

DRAFT IMPLEMENTATION PLAN FOR THE CARTAGENA PROTOCOL ON BIOSAFETY

1. The present document has been developed for the open-ended online discussions on the post-2020 Implementation Plan for the Cartagena Protocol on Biosafety. Section I of the document provides an overview of the process for the development of the Implementation Plan. Section II describes the considerations in the development of the Implementation Plan. The annex to this document contains the draft Implementation Plan.

I. INTRODUCTION

2. In its decision CP-9/7, the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol decided to develop a specific post-2020 Implementation Plan for the Cartagena Protocol on Biosafety (Implementation Plan) that is anchored in and complementary to the post-2020 global biodiversity framework, and requested the Executive Secretary to facilitate the development of its elements.

3. It also decided that the Implementation Plan will: (a) be developed as an implementation tool; (b) reflect the elements of the Strategic Plan for the Cartagena Protocol for the period 2011-2020 that are still relevant; (c) include new elements reflecting lessons learned and new developments relevant to biosafety; (d) ensure sufficient flexibility to account for developments during the implementation period; and (e) comprise indicators that are simple and easily measurable to facilitate the review of progress in the implementation of the Protocol (decision CP-9/7, paragraph 6).

4. The meeting of the Parties decided on a process for the development of the Implementation Plan, assigning a central role to the Liaison Group on the Cartagena Protocol on Biosafety.

5. It requested the Executive Secretary to prepare a draft of the Implementation Plan on the basis of submissions by Parties, other Governments, indigenous peoples and local communities and relevant organizations of views on the structure and content of the Implementation Plan. It also requested the Executive Secretary to convene open-ended online discussions of Parties and other stakeholders on the draft of the Implementation Plan.

6. By notification 2019-027, dated 28 February 2019, the Executive Secretary invited Parties, other Governments, indigenous peoples and local communities and relevant organizations to submit views on, inter alia, the structure and content of the Implementation Plan for the Cartagena Protocol on Biosafety post-2020. The views were synthesized in CBD/CP/LG/13/INF/1. An advance draft of the document has been made available for the open-ended online discussions.

7. The Secretariat developed the draft Implementation Plan, provided in the Annex to the present document, on the basis of the submissions made in response to notification 2019-027 and following the guidance provided by the meeting of the Parties in its decision CP-9/7.

8. The draft Implementation Plan will be discussed through open-ended online discussions,¹ scheduled to be held from 8 to 19 July 2019.

9. The outcomes of the online discussions will be considered by the thirteenth meeting of the Liaison Group on the Cartagena Protocol on Biosafety, tentatively scheduled to be held in October 2019. The Subsidiary Body on Implementation, at its third meeting, is expected to review a draft of the Implementation Plan and prepare a recommendation for consideration by the meeting of the Parties, at its tenth meeting.

II. DEVELOPMENT OF THE DRAFT IMPLEMENTATION PLAN

10. The submissions made in response to notification 2019-027 contained several suggestions regarding the structure and the content of the Implementation Plan. While some suggestions were common in different submissions, in other cases the Secretariat has endeavoured to reconcile suggestions on the basis of the guidance provided in paragraph 6 of decision CP-9/7.

11. Taking into consideration the suggestions made, the draft Implementation Plan is presented in a tabular structure (see annex). It contains those elements of the Strategic Plan for the Cartagena Protocol on Biosafety for the period 2011-2020 (Strategic Plan) that, according to the submissions, continue to be relevant, as well as some new elements that were proposed to be included in the Implementation Plan.

12. The draft Implementation Plan takes into account suggestions to avoid redundancy and duplication and to focus on a reduced number of achievable goals. It also addresses proposals to group together some elements with a view to simplifying the structure and avoiding some of the redundancy in the current Strategic Plan.

13. Accordingly, the draft Implementation Plan is organized according to ‘areas of implementation’ and ‘enabling environment’. The ‘areas of implementation’ consists of nine goals concerning key elements for the implementation of the Protocol while the ‘enabling environment’ addresses four goals related to supporting implementation.

