



# **BIOSAFETY**

## **Building Further Consensus for Action**

*Decisions of the Third Meeting of  
the Conference of the Parties to the  
Convention on Biological Diversity  
serving as the meeting of the Parties to  
the Cartagena Protocol on Biosafety*

*13 to 17 March 2006  
Curitiba, Brazil*



UNEP



CBD



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## FOREWORD



Year 2006 represents a significant milestone in the evolution of the Cartagena Protocol on Biosafety. It marks the first decade since the launching of the intergovernmental negotiations towards an international protocol on biosafety. The first meeting of the Open-Ended Ad Hoc Working Group on Biosafety (BSWG) was held in July 1996 in Aarhus, Denmark. Over this decade-long process, governments made major progress in putting in place an effective international framework for ensuring an adequate level of safety in the transfer, handling and use of living modified organisms resulting from modern biotechnology.

After several years of negotiations, the Cartagena Protocol on Biosafety was adopted in January 2000 and entered into force on 11 September 2003, signifying two other major landmarks in the history of the Protocol. The third meeting of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety (COP-MOP 3) was held from 13 to 17 March 2006 in Curitiba, Brazil.

Building upon the achievements of the first two meetings held in February 2004 in Kuala Lumpur, Malaysia, and May/June 2005 in Montreal, Canada respectively, COP-MOP 3 heralded a renewed spirit of consensus and international cooperation in promoting the safe use of modern biotechnology. In particular, COP-MOP 3 made an important breakthrough regarding the contentious issue of detailed requirements for documentation accompanying shipments of living modified organisms intended for direct use as food or feed, or for processing, which had eluded Governments during the last segment of the negotiations of the Protocol and since its adoption.

This booklet contains the decisions that were adopted at the third meeting of the COP-MOP. Overall, the meeting adopted 18 decisions, which include decisions on the following substantive items: compliance under the Protocol; the Biosafety Clearing-House; capacity-building; the roster of biosafety experts; matters relating

to the financial mechanism and resources; cooperation with other organizations, conventions and initiatives; programme budget for the biosafety work (for the biennium 2007-2008); handling, transport, packaging and identification of living modified organisms (Article 18 of the Protocol - separate decisions on: paragraphs 2 (b) and 2 (c); paragraph 3 and paragraph 2 (a)); risk assessment and risk management; liability and redress under the Biosafety Protocol; subsidiary bodies under the Protocol; monitoring and reporting; assessment and review; and other issues (rights and obligation of transit Parties).

The issue of detailed requirements for documentation accompanying shipments of living modified organisms intended for direct use as food or feed, or for processing took, once again, centre stage at the meeting. This time COP-MOP managed to reach consensus and to adopt a decision. In the decision, Parties to the Protocol are requested and other Governments are urged to take measures to ensure that documentation accompanying living modified organisms intended for direct use as food or feed, or for processing clearly state the information specified in paragraph 4 of the decision. The Parties decided to review and assess, at the fifth meeting, the experience gained with the implementation of the agreed documentation requirements and to examine the capacity-building efforts in developing countries taken in this regard. Parties and other Governments were also encouraged to cooperate in exchanging experiences and building capacities in the use and development of sampling and detection techniques for living modified organisms and to submit to the Executive Secretary information on experience gained with the use of those techniques and on the need for and modalities of developing criteria for their acceptability and harmonization.

With regard to paragraphs 2 (b) and 2 (c) of Article 18, the Parties agreed to consider, at the fourth meeting, a report on the experience gained with the use of a commercial invoice or other documents required or utilized by existing documentation systems, or pursuant to national requirements with a view to future consideration of a stand-alone document. Regarding paragraph 3 of Article 18, Parties, other Governments and relevant international organizations were invited to submit to the Executive Secretary views and information on the adequacy of existing rules and standards for identification, handling, packaging and transport of goods and substances to address concerns relating to living modified organisms and the existing gaps that may justify a need to develop new rules and standards.

Among the other major substantive outcomes, COP-MOP 3 adopted a decision containing further measures for enhancing capacity-building in risk assessment and risk management and outlined the process for collecting and sharing available information and guidance documents in order to facilitate the consideration, at the fourth meeting, of the need for further guidance on specific aspects of risk assessment and risk management. It also adopted a format for the first regular national report on implementation of the Protocol and outlined a schedule and the process for the preparation and synthesis of the reports for consideration at the fourth COP-MOP meeting. Furthermore, a revised

Action Plan for Building Capacities for the Effective Implementation of the Protocol was adopted as well as measures to facilitate its implementation and effectiveness and to foster coordination and synergies between different capacity-building initiatives. It also outlined a process aimed at strengthening the quality, effectiveness and level of use of the Roster of Biosafety Experts. As well, further guidance was provided regarding measures to enhance the operation, accessibility and use of the Biosafety Clearing-House as well as measures for building capacities to enhance national participation in the Biosafety Clearing-House.

With respect to new issues arising from the medium-term programme of work, COP-MOP 3 considered the question of assessment and review of the effectiveness of the Protocol, including its procedures and annexes in the context of Article 35 of the Protocol, which requires such evaluation done every five years. COP-MOP 3 took a decision in this regard and invited Parties, other Governments and relevant international organizations and other stakeholders to submit their views evaluating the effectiveness of the Protocol and assessing the procedures and annexes under the Protocol with a view to identifying difficulties arising from implementation as well as suggestions for appropriate indicators and/or criteria for evaluating effectiveness, for consideration by COP-MOP at its fourth meeting. The meeting also decided to change the frequency of the ordinary meetings of the COP-MOP from one year to every two years. Accordingly, the fourth meeting of COP-MOP is scheduled to take place in 2008 in Germany, in conjunction with the ninth meeting of the Conference of the Parties to the Convention.

The success of COP-MOP 3 was ultimately possible due to the cooperative spirit that was demonstrated by all Parties during the meeting. I would, however, like to express my personal gratitude for the valuable role played by the host Government, in particular His Excellency Mr. Luiz Inacio Lula da Silva, the President of the Federative Republic of Brazil and Ms. Marina Silva, Minister for the Environment, whose personal involvement and outstanding commitment greatly facilitated consensus and ensured success at the meeting.

The outcomes of the third meeting of the COP-MOP, and in particular the decision on detailed requirements for documentation accompanying shipments of living modified organisms intended for direct use as food, feed or for processing, have generated renewed support for the Protocol. It is my sincere belief that the new tools and mechanisms adopted and the additional guidance provided to Parties, other Governments, relevant organizations as well as to the Secretariat will significantly advance the effective implementation of the Protocol.

Ahmed Djoghlaif  
Executive Secretary



**DECISIONS ADOPTED BY THE CONFERENCE OF THE PARTIES  
TO THE CONVENTION ON BIOLOGICAL DIVERSITY AT ITS  
THIRD MEETING SERVING AS THE MEETING OF THE PARTIES  
TO THE CARTAGENA PROTOCOL ON BIOSAFETY**

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Biosafety: Building Further Consensus for Action

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## **BS-III/1.**

### **COMPLIANCE**

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

*Taking note of the report of the second meeting of the Compliance Committee, in particular the recommendations of the Committee regarding general issues of compliance (UNEP/CBD/BS/COP-MOP/3/2),*

*Recognizing that capacity-building is an essential element in supporting developing country Parties, in particular the least developed and the small island developing States amongst them, and Parties with economies in transition to comply with their obligations under the Protocol,*

*Recognizing also that it is too early to undertake the review of the effectiveness of the compliance procedures and mechanisms as provided for in section VII of the annex to decision BS-I/7,*

*Recalling paragraph 2 (d) of section VI of the procedures and mechanisms on compliance under the Cartagena Protocol on Biosafety as annexed to decision BS-I/7,*

*Taking note of the experience of other multilateral environmental agreements in addressing cases of repeated non-compliance within their respective compliance procedures and mechanisms, as presented in section II of the note by the Executive Secretary on the subject (UNEP/CBD/BS/COP-MOP/3/2/Add.1),*

*Noting the absence of any submission to date of a case of non-compliance by a Party to the Protocol with respect to itself or with respect to another Party,*

*Recognizing the need to resolve the differences that emerged at the second meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol regarding rule 18 of the rules of procedure of the Committee on voting in a manner that ensures efficiency and effectiveness of the Committee and the independence of its members in taking decisions,*

1. *Decides to undertake the review of the effectiveness of the procedures and mechanisms on compliance as provided for in section VII of decision BS-I/7, including addressing the issue of measures concerning repeated cases of non-compliance as well as rule 18 of the rules of procedure of the Compliance Committee, at its fourth meeting within the framework of the overall evaluation of the effectiveness of the Protocol in accordance with Article 35 and in accordance with the modalities established in decision BS-III/15 of the present meeting regarding such evaluation;*

2. *Requests* the Compliance Committee to compile further information on experience of other multilateral environmental agreements regarding repeated cases of non-compliance for consideration at the fourth meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol;

3. *Calls upon* Parties that still have no appropriate legal and administrative measures in place at the national level to take the necessary measures and specifically to give appropriate attention to the development of national biosafety frameworks as enabling tools in their efforts to effectively implement their obligations under the Protocol, and *urges* those Parties that have duly completed the development of their national biosafety frameworks to take measures necessary, including the allocation of appropriate resources, to make these frameworks operational and effective;

4. *Invites* Parties and other Governments with well-developed and functional biosafety frameworks or systems to cooperate and share their practical experiences with those Parties that have a demand in this regard.

## **BS-III/2.**

### **OPERATION AND ACTIVITIES OF THE BIOSAFETY CLEARING-HOUSE**

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

*Taking note of* the progress report on the implementation of the multi-year programme of work for the operation of the Biosafety Clearing-House, and relevant information contained in the interim national reports on implementation of the Protocol,

*Taking note of* the report of the second meeting of the Compliance Committee (UNEP/CBD/BS/COP-MOP/3/2),

*Welcoming* the participation of Governments and international organizations that have already provided information to the Biosafety Clearing-House,

*Recalling* the need for capacity-building to enable developing country Parties, in particular the least developed and small island developing states among them, to effectively use the Biosafety Clearing-House, and *taking into account* the limited capacities of these Parties to provide information to the Biosafety Clearing-House,

*Emphasizing* that the provision of sufficient relevant information is essential for the effective operation of the Biosafety Clearing-House, and *recognizing* the important role of the Biosafety Clearing-House in implementing the Protocol,

1. *Urges* Parties, Governments and other users to participate in the Biosafety Clearing-House by contributing or continuing to contribute information as soon as possible, whether directly through the management centre of the Central Portal, or through the development of nodes that are interlinked and interoperable with the Central Portal, or other options for national participation as appropriate;

2. *Requests* the Executive Secretary to continue to collaborate with nodes that are interlinked and interoperable with the Central Portal to ensure full accessibility of information through the Biosafety Clearing-House;

3. *Recognizing* the limited data available in some categories of information in the Biosafety Clearing-House, *urges* Parties and other Governments to include information pertaining to decisions on the release or import of living modified organisms and risk assessments taken prior to entry into force of the Protocol;

4. *Invites* those Governments that have identified constraints on making information available in a timely manner and/or implemented strategies to overcome these difficulties to share these experiences with the Secretariat for circulation to the fourth meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol, no later than six months prior to that meeting;

5. *Recalls* the requirement under Annex II of the Protocol to provide any unique identification of living modified organisms intended for direct use as food or feed, or for processing under Article 11 and *requests* Governments to also provide information relating to unique identification when registering decisions under the Advance Informed Agreement procedure, where available;

6. *Encourages* Parties, Governments and other users to continue to use the Management Centre to provide information, and/or to develop national, regional, sub-regional and institutional nodes that are interlinked and interoperable with the Central Portal, as appropriate;

7. *Reminds* Parties that information must be directly registered with the Central Portal even where it is available on a national website, in order to comply with the information-sharing obligations;

8. *Invites* Parties, other Governments and donor organizations including the Global Environment Facility (GEF), when formulating projects and programmes for capacity building in biosafety, to take into account the need for Parties to be able to provide summary information in the common formats for reporting information (particularly keywords for categorizing records) in an official language of the United Nations to enable registration of such information with the Central Portal;

9. *Invites* Parties, Governments and international organizations to continue to make relevant biosafety information available through the Biosafety Information Resource Centre;

10. *Welcomes* ongoing initiatives in capacity-building, such as the Biosafety Clearing-House training workshop supported by the Secretariat in collaboration with the UNEP-GEF Biosafety Unit and *requests* the Executive Secretary to continue to support such capacity-building activities in partnership with organizations such as UNEP-GEF;

11. *Recalls* the invitation previously extended to donor Governments and organizations to assist developing country Parties, in particular the least developed and small island developing States among them, and countries with economies in transition as well as countries that are centres of origin and centres of genetic diversity, and especially States with limited or no Internet access, to access and use the Biosafety Clearing-House, particularly in the areas of improved capacity for data collection and data management at the national level, strengthening of core human resources at the national level, and the establishment of appropriate infrastructure to share information at national, regional and international levels;

12. *Requests* the Executive Secretary, in order to ensure the rights of Parties arising from in particular Article 11 of the Protocol, to make easily available decisions and other information on living modified organisms for food, or feed, or for processing, risk assessments on living modified organisms, and decisions taken under the Advance Informed Agreement procedure;

13. *Requests* the Executive Secretary to undertake translation of the Central Portal interface into the six official languages of the United Nations, and *calls upon* Parties, Governments and other donors to provide the required financial resources;

14. *Requests* the Executive Secretary, with a view to ensuring value for money, to undertake an external security audit of the Central Portal and its infrastructure to ensure full security of this information, and to minimize any chance of any loss of information, and *calls upon* Parties, Governments and other donors to provide the required financial resources;

15. *Requests* the Executive Secretary to continue to develop non-Internet based mechanisms for countries to access information in the Biosafety Clearing-House, such as circulating information registered with the Central Portal on CD-ROMs on a quarterly basis to those Governments that request such facilities;

16. *Requests* the Executive Secretary to undertake another survey of Biosafety Clearing-House users to compare improvements against existing baseline data, and to submit this information for consideration by the Parties at their fourth meeting as part of the review of the implementation of the Protocol envisaged in the medium-term programme of work.

