eighth meeting (UNEP/CBD/BS/COP-MOP/8/12).

#### **ITEM 16. NAGOYA – KUALA LUMPUR SUPPLEMENTARY PROTOCOL ON LIABILITY AND REDRESS**

77. According to the programme of work of the meeting of the Parties to the Cartagena Protocol for the period 2012–2016, contained in annex II to decision BS-V/16, the eighth meeting of the Parties to the Protocol is expected to review the need for any guidance or assistance to Parties in their efforts to establish and apply the Nagoya – Kuala Lumpur Supplementary Protocol on Liability and Redress and/or national rules and procedures on liability and redress related to living modified organisms. This issue will

be considered in the context of decision BS-V/11 and subsequent decision BS-VI/11 and decision BS-VII/11, which called for the development of complimentary capacity-building measures, awareness raising and development of guidance, among others.

78. The Executive Secretary will prepare document UNEP/CBD/BS/COP-MOP/8/13, which will contain an update on the status of the Supplementary Protocol and related activities undertaken, including a prospect for potential capacity building measures in accordance with decision BS-V/11, section C, and decision BS-VII/11.

#### **ITEM 17. PUBLIC AWARENESS, EDUCATION AND PARTICIPATION**

79. In decision BS-V/13, paragraph 4, the Parties to the Cartagena Protocol adopted a programme of work on public awareness, education and participation concerning the safe transfer, handling and use of living modified organisms to facilitate the implementation of Article 23 of the Cartagena Protocol and decided to review the programme of work at the eighth meeting of the Parties in the light of experiences gained by Parties.

80. Under this item, the meeting of the Parties to the Cartagena Protocol will consider the status of implementation of the programme of work and, as appropriate, decide on its future need and/or necessary revisions to its elements and measures for improving its implementation and effectiveness in supporting Parties.

81. To facilitate the discussions, the meeting will have before it a note prepared by the Executive Secretary containing a summary report on the status of implementation of the programme of work and a synthesis of views and suggestions regarding possible revision or revamping of its elements submitted by Parties, other Governments and relevant organizations through a dedicated survey and through online discussions (UNEP/CBD/COP-MOP/8/14). The note will also include the elements of recommendation 1/3 of the Subsidiary Body on Implementation that refer to public awareness, education and participation, submitted in the context of the third assessment of the effectiveness of the Cartagena Protocol and the mid-term evaluation of the Strategic Plan.

#### **ITEM 18. OTHER MATTERS**

82. Under this item, the meeting of the Parties to the Cartagena Protocol may wish to consider other matters raised and accepted for discussion in accordance with the rules of procedure.

#### **ITEM 19. ADOPTION OF THE REPORT**

83. The meeting will consider and adopt its report, on the basis of the draft report that will be presented by the Rapporteur. In accordance with established practice, the Parties will be invited to authorize the Rapporteur to complete the final report after the meeting, with the guidance of the President and assistance of the Secretariat.

#### **ITEM 20. CLOSURE OF THE MEETING**

84. It is expected that the eighth meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol will be closed by 6 p.m. on Saturday, 17 December 2016.

*Annex I***PROVISIONAL LIST OF DOCUMENTS FOR THE EIGHTH MEETING OF THE PARTIES TO THE CARTAGENA PROTOCOL ON BIOSAFETY****A. Working documents**

<i>Symbol</i>	<i>Title</i>
UNEP/CBD/BS/COP-MOP/8/1/Rev.1	Revised provisional agenda
UNEP/CBD/BS/COP-MOP/8/1/Add.1	Annotations to the provisional agenda
UNEP/CBD/BS/COP-MOP/8/2	Report of the Compliance Committee
UNEP/CBD/COP/13/6	Report of the Subsidiary Body on Implementation
UNEP/CBD/BS/COP-MOP/8/3	Summary report on the status of implementation of the Framework and Action Plan and the synthesis of views and
UNEP/CBD/BS/COP-MOP/8/3/Add.1	Report on the status and operations of the roster
UNEP/CBD/BS/COP-MOP/8/4	Operation and activities of the Biosafety Clearing-House
UNEP/CBD/BS/COP-MOP/8/5	Matters related to the financial mechanism and resources
UNEP/CBD/COP/13/14/Add.1	Report of the Global Environment Facility
UNEP/CBD/BS/COP-MOP/8/6	Cooperation with other organizations, conventions and initiatives
UNEP/CBD/BS/COP-MOP/8/7	Report of the Executive Secretary on the administration of the Protocol
UNEP/CBD/BS/COP-MOP/8/7/Add.1	Report of the Executive Secretary on budgetary matters
UNEP/CBD/BS/COP-MOP/8/7/Add.2	Final report of the in-depth functional review of the Secretariat with the recommendations as provided by the Subsidiary Body on Implementation
UNEP/CBD/BS/COP-MOP/8/8	Risk assessment and risk management
UNEP/CBD/BS/COP-MOP/8/8/Add.1	Revised Guidance on Risk Assessment of Living Modified Organisms
UNEP/CBD/BS/COP-MOP/8/9	Summary of the outcomes of the activities undertaken by the Network of Laboratories for the Detection and Identification of Living Modified Organisms
UNEP/CBD/BS/COP-MOP/8/10	Transit and contained use
UNEP/CBD/BS/COP-MOP/8/11	Monitoring and reporting
UNEP/CBD/BS/COP-MOP/8/11/Add.1	Mid-term review of the Strategic Plan of the Cartagena Protocol

<i>Symbol</i>	<i>Title</i>
UNEP/CBD/BS/COP-MOP/8/11/Add.2	Assessment and review of the effectiveness of the Protocol
UNEP/CBD/BS/COP-MOP/8/12	Socio-economic considerations
UNEP/CBD/BS/COP-MOP/8/13	Nagoya – Kuala Lumpur Supplementary Protocol on Liability and Redress
UNEP/CBD/BS/COP-MOP/8/14	Public awareness, education and participation

## **B. Information documents**

<i>Symbol</i>	<i>Title</i>
UNEP/CBD/BS/COP-MOP/8/INF/1	Report of intersessional meetings of the Informal Advisory Committee on the Biosafety Clearing-House
UNEP/CBD/BS/COP-MOP/8/INF/2	Report of the Online Forum on Risk Assessment and Risk Management
UNEP/CBD/BS/COP-MOP/8/INF/3	Report of the Ad Hoc Technical Expert Group on Risk Assessment and Risk Management
UNEP/CBD/BS/COP-MOP/8/INF/4	Detailed account on actions taken on individual suggestions from the testing of the Guidance
UNEP/CBD/BS/COP-MOP/8/INF/5	Report of the Workshop of the Network of Laboratories for the Detection and Identification of Living Modified Organisms
UNEP/CBD/BS/COP-MOP/8/INF/6	Reports of the capacity-building workshops on the detection and identification of living modified organisms

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