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REPORT OF THE LIAISON GROUP ON THE CARTAGENA PROTOCOL ON BIOSAFETY ON ITS FOURTEENTH MEETING

ONLINE, 20-23 APRIL 2020

INTRODUCTION

1. At its thirteenth meeting, held from 22 to 25 October 2019, the Liaison Group on the Cartagena Protocol reviewed the draft post-2020 implementation plan for the Cartagena Protocol, which had been developed pursuant to decision [CP-9/7](#). The Group also contributed to the draft post-2020 capacity-building action plan, as requested by the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol in decision [CP-9/3](#).
2. By decision CP-9/3, the Liaison Group was also requested to review, at its fourteenth meeting, the final draft of the capacity-building action plan, taking into account information provided in the fourth national reports.
3. Furthermore, in its decision [CP-9/6](#), the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol requested the Liaison Group to contribute to the fourth assessment and review of the Cartagena Protocol and the final evaluation of the [Strategic Plan for the Cartagena Protocol on Biosafety for the period 2011-2020](#).
4. The fourteenth meeting of the Liaison Group was convened from 20 to 23 April 2020.
5. A face-to-face meeting of the Liaison Group had been scheduled to be held in Montreal at the offices of the Secretariat of the Convention on Biological Diversity. However, due to restrictions related to the global COVID-19 pandemic, the meeting was held online through a combination of live sessions and online forum discussions on the Biosafety Clearing-House (BCH). The decision to proceed with the meeting in an online format was made in consultation with the Bureau of the Conference of the Parties.
6. A total of 19 members participated in the meeting of the Liaison Group. The complete list of participants is contained in annex II below.

ITEM 1. OPENING OF THE MEETING

7. The meeting was opened by the co-chair of the Liaison Group, Ms. Rita Andorkó, at 8 a.m. Montreal time (GMT -4), on Monday, 20 April 2020. She welcomed the participants and thanked the Secretariat for facilitating the organization of the meeting.
8. The Acting Executive Secretary of the Convention on Biological Diversity, Ms. Elizabeth Maruma Mrema, also made opening remarks. Recognizing the challenging nature of the times, both professionally and personally, she thanked the members for adapting their schedules in order to actively participate in the online meeting and to enable the Group to proceed with its work on two key processes under the Protocol, namely the fourth assessment and review of the Protocol and the final evaluation of the Strategic Plan and the development of the post-2020 implementation plan for the Cartagena Protocol and capacity-building action plan.

ITEM 2. ORGANIZATIONAL MATTERS

9. A representative of the Secretariat informed the Group that two new members had been invited to the Group to replace two members who were no longer available. One of the outgoing members, Ms. Georgina Catacora-Vargas, had served as co-chair of the Liaison Group.

10. The Group elected Mr. Daniel Lewis to serve as co-chair alongside Ms. Andorkó.

11. On the basis of the provisional agenda ([CBD/CP/LG/2020/1/1](#)) prepared by the Secretariat, the Liaison Group adopted the following agenda:

1. Opening of the meeting.
2. Organizational matters.
3. Input to the fourth assessment and review of the Cartagena Protocol and final evaluation of the Strategic Plan for the Cartagena Protocol on Biosafety for the period 2011-2020.
4. Update on the development of the post-2020 global biodiversity framework and related processes.
5. Implementation Plan for the Cartagena Protocol and Action Plan for Capacity-Building (2021-2030).
6. Other matters.
7. Adoption of the report.
8. Closure of the meeting.

12. The Liaison Group agreed on the organization of work as outlined in annex I of the revised annotated provisional agenda ([CBD/CP/LG/2020/1/1/Add.1/Rev.1](#)).

ITEM 3. INPUT TO THE FOURTH ASSESSMENT AND REVIEW OF THE CARTAGENA PROTOCOL AND FINAL EVALUATION OF THE STRATEGIC PLAN FOR THE CARTAGENA PROTOCOL FOR THE PERIOD 2011-2020

13. A representative of the Secretariat introduced the agenda item and the relevant document ([CBD/CP/LG/2020/1/2](#)), which provided a summary of the status and trends in the implementation of the Protocol and the progress made towards achieving the operational objectives of the Strategic Plan. He indicated that the full analysis of information on the implementation of the Protocol was provided in document [CBD/CP/LG/2020/1/INF/1](#).