### **BS-III/3.**

#### **CAPACITY-BUILDING**

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

##### *Action Plan*

*Recalling* its decisions BS-I/5 and decision BS-II/3;

*Taking note of* the report on the progress in, and effectiveness of, the implementation of the Action Plan for Building Capacities for the Effective Implementation of the Cartagena Protocol on Biosafety contained in the note prepared by the Executive Secretary (UNEP/CBD/BS/COP-MOP/3/4),

*Recognizing* the need to take further measures to improve the implementation and effectiveness of the Action Plan,

*Welcoming* the evaluation of the support of the Global Environment Facility for biosafety contained in document UNEP/CBD/BS/COP-MOP/3/INF/12,

*Reiterating* the importance of capacity-building for the effective implementation of the Protocol and for its continued development,

*Recognizing* that capacity-building is a complex issue requiring urgent as well as long-term sustained efforts to assist developing country Parties, in particular the least developed and small island developing States among them, as well as Parties with economies in transition to fulfil their obligations under the Protocol,

1. *Adopts* an updated version of the Action Plan for Building Capacities for the Effective Implementation of the Cartagena Protocol on Biosafety contained in the annex to this decision, superseding the one adopted in decision BS-I/5, annex I;

2. *Invites* Parties, other Governments and relevant organizations to implement, as appropriate, the updated Action Plan referred to above;

3. *Calls upon* Parties, other Governments, intergovernmental organizations, non-governmental organizations and, as appropriate, the private sector to continue extending their cooperation with developing countries, in particular the least developed and small island developing States among them, as well as countries with economies in transition with a view to strengthening biosafety capacity-building programmes taking into account Article 22 of the Protocol on capacity building and the Action Plan annexed to this decision;

4. *Invites* the Global Environmental Facility, developed country Parties and Governments, as well as relevant organizations to take into account the updated Action Plan referred to above and increase their financial and technical support to developing countries and countries with economies in transition for its implementation;

5. *Decides* to conduct further comprehensive reviews of the Action Plan every five years;

6. *Invites* Parties, other Governments and relevant organizations to provide to the Executive Secretary reports on the progress in, and effectiveness of, their efforts in implementing the Action Plan, at least three months prior to the meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol that will undertake the comprehensive review of the Action Plan in accordance with paragraph 5 above;

7. *Urges* Parties and other Governments to integrate biosafety in their broader sustainable development strategies and approaches and programmes such as Poverty Reduction Strategy Papers, where available and when scheduled for revision, as well as those related to the goals and objectives agreed upon at major United Nations conferences and summits including those agreed upon at the Millennium Summit that are described as the Millennium Development Goals;

8. *Invites* developed country Parties and other Governments to include biosafety issues in their development aid policies and strategies, and in their corresponding sectoral and bilateral programmes;

9. *Encourages* Parties, other Governments and relevant organizations to adopt a long-term perspective in the design and implementation of biosafety capacity-building initiatives, also focusing on building up countries' research capacities and institutional frameworks in order to assess their own needs and possible adverse effects of living modified organisms on the conservation and sustainable use of biological diversity, taking also into account risks to human health;

10. *Invites* developing country Parties and Parties with economies in transition as well as other Governments to adopt, as appropriate, the following measures with a view to addressing some of the key factors limiting the implementation and effectiveness of the Action Plan at all levels:

(a) Promote coordination of donor assistance for biosafety initiatives at the country level;

(b) Mobilize funding from a wide range of sources;

(c) Provide, where possible, adequate allocations for biosafety capacity-building activities in the national budgets;

(d) Coordinate and harmonize biosafety frameworks at the regional and subregional levels;

11. *Invites* Parties and other Governments, in collaboration with relevant organizations, to adopt, as appropriate, the following measures in order to strengthen human resources for the effective implementation of the Protocol:



(a) Encourage the development of training of trainers' programmes in technical aspects of biosafety in collaboration with relevant partners, including regional centres of excellence and national training institutions;

(b) Develop core local expertise in biosafety through long-term formal training and/or attachment of personnel to specialized institutions or centres of excellence, located in the country or abroad;

(c) Utilize opportunities offered by capacity-building activities for biotechnology to the extent that they are relevant for biosafety;

(d) Promote and facilitate direct bilateral exchanges of technical experts between countries in order to build capacities in biosafety and encourage bilateral or regional cooperation;

12. *Urges* Parties, other Governments and relevant organizations to include in the design of their biosafety capacity-building initiatives a requirement to provide to the Biosafety Clearing-House information regarding the activities, outcomes, best practices and lessons learned from those initiatives in order to facilitate the broader sharing of such information;

13. *Requests* the Executive Secretary to prepare, on the basis of the submissions referred to in paragraph 6 above, a synthesis report for consideration by the meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol that will undertake the comprehensive review of the Action Plan;

#### *Coordination Mechanism*

*Welcoming* the report of the second coordination meeting for Governments and organizations implementing or funding biosafety capacity-building activities, which was held in Tromsø, Norway, from 18 to 20 January 2006 (UNEP/CBD/COP-MOP/3/INF/5);

*Expressing* its appreciation to the Government of Norway for sponsoring and hosting the second coordination meeting referred to above;

*Emphasizing* the need for promoting synergies and partnerships between different capacity-building initiatives in order foster increased efficiency in the use of available resources,

14. *Reiterates* its call made in decision BS-I/5, paragraph 23, to all Parties and other Governments to establish national coordination mechanisms for biosafety capacity-building;

15. *Invites* developed country Parties, other Governments and relevant organizations to provide additional financial and other resources to enable developing country Parties, in particular the least developed and small island developing States among them, as well as Parties with economies in transition, to participate in the global Coordination Mechanism;

16. *Invites also* developed country Parties, other Governments and relevant organizations to assist developing country Parties, in particular the least developed and small island developing States among them, as well as Parties with economies in transition to build their capacity to establish and implement biosafety coordination mechanisms at the national and regional levels;

17. *Urges* Parties, other Governments and relevant organizations to regularly update, as appropriate, information on their capacity-building submitted to the Biosafety Clearing-House and to improve the level of detail and quality of the information;

18. *Invites* Parties, other Governments and relevant organizations to document and publicize, including through the Biosafety Clearing-House, experiences, best practices and lessons learned in coordination and collaboration;

19. *Invites* Parties, other Governments, relevant organizations and regional bodies, including the regional economic commissions of the United Nations, to organize, as appropriate, regional and subregional coordination meetings on capacity-building for biosafety;

20. *Encourages* Parties, other Governments and relevant organizations offering to host coordination meetings to invite participants from both recipient countries and donor Governments and organizations in order facilitate effective dialogue on the capacity-building efforts.

#### *Annex*

### **UPDATED ACTION PLAN FOR BUILDING CAPACITIES FOR THE EFFECTIVE IMPLEMENTATION OF THE BIOSAFETY PROTOCOL**

#### ***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;
- (i) Encourage the development and implementation of nationally-designed and resourced activities that address the specific needs and priorities of each country;
- (j) Promote high level political will and commitment to the implementation of the Protocol.

## ***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***

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;
- (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 (PRSPs), country assistance strategies and/or other similar instruments;

- (e) Development and implementation of national biosafety frameworks;
- (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 biosafety 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.

## **BS-III/4.**

### **CAPACITY-BUILDING (ROSTER OF EXPERTS)**

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

*Recalling* its decisions BS-I/4 and decision BS-II/4 on the roster of experts on biosafety,

*Taking note* of the report on the status and use of the roster of experts and of the pilot phase of the Voluntary Trust Fund for the Roster of Experts (UNEP/CBD/BS/COP-MOP/3/4/Add.2),

*Recognizing* the need to strengthen the roster of experts,

*Understanding* that it is the right of Parties and Governments to nominate their experts to the roster,

*Welcoming* the initiatives taken by the Executive Secretary to promote awareness about the roster of experts and to publicize the available funding from the pilot phase of the Voluntary Fund for the Roster of Experts,

1. *Requests* the Liaison Group on Capacity-Building for Biosafety to develop, for consideration at the fourth meeting of the Parties to the Protocol, draft criteria and minimum requirements (including minimum qualifications or experience), for experts to be included in the roster, in order to assist countries in making their nominations to the roster and in re-assessing the nominations already made;

2. *Requests also* the Liaison Group on Capacity-Building for Biosafety to explore the possibility of establishing a quality control mechanism, and if feasible, propose modalities of such mechanism for consideration at the fourth meeting of the Parties to the Protocol, taking into account the suggestions made during the internal review of the roster;

3. *Invites* Parties, other Governments and relevant organizations to submit to the Secretariat, no later six months prior to its fourth meeting, views and suggestions on the criteria and minimum requirements for experts to be nominated to the roster as well as views on a possible a quality control mechanism for the roster;

4. *Reiterates* the call to Parties and Governments to oblige the experts they nominate to the roster to provide sufficient details regarding their expertise, including: academic and professional qualifications, specific competencies, practical experiences and publications relevant to biosafety;



5. *Encourages* Parties and other Governments to be more rigorous in their process of selecting and screening experts for nomination to the roster;

6. *Urges* national focal points to create user accounts for the experts nominated to the roster or authorize the Secretariat to create accounts for all experts in the roster and to update the records on the basis of the information submitted by experts that unable to do it themselves online;

7. *Invites* eligible Parties to make use of the biosafety roster of experts, and calls upon donors to make financial contributions to the appropriate fund under the Protocol in order to cover the cost of using experts from the roster;

8. *Invites* Parties, other Governments and relevant organizations that identify and use experts from the roster directly through Biosafety Clearing-House without going through the Secretariat to provide to the Secretariat evaluation reports of the completed assignments by the experts, including the quality of the advice and other support provided, in order to facilitate the overall assessment of the utility and effectiveness of the roster;

9. *Invites also* capacity-building initiatives, such as the projects funded by the Global Environment Facility, to promote awareness of the roster, particularly in countries participating in those initiatives;

10. *Further invites* donor countries and relevant organizations to make voluntary contributions to assist developing country Parties, in particular the least developed and the small island developing States among them, and Parties with economies in transition to pay for the use of experts selected from the roster.

11. *Requests* the Executive Secretary to prepare, on the basis of the submissions referred to in paragraph 3 above, a synthesis report for consideration by the Liaison Group on Capacity-Building for Biosafety.