14. The **goals** in the draft Implementation Plan represent broad desirable achievements by Parties. Each goal covers a main aspect related to the implementation of the Protocol and includes corresponding **objectives, outcomes** and **indicators**²:

- a. The **objectives** describe what must be accomplished to achieve each goal, but are not intended to provide an exhaustive list of accomplishments that may be relevant for the goal. In many cases, the objectives follow the obligations in the Protocol and most goals include multiple objectives.
- b. The **outcomes** describe what the effect will be of achieving the goal.

¹ By notification 2019-044, dated 10 May 2019, Parties, other Governments, relevant organizations and indigenous peoples and local communities were invited to nominate participants to the open-ended online discussions on the post-2020 Implementation Plan.

² While the terms ‘focal area’, ‘impact’, ‘strategic objective’ and ‘operational objective’ that were used in the Strategic Plan have not been maintained as such, the concepts these refer to have been kept.

- c. The **indicators** are designed to measure the outcomes. The suggested indicators are intended to be simple, measurable and relevant to the associated outcome.

15. Following the guidance in decision CP-9/7, paragraph 6, the draft Implementation Plan has been designed as an implementation plan for Parties. Accordingly, the goals have been formulated as achievements by Parties and as a result, some elements in the current Strategic Plan that are directed at other actors are not reflected in the draft Implementation Plan. This is not to say that work by other actors is not relevant moving forward but it was understood not to fit within the framework of an implementation plan.

16. The meeting of the Parties, in its decision CP-9/3, acknowledged the need for a specific post-2020 action plan for capacity building for the implementation of the Cartagena Protocol and the Supplementary Protocol. It decided that the post-2020 action plan for capacity building should be aligned with the Implementation Plan. Capacity building is presented as a goal within the ‘enabling environment’ section of the draft Implementation Plan and includes a reference to the post-2020 capacity building action plan to ensure consistency and avoid possible duplication between the two plans.

17. It is foreseen that the post-2020 action plan for capacity-building can complement the Implementation Plan by outlining the capacity-building activities that will be needed to support Parties to achieve the goals in the Implementation Plan. As a result, the draft Implementation Plan does not include specific capacity building activities as it is expected that these will be included in the post-2020 action plan for capacity building for the implementation of the Cartagena Protocol and its Supplementary Protocol.

18. A number of the submissions expressed the view that elements related to new technologies, particularly synthetic biology, should be included in the Implementation Plan. The draft Implementation Plan takes the approach that where organisms developed through new technologies constitute ‘living modified organisms’ as defined in the Protocol, they are already addressed in the Plan. For example, the proposed goal A.2: “Parties carry out scientifically sound risk assessments of LMOs, and manage and control identified risks” would address organisms developed through new technologies that are considered to be living modified organisms. It may also be noted that there are ongoing processes considering these new technologies under both the Convention and the Cartagena Protocol.³ The outcomes of these processes may also assist in determining work to be done on the potential impacts of these new technologies on biological diversity.

19. The draft Implementation Plan has been developed to cover a ten-year period. There was some support in the submissions for including milestones in the Implementation Plan and also for the Implementation Plan to be accompanied by workplans and evaluated at its mid-term. Along these lines, it was also suggested that the Implementation Plan should be flexible and allow for the addition of elements and milestones during its implementation cycle.

20. The suggestion to develop workplans and carry out a mid-term evaluation of the Implementation Plan could be addressed in the decision adopting the Implementation Plan. Details of this aspect may be

³ See COP decision 14/19 on synthetic biology and COP-MOP decision CP-9/13 risk assessment and risk management.

developed on the basis of a more advanced draft of the Implementation Plan. Adding milestones to the Implementation Plan would be possible, for example, by identifying years by which certain objectives would be achieved, or by splitting objectives in time-bound parts.

21. There were differing views in the submissions regarding a mission and vision for the Implementation Plan. Some suggested that given that the Implementation Plan is to be anchored in the post-2020 global biodiversity framework then the vision and mission should be included in or covered by that framework. Others expressed the view that the Implementation Plan should include a vision and a mission but did not provide specific suggestions. Others stated that the vision and mission of the current Strategic Plan continue to be relevant.

