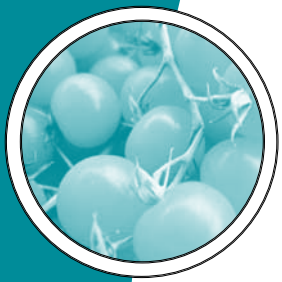

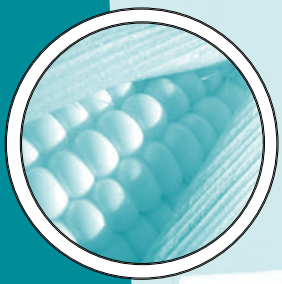

Biosafety

SETTING A NEW AGENDA

Decisions of the Fifth 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 Biodiversity

11 to 15 October 2010
Nagoya, Japan

UNEP CBD

BIOSAFETY
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United Nations Environment Programme
413 St. Jacques Street West, Suite 800
Montreal, Quebec, Canada H2Y 1N9
Phone: +1 (514) 288 2220
Fax: +1 (514) 288 6588
E-mail: secretariat@cbd.int
Website: www.cbd.int and bch.cbd.int/protocol

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FOREWORD

The fifth meeting of the Parties to the Cartagena Protocol on Biosafety was a historic event and major turning point for the Protocol. Not only was it the largest meeting of the governing body of the Protocol to date, but it also saw the adoption of the Nagoya – Kuala Lumpur Supplementary Protocol on Liability and Redress to the Protocol. The Supplementary Protocol fulfils the commitment set forth in Article 27 of the Protocol to elaborate international rules and procedures for liability and redress in the event of damage resulting from living modified organisms.

The meeting also marked the end of the first medium-term programme of work for the governing body of the Protocol and the beginning of a new phase. The first programme of work focused on clarification of rules, procedures and processes, the development of tools and guidance on specific issues and the establishment of mechanisms to assist Parties in the implementation of the Protocol. The next phase aims to consolidate and enhance the implementation of the Protocol. It will be guided by the Strategic Plan of the Cartagena Protocol on Biosafety and the new programme of work adopted at the meeting. The Plan sets a new strategic direction for the implementation of the Protocol, with clear priorities for the next ten years. The focus will be on five main areas: (i) establishment and further development of systems for the implementation of the Protocol; (ii) capacity-building; (iii) compliance with and review of the Protocol; (iv) information-sharing; and (v) outreach and cooperation.

Besides the Supplementary Protocol and the Strategic Plan, the Parties to the Protocol took a number of other important decisions to advance the implementation of various provisions of the Protocol, including: risk assessment and risk management; handling, transport, packaging and identification of living modified organisms (LMOs); and compliance. It also adopted additional tools and mechanisms to facilitate implementation. These included the programme of work on public awareness, education and participation; the format for the second national reports, and a framework and methodology for the second assessment and review of the effectiveness of the Protocol. The meeting also reviewed the operations of the Biosafety Clearing-House (BCH), the status of capacity-building activities and matters relating to the financial mechanism and resources for the implementation of the Protocol.

Building on the progress made at the third and fourth meetings on the issue of risk assessment and risk management, the Parties considered the draft Guidance on Risk Assessment of LMOs that was produced by the Ad Hoc Technical Expert Group (AHTEG). The Parties agreed that the guidance needed further scientific review and testing. In this regard, they endorsed the continuation of the AHTEG to, *inter alia*, produce a revised

version of the guidance, and to develop further guidance on new topics of risk assessment. The Parties also requested the Secretariat to undertake a number of capacity-building activities, including regional or subregional training courses, improvement of the training manual on risk assessment and development of an online interactive learning tool based on the manual.

Concerning the issue of the handling, transport, packaging and identification of LMOs, the Parties, in light of the limited experience gained to date, decided to postpone to their seventh meeting further decision-taking on detailed information to be included in documentation accompanying LMOs for food or feed, or for processing. They also called for further support and cooperation on capacity-building for implementation of the identification requirements. With respect to standards on the handling, transport, packaging and identification of LMOs, the Parties requested the Secretariat to continue following developments in this area and to commission a study to analyse information on existing standards, methods and guidance for consideration by the Parties at their sixth meeting.

The Parties also took a decisive step to strengthen the role of the Compliance Committee in promoting compliance with the Protocol's provisions. In accordance with the views submitted by Parties on how to improve the supportive role of the Committee, it was decided that "in instances where a Party makes a submission relating to compliance with respect to itself, the Committee shall, in response, consider taking only measures that are facilitative and supportive". Such measure would include provision of advice, financial and technical assistance, training and other capacity-building support. This is expected to build the confidence of Parties in the Committee and encourage them to make submissions relating to compliance. It was also decided that the Committee may consider taking the above measures in a situation where a Party fails to submit its national report, or where information received through the national report or the BCH shows that the Party concerned is faced with difficulties complying with its obligations under the Protocol.

The newly adopted programme of work on public awareness, education and participation concerning the safe transfer, handling and use of LMOs aims to assist Parties in developing or improving their national actions, programmes and mechanisms to implement Article 23 of the Protocol in a cohesive and focused manner. It comprises four programme elements focused on assisting Parties to: (i) enhance capacity-building for public awareness, education and participation; (ii) promote public awareness and education; (iii) facilitate public access to information; and (iv) foster public participation in decision-making processes regarding LMOs.

The Parties also welcomed the improvements made to the Biosafety Clearing-House (BCH) and invited Governments and relevant organizations to provide feedback and views

for further improvement. Parties were invited to use the BCH more effectively to submit and retrieve information. They further called for additional capacity-building support to enable all Parties to participate in the BCH and requested the Secretariat to continue assisting Parties to access and use the BCH, including facilitation of online forums and conferences through the BCH.

With regard to capacity-building, Parties approved the terms of reference and process for the next review of the Action Plan for Building Capacities for the Effective Implementation of the Protocol, adopted in decision BS-III/3. They also called for development of further tools to improve the effectiveness of various capacity-building initiatives and approaches. Socio-economic considerations took centre stage during the discussions on capacity-building at the meeting. In the end, consensus was reached on an intersessional process to further consider the issue and make recommendations to the sixth meeting of the Parties. It was agreed that regional online conferences and a workshop would be organized to facilitate exchange of views, information and experiences and to analyse the capacity-building activities, needs and priorities of Parties regarding socio-economic considerations.

In the discussions on the issue of the financial mechanism and resources for the implementation of the Protocol, a number of Parties noted with concern the dwindling level of financial assistance, including funding from the Global Environment Facility (GEF), for the implementation of the Protocol. In this regard, developed country Parties were urged to provide additional financial and technological resources for the implementation of the Protocol through bilateral, regional and multilateral channels. The Parties also urged eligible Parties to give priority to biosafety when applying for GEF funding under the biodiversity focal area. It also urged the GEF to consider defining specific quotas for biosafety funding for each country during the next GEF replenishment process.

In sum, the fifth meeting of the Parties to the Protocol was a major step forward in setting a new agenda towards ensuring the safe application of modern biotechnology for sustainable development. The important decisions adopted at the meeting, in particular the Supplementary Protocol on Liability and Redress and the Strategic Plan for the Cartagena Protocol, present additional invaluable tools that can and should be used to safeguard global biodiversity from potential adverse effects of LMOs. We all bear the responsibility to conserve the wealth of biodiversity endowed to us and to pass it on to the next generation. Let us continue to work together to promote living in harmony with nature.

Ahmed Djoghlaf
Executive Secretary

DECISIONS ADOPTED BY THE CONFERENCE OF THE PARTIES SERVING AS THE MEETING OF THE PARTIES TO THE CARTAGENA PROTOCOL ON BIOSAFETY AT ITS FIFTH MEETING NAGOYA, JAPAN, 11–15 OCTOBER 2010

BS-V/1.
REPORT OF THE COMPLIANCE COMMITTEE

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

Taking note of the views submitted by Parties on how the supportive role of the Compliance Committee could be improved (UNEP/CBD/BS/COP-MOP/2/Add.1),

Taking note also of the recommendations of the Compliance Committee (UNEP/CBD/BS/COPMOP/5/2, annex),

Recalling the objective, nature and underlying principles of the Procedures and Mechanisms on Compliance under the Cartagena Protocol on Biosafety as specified in section I of the annex to decision BS-I/7, which underline the promotion of compliance and addressing cases of non-compliance through the provision of advice and assistance, in a simple, facilitative, non-adversarial and cooperative manner, and by paying particular attention to the special needs of developing countries, taking into full consideration the difficulties they face in the implementation of the Protocol,

Recognizing the need for building further the confidence of Parties in the role of the Compliance Committee and the application of the compliance procedures and mechanisms of the Protocol by, among other things, emphasizing and strengthening the facilitative and supportive role of the Committee as well as mobilizing financial resources, technology transfer and capacity-building projects,

1. *Decides* that:

(a) In the event of a submission relating to compliance by any Party with respect to itself in the context of paragraph 1 (a) of section IV of the annex to decision BS-I/7, the Compliance Committee shall, in response, consider taking only those measures specified in paragraphs 1 (a) and (b) of section VI of the annex to decision BS-I/7, namely the provision of advice or assistance to the Party concerned and/or making recommendations to the Conference of the Parties serving as the meeting of the Parties to the Protocol regarding the provision of financial and technical assistance, technology transfer, training and other capacity-building measures;

(b) The Compliance Committee may also consider taking the measures referred to in subparagraph (a) above in a situation where a Party fails to submit its national report, or information has been received through a national report or the Secretariat, based on

information from the Biosafety Clearing-House, that shows that the Party concerned is faced with difficulties complying with its obligations under the Protocol;

2. *Request*s the Compliance Committee to carry out its supportive role in accordance with paragraph 1 above in confidence and with the cooperation of the concerned Party;

3. *Encourages* Parties that are facing difficulties complying with one or more of their obligations under the Protocol due to lack of capacity to make a submission to the Compliance Committee relating to their compliance so that the Committee or the Conference of the Parties serving as the meeting of the Parties to the Protocol could consider taking facilitative and supportive measures, as appropriate, with a view to helping the Party overcome the difficulties.

BS-V/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,

Welcoming the improvements made to the Management Centre of the Biosafety Clearing-House and to the structure of the common formats for the submission of information,

Recalling preambular paragraph 3 of decision BS-II/13 on the importance of making information concerning the safe transfer, handling and use of living modified organisms available to different stakeholders in comprehensible formats and adapting awareness materials to local languages and situations,

Welcoming the results of the "Study of users and potential users of the Biosafety Clearing-House",

Welcoming also the endorsement of the "Project for Continued Enhancement of Building Capacity for Effective Participation in the Biosafety Clearing-House" by the Global Environment Facility,

1. *Reminds* Parties of their obligations, and *invites* other Governments, to:

(a) Provide to the Biosafety Clearing-House, in a timely manner, complete and accurate information on final decisions pertaining to living modified organisms and the risk assessment summaries regarding such decisions, as well as risk assessment summaries for all instances when requested by the Protocol including, *inter alia*, intentional introductions of living modified organisms into the environment for field trials regardless on whether or not the living modified organism will be subjected to future transboundary movements or commercialization;

(b) Cooperate fully with the Secretariat in its efforts to maintain complete information in the Biosafety Clearing-House;

(c) Indicate and document specific obstacles preventing or hindering the effective use of the Biosafety Clearing-House;

2. *Invites* Parties, other Governments and users of the Biosafety Clearing-House

to continue making relevant biosafety information available through the Biosafety Information Resource Centre;

3. *Also invites* Parties, other Governments and relevant organizations to consider the implementation of the "LMO quick-link" tool by their relevant national agencies when reference is made to a living modified organism;

4. *Requests* Parties and *invites* other Governments and relevant organizations to submit to the Executive Secretary views on the changes made during the last intersessional period to the (i) common formats; (ii) registration procedure; (iii) tools for the analysis of search results; and (iv) graphical representations of data, and requests the Executive Secretary to take these views into account for future improvements of the Biosafety Clearing-House;

5. *Requests* the Executive Secretary to continue providing assistance and information to Parties on how to submit and retrieve information from the central portal of the Biosafety Clearing-House and to explore innovative ways for assisting Parties in making information in the Biosafety Clearing-House available also in languages other than the official United Nations languages;

6. *Also requests* the Executive Secretary to facilitate, through the Biosafety Clearing-House, online forums and conferences on topics relevant to biosafety and the implementation of the Protocol, in particular to facilitate the common understanding of the use of certain terms of Article 20 of the Protocol and of the type of information that should be made available in risk assessments submitted to the Biosafety Clearing-House;

7. *Requests* Parties and *invites* other Governments and relevant organizations to participate actively in the activities mentioned in paragraph 6 above with the view to reaching an adequate level of regional participation and ensuring that the results of the discussion may be taken into account;

8. *Requests* the Executive Secretary to increase the involvement of Biosafety Clearing-House national focal points by promoting, *inter alia*, regular exchange of information and online discussions and to explore innovative ways for gathering views from Parties where internet connectivity is limited;

9. *Invites* relevant United Nations bodies and international organizations to enhance cooperation and avoid duplication regarding the provision of information on living modified organisms and *requests* the Executive Secretary to explore ways to develop a mechanism for harmonizing similar data from various other sources (e.g.

the Organisation for Economic Co-operation and Development and the Food and Agriculture Organization of the United Nations) with the view to avoiding duplication of efforts and improving the utility of the Biosafety Clearing-House as a global mechanism for information-sharing on biosafety;

10. *Invites* Parties, other Governments and relevant international organizations to provide funding and to strengthen and expand initiatives aimed at overcoming obstacles encountered by developing country Parties, in particular the least developed and small island developing States among them, and Parties with economies in transition, in meeting their obligations under Article 20 of the Protocol, including capacity-building and the development of infrastructure necessary for facilitating the retrieval and submission of information to the Biosafety Clearing-House;

11. *Requests* Parties and *invites* other Governments to identify their needs regarding national Biosafety Clearing-House nodes in a detailed manner through the Biosafety Clearing-House, and *requests* the United Nations Environment Programme, through the ongoing "Project for Continued Enhancement of Building Capacity for Effective Participation in the Biosafety Clearing-House" (hereinafter referred to as "the BCH-II project"), and the Executive Secretary to provide the necessary support for the needs identified;

12. *Encourages* Parties, relevant United Nations bodies and relevant international organizations to continue training activities at the national and regional levels and *welcomes* the offers by the Republic of Korea and the Islamic Republic of Iran to host sub-regional workshops in 2011 in cooperation with relevant international organizations;

13. *Invites* Parties, other Governments and relevant organizations to make funds available for the operationalization of paragraph 5 above for the benefit of developing country Parties, in particular the least developed and small island developing States among them, and Parties with economies in transition;

14. *Requests* the United Nations Environment Programme, through the BCH-II project, to promote capacity-building activities at the global, regional and, in particular, sub-regional levels in order to increase exchange of experiences among different countries;

15. *Further requests* the United Nations Environment Programme, through the BCHII project, to produce in collaboration with the Executive Secretary, further guidance on the Biosafety Clearing-House with special attention to the various target stakeholders (e.g. government officials, media, the general public, members of civil-society organizations, etc.) and to categories of potential users that have been identified as being least aware of the Biosafety Clearing-House.