**BS-III/5.**

**MATTERS RELATING TO THE FINANCIAL MECHANISM AND RESOURCES**

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

*Recalling* Article 28 of the Protocol,

*Recalling* also its decision BS-II/5,

*Taking note* of the note by the Executive Secretary on matters related to the financial mechanism and resources (UNEP/CBD/BS/COP-MOP/3/5),

*Recognizing* the significance of the role of the Global Environment Facility in the implementation of the Action Plan for Building Capacities for the Effective Implementation of the Cartagena Protocol on Biosafety,

*Appreciative of* the information documents (UNEP/CBD/BS/COP-MOP/3/INF/12 and UNEP/CBD/BS/COP-MOP/3/INF/13) from the Global Environment Facility and updates provided by its representatives,

*Aware* that the Council of the Global Environment Facility has adopted a new system of allocating resources to countries in the focal areas of biodiversity and climate change, known as the Resource Allocation Framework,

*Realizing* that the Conference of the Parties to the Convention on Biological Diversity did not provide guidance on the development of the Resource Allocation Framework,

*Concerned* about the implications of the Resource Allocation Framework in limiting the allocation of resources to developing countries, in particular the least developed and the small island developing States amongst them, and countries with economies in transition, to support the development of national biosafety frameworks and the building of biosafety capacity for implementation,

*Understanding* that all countries need to put in place at least a base level of capacity to implement the Protocol and that such a requirement is not part of the criteria of the Resource Allocation Framework,

*Recognizing* that guidance to the Global Environment Facility for consideration of the Conference of the Parties should be incorporated into this decision, based upon the outcomes of negotiations under other agenda items of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety,

1. *Notes with appreciation* that the biosafety-related activities financed by the Global Environment Facility have helped foster the ratification and implementation of the Protocol;

2. *Notes also* the recommendations made by the Evaluation Office of the Global Environment Facility in the document entitled “Report of the Evaluation of GEF Support for Biosafety” (UNEP/CBD/BS/COP-MOP/3/INF/12), and *urges* the Global Environment Facility to implement those recommendations in a timely manner;

3. *Urges* the Global Environment Facility to expeditiously finalize, approve and implement the biosafety strategy based on the elements suggested in the document entitled “Elements for a Biosafety Strategy” (UNEP/CBD/BS/COP-MOP/3/INF/13), taking into account the guidance from the Conference of the Parties that incorporates elements of this decision;

4. *Requests* the Conference of the Parties to the Convention on Biological Diversity to seek an assurance from the Global Environment Facility that the introduction of the Resource Allocation Framework will not in any way jeopardize eligible Parties’ access to funding for biosafety-related activities including regional activities where appropriate;

5. *Urges* donor Parties and Governments to substantially replenish the Global Environment Facility Trust Fund, taking account of the need for adequate and predictable funding for supporting developing countries, in particular the least developed and the small island developing States amongst them, and countries with economies in transition, to implement the Cartagena Protocol on Biosafety.

6. *Requests also* that the Conference of the Parties at its eighth meeting consider providing the following guidance to the financial mechanism:

“1. *Requests* the Global Environment Facility to base their allocation of resources to support the implementation of the Protocol on country needs and priorities, and as a priority to support the establishment of a base level of capacity in all eligible developing country Parties, in particular the least developed and the small island developing States amongst them, and Parties with economies in transition;

“2. *Urges* the Global Environment Facility to support in-country, regional and sub-regional stock-taking studies to enable:

(a) The better planning and customizing of future assistance to the respective needs of eligible countries, given the fact that a “one-size-fits-all” approach to biosafety has been demonstrated to be inappropriate;

(b) The identification of clear and realistic targets;

(c) The identification and provision of technical and adequately experienced expertise for the implementation of national biosafety frameworks;

(d) The development of effective coordination which facilitates the support, ownership and involvement of all relevant national ministries and authorities, to ensure synergy and continuity;

“3. *Requests* the Global Environment Facility to support:

(a) The provision of longer-term support for building, consolidating and enhancing sustainable human resource capacity in risk assessment and risk management, and also in developing detection techniques for identifying living modified organisms;

(b) Awareness-raising, public participation and information sharing, including through the Biosafety Clearing-House;

(c) Coordination and harmonization of national biosafety frameworks at regional and sub-regional levels, where appropriate;

(d) Sustainable national participation in the Biosafety Clearing-House, including registration of information with the central portal of the Biosafety Clearing-House of the Protocol;

(e) Transfer and joint development of technology in risk assessment, risk management, monitoring and detection of living modified organisms;

(f) Development and implementation of national biosafety frameworks;

(g) Development of technical, financial, and human capacity including postgraduate education, biosafety-related laboratories and relevant equipment;

(h) Implementation of the revised Action Plan for Building Capacities for the Effective Implementation of the Cartagena Protocol on Biosafety;

(i) Facilitation of the consultative information-gathering process leading to the preparation of national reports under the Protocol.”

7. *Further requests* that, in considering the above guidance to the financial mechanism, the Conference of the Parties at its eighth meeting also take into account paragraph 8 of decision BS-III/2, paragraph 4 of decision BS-III/3, paragraph 9 of decision BS-III/4, and paragraph 6 of decision BS-III/14.

## **BS-III/6.**

### **COOPERATION**

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

*Having considered* the note by the Executive Secretary on the status and experiences gained so far in promoting cooperation with other organizations, conventions and initiatives (UNEP/CBD/BS/COP-MOP/3/6 and Corr.1),

1. *Takes note* of the information provided by the international organizations which responded to the invitation of the Executive Secretary to provide such information pursuant to decision BS-II/6 of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety at its second meeting;

2. *Commends* the Executive Secretary on his recent efforts to strengthen cooperation with other organizations and initiatives, in particular as regards the cooperation with the World Trade Organization and *requests* the Executive Secretary to intensify efforts to gain the World Trade Organization observer status in the Sanitary and Phytosanitary (SPS) and the Technical Barriers to Trade (TBT) Committees;

3. *Also requests* the Executive Secretary to:

(a) Continue pursuing, reinforcing and intensifying, as the case may be, cooperative arrangements with all the organizations referred to in decision BS-II/6;

(b) Explore the potential of, and endeavour to enhance synergies with, other processes and initiatives that can contribute to the effective implementation of the Protocol, in particular with regard to enhancing capacity-building;

(c) Report to the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety at its fourth meeting on the implementation of this decision.

**BS-III/7.**

**PROGRAMME BUDGET FOR THE COSTS OF THE SECRETARIAT SERVICES  
FOR AND THE BIOSAFETY WORK PROGRAMME OF THE CARTAGENA  
PROTOCOL ON BIOSAFETY FOR THE BIENNIUM 2007-2008**

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

*Reaffirming* the operational modalities of the programme budget (BG, BH, BI), as established in paragraphs 2, 8, 12 and 16 to 19 of decision BS-I/10,

*Recalling* paragraphs 10 and 11 of decision VII/34 of the Conference of the Parties to the Convention on Biological Diversity,

*Satisfied with* the development of the Secretariat-wide tracking mechanism for differentiating shared costs of secretariat services between the Convention on Biological Diversity and the Protocol as well as with the analysis of the results by the Executive Secretary and the conclusions drawn from that analysis,

1. *Welcomes* the annual contribution of US\$ 1,000,000, to be increased at 2% per year, from the host country Canada and the Province of Quebec to the operation of the Secretariat, of which 16.5% has been allocated per annum to offset contributions from the Parties to the Protocol for the biennium 2007-2008;

2. *Approves* a core programme budget (BG) of US\$ 2,615,000 for the year 2007 and of US\$ 2,108,100 for the year 2008, for the purposes set out in table 1 below;

3. *Approves* Secretariat staffing as set out in table 2 below, and *requests* that all vacant staff positions be filled expeditiously;

4. *Adopts* the scale of assessments for the apportionment of the costs under the Protocol for 2007 and 2008 set out in table 5 below and *authorizes* the Executive Secretary, in keeping with the financial rules, to adjust the list of Parties on receipt of notification from the Depositary that a State has deposited an instrument on ratification, acceptance, approval or accession;

5. *Decides* to set the working capital reserve at a level of 5 per cent of the core programme budget (BG) expenditure, including programme support costs;

6. *Approves* a drawing of US\$ 400,000 from the unspent balances or contributions (“carry-over”) from the previous financial period to cover part of the 2007-2008 budget;

7. *Takes note* of the funding estimates for activities under the Protocol to be financed from:

(a) The Special Voluntary Trust Fund (BH) for Additional Voluntary Contributions in Support of Approved Activities for the biennium 2007-2008, as specified by the Executive Secretary and included in table 3 below;

(b) The Special Voluntary Trust Fund (BI) for Facilitating Participation of the Developing Country Parties, in particular the least developed countries and small island developing States, and Parties with Economies in Transition, for the biennium 2007-2008, as specified by the Executive Secretary and included in table 4 below;

and *urges* Parties to make contributions to these funds;

8. *Invites* all Parties to the Protocol to note that contributions to the core programme budget (BG) are due on 1 January of the year in which these contributions have been budgeted for, and to pay them promptly, and *urges* Parties in a position to do so, to pay by 1 October of the year 2006 for the calendar year 2007 and by 1 October 2007 for the calendar year 2008, the contributions required to finance the Protocol expenditures approved under paragraph 2 above, as offset by the amounts specified in paragraphs 1 and 6 above, and in this regard *requests* Parties to be notified of the amount of their contributions by 1 August of the year preceding the year in which the contributions are due;

9. *Invites* all States not party to the Protocol, as well as governmental, intergovernmental and non-governmental organizations and other sources, to contribute to the trust funds for the Protocol (BG, BH, BI) to enable the Secretariat to implement approved activities in a timely manner;

10. *Decides* that the trust funds for the Protocol (BG, BH, BI) shall be extended for a period of two years, beginning 1 January 2008 and ending 31 December 2009;

11. *Agrees* to share the costs for secretariat services between those that are common to the Convention on Biological Diversity and the Protocol on an 85:15 ratio for the biennium 2007-2008;

12. *Requests* the Executive Secretary to prepare and submit a programme budget for secretariat services and the biosafety work programme of the Protocol for the biennium 2009-2010 to the fourth meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol, and to report on income and budget performance as well as any adjustments made to the Protocol budget for the biennium 2007-2008;

13. *Requests* the Executive Secretary, in presenting the proposed programme budget for the biennium 2009-2010 to the fourth meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol, to use the tracking mechanism to review the ratio specified in paragraph 11 above.

**Table 1: Biennium budget for the Trust Fund of the Cartagena Protocol on Biosafety 2007-2008**

<b>Expenditures</b>		<b>2007</b>	<b>2008</b>
		<i>(US\$ thousands)</i>	<i>(US\$ thousands)</i>
A.	Staff costs*	939.6	967.8
B.	Biosafety Bureau meetings	50.0	60.0
C.	Travel on official business	50.0	50.0
D.	Consultants/subcontracts	25.0	25.0
E.	Biosafety Clearing-House advisory meetings	40.0	40.0
F.	Liaison group meetings (1/year)	35.0	35.0
G.	Fourth meeting of the Conference of the Parties to the Convention on Biological Diversity serving as the meeting of the Parties to the Cartagena Protocol on Biosafety	---	350.0
H.	Compliance Committee meetings (2/year)	95.0	95.0
I.	Ad Hoc Open-ended Working Group on Liability and Redress (2 meetings)	800.0	---
J.	Translation of Biosafety Clearing-House website	20.0	20.0
K.	Training/Fellowships	20.0	20.0
L.	Temporary assistance/Overtime	10.0	10.0
M.	General operating expenses	192.8	192.8
<b>Sub-total (I)</b>		2,277.4	1,865.6
<b>II</b>	<b>Programme support costs 13%</b>	296.1	242.5
<b>Sub-total (II)</b>		296.1	242.5
<b>III</b>	<b>Working capital reserve **</b>	41.5	-
<b>Sub-total (III)</b>		41.5	-
<b>GRAND TOTAL (I + II + III)</b>		2,615.0	2,108.1
<b>Less contribution from the host country</b>		168.3	171.7
<b>Less savings from previous years (surplus)</b>		200.0	200.0
<b>NET TOTAL (Amount to be shared by Parties)</b>		2,246.7	1,736.4

\* Includes 15% costs for 1 P-5, 4 P-4, 7 P-3, and 4 G-S staff funded mainly by the Convention..

\*\* 5% of biennium total (including programme support costs) less accumulated working capital reserve from 2005-2006 of \$192,600.