22. The vision of the current Strategic Plan is “biological diversity is adequately protected from any adverse effects of living modified organisms”. The mission is “to strengthen global, regional and national action and capacity in ensuring an adequate level of protection in the field of the safe transfer, handling and use of living modified organisms that may have adverse effects on the conservation and sustainable use of biological diversity, taking also into account risks to human health and specifically focusing on transboundary movements”.

Annex

Draft Implementation Plan for the Cartagena Protocol on Biosafety (2021-2030)

	Goals <i>(Desirable achievements)</i>	Objectives <i>(What must be accomplished to achieve the goal)</i>	Outcome <i>(The effect of achieving the goal)</i>	Indicator <i>(Measuring the outcome)</i>
A. Areas for implementation	1. Parties have in place functional national biosafety frameworks	<p>1.1. Parties to the Cartagena Protocol have adopted measures to implement their obligations under the Protocol</p> <p>1.2. Parties have mainstreamed biosafety in national strategies, action plans, programmes, policies or legislation</p> <p>1.3. Parties have designated competent national authorities and national focal points for the Protocol</p> <p>1.4. Competent national authorities have the necessary budget and adequately trained staff to carry out their tasks</p>	Functional national biosafety frameworks enable competent authorities of all Parties to carry out their responsibilities under the Protocol	<p>(1) Percentage of Parties that report to have in place measures to implement the provisions of the Protocol</p> <p>(2) Percentage of Parties that have designated a national focal point and a competent national authority for the Protocol and have notified the Secretariat accordingly</p> <p>(3) Percentage of Parties that have addressed biosafety in sectoral and cross-sectoral instruments</p>
	2. Parties carry out scientifically sound risk assessments of LMOs, and manage and control identified risks	<p>2.1. Parties apply appropriate risk assessment and risk management procedures on LMOs</p> <p>2.2. Parties have access to appropriate guidance materials for carrying out risk assessment and risk management</p>	Parties identify and appropriately manage risks to biodiversity of LMOs	<p>(1) Percentage of Parties taking decisions on LMOs that undertake risk assessment as required by the Protocol</p> <p>(2) Percentage of decisions in the BCH with associated summary reports of risk assessments</p>

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	3. Parties are able to detect and identify LMOs	3.1. Parties have access to appropriate guidance materials and technical tools for the detection and identification of LMOs	By detecting and identifying LMOs, Parties are able to respond to unintentional and illegal transboundary movements and to follow the handling, transport, packaging and identification requirements in accordance with the Protocol	(1) Percentage of LMOs for which detection methods are available in the BCH (2) Percentage of Parties that have access to guidance to detect and identify LMOs
	4. Parties contribute to enhanced availability and exchange of relevant information through the BCH	4.1. Parties provide accurate and complete information in the BCH in accordance with their obligations under the Protocol	BCH facilitates the availability and exchange of biosafety information and enables Parties to take informed decisions	(1) Percentage of Parties making mandatory information available to the BCH (2) Percentage of Parties that actively exchange other types of information through the BCH
	5. Parties are able to take into account socio-economic considerations when taking decisions on the import of LMOs in accordance with Article 26 of the Protocol	5.1. Parties have access to appropriate guidance materials for taking into account socio-economic considerations in accordance with Article 26 of the Protocol 5.2. Parties share experiences with and approaches for taking into account socio-economic considerations	Parties that choose to do so, take into account socio-economic considerations in accordance with Article 26	(1) Percentage of Parties that have access to appropriate guidance materials for taking into account socio-economic considerations in accordance with Article 26 of the Protocol