BS-V/3.
STATUS OF CAPACITY-BUILDING ACTIVITIES

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

Recalling decision BS-III/3 that adopted an updated Action Plan for Building Capacities for the Effective Implementation of the Protocol and decided to undertake a comprehensive review of the Action Plan every five years,

Welcoming the initiatives undertaken by various Parties, other Governments and relevant organizations in support of the Action Plan,

Recalling decisions BS-I/5, BS-II/3 and BS-IV/3 inviting Parties and other Governments to submit their capacity-building and training needs to the Secretariat and the Biosafety ClearingHouse,

Also recalling paragraph 3 of decision BS-IV/16 which invited the Coordination Meeting for Governments and Organizations Implementing or Funding Biosafety Capacity-Building Activities to further consider possibilities for cooperation in identifying needs for capacity-building among Parties for research and information exchange on socio-economic impacts of living modified organisms,

Recognizing the need for cooperation among Parties in the development of capacities for the implementation of the Protocol, particularly at regional and subregional levels,

Emphasizing the need to maximize synergies and efficient use of the limited available resources,

I. Status of the implementation of the Action Plan and country capacity needs

1. *Takes note* of the status report on the implementation of the Action Plan contained in the note by the Executive Secretary (UNEP/CBD/BS/COPMOP/5/4, section II);

2. *Urges* Parties and other Governments that have not yet done so to submit reports on their capacity-building activities undertaken in support of the Action Plan within the next six months using the online format available in the Biosafety ClearingHouse to facilitate the comprehensive review of the Action Plan;

3. *Takes note* of the report on the training and capacity-building needs of Parties and other Governments prepared by the Executive Secretary (UNEP/CBD/BS/COP-MOP/5/4, section III);

4. *Invites* developed country Parties, other Governments and relevant organizations to take into account the specific capacity needs identified by Parties in their bilateral and multilateral assistance, targeting such assistance to where resources are needed for the implementation of the Protocol;

5. *Invites* Parties and other Governments to develop institutional frameworks and long-term research-based knowledge for the purpose of assessing relevant information and regulating, managing, monitoring and controlling risks of living modified organisms;

6. *Urges* Parties and other Governments that have not yet submitted their prioritized needs to the Biosafety ClearingHouse, and those Parties and other Governments that have already submitted but wish to revise their submissions, to do so within six months, to enable the Secretariat to prepare a more representative and comprehensive needs assessment report to facilitate the next comprehensive review of the Action Plan;

7. *Requests* the Executive Secretary to undertake a comprehensive needs assessment every four years and *invites* Parties to complete the needs assessment at least 12 months before the meeting of the Parties that would consider the needs assessment report;

8. *Requests* the Executive Secretary to publish and make available to Parties a toolkit on regional and subregional approaches to capacity-building in biosafety based on the guidance developed by the fifth Coordination Meeting;

II. Biosafety education and training

9. *Takes note* of the report of the Third International Meeting of Academic Institutions and Organizations Involved in Biosafety Education and Training (UNEP/CBD/BS/COP-MOP/5/INF/7);

10. *Commends* the Government of Japan for organizing and hosting the above meeting;

11. *Invites* Parties and other Governments to:

(a) Support existing biosafety education and training initiatives, including mobility support, and facilitate the development of new initiatives;

(b) Establish coordination mechanisms for education and training in biosafety at national, subregional and regional levels;

(c) Commission country surveys/studies to establish baseline data on the current situation regarding education and training related to biosafety and make the information available to the Biosafety ClearingHouse;

(d) Make available to academic institutions relevant documents (including "real-life" dossiers and full risk assessment reports), where available, for educational purposes, while respecting the need to protect confidential information in accordance with Article 21 of the Protocol;

III. Comprehensive review of the Action Plan and approaches to capacity-building

12. *Endorses* the terms of reference for the comprehensive review of the updated Action Plan contained in the annex hereto;

13. *Invites* Parties, other Governments and relevant organizations to submit to the Executive Secretary, by 30 June 2011, relevant information that might facilitate the comprehensive review of the updated Action Plan as well as views and suggestions on possible revisions to the Action Plan;

14. *Requests* the Executive Secretary to commission an independent evaluation of the effectiveness and outcomes of capacity-building initiatives implemented in support of the Action Plan to facilitate the comprehensive review of the Action Plan;

15. *Reiterates* its invitation to Parties, other Governments and relevant organizations, made in paragraph 17 of decision BS-IV/3, to submit to the Executive Secretary information on their experiences with, and lessons learned from, the use of the revised set of indicators in monitoring and evaluating capacity-building activities implemented in support of the Action Plan;

16. *Requests* the Executive Secretary to prepare a working document to facilitate the comprehensive review of the Action Plan, taking into account the submissions made in accordance with paragraphs 13 and 15 above, the information provided in the second national reports, and the findings of the independent evaluation referred to in paragraph 14 above;

17. *Welcomes* the report on the expert review of the effectiveness of various approaches to biosafety capacity-building and the lessons learned produced by the United Nations Environment Programme (UNEP/CBD/BS/COP-MOP/5/INF/9);

18. *Invites* Parties, other Governments and relevant organizations to take into account, as appropriate, the findings and recommendations of the expert review in the design and implementation of their biosafety capacity-building initiatives and support programmes;

19. *Requests* the Executive Secretary to organize an online forum to identify strategic approaches to capacity-building and develop a capacity assessment framework and a framework for monitoring and evaluation, and submit the outcomes to the Parties at their sixth meeting;

20. *Requests* the Executive Secretary to develop, with advice from the Liaison Group on CapacityBuilding for Biosafety, toolkits to assist Parties and relevant organizations to improve the effectiveness of their capacity-building initiatives and approaches;

IV. Cooperation on identification of capacity-building needs for research and information exchange on socio-economic considerations

21. *Takes note* of the recommendations of the sixth Coordination Meeting for Governments and Organizations Implementing or Funding Biosafety Capacity-Building Activities regarding possibilities for cooperation in identifying needs for capacity-building among Parties for research and information exchange on socio-economic impacts of living modified organisms (UNEP/CBD/BS/COPMOP/5/INF/4);

22. *Invites* Parties and other Governments to submit to the Biosafety Clearing-House their capacity-building needs and priorities regarding socio-economic considerations;

23. *Urges* Parties, other Governments and relevant organizations to submit to the Executive Secretary relevant information on socio-economic considerations, including guidance material and case studies on, *inter alia*, institutional arrangements and best practices;

24. *Requests* the Executive Secretary to convene regional online conferences to: (i) facilitate the exchange of views, information and experiences on socio-economic considerations on a regional basis; and (ii) identify possible issues for further consideration;

25. *Requests also* the Executive Secretary to convene, prior to the sixth meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol, subject to the necessary financial resources being made available, a regionally-balanced workshop on capacity-building for research and information exchange on socio-economic impacts of living modified organisms, with the following main objectives:

(a) Analysis of the capacity-building activities, needs and priorities regarding socio-economic considerations submitted to the Biosafety Clearing-House by Parties and other Governments, and identification of options for cooperation in addressing those needs;

(b) Exchange and analysis of information on the use of socio-economic considerations in the context of Article 26 of the Protocol;

26. *Welcomes* the offer from the Government of Norway to support activities on socioeconomic considerations referred to in paragraph 25 above;

27. *Requests* the Liaison Group on Capacity-Building for Biosafety to give advice to the Executive Secretary on the organisation of the workshop referred to in paragraph 25 above;

28. *Requests* the Executive Secretary to synthesize the outcomes of the online conferences and workshop referred to in paragraphs 24 and 25 above and submit a report to the sixth meeting of the Parties for consideration of further steps;

29. *Invites* Parties, in collaboration with regional bodies and relevant organizations, to organize regional workshops to facilitate sharing of information and experiences regarding socio-economic considerations;

30. *Welcomes* the report of the survey on the application of and experience in the use of socio-economic considerations in decision-making on living modified organisms conducted by the United Nations Environment Programme and the Secretariat (UNEP/CBD/BS/COPMOP/5/INF/10);

31. *Invites* the United Nations Environment Programme and other organizations to conduct additional case studies to document experiences and lessons learned in different regions.

Annex

TERMS OF REFERENCE FOR THE COMPREHENSIVE REVIEW OF THE UPDATED ACTION PLAN

A. Introduction

1. In its decision BS-III/3, the meeting of the Parties adopted an updated Action Plan and decided that a comprehensive review of the Action Plan would be conducted every five years, based on an independent evaluation of the initiatives undertaken in support of its implementation. The first review of the Action Plan was undertaken in 2005 and the results were presented in documents UNEP/CBD/BS/COP-MOP/3/4 and UNEP/CBD/BS/COP-MOP/3/INF/4.

2. The next comprehensive review process will take place in 2011 and its outcomes will be considered by the Parties at their sixth meeting, expected to take place in 2012. The following terms of reference have been developed to facilitate the review process. They outline the objectives of the review; the scope and schedule of activities to be undertaken and the indicative responsibilities of various stakeholders; the information sources to support the review; and the expected outputs.

B. Objectives of the review

3. The objectives of the comprehensive review are to:

(a) Assess the progress made in implementing the Action Plan (including key results and impacts) and examine the effectiveness of the Action Plan in facilitating the development and/or strengthening of human resources and institutional capacities in biosafety;

(b) Identify the gaps in the implementation of the Action Plan and the obstacles and constraints limiting its full implementation and propose possible measures for overcoming them;

(c) Identify best practices and lessons learned in the implementation of the Action Plan;

(d) Propose, as appropriate, revisions to the Action Plan, taking into account the additional emerging needs and priorities of Parties and other Governments and the new Strategic Plan for the Protocol (2011-2020);

(e) Propose options for enhancing the implementation of the Action Plan and for improving the monitoring and evaluation of its progress and effectiveness.

4. The overall objective of the review will be to ensure that the Action Plan is relevant and effective in providing a coherent framework for capacity-building efforts in response to the needs and priorities of Parties and other Governments.

C. Scope and schedule of activities to be undertaken

5. The review process will include the following activities/tasks:

Activity/Task	*Timeframe/ deadline*	*Responsibility*
1. Submission of reports on capacity-building activities undertaken in support of Action Plan	15 Apr 2011	Parties, other Governments and relevant organizations
2. Submission of capacity-building and training needs using the questionnaire in the BCH	15 Apr 2011	Parties, other Governments
3. Submission of experiences with, and lessons learned from, the use of the revised set of indicators	30 June 2011	Parties, other Governments and relevant organizations
4. Submission of views and suggestions on possible revisions to the Action Plan	30 June 2011	Parties, other Governments and relevant organizations
5. Independent evaluation of the initiatives undertaken in support of the Action Plan	June-Oct 2011	Consultant
6. A review of the above submissions and preparation of discussion documents to facilitate the review	Sept-Oct. 2011	Secretariat; Liaison Group on Capacity-Building
7. Preparation of a working document to facilitate the comprehensive review by the Parties at their sixth meeting	June 2012	Secretariat

D. Information sources for the comprehensive review

6. The review will draw from various information sources, including the following:

(a) Status reports on implementation of the Action Plan prepared by the Secretariat for the meetings of the Parties;

(b) Reports on the training and capacity-building needs of Parties and other Governments;

(c) The second national reports on the implementation of the Protocol;

(d) Information, views and suggestions submitted by Parties, other Governments and relevant organizations;

(e) Expert review report on the effectiveness of various approaches to biosafety capacity-building produced by the United Nations Environment Programme;

(f) Previous evaluations and assessments of biosafety capacitybuilding initiatives and other relevant documents; and

(g) Report on the independent evaluation of the initiatives undertaken in support of the implementation of the Action Plan.

E. Expected outcomes of the review

7. The expected outcomes of the comprehensive-review process are:

(a) A draft revised Action Plan;

(b) A new monitoring and evaluation framework for the Action Plan, incorporating a revised set of indicators;

(c) A revised capacity-building needs assessment framework;

(d) A guidance document on strategic approaches to biosafety capacity-building at national and regional levels.

BS-V/4.
ROSTER OF BIOSAFETY 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, BS-II/4, BS-III/4 and BS-IV/4,

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 prepared by the Executive Secretary (UNEP/CBD/BS/COP MOP/5/4/Add.2),

Emphasizing the important role of the roster of experts in assisting developing country Parties and Parties with economies in transition to build their capacities for the effective implementation of the Protocol,

Noting the limited availability of resources to enable developing country Parties and Parties with economies in transition to use experts from the roster,

I. Status and use of the roster of experts

1. *Urges* Governments that have not yet done so to nominate experts to the roster;

2. *Reminds* Parties and other Governments, in their nomination of experts to the roster, to take into account the need for gender balance and for balanced coverage of the different areas of expertise in the roster;

3. *Urges* Parties and other Governments to facilitate, where appropriate, the release of the experts on the roster, and in a timely and flexible manner, when they are selected by other Parties to undertake assignments under the Protocol;

4. *Invites* Parties and other Governments to submit to the Executive Secretary information regarding their experiences and challenges in nominating to and using experts from the roster of biosafety experts, as well as project future needs with the view to improving the nomination processes and the nomination form at least six months before the sixth meeting of the Parties;

5. *Urges* Parties and other Governments to raise the awareness of nominated experts of their obligations, as specified in the guidelines for the roster;

6. *Requests* the Executive Secretary, in preparation for the evaluation of the performance of the roster at the sixth meeting of the Parties, to review the experience with the use of the roster, identify the challenges faced and assess future needs of Parties, on the basis of the information provided by Parties and other Governments;

7. *Also requests* the Executive Secretary to propose, as appropriate, amendments to the nomination form based on the operational experience with the roster and the information submitted by Parties and other Governments in accordance with paragraph 4 above, for consideration by the Parties at their sixth meeting;

II. Pilot phase of the Voluntary Fund for the Roster

8. *Commends* the Government of Spain and the European Union for making contributions to the Voluntary Fund for the Roster of Experts;

9. *Invites* developed country Parties and other donors to make contributions to the Voluntary Fund to ensure full operationalization of the roster in order to facilitate implementation of the Strategic Plan for the Protocol (for the period 2011-2020);

10. *Requests* the Executive Secretary to propose, as appropriate, amendments to the Interim Guidelines for the Pilot Phase of the Voluntary Fund for the Roster of Experts based on the operational experience, for consideration by the Parties at their sixth meeting.