**Table 2: Biosafety Protocol distinct staffing requirements from the core budget (BG Trust Fund) for the biennium 2007-2008**

	2007	2008
<b>A Professional category</b>		
P-5	1	1
P-4	1	1
P-3	1	1
P-2	1	1
<b>Total Professional category</b>	<b>4</b>	<b>4</b>
<b>B. Total General Service category</b>	<b>2</b>	<b>2</b>
<i>TOTAL (A + B)</i>	<b>6</b>	<b>6</b>

**Table 3: Special Voluntary Trust Fund (BH) for additional voluntary contributions in support of approved activities of the Cartagena Protocol on Biosafety for the biennium 2007-2008**

	2007 (US\$ thousands)	2008 (US\$ thousands)
<b>I Meetings</b>		
Regional capacity-building coordination meetings for the Biosafety Protocol (1/year)	60.0	60.0
Regional workshops on capacity-building/risk assessment on LMOs (4)	100.0	100.0
Open-ended Ad Hoc Group of Legal and Technical Experts on Liability and Redress		400.0
<b>Consultants/ sub-contracts</b>		
Biosafety Clearing-House- External security audit		10.0
Biosafety roster of experts	50.0	50.0
<b>Equipment</b>		
Biosafety Clearing-House software/hardware	5.0	5.0
<b>Sub-total (I)</b>	<b>215.0</b>	<b>625.0</b>
<b>II Programme support costs (13%)</b>	<b>28.0</b>	<b>81.3</b>
<b>TOTAL (I + II)</b>	<b>243.0</b>	<b>706.3</b>

**Table 4: Special Voluntary Trust Fund (BI) for facilitating participation of Parties in the Protocol for the 2007-2008 biennium**

	2007	2008
	(US\$ thousands)	(US\$ thousands)
<b>I</b>		
<b>Meetings</b>		
Meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol		450.0
Open-ended Ad Hoc Group of Legal and Technical Experts on Liability and Redress (3)	900.0	450.0
<b>Sub-total (I)</b>	<b>900.0</b>	<b>900.0</b>
<b>II</b>		
<b>Programme support costs (13%)</b>	117.0	117.0
<b>TOTAL (I + II)</b>	<b>1017.0</b>	<b>1017.0</b>

**Table 5: Contributions to the Trust Fund for the Cartagena Protocol on Biosafety for the biennium 2007-2008**

Member Country	UN scale of assessments 2006 (per cent)	Scale with 22% ceiling, no LDC paying more than 0.01 % (per cent)	Contributions per 1 Jan. 2007 US\$	UN scale of assessments 2006 (per cent)	Scale with 22% ceiling, no LDC paying more than 0.01 % (per cent)	Contributions as per 1 Jan. 2008 US\$	Total contributions 2007-2008 US\$
Albania	0.005	0.008	179	0.005	0.008	139	318
Algeria	0.076	0.121	2,725	0.076	0.121	2,106	4,830
Antigua and Barbuda	0.003	0.005	108	0.003	0.005	83	191
Armenia	0.002	0.003	72	0.002	0.003	55	127
Austria	0.859	1.371	30,796	0.859	1.371	23,801	54,596
Azerbaijan	0.005	0.008	179	0.005	0.008	139	318
Bahamas	0.013	0.021	466	0.013	0.021	360	826
Bangladesh	0.010	0.010	225	0.010	0.010	174	398
Barbados	0.010	0.016	359	0.010	0.016	277	636
Belarus	0.018	0.029	645	0.018	0.029	499	1,144
Belgium	1.069	1.706	38,324	1.069	1.706	29,619	67,944
Belize	0.001	0.002	36	0.001	0.002	28	64
Benin	0.002	0.003	72	0.002	0.003	55	127
Bhutan	0.001	0.002	36	0.001	0.002	28	64
Bolivia	0.009	0.014	323	0.009	0.014	249	572
Botswana	0.012	0.019	430	0.012	0.019	332	763
Brazil	1.523	2.430	54,600	1.523	2.430	42,199	96,799
Bulgaria	0.017	0.027	609	0.017	0.027	471	1,080
Burkina Faso	0.002	0.003	72	0.002	0.003	55	127
Cambodia	0.002	0.003	72	0.002	0.003	55	127
Cameroon	0.008	0.013	287	0.008	0.013	222	508
Cape Verde	0.001	0.002	36	0.001	0.002	28	64
China	2.053	3.276	73,601	2.053	3.276	56,884	130,485
Colombia	0.155	0.247	5,557	0.155	0.247	4,295	9,852
Croatia	0.037	0.059	1,326	0.037	0.059	1,025	2,352
Cuba	0.043	0.069	1,542	0.043	0.069	1,191	2,733
Cyprus	0.039	0.062	1,398	0.039	0.062	1,081	2,479
Czech Republic	0.183	0.292	6,561	0.183	0.292	5,071	11,631
Dem. Republic of Congo	0.003	0.005	108	0.003	0.005	83	191
Denmark	0.718	1.146	25,741	0.718	1.146	19,894	45,635
Djibouti	0.001	0.002	36	0.001	0.002	28	64

Member Country	UN scale of assessments 2006 (per cent)	Scale with 22% ceiling, no LDC paying more than 0.01 % (per cent)	Contributions per 1 Jan. 2007 US\$	UN scale of assessments 2006 (per cent)	Scale with 22% ceiling, no LDC paying more than 0.01 % (per cent)	Contributions as per 1 Jan. 2008 US\$	Total contributions 2007-2008 US\$
Dominica	0.001	0.002	36	0.001	0.002	28	64
Ecuador	0.019	0.030	681	0.019	0.030	526	1,208
Egypt	0.012	0.019	430	0.012	0.019	332	763
El Salvador	0.022	0.035	789	0.022	0.035	610	1,398
Eritrea	0.001	0.002	36	0.001	0.002	28	64
Estonia	0.012	0.019	430	0.012	0.019	332	763
Ethiopia	0.004	0.006	143	0.004	0.006	111	254
European Community	2.500	2.500	56,168	2.500	2.500	43,410	99,578
Fiji	0.004	0.006	143	0.004	0.006	111	254
Finland	0.533	0.851	19,108	0.533	0.851	14,768	33,876
France	6.030	9.622	216,178	6.030	9.622	167,077	383,256
Gambia	0.001	0.002	36	0.001	0.002	28	64
Germany	8.662	13.822	310,537	8.662	13.822	240,004	550,541
Ghana	0.004	0.006	143	0.004	0.006	111	254
Greece	0.530	0.846	19,001	0.530	0.846	14,685	33,686
Grenada	0.001	0.002	36	0.001	0.002	28	64
Guatemala	0.030	0.048	1,076	0.030	0.048	831	1,907
Hungary	0.126	0.201	4,517	0.126	0.201	3,491	8,008
India	0.421	0.672	15,093	0.421	0.672	11,665	26,758
Indonesia	0.142	0.227	5,091	0.142	0.227	3,934	9,025
Iran	0.157	0.251	5,629	0.157	0.251	4,350	9,979
Ireland	0.350	0.558	12,548	0.350	0.558	9,698	22,245
Italy	4.885	7.795	175,130	4.885	7.795	135,352	310,481
Japan	19.468	22.000	494,274	19.468	22.000	382,008	876,282
Jordan	0.011	0.018	394	0.011	0.018	305	699
Kenya	0.009	0.014	323	0.009	0.014	249	572
Kiribati	0.001	0.002	36	0.001	0.002	28	64
Korea, Democratic Republic	0.010	0.016	359	0.010	0.016	277	636
Kyrgyzstan	0.001	0.002	36	0.001	0.002	28	64
Lao People's Dem. Rep.	0.015	0.010	225	0.015	0.010	174	398
Latvia	0.015	0.024	538	0.015	0.024	416	953
Lesotho	0.001	0.002	36	0.001	0.002	28	64

Member Country	UN scale of assessments 2006 (per cent)	Scale with 22% ceiling, no LDC paying more than 0.01 % (per cent)	Contributions per 1 Jan. 2007 US\$	UN scale of assessments 2006 (per cent)	Scale with 22% ceiling, no LDC paying more than 0.01 % (per cent)	Contributions as per 1 Jan. 2008 US\$	Total contributions 2007-2008 US\$
Liberia	0.001	0.002	36	0.001	0.002	28	64
Libya	0.132	0.211	4,732	0.132	0.211	3,657	8,390
Lithuania	0.024	0.038	860	0.024	0.038	665	1,525
Luxembourg	0.077	0.123	2,760	0.077	0.123	2,133	4,894
Madagascar	0.003	0.005	108	0.003	0.005	83	191
Malaysia	0.203	0.324	7,278	0.203	0.324	5,625	12,902
Maldives	0.001	0.002	36	0.001	0.002	28	64
Mali	0.002	0.003	72	0.002	0.003	55	127
Marshall Islands	0.001	0.002	36	0.001	0.002	28	64
Mauritania	0.001	0.002	36	0.001	0.002	28	64
Mauritius	0.011	0.018	394	0.011	0.018	305	699
Mexico	1.883	3.005	67,506	1.883	3.005	52,174	119,680
Mongolia	0.001	0.002	36	0.001	0.002	28	64
Mozambique	0.001	0.002	36	0.001	0.002	28	64
Namibia	0.006	0.010	215	0.006	0.010	166	381
Nauru	0.001	0.002	36	0.001	0.002	28	64
Netherlands	1.690	2.697	60,587	1.690	2.697	46,826	107,413
New Zealand	0.221	0.353	7,923	0.221	0.353	6,123	14,046
Nicaragua	0.001	0.002	36	0.001	0.002	28	64
Niger	0.001	0.002	36	0.001	0.002	28	64
Nigeria	0.042	0.067	1,506	0.042	0.067	1,164	2,669
Niue	0.001	0.002	36	0.001	0.002	28	64
Norway	0.679	1.083	24,342	0.679	1.083	18,813	43,156
Oman	0.070	0.112	2,510	0.070	0.112	1,940	4,449
Palau	0.001	0.002	36	0.001	0.002	28	64
Panama	0.019	0.030	681	0.019	0.030	526	1,208
Papua New Guinea	0.003	0.005	108	0.003	0.005	83	191
Paraguay	0.012	0.019	430	0.012	0.019	332	763
Peru	0.092	0.147	3,298	0.092	0.147	2,549	5,847
Poland	0.461	0.736	16,527	0.461	0.736	12,773	29,300
Portugal	0.470	0.750	16,850	0.470	0.750	13,023	29,872
Republic of Moldova	0.001	0.002	36	0.001	0.002	28	64
Romania	0.060	0.096	2,151	0.060	0.096	1,662	3,813

Member Country	UN scale of assessments 2006 (per cent)	Scale with 22% ceiling, no LDC paying more than 0.01 % (per cent)	Contributions per 1 Jan. 2007 US\$	UN scale of assessments 2006 (per cent)	Scale with 22% ceiling, no LDC paying more than 0.01 % (per cent)	Contributions as per 1 Jan. 2008 US\$	Total contributions 2007-2008 US\$
Rwanda	0.001	0.002	36	0.001	0.002	28	64
Saint Kitts and Nevis	0.001	0.002	36	0.001	0.002	28	64
Saint Vincent & Gren.	0.001	0.002	36	0.001	0.002	28	64
Samoa	0.001	0.002	36	0.001	0.002	28	64
Senegal	0.005	0.008	179	0.005	0.008	139	318
Serbia & Montenegro	0.019	0.030	681	0.019	0.030	526	1,208
Seychelles	0.002	0.003	72	0.002	0.003	55	127
Slovakia	0.051	0.081	1,828	0.051	0.081	1,413	3,241
Slovenia	0.082	0.131	2,940	0.082	0.131	2,272	5,212
Solomon Islands	0.001	0.002	36	0.001	0.002	28	64
South Africa	0.292	0.466	10,468	0.292	0.466	8,091	18,559
Spain	2.520	4.021	90,343	2.520	4.021	69,823	160,167
Sri Lanka	0.017	0.027	609	0.017	0.027	471	1,080
St. Lucia	0.002	0.003	72	0.002	0.003	55	127
Sudan	0.008	0.010	225	0.008	0.010	174	398
Swaziland	0.002	0.003	72	0.002	0.003	55	127
Sweden	0.998	1.593	35,779	0.998	1.593	27,652	63,431
Switzerland	1.197	1.910	42,913	1.197	1.910	33,166	76,079
Syria	0.038	0.061	1,362	0.038	0.061	1,053	2,415
Tajikistan	0.001	0.002	36	0.001	0.002	28	64
TFYR Macedonia	0.006	0.010	215	0.006	0.010	166	381
Thailand	0.209	0.334	7,493	0.209	0.334	5,791	13,284
Togo	0.001	0.002	36	0.001	0.002	28	64
Tonga	0.001	0.002	36	0.001	0.002	28	64
Trinidad and Tobago	0.022	0.035	789	0.022	0.035	610	1,398
Tunisia	0.032	0.051	1,147	0.032	0.051	887	2,034
Turkey	0.372	0.594	13,336	0.372	0.594	10,307	23,644
Uganda	0.006	0.010	215	0.006	0.010	166	381
Ukraine	0.039	0.062	1,398	0.039	0.062	1,081	2,479
United Kingdom of Great Britain and Northern Ireland	6.127	9.777	219,656	6.127	9.777	169,765	389,421