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	6. Parties identify LMOs or traits that may have adverse effects and those that are unlikely to have adverse effects on biological diversity and take appropriate measures	6.1. Modalities for cooperation on identifying LMOs or traits that may have adverse effects and those that are unlikely to have adverse effects on biological diversity are developed 6.2. Parties take appropriate measures on those LMOs or traits that have been identified to have possible adverse effects and those that are unlikely to have adverse effects on biological diversity	Facilitated import of LMOs that are unlikely to have adverse effects on biological diversity and appropriate measures taken to manage LMOs that may have adverse effects on biological diversity	(1) Number of records in the BCH on LMOs or specific traits that may have or that are not likely to have adverse effects on biological diversity
	7. Increased number of Parties to the Nagoya-Kuala Lumpur Supplementary Protocol on Liability and Redress	7.1. Parties to the Cartagena Protocol become Parties to the Supplementary Protocol	Increased number of ratifications of the Nagoya-Kuala Lumpur Supplementary Protocol on Liability and Redress advances the development of national rules and procedures on liability and redress for damage resulting from LMOs finding their origin in a transboundary movement	(1) Percentage of Parties to the Cartagena Protocol that have become Parties to the Supplementary Protocol
	8. Parties are in full compliance with the	8.1. Parties comply with their obligations under the Protocol	Effective compliance mechanisms facilitate	(1) Percentage of Parties that comply with their obligations, as

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	requirements of the Protocol	8.2. Parties resolve issues of non-compliance identified by the Compliance Committee	implementation of the Protocol	identified by the Compliance Committee
	9. Full information on the implementation of the Protocol is made available by Parties	9.1. Parties submit complete national reports within the established deadline	Accurate information on the implementation of the Protocol enables the COP-MOP to set priorities and direct support	(1) Percentage of Parties that have submitted a complete national report within the established deadline
B. Enabling environment	1. Parties are able to engage in capacity building activities addressing identified needs	1.1. Parties have identified their capacity building needs 1.2. Parties undertake capacity building activities, as set out in the post-2020 action plan for capacity-building for the Protocol and Supplementary Protocol 1.3. Parties have access to capacity building materials, including online resources 1.4 Parties cooperate to strengthen their capacities for the implementation of the Protocol	Parties have the necessary capacity for the implementation of the Protocol	(1) Percentage of Parties that have identified their capacity-building needs (2) Percentage of Parties undertaking capacity building activities (3) Percentage of Parties having access to capacity building materials, including online resources (4) Percentage of Parties that cooperate to strengthen their capacities for the implementation of the Protocol
	2. Parties mobilize resources to support implementation of the Protocol	2.1. Sufficient and predictable resources are allocated to biosafety through national budgets 2.2. Parties allocate a share of national biodiversity STAR allocations to biosafety	Full implementation of the Protocol is enabled by sufficient and predictable resources	(1) Percentage of Parties reporting that sufficient and predictable resources for biosafety have been allocated from national budgets (2) Percentage of Parties reporting that they have benefited

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		activities 2.3. Additional resources are mobilized to strengthen capacities for implementation of the Protocol		from additional resources (3) Percentage of eligible Parties reporting that national STAR allocations are used for biosafety activities
	3. Parties raise public awareness and deliver education on the safe transfer, handling and use of LMOs and consult the public in decision-taking on LMOs	3.1. Parties have developed mechanisms to enhance public awareness, education and participation in biosafety 3.2. Parties consult the public in taking decisions on LMOs, in accordance with their legislation, and make the results of decisions available to the public 3.3. Parties inform the public about the means of public access to the BCH 3.4. Parties have access to resource materials for enhancing public awareness, education and participation in biosafety	Through public awareness, education and participation, Parties ensure that the public is appropriately informed about and involved in decision-taking on the safe transfer, handling and use of LMOs	(1) Percentage of Parties having in place a mechanism to enhance public participation in biosafety (2) Percentage of Parties informing the public about means for participation in decision-taking (3) Percentage of Parties making the results of decisions available to the public (4) Percentage of Parties mainstreaming biosafety in educational and training programmes
	4. Cooperation by Parties on biosafety issues at the national, regional and international levels is enhanced	4.1. Parties cooperate to support implementation of the Protocol, including through the exchange of scientific, technical and institutional knowledge	Through cooperation at the national, regional and international levels, and participation of stakeholders, implementation of the Protocol is more effective	(1) Percentage of Parties cooperating in exchanging scientific, technical and institutional knowledge (2) Percentage of Parties that have

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		4.2. Parties have put in place effective mechanisms to involve relevant stakeholders from different sectors in the implementation of the Protocol		mechanisms for involving stakeholders from different sectors in the implementation of the Protocol