BS-V/5.
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 and decisions BS-II/5, BS-III/5 and BS-IV/5,

Having reviewed document UNEP/CBD/BS/COP-MOP/5/5 prepared by the Executive Secretary and the report of the Global Environment Facility (GEF) submitted to the tenth meeting of the Conference of the Parties (UNEP/CBD/COP/10/6),

Welcoming the policy recommendations for the fifth replenishment of the Global Environment Facility Trust Fund (GEF-5) geared towards greater country ownership and improved effectiveness and efficiency of the GEF, including through enhancing accountability to the conventions and streamlining the project cycle,

Taking note of the findings of the mid-term review conducted by the Global Environment Facility Evaluation Office in 2008 (GEF/C.35/Inf.2) and the Fourth Overall Performance Study with respect to the impact of the Resource Allocation Framework on the availability of GEF resources for the implementation of the Protocol,

Noting with concern that the indicative resource envelope for biosafety in the fourth replenishment of the GEF Trust Fund was only partially utilised and that the indicative resource envelope for biosafety in GEF-5 has been reduced,

Recognizing the continuing need for financial resources for the implementation of the Protocol,

1. *Welcomes* the fifth replenishment of the Global Environment Facility Trust Fund and *expresses* its appreciation to the donor countries that made pledges to the Trust Fund;

2. *Takes note* of the measures undertaken by the Global Environment Facility to further streamline the project cycle for medium-sized and full-sized projects and GEF programmatic approaches during the fifth replenishment period;

3. *Urges* eligible Parties to give priority to biosafety, as appropriate, when applying for GEF funding against their country allocations under the biodiversity focal area;

4. *Recommends* to the Conference of the Parties, in adopting its guidance to the Global Environment Facility with respect to support for the implementation of the Cartagena Protocol on Biosafety, to urge the GEF to:

(a) Continue to implement all previous guidance to the financial mechanism with respect to biosafety;

(b) Consider, in the context of the replenishment process for GEF-6, supporting the implementation of the Protocol within the System for Transparent Allocation of Resources by defining specific quotas for biosafety for each country, on the basis of the second national reports on the implementation of the Protocol;

(c) Make available, in a timely manner, financial resources to eligible Parties to facilitate the preparation of their second national reports under the Cartagena Protocol on Biosafety;

(d) Expand its support for capacity-building for effective participation in the Biosafety Clearing-House to all eligible Parties to the Protocol and to submit a report for consideration by the sixth meeting of the Parties to the Protocol;

(e) Ensure the inclusion of biosafety-related elements in the terms of reference for national capacity self-assessments and other capacity assessment initiatives carried out with GEF funding;

(f) Ensure that identification requirements of paragraph 2 (a) of Article 18 and related decisions are taken into account in activities carried out with GEF funding;

(g) Ensure that the programme of work on public awareness, education and participation concerning the safe transfer, handling and use of living modified organisms is taken into account in activities carried out with GEF funding;

(h) Make funds available to eligible Parties in a facilitated manner and to monitor, as appropriate, the expeditious accessibility of those funds;

5. *Invites* developed country Parties to respond to the defined needs of developing country Parties and the Parties with economies in transition for financial and technological resources for the implementation of the Protocol through bilateral, regional and multilateral channels;

6. *Invites also* Parties to provide, in their national reports, under the section of the reporting format that refers to capacity-building, information on their experience in accessing existing funds from the Global Environment Facility;

7. *Requests* the Executive Secretary to further explore means for mobilizing additional financial resources for implementation of the Protocol and report to the sixth meeting of the Parties to the Protocol.

BS-V/6. COOPERATION WITH OTHER ORGANIZATIONS, CONVENTIONS AND INITIATIVES

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

Welcoming the information provided by the Executive Secretary on activities taken to improve cooperation with other organizations, conventions and initiatives (UNEP/CBD/BS/COPMOP/5/6),

Welcoming also the cooperation by the Executive Secretary with the Green Customs Initiative, the World Trade Organization, the Organisation for Economic Co-operation and Development, the International Plant Protection Convention and the Aarhus Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters among others,

Underlining that effective implementation of the Protocol, including in the area of public awareness and participation, can be fostered through greater cooperation and coordination among relevant organizations, multilateral agreements and initiatives,

Recognizing the importance of coherence among relevant instruments within the larger context of international environmental governance and in relation, in particular, to the Convention on Biological Diversity and the Cartagena Protocol on Biosafety,

1. *Commends* the Executive Secretary on his sustained efforts to strengthen cooperation with other organizations, in particular with the World Trade Organization, and *requests* the Executive Secretary to further intensify efforts to gain observer status in the World Trade Organization committees on Sanitary and Phytosanitary Measures and Technical Barriers to Trade;

2. *Requests* the Executive Secretary, subject to the availability of funds, to:

(a) Pursue memoranda of understanding with the International Organization for Standardization and the International Seed Testing Association to further cooperation with these organizations in the context of Article 18;

(b) Continue participating in the relevant meetings of the international standard-setting organizations referred to in decision BS-II/6;

(c) Cooperate with other organizations, conventions and initiatives that are developing work on information-sharing mechanisms with the aim of: (i) identifying possible linkages; and (ii) avoiding, as appropriate, the development of incompatible or duplicate data-sets and guaranteeing the reliability of the information provided;

(d) Maintain cooperation with organizations involved in packaging and transport rules and standards.

BS-V/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 2011-2012

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

1. *Welcomes* the annual contribution of US$ 1,082,432, to be increased by 2 per cent per year, from the host country Canada and the Province of Quebec to the operation of the Secretariat, of which 16.5 per cent has been allocated per annum to offset contributions from the Parties to the Protocol for the biennium 2011-2012;

2. *Approves* a core programme budget (BG) of US$ 2,597,800 for the year 2011 and of US$ 3,102,600 for the year 2012, for the purposes set out in table 1 below;

3. Approves a drawing of US$850,000 from unspent balances or contributions (carry over) from previous financial periods from the BG Trust Fund which are projected to be US$1,560,959 as at the end of 2009-2010 biennium to cover part of the 2011-2012 core programme budget;

4. *Approves* secretariat staffing as set out in table 2 below;

5. *Notes* that preparation for and implementation of the Supplementary Protocol may require additional human resources for the Secretariat starting in the budget biennium 2013-2014.

6. *Adopts* the scale of assessments for the apportionment of the costs under the Protocol for 2011 and 2012 set out in table 5 below;

7. *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;

8. *Authorizes* the Executive Secretary to enter into commitments up to the level of the approved budget, drawing on available cash resources, including unspent balances, contributions from previous financial periods and miscellaneous income;

9. *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 2011-2012;

10. *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 December of the year 2010 for the calendar year 2011 and by 1 October 2011 for the calendar year 2012, the contributions set out in table 5 and in this regard *requests* Parties be notified where possible of the amount of their contributions by 1 August of the year preceding the year in which the contributions are due;

11. *Notes* with concern that a number of Parties have not paid their contributions to the core budget (BG Trust Fund) for 2010 and prior years;

12. *Urges* Parties that have still not paid their contributions to the core budget (BG Trust Fund) for 2010 and prior years, to do so without delay and *requests* the Executive Secretary to publish and regularly update information on the status of contributions to the Protocol's Trust Funds (BG, BH and BI);

13. *Decides* that with regard to contributions due from 1 January 2005 onwards, Parties whose contributions are in arrears for two (2) or more years will not be eligible to become a member of the Bureau of the Conference of the Parties serving as the meeting of the Parties to the Protocol; this will only apply in the case of Parties that are not least developed countries or small island developing States;

14. *Authorizes* the Executive Secretary to enter into arrangements with any Party whose contributions are in arrears for two or more years to mutually agree on a "schedule of payments" for such a Party, to clear all outstanding arrears, within six years depending on the financial circumstances of the Party in arrears and pay future contributions by the due date, and report on the implementation of any such arrangement to the next meeting of the Bureau and to the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety;

15. *Decides* that a Party with an agreed arrangement in accordance with paragraph 14 above and that is fully respecting the provisions of that arrangement will not be subject to the provisions of paragraph 13 above;

16. *Reaffirms* the importance of full and active participation of the developing country Parties, in particular the least developed countries and small island developing

States, as well as Parties with economies in transition in the activities and decision making of the Protocol;

17. *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 2011-2012, as specified by the Executive Secretary (see resource requirements in table 4 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 2011-2012, as specified by the Executive Secretary (see resource requirements in table 4 below);

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

18. *Requests* the Secretariat to remind the Parties on the need for contributions to the BI Trust Fund at least six month prior to the meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol reflecting on the financial need and *urges* Parties in the position to do so to ensure that the contributions are paid at least three months before the meeting;

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

20. *Takes note* of the report of the Executive Secretary (UNEP/CBD/COP/10/INF/16) on the advantages and disadvantages of using the host country currency or the US$ as the currency of the account and budget of the Convention on Biological Diversity;

21. *Decides that* the trust funds for the Protocol (BG, BH, BI) should be further extended for a period of two years, beginning 1 January 2012 and ending 31 December 2013 and requests the Executive Director of the United Nations Environment Programme (UNEP) to seek the approval of the Governing Council of UNEP for their extensions;

22. *Requests* the Executive Secretary, notwithstanding the continued need for a programme budget, to liaise with UNEP with a view to exploring the feasibility of applying the results-based management concept, and particularly results-based budgeting where appropriate, to the work of the Protocol, taking into account the practices of UNEP and other organizations and to report thereon to the Conference of the Parties serving as the meeting of the Parties to the Protocol at its sixth meeting;

23. *Requests* the Executive Secretary to use the measurable indicators of achievement and performance set out in the annex to the present decision as a management tool for the Secretariat and to report thereon to the Conference of the Parties serving as the meeting of the Parties to the Protocol at its next meeting;

24. *Requests* the Executive Secretary to prepare and submit a programme budget for secretariat services, including terms of reference for any proposals for new staff and the work programme of the Protocol and the Supplementary Protocol for the biennium 2013-2014 to the sixth meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol, and to provide three alternatives for the budget based on:

(a) The Executive Secretary will make assessment of the required rate of growth for the programme budget;

(b) Increasing the core programme budget (BG Trust Fund) from the 2011-2012 level by 10 percent in nominal terms;

(c) Maintaining the core programme budget (BG Trust Fund) from the 2011-2012 level in nominal terms;

and include explanations of the differences in staff and activities between the alternatives as well as their consequences;

25. *Requests* the Executive Secretary to report on income and budget performance, unspent balances and the status of surplus and carry-overs as well as any adjustments made to the Protocol budget for the biennium 2011-2012 and to provide to the Conference of the Parties serving as the meeting of the Parties to the Protocol and biosafety focal points all financial information regarding the budget for the Convention on Biological Diversity at the same time as it is provided to Parties to the Convention;

26. *Further requests* that the programme of work of the Secretariat is presented to the Conference of the Parties serving as the meeting of the Parties to the Protocol at the same time as it is presented to the Conference of the Parties to the Convention.

Table 1

Biosafety Protocol resource requirements from the core budget (BG Trust Fund) for the biennium 2011-2012

	Expenditures	2011 *(US$ thousands)*	2012 *(US$ thousands)*	*TOTAL (US$ thousands)*
A.	Staff costs*	1,698.8	1,750.9	3,449.7
B.	Biosafety Bureau meetings	50.0	60.0	110.0
C.	COP-MOP	0.0	400.0	400.0
D.	Consultants/subcontracts	20.0	20.0	40.0
E.	Travel on official business	55.0	50.0	105.0
F.	Liaison Group meetings on Capacity-Building	30.0	30.0	60.0
G.	Biosafety Clearing House advisory meetings	40.0	40.0	80.0
H.	Compliance Committee meetings (1/year)	40.0	40.0	80.0
I.	AHTEG – Risk Assessment	0.0	60.0	60.0
J.	General operating expenses	259.7	259.7	519.4
K.	Temporary assistance/Overtime	15.0	15.0	30.0
L.	Translation of BCH website	20.0	20.0	40.0
M.	Independent evaluation of capacity building initiatives	20.0	0.0	20.0
N.	Study on Assessment and Review	20.0	0.0	20.0
O.	Study on Handling, transport, packaging and identification – the need for and modalities of developing standards	20.0	0.0	20.0
	Sub-total (I)	2,288.6	2,745.6	5,034.2
II	**Programme support charge 13%**	297.5	356.9	654.4
III	**Working capital reserve**	11.7		11.7
	GRAND TOTAL (I + II + III)	2,597.8	3,102.6	5,700.4
	Less contribution from host country	182.2	185.8	368.0
	TOTAL	2,415.6	2,916.7	5,332.4
	Less savings from previous years	450.0	400.0	850.0
	NET TOTAL (amount to be shared by Parties)	1,965.6	2,516.7	4,482.4

* Includes 15% costs for 1P-5, 1 P-4; 3 P-3 and 2 G-S staff funded mainly by the Convention

Table 2

Biosafety Protocol staffing requirements from the core budget (BG Trust Fund) for the biennium 2011-2012

		2011	2012
A.	**Professional category**		
	D-1	1	1
	P-4	3	3
	P-3	3	3
	P-2	1	1
	Total professional category	8	8
B.	**Total General Service category**	5	5
	TOTAL (A + B)	13	13

Table 3

Special Voluntary Trust Fund (BH) for Additional Voluntary Contributions in Support of Approved Activities of the Cartagena Protocol for the biennium 2011-2012

I Description	2011-2012
Meetings/Workshops	
Status of capacity-building activities and the use of the roster of biosafety experts[1]	200,000
Customs officers training of trainers on identification /documentation of LMOs	220,000
Regional Workshops for heads of laboratories for detection of LMOs	400,000
Liability and redress	50,000
AHTEG on risk assessment and risk management[2]	60,000
Regional Workshops on Risk assessment and risk management	438,000
Regional Workshops - Public awareness and participation	100,000
Assessment and review expert meetings	100,000
Regional Workshops Monitoring and Reporting – national reports	400,000
Short term staff/Temporary Assistance	
Status of capacity-building activities and the use of the roster of biosafety experts	9,000
Risk assessment and risk management	9,000
Assessment and review	4,500
Consultants	
Operation and activities of the Biosafety Clearing-House	20,000
Status of capacity-building activities and the use of the roster of biosafety experts	20,000
Risk assessment and risk management	15,000
Public awareness and participation	20,000
Travel of Staff	
Status of capacity-building activities and the use of the roster of biosafety experts	40,000
Cooperation with other organizations, conventions and initiatives	30,000
Liability and redress	10,000
Risk assessment and risk management	30,000
Public awareness and participation	10,000
Assessment and review	10,000
Publications/Printing costs	
Biosafety Clearing-House – Technical Guidance publication	40,000
Toolkits for capacity-building activities	40,000
Liability and redress	30,000
Risk assessment and risk management	70,000
Public awareness and participation	80,000
Assessment and review	4,000

Activities	
Operation and activities of the Biosafety Clearing-House (equipment)	45,000
Voluntary fund for the roster of biosafety experts	100,000
Sub-total I	2,604,500
II. Programme support costs (13%)	***338,585***
Total Costs (I + II)	***2,943,085***

[1] US$ 75,000 pledged by Norway to support activities on socio-economic considerations.