Member Country	UN scale of assessments 2006 (per cent)	Scale with 22% ceiling, no LDC paying more than 0.01 % (per cent)	Contributions per 1 Jan. 2007 US\$	UN scale of assessments 2006 (per cent)	Scale with 22% ceiling, no LDC paying more than 0.01 % (per cent)	Contributions as per 1 Jan. 2008 US\$	Total contributions 2007-2008 US\$
United Republic of Tanzania	0.006	0.010	215	0.006	0.010	166	381
Venezuela	0.171	0.273	6,130	0.171	0.273	4,738	10,868
Viet Nam	0.021	0.034	753	0.021	0.034	582	1,335
Yemen	0.006	0.010	215	0.006	0.010	166	381
Zambia	0.002	0.003	72	0.002	0.003	55	127
Zimbabwe	0.007	0.011	251	0.007	0.011	194	445
<b>TOTAL</b>	<b>69.297</b>	<b>100.000</b>	<b>2,246,700</b>	<b>69.297</b>	<b>100.000</b>	<b>1,736,400</b>	<b>3,983,100</b>

**BS-III/8.**

**HANDLING, TRANSPORT, PACKAGING AND IDENTIFICATION OF LIVING MODIFIED ORGANISMS: PARAGRAPHS 2 (B) AND 2 (C) OF ARTICLE 18**

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

*Recalling* the decision taken at the second meeting to consider the documentation requirements of paragraphs 2 (b) and 2 (c) of Article 18 in the context of the review of implementation of the Protocol as provided for under Article 35 (paragraph 4, decision BS-II/10),

*Noting* the existence of well established rules and practices for identification, packaging and transport such as the United Nations Model Regulations on the Transport of Dangerous Goods in respect of some classes or types of living modified organisms that meet the criteria of dangerous goods or substances, and which fall under the category of living modified organisms destined for contained use,

*Noting* the submissions of information made on experience gained with the use of a commercial invoice or other documents required or utilized by existing documentation systems in fulfilling the requirements under paragraphs 2 (b) and 2 (c) of Article 18 concerning the identification of living modified organisms destined for contained use and those intended for intentional introduction into the environment, respectively,

*Noting further* the limited number of submissions received on experience in the use of existing documentation systems on whether a stand alone document would be appropriate to fulfil the documentation requirements under paragraphs 2 (b) and 2 (c) of Article 18, and *recognizing* the need for more practical experience in the use of documents referred to in paragraph 1, of decision BS-I/6 B,

*Recognizing further* the right of Parties to take domestic measures requiring exporters of living modified organisms destined for contained use and those intended for intentional introduction into the environment, to use standard formats, stand-alone documents, templates or other documentation systems that may be required by national authorities,

1. *Requests* Parties and *invites* other Governments and relevant international organizations to submit further to the Executive Secretary, not later than six months prior to the fourth meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol, further information on experience gained with the use of a commercial invoice or other documents required or utilized by existing documentation systems, or pursuant to national requirements with a view to future consideration of a stand-alone document;



2. *Requests* the Executive Secretary to compile the information received as per paragraph 1 above and to prepare a synthesis report for consideration in the context of the process of review of the implementation of the Protocol as provided for under Article 35 of the Protocol.

**BS III/9.**

**HANDLING, TRANSPORT, PACKAGING AND IDENTIFICATION OF  
LIVING MODIFIED ORGANISMS: PARAGRAPH 3 OF ARTICLE 18**

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

*Recalling* paragraph 3 of Article 18 of the Protocol on the consideration of the need for and modalities of developing standards with regard to identification, handling, packaging and transport practices for transboundary movements of living modified organisms,

*Noting* paragraph 2 of Article 18 provides for rules and standards regarding identification of living modified organisms,

*Recognizing*, in light of the complexity of existing rules and standards, and the relevant work of various international bodies, that there is a need for further consultations regarding consideration of the need for and modalities of developing standards with regard to identification, handling, packaging and transport practices, with a view to creating synergies and avoiding duplication of efforts,

1. *Invites* Parties, other Governments and relevant international organizations to submit, no later than six months prior to the fourth meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol, views and information on: (i) the adequacy of existing rules and standards for identification, handling, packaging and transport of goods and substances to address concerns relating to living modified organisms that are subject to transboundary movement, and (ii) on gaps that may exist that may justify a need to develop new rules and standards, or to call upon relevant international bodies to modify or expand their existing rules and standards, as appropriate;

2. *Requests* the Executive Secretary to prepare a synthesis of the views and information referred to in paragraph 1 above for consideration at the fourth meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol;

3. *Further requests* the Executive Secretary to continue collaborating with relevant international bodies and to gather information on existing rules and standards with a view to making available the information, including on the experiences of relevant international bodies in the establishment and implementation of rules and standards relevant to Article 18, at the fourth and fifth meetings of the Conference of the Parties serving as the meeting of the Parties to the Protocol.

**BS III/10.**

**HANDLING, TRANSPORT, PACKAGING AND IDENTIFICATION OF  
LIVING MODIFIED ORGANISMS: PARAGRAPH 2 (A) OF ARTICLE 18**

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

*Recalling* the second sentence of paragraph 2 (a) of Article 18, which requires the Conference of the Parties serving as the meeting of the Parties to the Protocol to take a decision on the detailed requirements of those elements specified in the first sentence of the same paragraph, including specification of the identity of the living modified organisms in question and any unique identification, no later than two years after the entry into force of the Protocol,

*Also recalling* decision BS-I/6 A of the first meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol,

*Recalling* that pursuant to Article 2 paragraph 4 of the Protocol, nothing in the Protocol shall be interpreted as restricting the right of a Party to take action that is more protective of the conservation and sustainable use of biological diversity than that called for in the Protocol, provided that such action is consistent with the objective and the provisions of the Protocol and in accordance with that Party's other obligations under international law,

*Understanding* that Parties may, in the context of Article 14 and Article 24, enter into bilateral, regional and multilateral agreements and arrangements regarding requirements for the identification of living modified organisms intended for direct use as food or feed, or for processing,

*Recalling* Article 11 of the Protocol on the procedure for living modified organisms intended for direct use as food or feed, or for processing,

*Stressing* the need to promote the broadest possible participation in the Protocol, by countries exporting and importing living modified organisms intended for use as food or feed or for processing, in order to ensure the broadest possible implementation of identification requirements,

*Convinced* that capacity-building in developing countries is essential for the effective implementation of the documentation requirements under Article 18, paragraph 2 (a), of the Protocol,

1. *Requests* Parties to the Protocol and *urges* other Governments to take measures to ensure the use of a commercial invoice or other document required or utilized by existing documentation systems, or documentation as required by domestic regulatory and/or administrative frameworks, as documentation that should accompany living modified organisms that are intended for direct use as food or feed, or for processing. Such documentation should include the information in paragraph 4 below and allow for easy recognition, transmission and effective integration of the information requirements, with consideration of standard formats;

2. *Requests* Parties to the Protocol and *invites* other Governments to submit to the Executive Secretary, no later than six months prior to the fifth meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol, information on experience gained with the use of documentation referred to in paragraph 1 above, with a view to further harmonization of a documentation format to fulfil the identification requirements set out in paragraph 4 below, including consideration of the need for a stand-alone document, and *requests* the Executive Secretary to compile the information and to prepare a synthesis report for consideration by the fifth meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol;

3. *Further requests* Parties to the Protocol and *urges* other Governments to take measures ensuring that the documentation accompanying living modified organisms that are intended for direct use as food or feed, or for processing, provides the details of a contact point for further information: the exporter, the importer, and/or any appropriate authority, when designated by a Government as the contact point;

4. *Requests* Parties to the Protocol and *urges* other Governments to take measures ensuring that documentation accompanying living modified organisms intended for direct use as food or feed, or for processing, in commercial production and authorized in accordance with domestic regulatory frameworks, is in compliance with the requirements of the country of import, and clearly states:

(a) In cases where the identity of the living modified organisms is known through means such as identity preservation systems, that the shipment contains living modified organisms that are intended for direct use as food or feed, or for processing;

(b) In cases where the identity of the living modified organisms is not known through means such as identity preservation systems, that the shipment may contain one or more living modified organisms that are intended for direct use as food or feed, or for processing;

(c) That the living modified organisms are not intended for intentional introduction into the environment;

(d) The common, scientific and, where available, commercial names of the living modified organisms;

(e) The transformation event code of the living modified organisms or, where available, as a key to accessing information in the Biosafety Clearing-House, its unique identifier code;

(f) The Internet address of the Biosafety Clearing-House for further information;

and *notes* that in accordance with Article 24 of the Protocol, transboundary movements of living modified organisms between Parties and non-Parties shall be consistent with the objective of the Protocol, and *further notes* that the specific requirements set out in this paragraph do not apply to such movements. In addition, in accordance with paragraph 2 of Article 24, Parties shall encourage non-Parties to adhere to the Protocol;

5. *Invites* Parties to the Protocol and other Governments to make available to the Biosafety Clearing-House the following:

(a) The transformation events that are commercially produced for each planting cycle in the exporting country;

(b) The geographical area within the exporting country where each transformation event was cultivated;

(c) The common, scientific and, where available, commercial names of the living modified organisms;

(d) The transformation event code of the living modified organism or, where available, as a key to accessing information in the Biosafety Clearing-House, its unique identifier code;

6. *Acknowledges* that the expression “may contain” does not require a listing of living modified organisms of species other than those that constitute the shipment;

7. *Decides* to review and assess, at its fifth meeting, experience gained with the implementation of paragraph 4 above, with a view to considering a decision, at its sixth meeting, to ensure that documentation accompanying living modified organisms intended for direct use as food or feed, or for processing covered by paragraph 4 clearly states that the shipment contains living modified organisms that are intended for direct use as food or feed, or for processing, and includes the detailed information in items (c) to (f) of that paragraph;

8. *Decides* that the review referred to in paragraph 7 above shall include an examination of capacity-building efforts in developing countries;

9. *Recalls* the updated Action Plan for Building Capacities for the Effective Implementation of the Protocol adopted at the present meeting (decision BS-III/3, annex) and *requests* the Executive Secretary to mobilize funding from all available sources for the purpose of supporting implementation of Article 18, paragraph 2 (a), of the Protocol;

10. *Encourages* Parties and other Governments to cooperate in exchanging experiences and building capacities in the use and development of easy to use, rapid, reliable and cost-effective sampling and detection techniques for living modified organisms;

11. *Requests* Parties to the Protocol and *invites* other Governments, regional and international organizations and interested stakeholders, to submit to the Executive Secretary, not later than three months prior to its fourth meeting, information on experience gained with the use of sampling and detection techniques and on the need for and modalities of developing criteria for acceptability of, and harmonizing, sampling and detection techniques and *requests* the Executive Secretary to compile the information received and to prepare a synthesis report for consideration by the fourth meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol;

12. *Requests* Parties to the Protocol and *urges* other Governments and relevant international and regional organizations to take urgent measures to strengthen capacity-building efforts in developing countries, in order to assist them in the implementation of and benefit from documentation and identification requirements for living modified organisms intended for direct use as food or feed, or for processing.