14. The Group welcomed the documentation made available and noted that the analysis was based on the limited number of fourth national reports (99 reports) that had been received by 15 January 2020.

15. The Group reviewed trends and progress towards achieving the operational objectives of the Strategic Plan according to the 12 areas referred to in document [CBD/CP/LG/2020/1/2](#), section II.¹ It requested the Executive Secretary to transmit its conclusions in paragraphs 16 to 42 below to the Subsidiary Body on Implementation for consideration at its third meeting.

A. National biosafety framework (operational objectives 1.1 and 2.1)

16. The Group noted with concern that just over half of the Parties (55%) reported having fully introduced the necessary legal, administrative and other measures to implement their obligations under the Protocol. The Group was of the view that support should be made available to Parties to address this issue. The Group noted the ongoing work of the Compliance Committee in that regard and recognized the importance of further reviewing the challenges Parties face in this area.

17. The Group underlined that further support and resources were needed to ensure that all Parties had effective biosafety institutions, given their crucial role in implementing the Protocol. It recognized that

¹ The progress was measured against the baseline, as established in decision [BS-VI/15](#), as further described in [CBD/CP/LG/2020/1/INF/1](#), paras. 8-11.

mainstreaming biosafety as well as inter-institutional collaboration, including at the regional level, could be useful. The Group also recognized the progress reported in establishing functional administrative arrangements, noting that almost all Parties (94%) reported having permanent staff to administer the functions related to biosafety.

B. Coordination and support (operational objectives 1.2)

18. The Group noted that limited progress had been achieved regarding operational objective 1.2 on coordination and support.

19. The Group noted with concern that there had been little or no progress in four regions as regards meeting Parties' capacity-building needs, and observed that, in some of those regions, none of the Parties reported that their capacity-building needs had been met. The Group stressed the importance of strengthening the capacities of Parties for the implementation of the Protocol, also considering that the rapid advancements in biotechnology would require ongoing capacity development.

20. The Group recognized the importance of coordination among relevant authorities and at various levels and was of the view that mainstreaming biosafety could be useful for advancing implementation.

21. The Group noted with concern that a diminishing number of Parties reported having access to additional financial resources beyond their national budgets.

C. Risk assessment and risk management (operational objectives 1.3 and 2.2)

22. The Group noted the progress by Parties in carrying out risk assessments pursuant to the Protocol. It welcomed the fact that nearly all decisions² published in the Biosafety Clearing-House had a corresponding risk assessment summary report (96%) and considered it particularly notable in view of the increased number of decisions published in the Biosafety Clearing-House.

23. The Group welcomed the progress reported by Parties in adopting common approaches to risk assessment and risk management and in adopting or using guidance documents for the purpose of conducting risk assessments or evaluating risk assessment summary reports submitted by notifiers.

24. The Group recognized the need for further support in this area, including by strengthening human resource capacities and by facilitating access to sufficient financial resources and adequate technical infrastructure.

D. Living modified organisms or traits that may have adverse effects (operational objective 1.4)

25. The Group noted with appreciation that Parties generally reported having the capacities to detect (79%), identify (77%), assess (77%) and monitor (71%) living modified organisms (LMOs) or traits that may have adverse effects on the conservation and sustainable use of biological diversity. It noted with concern, however, that, in some regions, capacities in these areas were limited and that further support was needed to address the issue.

E. Liability and redress (operational objectives 1.5 and 2.4)

26. The Group noted with regret that only 47 Parties to the Cartagena Protocol on Biosafety had ratified the Nagoya-Kuala Lumpur Supplementary Protocol on Liability and Redress. It recognized that more awareness-raising on the Supplementary Protocol was needed to support ratification efforts.