[2] Funded by the European Union.

Table 4

Special Voluntary Trust Fund (BI) for Facilitating Participation of Parties in the Protocol for the biennium 2011-2012

(Thousands of United States dollars)

	Description	2011	2012
I.	*Meetings*		
	Meetings of the Conference of the Parties serving as the meeting of the Parties to the Protocol		600.0
	Subtotal I		600.0
II.	Programme support charges (13%)		78.0
	Total Cost (I + II)		**678.0**

Table 5

Contributions to the Trust Fund for the Cartagena Protocol on Biosafety for the biennium 2011-2012

Party	UN scale of assessments 2011 (per cent)	Scale with 22% ceiling, no LDC paying more than 0.01 % (per cent)	Contributions per 1 Jan. 2011 US$	UN scale of assessments 2012 (per cent)	Scale with 22% ceiling, no LDC paying more than 0.01 % (per cent)	Contributions as per 1 Jan. 2012 US$	Total contributions 2011-2012 US$
Albania	0.010	0.014	278	0.010	0.014	356	633
Algeria	0.128	0.181	3,554	0.128	0.181	4,551	8,105
Angola	0.010	0.010	197	0.010	0.010	252	448
Antigua and Barbuda	0.002	0.003	56	0.002	0.003	71	127
Armenia	0.005	0.007	139	0.005	0.007	178	317
Austria	0.851	1.202	23,629	0.851	1.202	30,254	53,884
Azerbaijan	0.015	0.021	417	0.015	0.021	533	950
Bahamas	0.018	0.025	500	0.018	0.025	640	1,140
Bangladesh	0.010	0.010	197	0.010	0.010	252	448
Barbados	0.008	0.011	222	0.008	0.011	284	507
Belarus	0.042	0.059	1,166	0.042	0.059	1,493	2,659
Belgium	1.075	1.519	29,849	1.075	1.519	38,218	68,067
Belize	0.001	0.001	28	0.001	0.001	36	63
Benin	0.003	0.004	83	0.003	0.004	107	190
Bhutan	0.001	0.001	28	0.001	0.001	36	63
Bolivia	0.007	0.010	194	0.007	0.010	249	443
Bosnia and Herzegovina	0.014	0.020	389	0.014	0.020	498	886
Botswana	0.018	0.025	500	0.018	0.025	640	1,140
Brazil	1.611	2.276	44,732	1.611	2.276	57,274	102,006
Bulgaria	0.038	0.054	1,055	0.038	0.054	1,351	2,406
Burkina Faso	0.003	0.004	83	0.003	0.004	107	190
Burundi	0.001	0.001	28	0.001	0.001	36	63
Cambodia	0.003	0.004	83	0.003	0.004	107	190

Party	UN scale of assessments 2011 (per cent)	Scale with 22% ceiling, no LDC paying more than 0.01 % (per cent)	Contributions per 1 Jan. 2011 US$	UN scale of assessments 2012 (per cent)	Scale with 22% ceiling, no LDC paying more than 0.01 % (per cent)	Contributions as per 1 Jan. 2012 US$	Total contributions 2011-2012 US$
Cameroon	0.011	0.016	305	0.011	0.016	391	697
Cape Verde	0.001	0.001	28	0.001	0.001	36	63
Central African Republic	0.001	0.001	28	0.001	0.001	36	63
Chad	0.002	0.003	56	0.002	0.003	71	127
China	3.189	4.505	88,548	3.189	4.505	113,374	201,922
Colombia	0.144	0.203	3,998	0.144	0.203	5,119	9,118
Comoros	0.001	0.001	28	0.001	0.001	36	63
Congo	0.003	0.004	83	0.003	0.004	107	190
Costa Rica	0.034	0.048	944	0.034	0.048	1,209	2,153
Croatia	0.097	0.137	2,693	0.097	0.137	3,449	6,142
Cuba	0.071	0.100	1,971	0.071	0.100	2,524	4,496
Cyprus	0.046	0.065	1,277	0.046	0.065	1,635	2,913
Czech Republic	0.349	0.493	9,691	0.349	0.493	12,408	22,098
Democratic People's Republic of Korea	0.007	0.010	194	0.007	0.010	249	443
Democratic Republic of the Congo	0.003	0.004	83	0.003	0.004	107	190
Denmark	0.736	1.040	20,436	0.736	1.040	26,166	46,602
Djibouti	0.001	0.001	28	0.001	0.001	36	63
Dominica	0.001	0.001	28	0.001	0.001	36	63
Dominican Republic	0.042	0.059	1,166	0.042	0.059	1,493	2,659
Ecuador	0.040	0.057	1,111	0.040	0.057	1,422	2,533
Egypt	0.094	0.133	2,610	0.094	0.133	3,342	5,952
El Salvador	0.019	0.027	528	0.019	0.027	675	1,203
Eritrea	0.001	0.001	28	0.001	0.001	36	63

Party	UN scale of assessments 2011 (per cent)	Scale with 22% ceiling, no LDC paying more than 0.01 % (per cent)	Contributions per 1 Jan. 2011 US$	UN scale of assessments 2012 (per cent)	Scale with 22% ceiling, no LDC paying more than 0.01 % (per cent)	Contributions as per 1 Jan. 2012 US$	Total contributions 2011-2012 US$
Estonia	0.040	0.057	1,111	0.040	0.057	1,422	2,533
Ethiopia	0.008	0.011	222	0.008	0.011	284	507
European Union	2.500	2.500	49,141	2.500	2.500	62,919	112,059
Fiji	0.004	0.006	111	0.004	0.006	142	253
Finland	0.566	0.800	15,716	0.566	0.800	20,122	35,838
France	6.123	8.649	170,015	6.123	8.649	217,683	387,698
Gabon	0.014	0.020	389	0.014	0.020	498	886
Gambia	0.001	0.001	28	0.001	0.001	36	63
Georgia	0.006	0.008	167	0.006	0.008	213	380
Germany	8.018	11.326	222,633	8.018	11.326	285,053	507,687
Ghana	0.006	0.008	167	0.006	0.008	213	380
Greece	0.691	0.976	19,187	0.691	0.976	24,566	43,753
Grenada	0.001	0.001	28	0.001	0.001	36	63
Guatemala	0.028	0.040	777	0.028	0.040	995	1,773
Guinea	0.002	0.003	56	0.002	0.003	71	127
Guinea-Bissau	0.001	0.001	28	0.001	0.001	36	63
Guyana	0.001	0.001	28	0.001	0.001	36	63
Honduras	0.008	0.011	222	0.008	0.011	284	507
Hungary	0.291	0.411	8,080	0.291	0.411	10,346	18,426
India	0.534	0.754	14,827	0.534	0.754	18,985	33,812
Indonesia	0.238	0.336	6,608	0.238	0.336	8,461	15,070
Iran (Islamic Republic of)	0.233	0.329	6,470	0.233	0.329	8,284	14,753
Ireland	0.498	0.703	13,828	0.498	0.703	17,705	31,533
Italy	4.999	7.062	138,806	4.999	7.062	177,723	316,528
Japan	12.530	17.700	347,916	12.530	17.700	445,463	793,379
Jordan	0.014	0.020	389	0.014	0.020	498	886
Kazakhstan	0.076	0.107	2,110	0.076	0.107	2,702	4,812

Party	UN scale of assessments 2011 (per cent)	Scale with 22% ceiling, no LDC paying more than 0.01 % (per cent)	Contributions per 1 Jan. 2011 US$	UN scale of assessments 2012 (per cent)	Scale with 22% ceiling, no LDC paying more than 0.01 % (per cent)	Contributions as per 1 Jan. 2012 US$	Total contributions 2011-2012 US$
Kenya	0.012	0.017	333	0.012	0.017	427	760
Kiribati	0.001	0.001	28	0.001	0.001	36	63
Kyrgyzstan	0.001	0.001	28	0.001	0.001	36	63
Lao People's Democratic Republic	0.001	0.001	28	0.001	0.001	36	63
Latvia	0.038	0.054	1,055	0.038	0.054	1,351	2,406
Lesotho	0.001	0.001	28	0.001	0.001	36	63
Liberia	0.001	0.001	28	0.001	0.001	36	63
Libyan Arab Jamahiriya	0.129	0.182	3,582	0.129	0.182	4,586	8,168
Lithuania	0.065	0.092	1,805	0.065	0.092	2,311	4,116
Luxembourg	0.090	0.127	2,499	0.090	0.127	3,200	5,699
Madagascar	0.003	0.004	83	0.003	0.004	107	190
Malawi	0.001	0.001	28	0.001	0.001	36	63
Malaysia	0.253	0.357	7,025	0.253	0.357	8,995	16,020
Maldives	0.001	0.001	28	0.001	0.001	36	63
Mali	0.003	0.004	83	0.003	0.004	107	190
Malta	0.017	0.024	472	0.017	0.024	604	1,076
Marshall Islands	0.001	0.001	28	0.001	0.001	36	63
Mauritania	0.001	0.001	28	0.001	0.001	36	63
Mauritius	0.011	0.016	305	0.011	0.016	391	697
Mexico	2.356	3.328	65,418	2.356	3.328	83,760	149,178
Mongolia	0.002	0.003	56	0.002	0.003	71	127
Montenegro	0.004	0.006	111	0.004	0.006	142	253
Mozambique	0.003	0.004	83	0.003	0.004	107	190
Myanmar	0.006	0.008	167	0.006	0.008	213	380
Namibia	0.008	0.011	222	0.008	0.011	284	507
Nauru	0.001	0.001	28	0.001	0.001	36	63

Party	UN scale of assessments 2011 (per cent)	Scale with 22% ceiling, no LDC paying more than 0.01 % (per cent)	Contributions per 1 Jan. 2011 US$	UN scale of assessments 2012 (per cent)	Scale with 22% ceiling, no LDC paying more than 0.01 % (per cent)	Contributions as per 1 Jan. 2012 US$	Total contributions 2011-2012 US$
Netherlands	1.855	2.620	51,507	1.855	2.620	65,948	117,456
New Zealand	0.273	0.386	7,580	0.273	0.386	9,706	17,286
Nicaragua	0.003	0.004	83	0.003	0.004	107	190
Niger	0.002	0.003	56	0.002	0.003	71	127
Nigeria	0.078	0.110	2,166	0.078	0.110	2,773	4,939
Niue	0.001	0.001	28	0.001	0.001	36	63
Norway	0.871	1.230	24,185	0.871	1.230	30,966	55,150
Oman	0.086	0.121	2,388	0.086	0.121	3,057	5,445
Pakistan	0.082	0.116	2,277	0.082	0.116	2,915	5,192
Palau	0.001	0.001	28	0.001	0.001	36	63
Panama	0.022	0.031	611	0.022	0.031	782	1,393
Papua New Guinea	0.002	0.003	56	0.002	0.003	71	127
Paraguay	0.007	0.010	194	0.007	0.010	249	443
Peru	0.090	0.127	2,499	0.090	0.127	3,200	5,699
Philippines	0.090	0.127	2,499	0.090	0.127	3,200	5,699
Poland	0.828	1.170	22,991	0.828	1.170	29,437	52,428
Portugal	0.511	0.722	14,189	0.511	0.722	18,167	32,356
Qatar	0.135	0.191	3,749	0.135	0.191	4,799	8,548
Republic of Korea	2.260	3.192	62,753	2.260	3.192	80,347	143,099
Republic of Moldova	0.002	0.003	56	0.002	0.003	71	127
Romania	0.177	0.250	4,915	0.177	0.250	6,293	11,207
Rwanda	0.001	0.001	28	0.001	0.001	36	63
Saint Kitts and Nevis	0.001	0.001	28	0.001	0.001	36	63
Saint Lucia	0.001	0.001	28	0.001	0.001	36	63
Saint Vincent and the Grenadines	0.001	0.001	28	0.001	0.001	36	63

Party	UN scale of assessments 2011 (per cent)	Scale with 22% ceiling, no LDC paying more than 0.01 % (per cent)	Contributions per 1 Jan. 2011 US$	UN scale of assessments 2012 (per cent)	Scale with 22% ceiling, no LDC paying more than 0.01 % (per cent)	Contributions as per 1 Jan. 2012 US$	Total contributions 2011-2012 US$
Samoa	0.001	0.001	28	0.001	0.001	36	63
Saudi Arabia	0.830	1.172	23,046	0.830	1.172	29,508	52,554
Senegal	0.006	0.008	167	0.006	0.008	213	380
Serbia	0.037	0.052	1,027	0.037	0.052	1,315	2,343
Seychelles	0.002	0.003	56	0.002	0.003	71	127
Slovakia	0.142	0.201	3,943	0.142	0.201	5,048	8,991
Slovenia	0.103	0.145	2,860	0.103	0.145	3,662	6,522
Solomon Islands	0.001	0.001	28	0.001	0.001	36	63
Somalia	0.001	0.001	28	0.001	0.001	36	63
South Africa	0.385	0.544	10,690	0.385	0.544	13,687	24,378
Spain	3.177	4.488	88,215	3.177	4.488	112,948	201,162
Sri Lanka	0.019	0.027	528	0.019	0.027	675	1,203
Sudan	0.010	0.010	197	0.010	0.010	252	448
Suriname	0.003	0.004	83	0.003	0.004	107	190
Swaziland	0.003	0.004	83	0.003	0.004	107	190
Sweden	1.064	1.503	29,544	1.064	1.503	37,827	67,371
Switzerland	1.130	1.596	31,376	1.130	1.596	40,173	71,550
Syrian Arab Republic	0.025	0.035	694	0.025	0.035	889	1,583
Tajikistan	0.002	0.003	56	0.002	0.003	71	127
Thailand	0.209	0.295	5,803	0.209	0.295	7,430	13,234
The former Yugoslav Republic of Macedonia	0.007	0.010	194	0.007	0.010	249	443
Togo	0.001	0.001	28	0.001	0.001	36	63
Tonga	0.001	0.001	28	0.001	0.001	36	63
Trinidad and Tobago	0.044	0.062	1,222	0.044	0.062	1,564	2,786
Tunisia	0.030	0.042	833	0.030	0.042	1,067	1,900