**BS-III/11.**

**RISK ASSESSMENT AND RISK MANAGEMENT**

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

*Recalling* its decision BS-II/9, on risk assessment and risk management,

*Recalling* the important role of risk assessment in decision-making, and that Article 23 of the Protocol on Public Awareness and Participation, and Article 26 of the Protocol on Socio-Economic Consideration are relevant to decision-making on import of living modified organisms,

1. *Welcomes* the report of the Ad Hoc Technical Expert Group on Risk Assessment (UNEP/CBD/BS/COP-MOP/3/INF/1), *expresses its gratitude* to the Government of Italy for its financial and organizational support to the meeting, and also *expresses its gratitude* to the Chair and members of the Ad Hoc Technical Expert Group for their work;

**A. Existing guidance and information to support risk assessment**

2. *Requests* the Executive Secretary to:

(a) Expand the compilation of available guidance documents on risk assessment and risk management contained in the Biosafety Information Resource Centre of the Biosafety Clearing-House, taking into account *inter alia* the numerous references in the report of the Ad Hoc Technical Expert Group to existing guidance materials;

(b) Provide an overview, through the Biosafety Clearing-House, showing the scope and applicability of each guidance material (e.g., for plants, animals or micro-organisms; for specific types of risk pathways; for particular traits; for particular receiving environments, etc.);

3. *Invites* Parties, other Governments and relevant organizations to provide the Biosafety Clearing-House with additional links to databases and information sources relevant to risk assessment and risk management, and, where possible and appropriate, translate relevant information into one or more languages that are commonly used internationally;

4. *Encourages* Parties and other Governments, in submitting risk assessment summaries to the Biosafety Clearing-House in accordance with Article 20 of the Protocol, to include details regarding how particular challenges have been addressed and how existing information has been used to support risk assessments;

5. *Encourages* Parties and other Governments to put in place mechanisms for ensuring sharing of information among government agencies and other stakeholders at the national and regional level dealing with, *inter alia*, environment and human health issues related to biosafety;

6. *Urges* relevant United Nations bodies and other organizations that deal with biodiversity and human health issues to continue to collaborate, as appropriate, with regard to biosafety;

**B. Potential need for additional guidance**

7. *Recalls* that, according to paragraph 6 of Annex III of the Protocol, risk assessment should be carried out on a case-by-case basis;

8. *Notes* that there is existing guidance related to risk assessment and risk management for living modified organisms, but that it is possible that additional guidance may be required on specific aspects of risk assessment and risk management such as guidance focused on particular types of living modified organisms, particular intended uses of living modified organisms, particular types of risks, particular receiving environments, long-term monitoring of living modified organisms released into the environment, or on the relationship between and the involvement of Competent National Authorities responsible for risk assessment in conservation and sustainable use of biological diversity;

9. *Decides* to consider, at its fourth meeting, the need for further guidance on specific aspects of risk assessment and risk management, and the appropriate modalities for development of any such guidance such as a further meeting of the Ad Hoc Technical Expert Group on Risk Assessment, taking into account *inter alia*:

(a) The compilation and overview of guidance materials that will be provided through the Biosafety Clearing-House in accordance with paragraph 2 above;

(b) The results of the regional workshops on capacity-building and exchange of experiences on risk assessment and risk management called for in paragraph 2 of decision BS-II/9; and

(c) The ongoing work of relevant United Nations bodies and other organizations;

10. *Calls upon* Parties, other Governments and donor organizations to make funds available to the Executive Secretary as soon as possible to enable the regional workshops referred to in paragraph 9(b) above to be held in advance of the fourth meeting of the Parties, as requested in decision BS-II/9, and *also invites* Parties, other Governments and organizations with relevant experience in risk assessment and risk management to offer to share their experiences and expertise at the regional workshops;



**C. Capacity-building**

11. *Recalls* the emphasis given to risk assessment and other scientific and technical expertise, and risk management, as key elements requiring concrete action, in the Action Plan for Building Capacities for the Effective Implementation of the Cartagena Protocol on Biosafety;

12. *Notes* the need for adequate financial resources to build human and infrastructure capacity in the long-term;

13. *Urges* Parties, other Governments and relevant organizations to promote South-South and north-south partnerships as a means to increase the capacity available to Parties to implement the risk assessment and risk management provisions of the Protocol;

14. *Urges* Parties and other Governments to promote cooperation and synergies at national and regional levels between agencies and experts in order to draw widely on the experience and expertise relevant to risk assessment and risk management;

15. *Requests* the Executive Secretary to collaborate with relevant organizations such as the Food and Agriculture Organization of the United Nations, to promote networking and interlinkages between experts in risk assessment of living modified organisms and experts in other relevant fields of risk assessment and risk management (e.g., plant health, animal health, food safety), using, *inter alia*, Internet portals such as the Biosafety Clearing-House and the International Portal on Food Safety, Animal & Plant Health;

16. *Encourages* Parties and other Governments to invite universities and colleges to develop and/or expand degree-granting programmes that focus on training biosafety professionals;

17. *Encourages* Parties, other Governments and relevant organizations to promote, develop, and/or participate in, as appropriate, exchange and scholarship programmes related to biosafety;

18. *Encourages* relevant donor Governments and organizations to support and/or develop, as appropriate, particularly in developing countries, in particular least developed and small island developing States among them, and megadiverse countries, practical training activities in the following areas:

(a) Interdisciplinary teamwork in the context of risk assessment and risk management;

(b) Research to support risk assessment and how to conduct risk assessment and risk management;

(c) 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;

19. *Encourages* relevant donor Governments and organizations to support, strengthen, or where appropriate, to assist with the establishment of testing and detection facilities for living modified organisms, as well as regional, sub-regional and national centres of excellence in biosafety research;

20. *Encourages* Parties, other Governments and relevant organizations to share information related to risk assessment and risk management of living modified organisms through the Biosafety Information Resource Centre of the Biosafety Clearing-House, as well as through other Internet and non-Internet based mechanisms;

21. *Encourages* relevant donor Governments and organizations to fund and support risk-assessment and risk-management research.

**BS-III/12.**

**LIABILITY AND REDRESS UNDER THE BIOSAFETY PROTOCOL**

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

*Recalling* its decision BS-II/11, which, among other things, invited the Ad Hoc Open-ended Working Group of Legal and Technical Experts on Liability and Redress in the Context of the Protocol to develop, at its second meeting, a progress report for the consideration of the third meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol,

*Recalling also* paragraph 5 of the terms of reference contained in the annex to decision BS-I/8 which provides that the first meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol held two years after the establishment of the Working Group shall review the progress made by the Group in its work and provide, if necessary, guidance to the Working Group,

*Conscious* of the provision in Article 27 of the Protocol that the Conference of the Parties serving as the meeting of the Parties to the Protocol shall endeavour to complete this process within four years of the first meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol,

*Concerned* that due to insufficient financial resources there was limited participation of developing country-Parties and Parties with economies in transition at the second meeting of the Working Group,

*Having considered* the report of the Working Group, held in Montreal from 20 to 24 February 2006 (UNEP/CBD/BS/COP-MOP/3/10),

1. *Takes note* of the report of the second meeting of the Working Group and the conclusions contained therein (UNEP/CBD/BS/COP-MOP/3/10, paragraph. 110);
2. *Welcomes* the progress made so far by the Working Group in its work;
3. *Agrees* that three five-day meetings of the Working Group be convened before the fourth meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol in the next biennium in order to enable the Working Group to complete its work in accordance with the schedule specified in the indicative work plan contained in the annex to decision BS-I/8;

4. *Emphasizes* the need for the availability of adequate financial resources to ensure participation by all Parties in the process of the appropriate elaboration of international rules and procedures pursuant to Article 27 of the Protocol;

5. *Urges* developed country Parties, other Governments and donors to provide voluntary financial contributions to support the participation of developing country Parties and Parties with economies in transition in meetings of the Working Group.

**BS-III/13.**

**SUBSIDIARY BODIES**

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

*Recalling* its decision to consider, at its third meeting, the need for designating one or the other subsidiary body of the Convention to serve the Protocol, and to consider whether there is a need to establish further subsidiary bodies to enhance the implementation of the Protocol (decision BS-I/12, annex, paragraph 5 (c)),

*Recalling also* its decision to consider, at its third meeting, the need for designating or establishing a permanent subsidiary body that provides the Conference of the Parties serving as the meeting of the Parties to the Protocol with timely advice on scientific and technical issues arising in relation to the implementation of the Protocol (decision BS-I/11, paragraph 2),

1. *Notes* that there are various mechanisms by which scientific and technical advice may be provided to the Conference of the Parties serving as the meeting of the Parties to the Protocol;

2. *Decides* to consider, at its fourth meeting, potential mechanisms for provision of scientific and technical advice to the Conference of the Parties serving as the meeting of the Parties to the Protocol, including, inter alia, the potential designation or establishment of a permanent subsidiary body, or use of subsidiary bodies or mechanisms that may be created on an ad hoc basis, and requests the Executive Secretary to prepare a pre-sessional paper for that meeting which includes:

(a) A review of the findings of the Ad Hoc Open-Ended Working Group on Review of Implementation of the Convention, and any associated decisions by the eighth Conference of the Parties, concerning the review of the impacts and effectiveness of existing processes under the Convention;

(b) Cost estimates for various potential mechanisms for the provision of scientific and technical advice.

**BS-III/14.**

**MONITORING AND REPORTING**

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

*Recalling* its decision BS-I/9, on monitoring and reporting under the Protocol,

*Recalling also* paragraph 6 (a) of the annex to its decision BS-I/12, on the medium-term programme of work, providing for it to consider at its fourth meeting the first regular national reports by Parties on the implementation of the Protocol,

*Taking note of* the interim national reports submitted by Parties, and *welcoming* the analysis thereof prepared by the Secretariat (UNEP/CBD/BS/COP-MOP/3/12),

*Emphasizing* the importance of fulfilling monitoring and reporting obligations under Article 33 of the Protocol, particularly with regard to its interconnection with capacity-building, promoting compliance, and assessment and review,

*Recognizing* the need for capacity-building to enable developing country Parties, in particular the least developed and small island developing States among them, as well as Parties with economies in transition, to fulfil their national reporting obligations under the Protocol,

1. *Adopts* the national reporting format annexed to the present decision;
2. *Reminds* each Party to fulfil its monitoring and reporting obligations and to ensure that its national reports provide information that adequately respond to the questionnaire in the reporting format and *invites* eligible Parties that may face difficulties in the preparation of their national reports to make these difficulties known to the Secretariat and to seek assistance from any available opportunities such as the roster of experts;
3. *Requests* Parties to submit their first regular national report, covering the period between entry into force of the Protocol for each Party and the reporting date, 12 months prior to its fourth meeting, to allow consideration of the reports at that meeting;
4. *Reminds* Parties that not submitting a national report within the deadline does not absolve them from fulfilling their obligation for that reporting period;
5. *Invites* developed country Parties, other Governments as well as relevant organizations to provide financial and technical support for capacity-building to enable developing country Parties, in particular the least developed and small island developing States among them, as well as Parties with economies in transition to meet their reporting obligations under the Protocol;

6. *Invites* the Global Environment Facility to make available financial resources to facilitate the consultative information-gathering process leading to the preparation of national reports for those developing country Parties, in particular the least developed and small island developing States among them, and Parties with economies in transition, which lack sufficient capacity in this regard;

7. *Requests* the Executive Secretary to prepare, in time for the fourth meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol, an analysis based on the information contained in national reports received.

### *Annex*

## **FORMAT FOR THE FIRST REGULAR NATIONAL REPORT ON THE IMPLEMENTATION OF THE CARTAGENA PROTOCOL ON BIOSAFETY**

### **GUIDELINES FOR USE OF THE REPORTING FORMAT**

The following format for preparation of the first regular national report on implementation of the Cartagena Protocol on Biosafety called for under Article 33 of the Protocol is a series of questions based on those elements of the Protocol that establish obligations for Contracting Parties. Responses to these questions will help Parties to review the extent to which they are successfully implementing the provisions of the Protocol and will assist the Conference of the Parties serving as the meeting of the Parties to the Protocol to assess the overall status of implementation of the Convention.

The deadline for submission of the first regular national report is no less than 12 months prior to the fourth meeting of Conference of the Parties serving as the meeting of the Parties to the Protocol. It is intended to cover activities undertaken between entry into force of the Protocol for the reporting Party and the date of reporting.

For subsequent national reports, the format is expected to evolve, as questions that are no longer relevant after the first national report may be deleted, questions that are relevant to ongoing progress in implementation will be retained, and additional questions will be formulated pursuant to future decisions of the Conference of the Parties serving as the meeting of the Parties to the Protocol.

The wording of questions follows the wording of the relevant articles of the Protocol as closely as possible. The use of terms in the questions follows the meanings accorded to them under Article 3 of the Protocol.

The format tries to minimize the reporting burden on Parties, while eliciting the important information regarding implementation of the provisions of the Protocol. Many questions require only a tick in one or more boxes.<sup>1/</sup> Other questions seek a qualitative description of experiences and progress, including obstacles and impediments to the implementation of particular provisions.<sup>2/</sup> Although there is no set limit on length of text, in order to assist with the review and synthesis of the information in the reports, respondents are asked to ensure that answers are as relevant and as succinct as possible.

The information provided by Parties will not be used to rank performance or to otherwise compare implementation between individual Parties.

The Executive Secretary welcomes any comments on the adequacy of the questions, and difficulties in completing the questions, and any further recommendations on how these reporting guidelines could be improved. Space is provided for such comments at the end of the report.

It is recommended that Parties involve all relevant stakeholders in the preparation of the report, in order to ensure a participatory and transparent approach to its development and the accuracy of the information requested. A box is provided in which to identify those groups who have been involved.