27. The Group welcomed the fact that a majority of the Parties to the Supplementary Protocol (60%) had fully introduced measures to implement the Supplementary Protocol, but recognized that support should be provided for Parties facing challenges.

² For this purpose, the decisions by Parties regarding transboundary movement of LMOs for intentional introduction into the environment (under Article 10 of the Protocol) and those related to import or domestic use of LMOs for direct use as food or feed, or for processing (under Article 11 of the Protocol, or under the domestic framework) were considered. For each of these decisions, it was verified whether a corresponding risk assessment report had been submitted to the Biosafety Clearing-House.

F. Handling, transport, packaging and identification (operational objectives 1.6 and 2.3)

28. The Group welcomed the fact that almost all Parties (96%) had reported that some laboratory personnel had been trained in LMO detection, but noted that about half of those Parties had indicated that more training would be required. The Group also noted that most Parties had reported having reliable access to laboratory facilities (87%). It noted with concern, however, that Parties continued to face challenges and that support was needed in that regard, including through cooperation on transboundary movement of LMOs at the regional level.

G. Socio-economic considerations (operational objective 1.7)

29. The Group noted that about half of the Parties (52%) had reported having specific approaches or requirements that facilitated how socio-economic considerations should be taken into account in LMO decision-making.

30. The Group suggested that it would be useful to exchange research and information on socio-economic considerations to support Parties in this area.

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

31. The Group welcomed the fact that most Parties had reported having measures in place to regulate contained use of LMOs (80%) and LMOs in transit (70%).

32. The Group also welcomed the fact that most Parties (70%) had reported having the capacity to take appropriate measures in case of unintentional transboundary movements of LMOs. The Group recognized the importance of supporting the remaining Parties in adopting the necessary measures and developing their capacities in that regard.

I. Information sharing (operational objectives 2.6, 4.1 and 4.2)

33. The Group noted the positive trends regarding information sharing on the Biosafety Clearing-House, including in relation to the number of national records and reference records published, and the number of visitors. It also noted the importance of ensuring that records remained up-to-date.

34. The Group welcomed the fact that almost all Parties had designated their national focal point for the Cartagena Protocol (92%) and their national focal point for the Biosafety Clearing-House (97%). The Group noted the progress by Parties in designating their point of contact for the purposes of receiving notifications under Article 17 (Unintentional transboundary movements and emergency measures), but recognized that approximately one third of Parties (32%) had not yet done so and that this remained an issue that required attention.

J. Compliance and review (operational objectives 3.1 and 3.2)

35. The Group recalled that the Compliance Committee had reviewed progress on operational objective 3.1 and, in that context, had reviewed the trends in the submission of national reports over the different reporting cycles since the baseline.

36. The Group noted with regret the limited number of fourth national reports that had been submitted by the cut-off date for the analysis for the fourth assessment and review of the Protocol (99 reports) and the final evaluation of the Strategic Plan and that this may have affected the status and trends identified. It suggested that an update to the analysis might be necessary at a later stage.

37. The Group recognized that there might be a number of reasons for the low level of submission of fourth national reports and recognized the ongoing work of the Compliance Committee in that regard. The Group noted the importance of timely access to funding to support eligible Parties in the preparation of their national reports. It stressed the need for eligible Parties to submit letters of commitment to the United Nations Environment Programme in a timely manner. The Group suggested that, for future reporting cycles, a firm deadline for the submission of letters of commitment should be set and that project proposals be submitted for approval by the Global Environment Facility expeditiously thereafter.

K. Public awareness and participation, biosafety education and training (operational objectives 2.5, 2.7 and 4.3)

38. The Group noted the progress on some indicators in this area and acknowledged the importance of public awareness, education and participation for the implementation of the Protocol. It recognized that more support in this area was needed.

39. The Group noted that Parties had made some progress in having in place fully functional mechanisms for public participation in decision-making on LMOs and suggested that further efforts in this area were needed.

40. The Group was of the view that national websites and searchable databases could be useful to promote and facilitate public awareness.