Party	UN scale of assessments 2011 (per cent)	Scale with 22% ceiling, no LDC paying more than 0.01 % (per cent)	Contributions per 1 Jan. 2011 US$	UN scale of assessments 2012 (per cent)	Scale with 22% ceiling, no LDC paying more than 0.01 % (per cent)	Contributions as per 1 Jan. 2012 US$	Total contributions 2011-2012 US$
Turkey	0.617	0.872	17,132	0.617	0.872	21,935	39,067
Turkmenistan	0.026	0.037	722	0.026	0.037	924	1,646
Uganda	0.006	0.008	167	0.006	0.008	213	380
Ukraine	0.087	0.123	2,416	0.087	0.123	3,093	5,509
United Kingdom of Great Britain and Northern Ireland	6.604	9.329	183,371	6.604	9.329	234,783	418,154
United Republic of Tanzania	0.008	0.011	222	0.008	0.011	284	507
Venezuela	0.314	0.444	8,719	0.314	0.444	11,163	19,882
Viet Nam	0.033	0.047	916	0.033	0.047	1,173	2,090
Yemen	0.010	0.010	197	0.010	0.010	252	448
Zambia	0.004	0.006	111	0.004	0.006	142	253
Zimbabwe	0.003	0.004	83	0.003	0.004	107	190
TOTAL	**71.533**	**100.000**	**1,965,633**	**71.533**	**100.000**	**2,516,742**	**4,482,375**

Annex

INDICATORS OF ACHIEVEMENT AND PERFORMANCE FOR THE PROGRAMME BUDGET

A. Budget management

1. Budget allocated versus expenditures (for the BG Trust Fund)
2. Budget allocated versus expenditures (for the BH Trust Fund)

B. Resource mobilization for the BH and BI Trust Funds

1. Funds mobilized under the BH Trust Fund for Secretariat-led activities
2. Funds mobilized under the BH Trust Fund for capacity-building through regional workshops
3. Funds mobilized under the BI Trust Fund

C. Capacity-building and outreach

1. Training activities and workshops for which Secretariat provides resources:
   a. Number of participants
   b. Number of Parties involved
   c. Level of participant satisfaction
2. Number of publications distributed
3. Number of website hits
4. Number of meetings attended by the Secretariat

D. Other functions of the Secretariat

1. Percentage of working documents made available to Parties in all working languages within deadlines
2. Percentage of plenary sessions of the Conference of the Parties for which interpretation services were provided
3. Percentage of activities on the work programme of the Compliance Committee that are implemented

BS-V/8. 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 paragraph 2 (a) of Article 18 of the Protocol and its decision BS-III/10,

Noting the limited experience gained to date in the implementation of paragraph 4 of decision BSIII/10,

Noting also the importance of the identification of living modified organisms intended for direct use as food or feed, or for processing, in documentation accompanying their shipment,

Noting further the importance of documentation and identification of living modified organisms intended for direct use as food or feed, or for processing, including for risk management purposes,

1. *Requests* Parties and *urges* other Governments to continue to take measures to ensure that the information required by paragraph 2 (a) of Article 18 and paragraph 4 of decision BS-III/10 to identify living modified organisms intended for direct use as food or feed, or for processing, is incorporated into existing documentation accompanying the living modified organisms, as specified in paragraph 1 of decision BS-III/10;

2. *Urges* Parties to expedite the implementation of their biosafety regulatory frameworks and make available to the Biosafety Clearing-House any laws, regulations and guidelines for the implementation of the Protocol, and any changes to their regulatory requirements related to the identification and documentation of living modified organisms intended for direct use as food or feed, or for processing;

3. *Requests* Parties and *urges* other Governments to take measures that facilitate further implementation of decision BS-III/10, in particular its paragraph 4;

4. *Requests* Parties and *encourages* other Governments and relevant organizations to cooperate with and support developing country Parties and Parties with economies in transition to build capacity to implement the identification requirements of paragraph 2 (a) of Article 18 and related decisions;

5. *Encourages* Parties to develop domestic systems or use existing ones, as appropriate, to prevent imported living modified organisms intended for direct use as food or feed, or for processing, from being used for other purposes such as introduction into the environment;

6. *Decides*, taking into account the limited experience gained to date in the implementation of paragraph 4 of decision BS-III/10, to postpone the decision-taking referred to in paragraph 7 of decision BS-III/10 until its seventh meeting. This decision-taking should also include consideration of the need for a stand-alone document, as referred to in paragraph 2 of decision BS-III/10;

7. *Requests* Parties and *invites* other Governments and relevant organizations to submit to the Executive Secretary, no later than six months prior to the seventh meeting of the Parties to the Protocol, further information on experience gained with the implementation of paragraph 4 of decision BS-III/10 as well as the present decision, including any information on obstacles that are encountered in the implementation of these decisions as well as specific capacity-building needs to implement these decisions, and *requests* the Executive Secretary to compile the information and prepare a synthesis report for consideration by the Parties at their seventh meeting.

BS-V/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,

Recalling also its decision BS-IV/10,

Welcoming the outcomes from the Online Forum on Standards for Shipments of Living Modified Organisms,

1. *Requests* the Executive Secretary to:

(a) Continue following developments in standards related to the handling, transport, packaging and identification of living modified organisms and to report to the Parties at their sixth meeting on any such developments. The report should include information on developments in standard-setting on the sampling and detection of living modified organisms;

(b) Disseminate the results of the Online Forum on Standards for Shipments of Living Modified Organisms, including information about potential gaps in international standards, to relevant organizations;

(c) Organize regional workshops for: (i) heads of laboratories involved in the detection of living modified organisms to exchange information and experience on the implementation of relevant standards and methods; and (ii) customs officers requiring capacity in the sampling and detection of living modified organisms further to paragraph 10 of decision BS-III/10 and paragraph 3 of decision BSIV/9;

(d) Commission a study to analyse information on existing standards, methods and guidance relevant to the handling, transport, packaging and identification of living modified organisms and to make the study available for consideration by the sixth meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol.

This study should address in particular:

(i) Possible gaps in existing standards, guidance and methods;
(ii) Ways to facilitate cooperation with relevant organisations;
(iii) Guidance on the use of existing international regulations and standards;
(iv) The possible need for the elaboration of standards for handling, transport, packaging and identification of living modified organisms;

2. *Invites* standard-setting bodies to form an electronic communications group with the Secretariat of the Convention on Biological Diversity to exchange information on activities relevant to the handling, transport, packaging and identification of living modified organisms being undertaken in each forum;

3. *Invites* the International Plant Protection Convention to collaborate with the Secretariat of the Convention on Biological Diversity in the development of an explanatory document on the terminology of the Protocol in relation to the glossary of phytosanitary terms adopted by the Commission on Phytosanitary Measures;

4. *Requests* Parties and *encourages* other Governments and relevant organizations, as appropriate, to make available to the Biosafety Clearing-House information on:

(a) Standards relevant to the handling, transport, packaging and identification of living modified organisms;

(b) Existing guidance on the use of relevant international standards;

(c) Methods for the detection and identification of living modified organisms;

5. *Invites* Parties to nominate national and international reference laboratories with the view to establishing, through the Biosafety-Clearing House, an electronic network of laboratories to facilitate the identification of living modified organisms as well as the sharing of information and experiences.

BS-V/10.
RIGHTS AND/OR OBLIGATIONS OF PARTIES OF TRANSIT OF LIVING MODIFIED ORGANISMS

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

Taking note of the views expressed and the discussions held in relation to the rights and/or obligations of Parties of transit of living modified organisms at its second and third meetings,

Taking note also of existing national, regional and international requirements relating to transit of goods and substances in general, and transit of living modified organisms in particular, and

Considering the current absence of new submissions of views or information from Parties to the Protocol on this item,

1. *Encourages* Parties to continue addressing issues related to the transit of living modified organisms through their territories using their domestic administrative and legal systems;

2. *Decides* to consider this item at its eighth meeting.

BS-V/11. INTERNATIONAL RULES AND PROCEDURES IN THE FIELD OF LIABILITY AND REDRESS FOR DAMAGE RESULTING FROM TRANSBOUNDARY MOVEMENTS OF LIVING MODIFIED ORGANISMS

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

Recalling Article 27 of the Cartagena Protocol on Biosafety,

Recalling its decision BS-I/8 by which it established an Open-ended Ad Hoc Working Group of Legal and Technical Experts on Liability and Redress in the Context of the Cartagena Protocol on Biosafety, with the terms of reference set out in the annex to the decision, to carry out the process pursuant to Article 27 of the Cartagena Protocol on Biosafety,

Noting with appreciation the work of the Open-ended Ad Hoc Working Group of Legal and Technical Experts on Liability and Redress in the Context of the Cartagena Protocol on Biosafety, as contained in the reports of its five meetings,

Recalling also its decision BS-IV/12 by which it established a Group of the Friends of the Co Chairs to further negotiate international rules and procedures in the field of liability and redress for damage resulting from transboundary movements of living modified organisms in the context of the Cartagena Protocol on Biosafety on the basis of the annex to the decision,

Noting with appreciation the work of the Group of the Friends of the Co-Chairs, as contained in the reports of its meetings,

Noting the valuable work carried out by the two Co-Chairs of the Working Group, Ms. Jimena Nieto (Colombia) and Mr. René Lefeber (Netherlands), over the past six years in steering the process in the context of Article 27 of the Cartagena Protocol on Biosafety, through both formal and informal ways,

Recalling Article 22 of the Cartagena Protocol on Biosafety, which calls upon Parties to cooperate in the development and/or strengthening of human resources and institutional capacities in biosafety,

Recognizing the need to facilitate the implementation of this decision through complementary capacity-building measures,

Noting initiatives by the private sector concerning recourse in the event of damage to biological diversity caused by living modified organisms,

A. NAGOYA – KUALA LUMPUR SUPPLEMENTARY PROTOCOL ON LIABILITY AND REDRESS TO THE CARTAGENA PROTOCOL ON BIOSAFETY

1. *Decides* to adopt the Nagoya – Kuala Lumpur Supplementary Protocol on Liability and Redress to the Cartagena Protocol on Biosafety, as contained in the annex to the present decision (hereinafter referred to as "the Supplementary Protocol");

2. *Requests* the Secretary-General of the United Nations to be the Depositary of the Supplementary Protocol and to open it for signature at the United Nations Headquarters in New York from 7 March 2011 to 6 March 2012;

3. *Encourages* Parties to the Cartagena Protocol on Biosafety to implement the Supplementary Protocol pending its entry into force;

4. *Calls upon* the Parties to the Cartagena Protocol on Biosafety to sign the Supplementary Protocol on 7 March 2011 or at the earliest opportunity thereafter and to deposit instruments of ratification, acceptance or approval or instruments of accession, as appropriate, as soon as possible;

5. *Decides* that during the budget period 2011-2012, the activities of the Nagoya – Kuala Lumpur Supplementary Protocol on Liability and Redress will be funded from the trust funds of the Cartagena Protocol on Biosafety;

6. *Notes* that the Secretariat may need additional human resources for the implementation of the Supplementary Protocol once it enters into force;

B. ADDITIONAL AND SUPPLEMENTARY COMPENSATION MEASURES

7. *Decides* that, where the costs of response measures as provided for in the Supplementary Protocol have not been covered, such a situation may be addressed by additional and supplementary compensation measures;

8. *Decides* that the measures referred to in paragraph 7 above may include arrangements to be addressed by the Conference of the Parties serving as the meeting of the Parties;

C. COMPLEMENTARY CAPACITY-BUILDING MEASURES

9. *Urges* the Parties to cooperate, taking into account the Action Plan for Building Capacities for the Effective Implementation of the Cartagena Protocol on Biosafety, as contained in the annex to decision BS-III/3, in the development and/or strengthening of human resources and institutional capacities relating to the implementation of the Supplementary Protocol, including through existing global, regional, subregional and domestic institutions and organizations and, as appropriate, through facilitating private sector involvement;

10. *Invites* Parties to take the present decision into account in formulating bilateral, regional and multilateral assistance to developing country Parties that are in the process of developing their domestic law relating to the implementation of the Supplementary Protocol;

11. *Decides* to take the present decision into account, as appropriate, in the next review of the Action Plan referred to in paragraph 9 above.

Annex

NAGOYA – KUALA LUMPUR SUPPLEMENTARY PROTOCOL ON LIABILITY AND REDRESS TO THE CARTAGENA PROTOCOL ON BIOSAFETY

The Parties to this Supplementary Protocol,

Being Parties to the Cartagena Protocol on Biosafety to the Convention on Biological Diversity, hereinafter referred to as "the Protocol",

Taking into account Principle 13 of the Rio Declaration on Environment and Development,

Reaffirming the precautionary approach contained in Principle 15 of the Rio Declaration on Environment and Development,

Recognizing the need to provide for appropriate response measures where there is damage or sufficient likelihood of damage, consistent with the Protocol,

Recalling Article 27 of the Protocol,

Have agreed as follows:

ARTICLE 1

Objective

The objective of this Supplementary Protocol is to contribute to the conservation and sustainable use of biological diversity, taking also into account risks to human health, by providing international rules and procedures in the field of liability and redress relating to living modified organisms.

ARTICLE 2

Use of terms

1. The terms used in Article 2 of the Convention on Biological Diversity, hereinafter referred to as "the Convention", and Article 3 of the Protocol shall apply to this Supplementary Protocol.