Parties are requested to submit an original signed copy by post and an electronic copy on diskette or by electronic mail. An electronic version of this document will be sent to all national focal points and this will also be available from the Convention's website at: <http://www.biodiv.org>

Completed reports and any comments should be sent to:

The Executive Secretary  
Secretariat of the Convention on Biological Diversity  
World Trade Centre  
413 St. Jacques Street West, suite 800  
Montreal, Quebec  
H2Y 1N9 Canada

Fax: (+1 514) 288 6588  
e-mail: [secretariat@biodiv.org](mailto:secretariat@biodiv.org)

<sup>1/</sup> If you feel that, in order to properly reflect the circumstances, it is necessary to tick more than one box, please do so. In this case, you are encouraged to provide further information in the text answers that follow to enable any analysis of results to appropriately reflect the spirit of your answers.

<sup>2/</sup> Please feel free to append to the report further information on any of the questions.



*Origin of report*

Party:	
<i>Contact officer for report</i>	
Name and title of contact officer:	
Mailing address:	
Telephone:	
Fax:	
E-mail:	
<i>Submission</i>	
Signature of officer responsible for submitting report:	
Date of submission:	
Time period covered by this report:	

Please provide summary information on the process by which this report has been prepared, including information on the types of stakeholders who have been actively involved in its preparation and on material which was used as a basis for the report:

*Obligations for provision of information to the Biosafety Clearing-House*

1. Several articles of the Protocol require that information be provided to the Biosafety Clearing-House (see the list below). For your Government, if there are cases where relevant information exists but has not been provided to the Biosafety Clearing-House (BCH), describe any obstacles or impediments encountered regarding provision of that information (note: To answer this question, please check the BCH to determine the current status of your country's information submissions relative to the list of required information below. If you do not have access to the BCH, contact the Secretariat for a summary):

--

2. Please provide an overview of information that is required to be provided to the Biosafety Clearing-House:

<i>Type of information</i>	<i>Information exists and is being provided to the Biosafety Clearing-House</i>	<i>Information exists but is not yet provided to the Biosafety Clearing-House</i>	<i>Information does not exist/not applicable</i>
(a) Existing national legislation, regulations and guidelines for implementing the Protocol, as well as information required by Parties for the advance informed agreement procedure (Article 20.3(a))			
(b) National laws, regulations and guidelines applicable to the import of LMOs intended for direct use as food or feed, or for processing (Article 11.5);			
(c) Bilateral, multilateral and regional agreements and arrangements (Articles 14.2, 20.3(b), and 24.1);			

2. Please provide an overview of information that is required to be provided to the Biosafety Clearing-House:			
<i>Type of information</i>	<i>Information exists and is being provided to the Biosafety Clearing-House</i>	<i>Information exists but is not yet provided to the Biosafety Clearing-House</i>	<i>Information does not exist/not applicable</i>
(d) Contact details for competent national authorities (Articles 19.2 and 19.3), national focal points (Articles 19.1 and 19.3), and emergency contacts (Article 17.2 and 17.3(e));			
(e) In cases of multiple competent national authorities, responsibilities for each (Articles 19.2 and 19.3);			
(f) Reports submitted by the Parties on the operation of the Protocol (Article 20.3(e));			
(g) Occurrence of unintentional transboundary movements that are likely to have significant adverse effects on biological diversity (Article 17.1);			
(h) Illegal transboundary movements of LMOs (Article 25.3);			
(i) Final decisions regarding the importation or release of LMOs (i.e. approval or prohibition, any conditions, requests for further information, extensions granted, reasons for decision) (Articles 10.3 and 20.3(d));			
(j) Information on the application of domestic regulations to specific imports of LMOs (Article 14.4);			
(k) Final decisions regarding the domestic use of LMOs that may be subject to transboundary movement for direct use as food or feed, or for processing (Article 11.1);			

2. Please provide an overview of information that is required to be provided to the Biosafety Clearing-House:			
<i>Type of information</i>	<i>Information exists and is being provided to the Biosafety Clearing-House</i>	<i>Information exists but is not yet provided to the Biosafety Clearing-House</i>	<i>Information does not exist/not applicable</i>
(l) Final decisions regarding the import of LMOs intended for direct use as food or feed, or for processing that are taken under domestic regulatory frameworks (Article 11.4) or in accordance with annex III (Article 11.6) (requirement of Article 20.3(d))			
(m) Declarations regarding the framework to be used for LMOs intended for direct use as food or feed, or for processing (Article 11.6)			
(n) Review and change of decisions regarding intentional transboundary movements of LMOs (Article 12.1);			
(n) LMOs granted exemption status by each Party (Article 13.1)			
(o) Cases where intentional transboundary movement may take place at the same time as the movement is notified to the Party of import (Article 13.1);			
(p) Summaries of risk assessments or environmental reviews of LMOs generated by regulatory processes and relevant information regarding products thereof (Article 20.3(c)).			

*Article 2 – General provisions*

3. Has your country introduced the necessary legal, administrative and other measures for implementation of the Protocol? (Article 2.1)	
a) full domestic regulatory framework in place (please give details below)	
b) some measures introduced (please give details below)	
c) no measures yet taken	

<p>4. Please provide further details about your response to the above question, as well as description of your country's experiences and progress in implementing Article 2, including any obstacles or impediments encountered:</p>

*Articles 7 to 10 and 12: The advance informed agreement procedure*

See question 1 regarding provision of information to the Biosafety Clearing-House.

5. Were you a Party of import during this reporting period?	
a) yes	
b) no	
6. Were you a Party of export during this reporting period?	
a) yes	
b) no	
7. Is there a legal requirement for the accuracy of information provided by exporters 1/ under the jurisdiction of your country? (Article 8.2)	
a) yes	
b) not yet, but under development	
c) no	
d) not applicable – not a Party of export	
8. If you were a Party of export during this reporting period, did you request any Party of import to review a decision it had made under Article 10 on the grounds specified in Article 12.2?	
a) yes (please give details below)	
b) not yet, but under development	
c) no	
d) not applicable – not a Party of export	
9. Did your country take decisions regarding import under domestic regulatory frameworks as allowed by Article 9.2(c).	
a) yes	
b) no	
c) not applicable – no decisions taken during the reporting period	

1/ The use of terms in the questions follows the meanings accorded to them under Article 3 of the Protocol.

10. If your country has been a Party of export of LMOs intended for release into the environment during the reporting period, please describe your experiences and progress in implementing Articles 7 to 10 and 12, including any obstacles or impediments encountered:

11. If your country has taken decisions on import of LMOs intended for release into the environment during the reporting period, please describe your experiences and progress in implementing Articles 7 to 10 and 12, including any obstacles or impediments encountered:

*Article 11 – Procedure for living modified organisms  
intended for direct use as food or feed, or for processing*

See question 1 regarding provision of information to the Biosafety Clearing-House.

12. Is there a legal requirement for the accuracy of information provided by the applicant with respect to the domestic use of a living modified organism that may be subject to transboundary movement for direct use as food or feed, or for processing? (Article 11.2)

- |   |  |
|---|--|
| a) yes  |  |
| b) not yet, but under development             |  |
| c) no   |  |
| d) not applicable (please give details below) |  |

13. Has your country indicated its needs for financial and technical assistance and capacity-building in respect of living modified organisms intended for direct use as food or feed, or for processing? (Article 11.9)

- |                                    |  |
|------------------------------------|--|
| a) yes (please give details below) |  |
| b) no                              |  |
| c) not relevant                    |  |

14. Did your country take decisions regarding import under domestic regulatory frameworks as allowed by Article 11.4?	
a) yes	
b) no	
c) not applicable – no decisions taken during the reporting period	
15. If your country has been a Party of export of LMOs intended for direct use for food or feed, or for processing, during the reporting period, please describe your experiences and progress in implementing Article 11, including any obstacles or impediments encountered:	
16. If your country has been a Party of import of LMOs intended for direct use for food or feed, or for processing, during the reporting period, please describe your experiences and progress in implementing Article 11, including any obstacles or impediments encountered:	

*Article 13 – Simplified procedure*

See question 1 regarding provision of information to the Biosafety Clearing-House.

17. Have you applied the simplified procedure during the reporting period?	
a) yes	
b) no	
18. If your country has used the simplified procedure during the reporting period, or if you have been unable to do so for some reason, please describe your experiences in implementing Article 13, including any obstacles or impediments encountered:	

*Article 14 – Bilateral, regional and multilateral agreements and arrangements*  
See question 1 regarding provision of information to the Biosafety Clearing-House.

19. Has your country entered into any bilateral, regional or multilateral agreements or arrangements?	
a) yes	
b) no	
20. If your country has entered into bilateral, regional or multilateral agreements or arrangements, or if you have been unable to do so for some reason, describe your experiences in implementing Article 14 during the reporting period, including any obstacles or impediments encountered:	

*Articles 15 and 16 – Risk assessment and risk management*

21. If you were a Party of import during this reporting period, were risk assessments carried out for all decisions taken under Article 10? (Article 15.2)	
a) yes	
b) no (please clarify below)	
c) not a Party of import / no decisions taken under Article 10	
22. If yes to question 21, did you require the exporter to carry out the risk assessment?	
a) yes – in all cases	
b) yes – in some cases (please specify the number and give further details below)	
c) no	
d) not a Party of import / no decisions taken under Article 10	
23. If you took a decision under Article 10 during the reporting period, did you require the notifier to bear the cost of the risk assessment? (Article 15.3)	
a) yes – in all cases	
b) yes – in some cases (please specify the number and give further details below)	
c) no	
d) not a Party of import / no decisions taken under Article 10	



24. Has your country established and maintained appropriate mechanisms, measures and strategies to regulate, manage and control risks identified in the risk assessment provisions of the Protocol? (Article 16.1)	
a) yes – fully established	
b) not yet, but under development or partially established (please give further details below)	
c) no	
25. Has your country adopted appropriate measures to prevent unintentional transboundary movements of living modified organisms? (Article 16.3)	
a) yes – fully adopted	
b) not yet, but under development or partially adopted (please give further details below)	
c) no	
26. Does your country endeavour to ensure that any living modified organism, whether imported or locally developed, undergoes an appropriate period of observation commensurate with its life-cycle or generation time before it is put to its intended use? (Article 16.4)	
a) yes – in all cases	
b) yes – in some cases (please give further details below)	
c) no (please give further details below)	
d) not applicable (please give further details below)	
27. Has your country cooperated with others for the purposes specified in Article 16.5?	
a) yes (please give further details below)	
b) no (please give further details below)	
28. Please provide further details about your responses to the above questions, as well as description of your country's experiences and progress in implementing Articles 15 and 16, including any obstacles or impediments encountered:	

*Article 17 – Unintentional transboundary movements and emergency measures*  
See question 1 regarding provision of information to the Biosafety Clearing-House.

29. During the reporting period, if there were any occurrences under your jurisdiction that led, or could have led, to an unintentional transboundary movement of a living modified organism that had, or could have had, significant adverse effects on the conservation and sustainable use of biological diversity, taking also into account risks to human health in such States, did you immediately consult the affected or potentially affected States for the purposes specified in Article 17.4?	
a) yes – all relevant States immediately	
b) yes – partially consulted, or consultations were delayed (please clarify below)	
c) no – did not consult immediately (please clarify below)	
d) not applicable (no such occurrences)	
30. Please provide further details about your response to the above question, as well as description of your country's experiences in implementing Article 17, including any obstacles or impediments encountered:	

*Article 18 – Handling, transport, packaging and identification*

31. Has your country taken measures to require that living modified organisms that are subject to transboundary movement within the scope of the Protocol are handled, packaged and transported under conditions of safety, taking into account relevant international rules and standards? (Article 18.1)	
a) yes (please give details below)	
b) not yet, but under development	
c) no	
d) not applicable (please clarify below)	
32. Has your country taken measures to require that documentation accompanying living modified organisms for direct use as food or feed, or for processing, clearly identifies that they 'may contain' living modified organisms and are not intended for intentional introduction into the environment, as well as a contact point for information? (Article 18.2(a))	
a) yes	
b) not yet, but under development	
c) no	

33. Has your country taken measures to require that documentation accompanying living modified organisms that are destined for contained use clearly identifies them as living modified organisms and specifies any requirements for the safe handling, storage, transport and use, the contact point for further information, including the name and address of the individual and institution to whom the living modified organisms are consigned? (Article 18.2(b))	
a) yes	
b) not yet, but under development	
c) no	
34. Has your country adopted measures to require that documentation accompanying living modified organisms that are intended for intentional introduction into the environment of the Party of import and any other living modified organisms within the scope of the Protocol, clearly identifies them as living modified organisms; specifies the identity and relevant traits and/or characteristics, any requirements for the safe handling, storage, transport and use, the contact point for further information and, as appropriate, the name and address of the importer and exporter; and contains a declaration that the movement is in conformity with the requirements of this Protocol applicable to the exporter? (Article 18.2(c))	
a) yes	
b) not yet, but under development	
c) no	
35. Please provide further details about your responses to the above questions, as well as a description of your country's experiences and progress in implementing Article 18, including any obstacles or impediments encountered:	

*Article 19 – Competent national authorities and national focal points*

See question 1 regarding provision of information to the Biosafety Clearing-House.