41. The Group welcomed the high number of Parties (86%) that reported having academic institutions offering biosafety education and training programmes. The Group suggested that Parties should be encouraged to share educational and other materials through the Biosafety Clearing-House.

L. Outreach and cooperation (operational objectives 5.1, 5.2 and 5.3)

42. The Group noted the importance of cooperation among Parties in addition to cooperation among intergovernmental organizations.

ITEM 4. UPDATE ON THE DEVELOPMENT OF THE POST-2020 GLOBAL BIODIVERSITY FRAMEWORK AND RELATED PROCESSES

43. A representative of the Secretariat provided an update on post-2020 processes under the Convention, including the process for the development of the post-2020 global biodiversity framework and the long-term strategic framework on capacity-building for the Convention and the Protocols.

44. The Group recalled the work of its thirteenth meeting to develop a draft biosafety component of the post-2020 global biodiversity framework, including a target and other elements. It noted with regret that biosafety was not included as a goal, but welcomed the inclusion of a target on biosafety in the zero draft of the post-2020 global biodiversity framework and the positive nature of the discussions on the target during the second meeting of the Open-Ended Working Group on the Post-2020 Global Biodiversity Framework.

45. The Group welcomed that the other elements of the draft biosafety component, including the sub-targets and relevant indicators, had also been reflected in the preliminary draft monitoring framework for the goals and targets of the post-2020 global biodiversity framework ([CBD/WG2020/2/3/Add.1](#)) and that this issue would be further discussed by the Subsidiary Body on Implementation at its third meeting and by the Subsidiary Body on Scientific, Technical and Technological Advice at its twenty-fourth meeting.

46. The Group took note of the background document to facilitate discussions on the long-term strategic framework for capacity-building beyond 2020 ([CBD/POST2020/WS/2020/2/3](#)) that had been issued for the thematic consultation on capacity-building and technical and scientific cooperation for the post-2020 global biodiversity framework, held in Rome on 1 and 2 March 2020. It expressed concern that the document issued for the thematic consultation did not consider the capacity-building action plan that was being developed under the Cartagena Protocol. It stressed the importance of making reference to the capacity-building action plan in the draft long-term strategic framework, to ensure that its linkages to the Protocol and biosafety issues are clear. In that context, it recalled that, in decision CP-9/3, the Conference of the Parties serving as the meeting of the Parties had acknowledged that the action plan for capacity-building for the implementation of the Cartagena Protocol and its Supplementary Protocol should be complementary to the long-term strategic framework for capacity-building beyond 2020.

47. The Group underlined the importance of biosafety experts contributing to the further development of the post-2020 global biodiversity framework and the long-term framework for capacity-building,

including through the online discussions on the long-term framework for capacity-building, which would tentatively be held in May 2020.

48. The Group recognized that it would be beneficial for the implementation plan for the Cartagena Protocol and the capacity-building action plan to be acknowledged in the post-2020 processes under the Convention. It also recognized that Parties to the Cartagena Protocol could facilitate this through their proactive involvement in the post-2020 processes under the Convention.

49. The Group also noted the importance of coordination of the preparations for the various post-2020 processes by the Secretariat.

ITEM 5. IMPLEMENTATION PLAN FOR THE CARTAGENA PROTOCOL AND ACTION PLAN FOR CAPACITY-BUILDING (2021-2030)

50. A representative of the Secretariat introduced the agenda item and the relevant document ([CBD/CP/LG/2020/1/3](#)), which contained the revised draft implementation plan for the Cartagena Protocol and the capacity-building action plan. He explained that the revised draft of the two plans had been prepared with due account taken of the views provided through a review process that had taken place from 5 December 2019 to 17 January 2020.

51. The representative of the Secretariat indicated that the two plans had been presented alongside one another to show their alignment and complementarity and to avoid duplication.

52. The Group welcomed the revised draft implementation plan for the Cartagena Protocol and capacity-building action plan and noted with appreciation the changes and improvements made since its thirteenth meeting, including the narrative introduction. It was recalled that the plans had been developed in response to two decisions, CP-9/3 and CP-9/7, and that there might be the expectation that they would be adopted as two separate documents.