2. In addition, for the purposes of this Supplementary Protocol:

(a) "Conference of the Parties serving as the meeting of the Parties to the Protocol" means the Conference of the Parties to the Convention serving as the meeting of the Parties to the Protocol;

(b) "Damage" means an adverse effect on the conservation and sustainable use of biological diversity, taking also into account risks to human health, that:

(i) Is measurable or otherwise observable taking into account, wherever available, scientifically-established baselines recognized by a competent authority that takes into account any other human induced variation and natural variation; and
(ii) Is significant as set out in paragraph 3 below;

(c) "Operator" means any person in direct or indirect control of the living modified organism which could, as appropriate and as determined by domestic law, include, *inter alia*, the permit holder, person who placed the living modified organism on the market, developer, producer, notifier, exporter, importer, carrier or supplier;

(d) "Response measures" means reasonable actions to:

(i) Prevent, minimize, contain, mitigate, or otherwise avoid damage, as appropriate;
(ii) Restore biological diversity through actions to be undertaken in the following order of preference:

a. Restoration of biological diversity to the condition that existed before the damage occurred, or its nearest equivalent; and where the competent authority determines this is not possible;

b. Restoration by, *inter alia*, replacing the loss of biological diversity with other components of biological diversity for the same, or for another type of use either at the same or, as appropriate, at an alternative location.

3. A "significant" adverse effect is to be determined on the basis of factors, such as:

(a) The long-term or permanent change, to be understood as change that will not be redressed through natural recovery within a reasonable period of time;

(b) The extent of the qualitative or quantitative changes that adversely affect the components of biological diversity;

(c) The reduction of the ability of components of biological diversity to provide goods and services;

(d) The extent of any adverse effects on human health in the context of the Protocol.

ARTICLE 3

Scope

1. This Supplementary Protocol applies to damage resulting from living modified organisms which find their origin in a transboundary movement. The living modified organisms referred to are those:

(a) Intended for direct use as food or feed, or for processing;

(b) Destined for contained use;

(c) Intended for intentional introduction into the environment.

2. With respect to intentional transboundary movements, this Supplementary Protocol applies to damage resulting from any authorized use of the living modified organisms referred to in paragraph 1 above.

3. This Supplementary Protocol also applies to damage resulting from unintentional transboundary movements as referred to in Article 17 of the Protocol as well as damage resulting from illegal transboundary movements as referred to in Article 25 of the Protocol.

4. This Supplementary Protocol applies to damage resulting from a transboundary movement of living modified organisms that started after the entry into force of this Supplementary Protocol for the Party into whose jurisdiction the transboundary movement was made.

5. This Supplementary Protocol applies to damage that occurred in areas within the limits of the national jurisdiction of Parties.

6. Parties may use criteria set out in their domestic law to address damage that occurs within the limits of their national jurisdiction.

7. Domestic law implementing this Supplementary Protocol shall also apply to damage resulting from transboundary movements of living modified organisms from non-Parties.

ARTICLE 4

Causation

A causal link shall be established between the damage and the living modified organism in question in accordance with domestic law.

ARTICLE 5

Response measures

1. Parties shall require the appropriate operator or operators, in the event of damage, subject to any requirements of the competent authority, to:

(a) Immediately inform the competent authority;

(b) Evaluate the damage; and

(c) Take appropriate response measures.

2. The competent authority shall:

(a) Identify the operator which has caused the damage;

(b) Evaluate the damage; and

(c) Determine which response measures should be taken by the operator.

3. Where relevant information, including available scientific information or information available in the Biosafety Clearing-House, indicates that there is a sufficient likelihood that damage will result if timely response measures are not taken, the operator shall be required to take appropriate response measures so as to avoid such damage.

4. The competent authority may implement appropriate response measures, including, in particular, when the operator has failed to do so.

5. The competent authority has the right to recover from the operator the costs and expenses of, and incidental to, the evaluation of the damage and the implementation of any such appropriate response measures. Parties may provide, in their domestic law, for other situations in which the operator may not be required to bear the costs and expenses.

6. Decisions of the competent authority requiring the operator to take response measures should be reasoned. Such decisions should be notified to the operator. Domestic law shall provide for remedies, including the opportunity for administrative or judicial review of such decisions. The competent authority shall, in accordance with domestic law, also inform the operator of the available remedies. Recourse to such remedies shall not impede the competent authority from taking response measures in appropriate circumstances, unless otherwise provided by domestic law.

7. In implementing this Article and with a view to defining the specific response measures to be required or taken by the competent authority, Parties may, as appropriate, assess whether response measures are already addressed by their domestic law on civil liability.

8. Response measures shall be implemented in accordance with domestic law.

ARTICLE 6

Exemptions

1. Parties may provide, in their domestic law, for the following exemptions:

(a) Act of God or *force majeure*; and

(b) Act of war or civil unrest.

2. Parties may provide, in their domestic law, for any other exemptions or mitigations as they may deem fit.

ARTICLE 7

Time limits

Parties may provide, in their domestic law, for:

(a) Relative and/or absolute time limits including for actions related to response measures; and

(b) The commencement of the period to which a time limit applies.

ARTICLE 8

Financial limits

Parties may provide, in their domestic law, for financial limits for the recovery of costs and expenses related to response measures.

ARTICLE 9

Right of recourse

This Supplementary Protocol shall not limit or restrict any right of recourse or indemnity that an operator may have against any other person.

ARTICLE 10

Financial security

1. Parties retain the right to provide, in their domestic law, for financial security.

2. Parties shall exercise the right referred to in paragraph 1 above in a manner consistent with their rights and obligations under international law, taking into account the final three preambular paragraphs of the Protocol.

3. The first meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol after the entry into force of the Supplementary Protocol shall request the Secretariat to undertake a comprehensive study which shall address, *inter alia*:

(a) The modalities of financial security mechanisms;

(b) An assessment of the environmental, economic and social impacts of such mechanisms, in particular on developing countries; and

(c) An identification of the appropriate entities to provide financial security.

ARTICLE 11

Responsibility of States for internationally wrongful acts

This Supplementary Protocol shall not affect the rights and obligations of States under the rules of general international law with respect to the responsibility of States for internationally wrongful acts.

ARTICLE 12

Implementation and relation to civil liability

1. Parties shall provide, in their domestic law, for rules and procedures that address damage. To implement this obligation, Parties shall provide for response measures in accordance with this Supplementary Protocol and may, as appropriate:

(a) Apply their existing domestic law, including, where applicable, general rules and procedures on civil liability;

(b) Apply or develop civil liability rules and procedures specifically for this purpose; or

(c) Apply or develop a combination of both.

2. Parties shall, with the aim of providing adequate rules and procedures in their domestic law on civil liability for material or personal damage associated with the damage as defined in Article 2, paragraph 2 (b):

(a) Continue to apply their existing general law on civil liability;

(b) Develop and apply or continue to apply civil liability law specifically for that purpose; or

(c) Develop and apply or continue to apply a combination of both.

3. When developing civil liability law as referred to in subparagraphs (b) or (c) of paragraphs 1 or 2 above, Parties shall, as appropriate, address, *inter alia*, the following elements:

(a) Damage;

(b) Standard of liability including strict or fault-based liability;

(c) Channelling of liability, where appropriate;

(d) Right to bring claims.

ARTICLE 13

Assessment and review

The Conference of the Parties serving as the meeting of the Parties to the Protocol shall undertake a review of the effectiveness of this Supplementary Protocol five years after its entry into force and every five years thereafter, provided information requiring such a review has been made available by Parties. The review shall be undertaken in the context of the assessment and review of the Protocol as specified in Article 35 of the Protocol, unless otherwise decided by the Parties to this Supplementary Protocol. The first review shall include a review of the effectiveness of Articles 10 and 12.

ARTICLE 14

Conference of the Parties serving as the meeting of the Parties to the Protocol

1. Subject to paragraph 2 of Article 32 of the Convention, the Conference of the Parties serving as the meeting of the Parties to the Protocol shall serve as the meeting of the Parties to this Supplementary Protocol.

2. The Conference of the Parties serving as the meeting of the Parties to the Protocol shall keep under regular review the implementation of this Supplementary Protocol and shall make, within its mandate, the decisions necessary to promote its effective implementation. It shall perform the functions assigned to it by this Supplementary Protocol and, *mutatis mutandis*, the functions assigned to it by paragraphs 4 (a) and (f) of Article 29 of the Protocol.

ARTICLE 15

Secretariat

The Secretariat established by Article 24 of the Convention shall serve as the secretariat to this Supplementary Protocol.

ARTICLE 16

Relationship with the Convention and the Protocol

1. This Supplementary Protocol shall supplement the Protocol and shall neither modify nor amend the Protocol.

2. This Supplementary Protocol shall not affect the rights and obligations of the Parties to this Supplementary Protocol under the Convention and the Protocol.

3. Except as otherwise provided in this Supplementary Protocol, the provisions of the Convention and the Protocol shall apply, *mutatis mutandis*, to this Supplementary Protocol.

4. Without prejudice to paragraph 3 above, this Supplementary Protocol shall not affect the rights and obligations of a Party under international law.

ARTICLE 17

Signature

This Supplementary Protocol shall be open for signature by Parties to the Protocol at the United Nations Headquarters in New York from 7 March 2011 to 6 March 2012.

ARTICLE 18

Entry into force

1. This Supplementary Protocol shall enter into force on the ninetieth day after the date of deposit of the fortieth instrument of ratification, acceptance, approval or accession by States or regional economic integration organizations that are Parties to the Protocol.

2. This Supplementary Protocol shall enter into force for a State or regional economic integration organization that ratifies, accepts or approves it or accedes thereto after the deposit of the fortieth instrument as referred to in paragraph 1 above, on the ninetieth day after the date on which that State or regional economic integration organization deposits its instrument of ratification, acceptance, approval, or accession, or on the date on which the Protocol enters into force for that State or regional economic integration organization, whichever shall be the later.

3. For the purposes of paragraphs 1 and 2 above, any instrument deposited by a regional economic integration organization shall not be counted as additional to those deposited by member States of such organization.

ARTICLE 19

Reservations

No reservations may be made to this Supplementary Protocol.

ARTICLE 20

Withdrawal

1. At any time after two years from the date on which this Supplementary Protocol has entered into force for a Party, that Party may withdraw from this Supplementary Protocol by giving written notification to the Depositary.

2. Any such withdrawal shall take place upon expiry of one year after the date of its receipt by the Depositary, or on such later date as may be specified in the notification of the withdrawal.

3. Any Party which withdraws from the Protocol in accordance with Article 39 of the Protocol shall be considered as also having withdrawn from this Supplementary Protocol.

ARTICLE 21

Authentic texts

The original of this Supplementary Protocol, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations.

IN WITNESS WHEREOF the undersigned, being duly authorized to that effect, have signed this Supplementary Protocol.

DONE at Nagoya on this fifteenth day of October two thousand and ten.

BS-V/12.
RISK ASSESSMENT AND RISK MANAGEMENT (ARTICLES 15 AND 16)

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

Recalling its decision BS-IV/11 on risk assessment and risk management,

I. ***Further guidance on specific aspects of risk assessment***

1. *Commends* the use of innovative methods under the open-ended online forum on risk assessment and risk management as an efficient means to maximize the use of limited financial resources;

2. *Takes note* of the conclusions and recommendations of the open-ended online forum and the Ad Hoc Technical Expert Group on Risk Assessment and Risk Management and *welcomes* the resulting "Guidance on Risk Assessment of Living Modified Organisms" (hereinafter referred to as "the Guidance");

3. *Notes* that the Guidance is a document in evolution and that its objective is to provide a reference that may assist Parties and other Governments in implementing the provisions of the Protocol with regards to risk assessment, in particular its Annex III and, as such, this Guidance is not prescriptive and does not impose any obligations upon the Parties;

4. *Decides* to extend the current open-ended online forum and the Ad Hoc Technical Expert Group on Risk Assessment and Risk Management in accordance with the terms of reference annexed hereto;

5. *Urges* Parties and *invites* other Governments and relevant organizations to nominate further experts with experience relevant to risk assessment to the open-ended online forum and to actively participate in the online discussions;

6. *Further notes* that the first version of the Guidance requires further scientific reviewing and testing to establish its overall utility and applicability to living modified organisms of different taxa introduced into different environments, and *requests* the Executive Secretary to, prior to the first meeting of the Ad Hoc Technical Expert Group on Risk Assessment and Risk Management, (i) translate the first version of the Guidance into all United Nations languages with a view to enabling a large number

of experts to take part in the reviewing process; (ii) coordinate with Parties and other Governments, through their technical and scientific experts, and relevant organizations, a review process of the first version of the Guidance; (iii) make the comments of the review process available through the Biosafety-Clearing House;

7. *Requests* the Executive Secretary to convene, prior to the sixth meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol, (i) *ad hoc* discussion groups and real-time online conferences under the open-ended online forum, and (ii) two meetings of the Ad Hoc Technical Expert Group, and to compile the views and recommendations submitted by participants in the online forum for consideration by the Parties;

8. *Further requests* the Executive Secretary to: (i) update the common format for submission of records to the Biosafety Information Resources Centre in order to link its records on risk assessment to specific sections of the Guidance; and (ii) explore possible ways to link background materials available in the "Scientific Bibliographic Database on Biosafety" to specific sections of the Guidance;

II. Capacity-building in risk assessment

Welcoming the development of a training manual on risk assessment of living modified organisms,

Welcoming also the reports of the Pacific Subregional Workshop on Capacity-building and Exchange of Experiences on Risk Assessment (UNEP/CBD/BS/COP-MOP/5/INF/16) held in Nadi, Fiji and of the Asian Subregional Training Course on Risk Assessment of Living Modified Organisms (UNEP/CBD/BS/COP-MOP/5/INF/17) held in Siem Reap, Cambodia and *taking note* of their recommendations,

9. *Requests* the Executive Secretary to:

(a) Submit the training manual to experts and other reviewers from Parties and other Governments for an assessment of its effectiveness;

(b) Convene, at the earliest convenient date, further regional or subregional training courses to enable countries to gain hands-on experience in the preparation and evaluation of risk assessment reports in accordance with the relevant articles and Annex III of the Protocol, and to further test the first version of the Guidance and make the results of the testing available through the Biosafety-Clearing House;

(c) Improve the training manual "Risk Assessment of Living Modified Organisms" in cooperation with relevant United Nations bodies, other relevant organizations and expert reviewers by revising it on the basis of the recommendations provided during the regional and subregional capacity-building activities and feedback from Parties, in such a way that any further improvements of the training manual, on the one hand, and of the Guidance through the process outlined in paragraph 6 above, on the other hand, is made in a coherent and complementary manner;

(d) Develop an interactive learning tool based on the training manual, and make it available through the Biosafety Clearing-House in all United Nations languages with the view to developing a more cost-effective way for delivering training on risk assessment;

III. Identifying living modified organisms or specific traits that may have *adverse effects on the conservation and sustainable use of biological diversity, taking also into account risks to human health*

Welcoming the views submitted by Parties, other Government and relevant organizations regarding the identification of living modified organisms or specific traits that may have adverse effects on the conservation and sustainable use of biological diversity, taking also into account risks to human health and *acknowledging* the challenges in harmonizing the divergent views,

Welcoming also the recommendations by the Ad Hoc Technical Expert Group on Risk Assessment and Risk Management regarding possible modalities for cooperation in identifying living modified organisms or specific traits that may have adverse effects on the conservation and sustainable use of biological diversity, taking also into account risks to human health, in particular the implementation of a step-wise approach for this purpose that starts with the exchange of information,

10. *Urges* Parties and *invites* other Governments to submit to the Biosafety Clearing-House decisions and risk assessments where potential adverse effects have been identified, as well as any other relevant information that may assist Parties in the identification of living modified organisms or specific traits that may have adverse effects on the conservation and sustainable use of biological diversity, taking also into account risks to human health, including information, if possible, when a decision is not taken due to the potential of a living modified organism to cause adverse effects when introduced into specific environments;

11. *Requests* the Executive Secretary to compile the information for consideration by the Parties at their sixth meeting;

IV. Identifying living modified organisms that are not likely *to have adverse effects on the conservation and sustainable use of biological diversity, taking also into account risks to human health*

Recalling the provisions of the medium-term programme of work, decision BS-I/12 paragraph 7 (a) (i), to consider a modality that might enable the identification of living modified organisms that are not likely to have adverse effects on the conservation and sustainable use of biological diversity, taking also into account risks to human health, with a view to arriving at a decision in accordance with paragraph 4 of Article 7,

12. *Requests* Parties and *invites* other Governments and relevant organizations to submit to the Executive Secretary (i) information on risk assessments, carried out on a case-by-case basis with regards to the receiving environment of the living modified organism, that might assist Parties in the identification of living modified organisms that are not likely to have adverse effects on the conservation and sustainable use of biological diversity, taking also into account risks to human health, and (ii) the criteria that were considered for the identification of such living modified organisms;

13. *Requests* the Executive Secretary to compile the information received and prepare a synthesis report for consideration by the Parties at their sixth meeting.