*Article 20 – Information-sharing and the Biosafety Clearing-House*

See question 1 regarding provision of information to the Biosafety Clearing-House.

36. In addition to the response to question 1, please describe any further details regarding your country's experiences and progress in implementing Article 20, including any obstacles or impediments encountered:

*Article 21 – Confidential information*

37. Does your country have procedures to protect confidential information received under the Protocol and that protect the confidentiality of such information in a manner no less favourable than its treatment of confidential information in connection with domestically produced living modified organisms? (Article 21.3)	
a) yes	
b) not yet, but under development	
c) no	
38. If you were a Party of import during this reporting period, did you permit any notifier to identify information submitted under the procedures of the Protocol or required by the Party of import as part of the advance informed agreement procedure that was to be treated as confidential? (Article 21.1)	
a) yes	
If yes, please give number of cases	
b) no	
c) not applicable – not a Party of import / no such requests received	
39. If you answered yes to the previous question, please provide information on your experience including description of any impediments or difficulties encountered:	
40. If you were a Party of export during this reporting period, please describe any impediments or difficulties encountered by you, or by exporters under your jurisdiction if information is available, in the implementation of the requirements of Article 21:	

*Article 22 – Capacity-building*

41. If a developed country Party, during this reporting period has your country cooperated in the development and/or strengthening of human resources and institutional capacities in biosafety for the purposes of the effective implementation of the Protocol in developing country Parties, in particular the least developed and small island developing States among them, and in Parties with economies in transition?	
a) yes (please give details below)	
b) no	
c) not applicable – not a developed country Party	
42. If yes to question 41, how has such cooperation taken place:	
43. If a developing country Party, or Party with an economy in transition, during this reporting period has your country contributed to the development and/or strengthening of human resources and institutional capacities in biosafety for the purposes of the effective implementation of the Protocol in another developing country Party or Party with an economy in transition?	
a) yes (please give details below)	
b) no	
c) not applicable – not a developing country Party	
44. If yes to question 43, how has such cooperation taken place:	

45. If a developing country Party or a Party with an economy in transition, have you benefited from cooperation for technical and scientific training in the proper and safe management of biotechnology to the extent that it is required for biosafety?	
a) yes – capacity-building needs fully met (please give details below)	
b) yes – capacity-building needs partially met (please give details below)	
c) no – capacity-building needs remain unmet (please give details below)	
b) no – we have no unmet capacity-building needs in this area	
e) not applicable – not a developing country Party or a Party with an economy in transition	
46. If a developing country Party or a Party with an economy in transition, have you benefited from cooperation for technical and scientific training in the use of risk assessment and risk management for biosafety?	
a) yes – capacity-building needs fully met (please give details below)	
b) yes – capacity-building needs partially met (please give details below)	
c) no – capacity-building needs remain unmet (please give details below)	
b) no – we have no unmet capacity-building needs in this area	
e) not applicable – not a developing country Party or a Party with an economy in transition	
47. If a developing country Party or a Party with an economy in transition, have you benefited from cooperation for technical and scientific training for enhancement of technological and institutional capacities in biosafety?	
a) yes – capacity-building needs fully met (please give details below)	
b) yes – capacity-building needs partially met (please give details below)	
c) no – capacity-building needs remain unmet (please give details below)	
b) no – we have no unmet capacity-building needs in this area	
e) not applicable – not a developing country Party or a Party with an economy in transition	
48. Please provide further details about your responses to the above questions, as well as description of your country's experiences and progress in implementing Article 22, including any obstacles or impediments encountered:	

*Article 23 – Public awareness and participation*

49. Does your country promote and facilitate public awareness, education and participation concerning the safe transfer, handling and use of living modified organisms in relation to the conservation and sustainable use of biological diversity, taking also into account risks to human health? (Article 23.1(a))	
a) yes – significant extent	
b) yes – limited extent	
c) no	
50. If yes, do you cooperate with other States and international bodies?	
a) yes – significant extent	
b) yes – limited extent	
c) no	
51. Does your country endeavour to ensure that public awareness and education encompass access to information on living modified organisms identified in accordance with the Protocol that may be imported? (Article 23.1(b))	
a) yes – fully	
b) yes – limited extent	
c) no	
52. Does your country, in accordance with its respective laws and regulations, consult the public in the decision-making process regarding living modified organisms and make the results of such decisions available to the public? (Article 23.2)	
a) yes – fully	
b) yes – limited extent	
c) no	
53. Has your country informed its public about the means of public access to the Biosafety Clearing-House? (Article 23.3)	
a) yes – fully	
b) yes – limited extent	
c) no	
54. Please provide further details about your responses to the above questions, as well as description of your country's experiences and progress in implementing Article 23, including any obstacles or impediments encountered:	

*Article 24 – Non-Parties*

See question 1 regarding provision of information to the Biosafety Clearing-House.

55. Have there been any transboundary movements of living modified organisms between your country and a non-Party during the reporting period?	
a) yes	
b) no	
56. If there have been transboundary movements of living modified organisms between your country and a non-Party, please provide information on your experience, including description of any impediments or difficulties encountered:	

*Article 25 – Illegal transboundary movements*

See question 1 regarding provision of information to the Biosafety Clearing-House.

57. Has your country adopted appropriate domestic measures to prevent and penalize, as appropriate, transboundary movements of living modified organisms carried out in contravention of its domestic measures? (Article 25.1)	
a) yes	
b) no	
58. Have there been any illegal transboundary movements of living modified organisms into your country during the reporting period?	
a) yes	
b) no	
59. Please provide further details about your response to the above question, as well as description of your country's experiences in implementing Article 25, including any obstacles or impediments encountered:	



*Article 26 – Socio-economic considerations*

60. If during this reporting period your country has taken a decision on import, did it take into account socio-economic considerations arising from the impact of living modified organisms on the conservation and sustainable use of biological diversity, especially with regard to the value of biological diversity to indigenous and local communities? (Article 26.1)	
a) yes – significant extent	
b) yes – limited extent	
c) no	
d) not a Party of import	
61. Has your country cooperated with other Parties on research and information exchange on any socio-economic impacts of living modified organisms, especially on indigenous and local communities? (Article 26.2)	
a) yes – significant extent	
b) yes – limited extent	
c) no	
62. Please provide further details about your responses to the above questions, as well as description of your country's experiences and progress in implementing Article 26, including any obstacles or impediments encountered:	

*Article 28 – Financial mechanism and resources*

63. Please indicate if, during the reporting period, your Government made financial resources available to other Parties or received financial resources from other Parties or financial institutions, for the purposes of implementation of the Protocol.	
a) yes – made financial resources available to other Parties	
b) yes – received financial resources from other Parties or financial institutions	
c) both	
d) neither	
64. Please provide further details about your response to the above question, as well as description of your country's experiences, including any obstacles or impediments encountered:	

*Other information*

65. Please use this box to provide any other information related to articles of the Protocol, questions in the reporting format, or other issues related to national implementation of the Protocol:

*Comments on reporting format*

The wording of these questions is based on the Articles of the Protocol. Please provide information on any difficulties that you have encountered in interpreting the wording of these questions:

**BS-III/15.**

**ASSESSMENT AND REVIEW**

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

*Recalling* Article 35 of the Protocol,

*Recognizing* that a considerable number of Parties are in the early stages of developing and implementing their national biosafety legislative and regulatory regimes,

*Noting* that there is insufficient information and operational experience with the implementation of the Protocol,

*Noting also* that the lack of implementation of the Protocol by developing country-Parties, in particular the least developed and small island developing States among them, and Parties with economies in transition may not be due to inherent problems with the Protocol but rather due to lack of capacity to implement the Protocol,

*Noting further* that the assessment and review process under Article 35 should be based, *inter alia*, on national reports submitted by Parties pursuant to Article 33 of the Protocol,

1. *Invites* Parties, other Governments as well relevant intergovernmental and non-governmental organizations and other stakeholders to submit their views to the Secretariat not later than six months prior to the fourth meeting of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety. Such views should:

(a) Evaluate the effectiveness of the Protocol, including an assessment of procedures and annexes, taking into account the items specified in paragraph 6 (b) of the medium-term programme of work contained in the annex to decision BS-I/12;

(b) Assess the procedures and annexes under the Protocol, with a view to identifying difficulties arising from implementation as well as suggestions for appropriate indicators and/or criteria for evaluating effectiveness and ideas on the modalities of the evaluation;

2. *Requests* the Executive Secretary, under the guidance of the Bureau, to prepare a synthesis of the views submitted in accordance with paragraph 1 above as well as information contained in the first national reports submitted by Parties, and make it available to the fourth meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol;

3. *Requests* the Compliance Committee to prepare a report on general issues of compliance by Parties with their obligations under the Protocol, in accordance with paragraph 1 (d) of section III of the Compliance Procedures and Mechanisms contained in the annex to decision BS-I/7, and make this report available six months prior to the fourth meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol.

**BS-III/16.**

**OTHER ISSUES (TRANSIT)**

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

*Recalling* that, in accordance with paragraph 1 of Article 6 of the Protocol, a Party of transit has the right to regulate the transport of living modified organisms through its territory, and also recalling its reference to this right in paragraph 2 of decision BS-II/8 on options for implementation of Article 8,

*Recalling also* that Parties may enter into bilateral, regional and multilateral agreements and arrangements with other Parties or non-Parties regarding transboundary movements of living modified organisms in accordance with Articles 14 and 24,

*Recalling further also* its decision BS-II/4 to consider the rights and/or obligations of Parties of transit,

*Noting* that definitions of transit exist in various multilateral agreements at international level, and *recognizing* that trade and environment agreements should be mutually supportive,;

*Invites* Parties, Governments and relevant organizations to provide further views and experience on the rights and/or obligations of Parties of transit including whether or not a Party acting only as a Party of transit takes on the obligations of a Party of export under the Protocol, not later than six months prior to the fifth meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol.

**BS-III/17.**

**TRIBUTE TO THE GOVERNMENT AND PEOPLE OF  
THE FEDERATIVE REPUBLIC OF BRAZIL**

*The Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biological Diversity,*

*Having met* in Curitiba from 13 to 17 March 2006 at the gracious invitation of the Government of the Federative Republic of Brazil,

*Deeply appreciative* of the excellent arrangements made for the meeting and the especial courtesy and warm hospitality extended to participants by the Government of Brazil, the State of Paraná, the City of Curitiba, and their people,

*Expresses its sincere gratitude* to the Government and people of Brazil, for the cordial hospitality that they accorded to participants in the meeting and for their contribution to its success.

**BS-III/18.**

**DATE AND VENUE OF THE FOURTH MEETING OF THE CONFERENCE OF THE PARTIES SERVING AS THE MEETING OF THE PARTIES TO THE PROTOCOL**

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

*Recalling* paragraph 1 (a) of decision BS-I/12 of the first meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol, which indicates the possibility of revising the periodicity of the meetings of the Conference of the Parties serving as the meeting of the Parties to the Protocol beyond the third meeting,

*Recognizing* that the Protocol requirements that needed early actions in the life of the Protocol and that were taken into account in deciding to have meetings of the Conference of the Parties serving as the meeting of the Parties to the Protocol on annual basis, have now been more or less fulfilled,

*Recalling* rule 4 of the rules of procedure for meetings of the Conference of the Parties to the Convention, which applies also to the Protocol *mutatis mutandis*, and which states that ordinary meetings of the Conference of the Parties shall be held every two years,

*Recalling also* Article 29, paragraph 6 of the Protocol which provides for holding ordinary meetings, subsequent to the first one, of the Conference of the Parties serving as the meetings of the Protocol in conjunction with the ordinary meetings of the Conference of the Parties, unless otherwise decided by the Conference of the Parties serving as the meeting of the Parties to the Protocol,

*Decides:*

(a) To hold its future ordinary meetings every two years as specified in Rule 4 of the rules of procedure for meetings of the Conference of the Parties to the Convention which applies *mutatis mutandis* to the meetings of the Conference of the Parties serving as the meeting of the Parties to the Protocol;

(b) To hold its fourth meeting in conjunction with the ninth meeting of the Conference of the Parties to the Convention.

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