53. The Group recalled decision CP-9/3, in which it had been requested to review, at its current meeting, the final draft of the capacity-building action plan and provided the following input on the *key areas for capacity building* and the *capacity-building activities*:

(a) *Goal A.1, key area (2)* should be rephrased as follows: “Strengthening capacities of competent national authorities”;

(b) *Goal A.2, key area (2)* should be rephrased to also address the *effective use* of information;

(c) *Goal A.2, activity (ii)*, the reference to “specific target groups” should be deleted;

(d) *Goal A.4, activity (i)* should be rephrased as follows: “Provide support to non-compliant Parties concerned to carry out activities set out in compliance action plans, to address identified issues of non-compliance”;

(e) *Goal A.5, key area (1)* should be split into two areas, and “monitoring” should be added to the second key area, as follows: (1) “Conducting and reviewing scientifically sound risk assessments” and (2) “Monitoring, regulating, managing and controlling identified risks”;

(f) *Goal A.5, activity (ii)*, the reference to “relevant national authorities” should be deleted;

(g) *Goal A.5, activity (iv)* should be rephrased as follows: “Provide training to conduct scientific research, review and acquire data on biodiversity for specific ecological areas relevant to risk assessment and risk management”;

(h) *Goals A.6, 7 and 8*, a key area with the following wording should be added: “Establishment of functional national systems for notification and appropriate responses to unintentional transboundary movements, in accordance with Article 17 of the Protocol”;

(i) *Goals A.6, 7 and 8, activity (iii)* should be rephrased as follows “Disseminate and provide training on methodologies and protocols for sampling, detection and identification of LMOs”;

(j) *Goals A.6, 7 and 8, activity (v)* should be rephrased as follows “Establish, strengthen and maintain networks of laboratories for LMO detection and identification”;

(k) *Goal A.10, key area (2)* should be rephrased as follows “Development of national legal, administrative and other measures to implement the Supplementary Protocol”;

(l) *Goal A.10, activity (v)*, the reference to “Supplementary Protocol” should be deleted;

(m) *Goal B.1, activity (i)* should be rephrased to address providing support for carrying out a self-assessment of capacity-building needs and priorities;

(n) *Goal B.2, activity (i)*, the word “predictable” should be substituted with “adequate”;

(o) *Goal B.4, key area (3)*, the reference to “national” should be deleted.

54. In addition to these specific suggestions, the Group noted that section V of the introductory text of the implementation plan for the Cartagena Protocol and the capacity-building action plan provided the necessary flexibility for the Conference of the Parties serving as the meeting of the Parties to the Protocol to periodically set priorities to plan for and programme work to be undertaken over the duration of the plans.

55. It was noted that, under goal A.3, the process for preparing national reports referred to in the key areas for capacity-building included the review of draft reports by Parties as part of the consultative preparatory process.

56. The Group recognized that it had not been tasked with reviewing the implementation plan at its current meeting and that there was a limited opportunity to make changes to the implementation plan at this point in time. The Group provided some feedback on the implementation plan and editorial input and suggested that the Secretariat address this to the extent possible.

ITEM 6. OTHER MATTERS

57. No other matters were raised.

ITEM 7. ADOPTION OF THE REPORT

58. The Liaison Group adopted the report on the meeting as orally amended.

ITEM 8. CLOSURE OF THE MEETING

59. The co-chairs expressed their satisfaction that the Group had been able to undertake deliberations on all its agenda items despite the challenges created by the global pandemic and the shift to hold the meeting online. They thanked the members for their cooperation and their flexibility. They also thanked the Secretariat for its efforts in re-arranging the meeting modalities. The Group expressed the hope that it would be able to hold its next meeting face-to-face, as that was the preferred way for holding meetings.

60. Following the customary exchange of courtesies, the meeting was closed by the co-chairs at 10.50 am on Thursday, 23 April 2020.

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