Annex

TERMS OF REFERENCE FOR THE OPEN-ENDED ONLINE FORUM AND AD HOC TECHNICAL EXPERT GROUP ON RISK ASSESSMENT AND RISK MANAGEMENT

Methodology

1. The open-ended online forum and the Ad Hoc Technical Expert Group on Risk Assessment and Risk Management shall work primarily online to (i) revise and test the first version of the Guidance on the basis of the results of the scientific review process, the testing associated with capacity-building activities and any testing initiated by the Ad Hoc Technical Expert Group and organized by the Executive Secretary, and (ii) assess the overall applicability and utility of the Guidance to living modified organisms across different taxa and receiving environments, with the view to achieving the expected outcomes outlined below;

2. The Ad Hoc Technical Expert Group on Risk Assessment and Risk Management shall meet twice face-to-face prior to the sixth meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol;

Expected outcomes

3. The open-ended online forum and the Ad Hoc Technical Expert Group on Risk Assessment and Risk Management shall work together with the view to developing and achieving the following:

(a) A revised version of the "Guidance on Risk Assessment of Living Modified Organisms";

(b) A mechanism, including criteria, for future updates of the lists of background materials;

(c) Further guidance on new specific topics of risk assessment, selected on the basis of the priorities and needs by the Parties and taking into account the topics identified in the previous intersessional period;

Reporting

4. The open-ended online forum and the Ad Hoc Technical Expert Group on Risk Assessment and Risk Management shall submit final reports detailing their activities, outcomes and recommendations for consideration by the sixth meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol.

BS-V/13.
PUBLIC AWARENESS, EDUCATION AND PARTICIPATION

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

Recalling Article 23 of the Protocol and decision BS-II/13 on public awareness and participation,

Welcoming the progress made by Parties and relevant organizations towards the implementation of Article 23 of the Protocol,

Recalling decision BS-IV/17 that decided to develop a programme of work on public awareness, education and participation concerning the safe transfer, handling and use of living modified organisms, with specific operational objectives, scope of activities and outputs and modalities of implementation,

Recalling the request for the Executive Secretary to prepare, taking into account submissions made by Parties, other Governments and relevant organizations, a programme of work on public awareness, education and participation concerning the safe transfer, handling and use of living modified organisms,

Recognizing the need for a cohesive and focused approach to public awareness, education and participation concerning the safe transfer, handling and use of living modified organisms,

Recognizing also the central role of the Biosafety Clearing-House in promoting public awareness, education and participation,

1. *Adopts* the programme of work on public awareness, education and participation concerning the safe transfer, handling and use of living modified organisms, as contained in the annex to the present decision, to facilitate implementation of Article 23 of the Protocol;

2. *Invites* Parties, other Governments and relevant organizations, as appropriate, to make use of the programme of work to implement Article 23 of the Protocol and share their experiences and lessons learned through the Biosafety ClearingHouse;

3. *Underlines* the importance of ensuring coherence among the programme of work and relevant activities of the Aarhus Convention on Access to Information, Public

Participation in Decision-making and Access to Justice in Environmental Matters and other relevant conventions and organisations to maximize opportunities for cooperation in the promotion of public awareness, education and participation concerning living modified organisms;

4. *Decides*, in the light of experiences gained by the Parties, to review the programme of work at its eighth meeting, within the available resources;

5. *Urges* developed country Parties and other Governments and relevant organizations to provide additional support to developing country Parties and Parties with economies in transition to implement relevant activities contained in the programme of work;

6. *Encourages* Parties to establish or make use of existing advisory committees on public awareness, education and participation concerning living modified organisms to provide advice and guidance on the implementation of the programme of work;

7. *Invites* the Executive Secretary to establish an online forum and other appropriate means to facilitate exchange of information and experiences on the implementation of the programme of work.

Annex

PROGRAMME OF WORK ON PUBLIC AWARENESS, EDUCATION AND PARTICIPATION CONCERNING THE SAFE TRANSFER, HANDLING AND USE OF LIVING MODIFIED ORGANISMS (2011-2015)

Programme element 1:
Capacity-building for the promotion of public awareness, education and participation

Goal: To strengthen the institutional and technical capacity of Parties to promote and facilitate public awareness, education and participation concerning the safe transfer, handling and use of living modified organisms

Operational objectives	*Expected outcomes*	*Indicators*	*Suggested activities*	*Time frame*	*Actors*
1.1 To put in place enabling legal and/or policy frameworks and mechanisms to facilitate public awareness, education and participation concerning the safe transfer, handling and use of living modified organisms	• Improved understanding of the country needs and measures to address those needs • Improved national competence on issues related to public awareness, education and participation • Awareness built among decision makers on the importance of public participation in decision-making • Mechanisms/methodologies related to the inclusion of the public in the decision making processes related to LMOs established • Studies and/or surveys carried out to identify the needs of Parties with respect to public awareness, education and participation • Parties and other relevant stakeholders are implementing biosafety outreach strategies/ communication plans • National laws related to Article 23 in place	• Number of Parties that have policy and legal frameworks on public awareness, education and participation in place • Number of Parties with outreach strategies and/or communication plans that are implemented	(a) Take stock of and make use of existing regulatory frameworks, mechanisms and structures relevant to public awareness, education and participation concerning living modified organisms	Within year 1	• Parties (NFPs) • Relevant organizations
			(b) Assess the national needs with respect to public awareness, education and participation and identify measures to meet those needs	Within year 1	• Parties
			(c) Establish or strengthen legal and policy frameworks to facilitate public awareness and access to information	Within years 1-2	• Parties
			(d) Prepare and implement biosafety outreach strategies and/or communication plans	Within years 1-3	• Parties • Other Governments • Relevant organizations

Operational objectives	*Expected outcomes*	*Indicators*	*Suggested activities*	*Time frame*	*Actors*
1.2 To establish institutional mechanisms to promote and facilitate public awareness, education and participation concerning living modified organisms	• Functional administrative structures and arrangements are in place to facilitate public awareness, education and participation • Institutional roles and responsibilities for public awareness, education and participation identified • Institutional procedures and mechanisms for public access to biosafety information in place • Capacity-building initiatives for developing administrative structures have been identified and established • Increased understanding and collaboration with relevant international agreements and processes	• Number of Parties with units or departments and other institutional structures designated to promote public awareness, education and participation • Number of Parties engaged in collaborative activities • Number of Parties with well-functioning institutional mechanisms and/or with funding to improve institutional mechanisms	(a) Designate contact points within national authorities responsible for promoting and overseeing public awareness, education and participation	Within year 1	• Parties
			(b) Establish or make use of existing biosafety outreach units, information centres and other outreach services at the national level	Within years 2-3	• Parties • Relevant organizations
			(c) Establish or make use of existing advisory committees that include representatives from different sectors of the public, on public awareness, education and participation concerning living modified organisms	Within years 1-3	• Parties
			(d) Promote collaboration with relevant international agreements and processes involved in public awareness, education and participation (e.g., the Aarhus Convention, the programme of work on communication, education and public awareness under the Convention on Biodiversity)	Ongoing	• Parties • Other Governments • SCBD • Relevant organizations

Operational objectives	*Expected outcomes*	*Indicators*	*Suggested activities*	*Time frame*	*Actors*
			(e) Mobilize financial resources to develop institutional capacity	Ongoing	• Parties • Other Governments • SCBD • Relevant organizations
1.3 To develop the professional capacity of personnel involved in promoting public awareness, education and participation concerning the safe transfer, handling and use of living modified organisms	• Experts in biosafety education and communication identified and added to roster of experts • Increased number of biosafety educators and/or communicators at various levels • Support tools (including guidance toolkits, best practice handbooks, etc) widely available • Biosafety educators and communicators receiving ongoing professional support and guidance	• Number of experts in biosafety education and communication nominated to roster of experts • Number of educational programmes, including academic courses, with components on biosafety • Number of training, guidance materials and other supportive activities to build professional capacity	(a) Identify experts on biosafety education and communication and add them to the roster of experts	Ongoing	• Parties
			(b) Develop and deliver training programmes for biosafety educators and communicators at global, regional and national levels	Ongoing	• Parties • Educational institutions • Relevant organizations
			(c) Establish and/or use existing systems to facilitate the development and exchange of biosafety training and guidance materials on public awareness, education and participation, including toolkits, training aids and templates (e.g. using the BCH to facilitate the exchange)	Within years 2-4	• Parties • SCBD
			(d) Promote professional exchanges, collaboration and fellowship programmes for staff involved in promoting public awareness, education and participation	Within years 2-3; Ongoing	• Parties • Other Governments • Relevant organizations

Operational objectives	*Expected outcomes*	*Indicators*	*Suggested activities*	*Time frame*	*Actors*
			(e) Promote the effective use of media in promoting public awareness, education and participation, including developing national media strategies/plans, improving media coverage of biosafety issues, hold press-related activities and training	Within years 2-3; Ongoing	• Parties • Other Governments • Relevant organizations
1.4 To promote collaboration and sharing of experiences and resource materials on public awareness, education and participation concerning living modified organisms	• Mechanisms for collaboration and sharing of experiences between countries and regions with regard to public awareness, education and participation in place • Networks established to facilitate ongoing exchange of experiences and lessons learned • Best practices and lessons learned of public participation documented and shared (e.g., through the Biosafety Information Resource Centre (BIRC) and national sources) • Improved skills/knowledge on using tools to raise awareness	• Number of Parties making use of mechanisms and plans for exchange of experiences in public awareness, education and participation • Number of case-studies and other materials on public awareness, education and participation produced and shared through the Biosafety ClearingHouse • Number of networks established and/or utilised to exchange information and materials	(a) Identify, document and exchange through the BCH case-studies on best practices and lessons learned in promoting public awareness, education and participation concerning LMOs.	Within year 1; Ongoing	• Parties • Other Governments • Relevant organizations • SCBD
			(b) Use the BCH to exchange information on best practices and lessons learned in promoting public awareness, education and participation.	Ongoing	• Parties • Other Governments • Relevant organizations
			(c) Share experiences on the use of different communication tools (e.g., printed material, radio and television programmes, newspapers and cultural performances for community outreach)	Ongoing	• Parties • Other Governments • Relevant organizations

Operational objectives	*Expected outcomes*	*Indicators*	*Suggested activities*	*Time frame*	*Actors*
		• Number of Parties and other stakeholders in different sectors that are sharing information • Number of NGOs per country and region doing outreach work related to the Protocol	(d) Establish and operationalize networks and organize forums, (e.g., online forums and listservs) to facilitate exchange of information, experiences and lessons learned on national approaches to public awareness, education, and public participation, (e.g., BCH, national nodes, regional or local)	Within years 2-5; Ongoing	• Parties • Regional bodies
			(e) Establish and/or use existing mechanisms to facilitate the development and exchange of biosafety educational and awareness materials adapted to local contexts	Within years 2-5	• COP-MOP
			(f) Identify and promote possible synergies in the application, as appropriate, of relevant tools and information sharing mechanisms developed under other fora, such as the Almaty Amendment to the Aarhus Convention and the Lucca Guidelines on Access to Information, Public Participation and Access to Justice with Respect to Genetically Modified Organisms	Within years 1-3; Ongoing	• Parties

Operational objectives	*Expected outcomes*	*Indicators*	*Suggested activities*	*Time frame*	*Actors*
			(g) Establish a register of non-governmental organisations doing outreach work closely related to the Protocol, such as in the BCH and its national nodes	Within years 1-2	• Parties • SCBD

Programme element 2: Public awareness and education

Goal: To promote broad public awareness and education of issues concerning the safe transfer, handling and use of living modified organisms

Operational objectives	*Expected outcomes*	*Indicators*	*Suggested activities*	*Time frame*	*Actors*
2.1. To promote public awareness concerning the safe transfer, handling and use of living modified organisms	• A survey report from Parties regarding the level of public awareness • National public-awareness plans and programmes • Agreements signed between the owners of copyrights and the Secretariat and interested Parties • System for dissemination of biosafety information established by Parties • Public awareness seminars and workshops held • Media is actively involved in public awareness and education on biosafety • The Protocol and other biosafety materials translated into local languages • Biosafety communication programmes using art and culture	• Statistically meaningful number of responses from surveys by the end of 2011 • Number of national public awareness plans and programmes in place by the end of 2013 • Number of cooperation and coordination programmes and other activities in place • Number of publications and other materials produced and disseminated	(a) Conduct baseline surveys to ascertain the level of public awareness and evaluate public awareness of the issues regarding LMOs. Parties may expand the survey based on national priorities and needs	Within year 1	• Parties • SCBD to develop the survey forms in different languages
			(b) Develop and implement public awareness plans and/or programmes, taking into account the survey results	Within year 3; Ongoing	• Parties • Relevant organisations
			(c) Carry out events and sessions for national coordination on public awareness with the participation of different national actors	Ongoing	• Parties • Civil society, industry, academia, etc. • SCBD

Operational objectives	*Expected outcomes*	*Indicators*	*Suggested activities*	*Time frame*	*Actors*
		• Public availability of graphics and materials in the Biosafety ClearingHouse • Number of Parties that will have systems for dissemination of information in place by 2015 • Number of seminars and workshops held • Number of media activities implemented • Number of Parties that have translated the Protocol and other materials in the official national and local languages	(d) Foster cooperation and coordination of public awareness and education activities with governments, organizations, UN agencies, civil society, industry, academia and the public	Ongoing	• Parties • Civil society, industry, academia, etc. • SCBD
			(e) Produce and disseminate biosafety awareness materials (e.g., newsletters and information on laws), and copyright-free graphics tailored to specific target audiences and used in awareness and educational activities	Ongoing	• Parties, biosafety communication experts • SCBD
			(f) Establish systems to facilitate timely announcement (e.g. in newspapers, town halls/ public notice boards, public libraries, national websites and other means) of field trial and commercial releases of LMOs in accordance with national legislation	Within years 2-3; Ongoing	• Parties, responsible authorities
			(g) Organise public awareness seminars and workshops on biosafety for targeted audiences, including dissemination of presentations, materials	Ongoing	• Parties, responsible authorities • Relevant organizations

Operational objectives	*Expected outcomes*	*Indicators*	*Suggested activities*	*Time frame*	*Actors*
			(h) Encourage the use of media to promote awareness of biosafety	Ongoing	• Parties • Media
			(i) Translate the Protocol and biosafety awareness materials into national and local languages and/or using visual representation of the Protocol	Within year 3-5; Ongoing	• Parties • Civil society
			(j) Promote use of social communication strategies, e.g. art and culture	Ongoing	• Parties, relevant authorities
2.2. To promote education concerning the safe transfer, handling and use of living modified organisms through formal academic institutions	• Biosafety issues integrated into school curricula • Many academic institutions offering programmes/courses on biosafety • Educational packages, including e-learning modules, on biosafety made available to schools and the public, including for entertainment and networking purposes • Libraries and educational institutions offer a wide range of educational materials and outreach activities on biosafety • Civil society involved in promotion of biosafety awareness and education	• Number of school curricula that have included biosafety issues • Number of academic programmes/ courses including biosafety issues • Number of e-learning modules developed • Number of educational materials and packages on biosafety available • Number of educational events in collaboration with educational institutions.	(a) Integrate biosafety into the curricula and educational programmes for different levels of formal education	Within year 5; Ongoing	• Parties • Educational institutions
			(b) Encourage universities and other educational institutions to offer academic programmes, including continuing education courses, in biosafety and biosafety communication	Ongoing	• Parties • Educational institutions
			(c) Develop educational packages on biosafety for schools, informal education and research institutes to promote awareness and education on biosafety issues	Within years 2-5; Ongoing	• Parties • Educational institutions

Operational objectives	*Expected outcomes*	*Indicators*	*Suggested activities*	*Time frame*	*Actors*
			(d) Develop e-learning modules on biosafety for all educational levels	Within years 2-5; Ongoing	• Educational institutions
			(e) Ensure that libraries of educational institutions offer a wide range of relevant educational materials and outreach activities on biosafety	Within years 3-5; Ongoing	• Parties • Educational institutions
			(f) Foster formal and informal collaboration partnership with educational institutions to raise awareness and establish joint educational activities.	Within years 3-5; Ongoing	• Parties • Civil society

Programme element 3. Public access to information

Goal: To improve public access to information concerning the safe transfer, handling and use of living modified organisms

Operational objectives	*Expected outcomes*	*Indicators*	*Suggested activities*	*Time frame*	*Actors*
3.1. To promote public access to accurate biosafety information in a broad, easy and timely manner, including through the Biosafety Clearing-House, national websites and other mechanisms	• Members of the public easily finding and accessing accurate biosafety information and educational materials through the Biosafety Clearing-House, national websites and other mechanisms • The public receiving responses to requests for access to information of accurate biosafety information within reasonable time • Information materials are accessible in various languages and in user-friendly formats • Members of the public have access to multiple relevant online and offline biosafety information	• Number of Parties with established procedures for public access to biosafety information • Number of Parties with national Biosafety Clearing-House nodes or biosafety websites • Number of information materials available in different languages	(a) Inform the public of their right to access information under the Protocol in written, electronic and other formats	Ongoing	• Parties • Civil society • SCBD
			(b) Inform the public about the available means of access to information in the Biosafety Clearing-House, the national nodes and other mechanisms	Ongoing	• Parties • SCBD
			(c) Establish and/or improve infrastructure to facilitate open public access to biosafety information (e.g. national websites, national Biosafety Clearing-House nodes)	Within years 2-4; Ongoing	• Parties
			(d) Put in place information alert systems to advise the public about new available information	Within years 2-4	• Parties
			(e) Establish procedures to make biosafety information available to the public in accordance with the national laws and the obligations under the Protocol, including paragraph 6 of Article 21	Within year 1; Ongoing	• Parties • SBCD

Programme element 4. Public participation

Goal: To promote public participation in decision-making regarding living modified organisms

Operational objectives	*Expected outcomes*	*Indicators*	*Suggested activities*	*Time frame*	*Actors*
4.1. To establish mechanisms and procedures to consult and involve the public in the decision-making process regarding modified organisms and to make the results of such decisions available to the public	• Mechanisms and entry points for public participation are identified and put in place • The role of the public in the decision-making process is defined/ clarified • The right of public participation in decision-making regarding LMOs guaranteed in national laws and the public is well informed about that right • Timely and informed participation of the public in decision-making processes. • Safeguards established to ensure regular, transparent and objective public consultation/ participation • National biosafety laws guarantee the right public participation in decision-making regarding LMOs • National biosafety laws require public notice and comment on applications regarding LMO imports and releases • Funds allocated for public involvement in the decision making regarding LMOs • The public support for the Protocol is broadened	• Number of regulatory regimes containing clear reference to public participation • Number of Parties with mechanisms for public participation • Number of Parties with a review mechanism for public participation, including outcomes of public consultations • Number of individuals participating in discussion forums, platforms and other mechanisms set up • Number of Parties that have involved the public in the development and review of their legal biosafety frameworks	(a) Establish or strengthen legal frameworks to facilitate public participation in decision-making regarding living modified organisms, taking into consideration confidential information	Within years 1–4	• Parties • Civil society
			(b) Establish institutional and administrative mechanisms to facilitate public participation in decision-making regarding living modified organisms	Within years 1-3	• Parties • Civil society
			(c) Put in place mechanisms to notify the public, in a timely and effective manner, about planned public consultations and opportunities to participate in decision-making regarding new LMO applications (e.g., announcements on national websites, local newspapers, forums and mailing lists)	Within years 2-3	• Parties

Operational objectives	*Expected outcomes*	*Indicators*	*Suggested activities*	*Time frame*	*Actors*
	• Parties and other stakeholders are proactively engaging the public • Comments and opinions from the public are adequately reflected/ considered in the decisions on LMOs • The public's input is made available in a timely matter • Public consultation is transparent, reliable, balanced and legally supported	• Number of Parties with dedicated budgets for public participation • Number of Parties taking outcomes of public participation into consideration in decision-making regarding LMOs • Number of Parties conducting public consultations	(d) Develop operating procedures to guide the public participation process	Within years 2-3;	• Parties • Civil society
			(e) Establish platforms (e.g. public hearings, e-forums, mailing lists) to facilitate public comments, feedback and appeals regarding applications for field trials and commercial releases	Within years 2-3; Ongoing	• Parties
			(f) Establish or strengthen mechanisms/bodies to monitor and foster regular, transparent and objective public consultation and participation	Within years 3-5; Ongoing	• Parties
			(g) Promote collaborative initiatives to train decision-makers on utilizing outcomes of public participation, including outlining the public inputs in decisions	Ongoing	• Parties
			(h) Make resources available for public involvement in the decision making process regarding LMOs	Ongoing	• Parties
			(i) Inform the public of their right to participate in the decision-making processes regarding LMOs	Ongoing	• Parties

BS-V/14.
MONITORING AND REPORTING (ARTICLE 33)

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

Recalling decision BS-I/9 which requested Parties to submit their reports on a general frequency of every four years from the date of entry into force of the Protocol,

Taking note of the first national reports, which were due in September 2007,

Recalling also decision BS-IV/14 which requested the Executive Secretary to propose improvements to the reporting format based on experiences gained through the analysis of the first national reports, the recommendations of the Compliance Committee and suggestions made by Parties, for consideration at the fifth meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol,

Taking note of the recommendations of the Compliance Committee concerning national reporting,

1. *Welcomes* the reporting format annexed hereto and *requests* the Executive Secretary to make the final format available through the Biosafety Clearing-House and in Microsoft Word format;

2. *Request*s Parties to use the reporting format for the preparation of their second national report or, in the case of Parties submitting their national report for the first time, to use it for their first national report on the implementation of their obligations under the Cartagena Protocol on Biosafety;

3. *Requests* Parties to submit to the Secretariat their second national report on the implementation of the Cartagena Protocol on Biosafety:

(a) In an official language of the United Nations;

(b) Through the Biosafety Clearing-House, or in the Microsoft Word form that will be made available by the Secretariat for this purpose duly signed by the national focal point;

4. *Encourages* Parties to respond to all questions in the reporting format including questions that do not necessarily represent obligations under the Protocol but are

considered to be useful to gather information that facilitates the establishment of baselines for subsequent assessment and review processes of the effectiveness of the Protocol as well as measuring the achievement of the Strategic Plan adopted at the present meeting;

5. *Reiterates* its recommendation to Parties to prepare their reports through a consultative process involving all relevant stakeholders, as appropriate;

6. *Encourages* Parties to give priority, as appropriate, to national reporting when seeking funding from the Global Environment Facility;

7. *Encourages* Parties that encounter difficulty in the timely completion of their reporting obligations to seek assistance from the Secretariat or the Compliance Committee, and use, as appropriate, national experts and experts from the roster of biosafety experts;

8. *Requests* the Executive Secretary to:

(a) Consider adjusting the reporting format of the third and subsequent national reports, and make the format available to the appropriate meeting of the Parties to the Protocol, with a view to relating the national reports to the strategic priorities of the Protocol by limiting subsequent reporting to:

(i) Questions that require regular updating; and
(ii) Questions relating to priority areas applicable to the reporting period as indicated in the Strategic Plan and the programme of work and as determined by the Conference of the Parties serving as the meeting of the Parties to the Protocol;

(b) Send confidential reminders to the national focal points of individual Parties that do not submit their national report of their obligation to do so;

(c) Organize an online forum, or, subject to the availability of funds, regional or subregional workshops on national reporting with a view to assist Parties in the preparation of their national reports and exchange best practices and experience on the fulfillment of the monitoring and reporting obligations under the Protocol; and

(d) Take into account, in setting the date of submission of the second national reports in accordance with paragraph 5 of decision BS-I/9, the time constraint that developing country Parties might face due to limited capacity;

9. *Noting* that some Parties to the Convention that are not yet Parties to the Protocol have submitted first national reports, *invites* non-Parties to share their experiences and information on their biosafety-related regulatory and administrative measures by submitting national reports.

Annex

FORMAT FOR THE SECOND NATIONAL REPORTS ON THE IMPLEMENTATION OF THE CARTAGENA PROTOCOL ON BIOSAFETY

GUIDELINES FOR USE OF THE REPORTING FORMAT

The following format for preparation of the second 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 requirements of the Protocol as well as questions that relate to indicators of the Strategic Plan.

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 Protocol.

Questions highlighted in grey may not strictly be based on provisions of the Cartagena Protocol on Biosafety or the decisions of the Parties to the Protocol. They are included in this reporting format only to help draw a baseline for the assessment and review of the Protocol in the context of Article 35 and to help measure progress in the implementation of the Strategic Plan of the Protocol.

The deadline for submission of the second national report is no less than 12 months prior to the sixth meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol. It is intended to cover activities undertaken between the presentation of the first national report (or the entry into force of the Protocol for reporting Parties that ratified or acceded to the Protocol after 11 September 2007) and the date of reporting for the second national report.

For subsequent national reports, the format is expected to evolve, as questions that are no longer relevant 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. Most of the questions asked require only a tick in one or more boxes and for each article, a text field allows the provision of further details on its implementation. Although there is no set limit on the 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 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.

The form is also available on the BCH for completion electronically at the following address: http://bch.cbd.int/managementcentre/edit/CPBnationalreport2.shtml

IMPORTANT: To facilitate the analysis of the information contained in this report, it is recommended that Parties submit the report through the Biosafety Clearing-House or as an attachment to an e-mail in MS Word format, together with a scanned copy of the first signed page, to the Secretariat at: secretariat@cbd.int

Second National Report
on the Implementation of the Cartagena Protocol on Biosafety

Origin of report

1. **Country:**	[	**Type your text here**	]
Contact officer for report			
2. Name of contact officer:	[	**Type your text here**	]
3. Title of contact officer:	[	**Type your text here**	]
4. Organization	[	**Type your text here**	]
5. Mailing address:	[	**Type your text here**	]
6. Telephone:	[	**Type your text here**	]
7. Fax:	[	**Type your text here**	]
8. E-mail:	[	**Type your text here**	]
9. Organizations/stakeholders who were consulted or participated in the preparation of this report:	[	**Type your text here**	]
Submission			
10. Date of submission:	[	**Type your text here**	]
11. Time period covered by this report:	[	**Type your text here**	]

Signature of the reporting officer[1]: _____

[1] This document is made available as a protected form in MS Word format for further processing of the information contained therein by the CBD Secretariat. Only text entries and checkboxes are changeable. Once the document is filled in, please save it and print this first page for signature. The form is also available on the BCH for completion electronically at: http://bch.cbd.int/managementcentre/edit/CPBnationalreport2.shtml

IMPORTANT: To facilitate the analysis of the information contained in this reports, please send the report to the Secretariat via e-mail at secretariat@cbd.int as attachment in MS Word format, together with a scanned copy of the first signed page; please do not send this report via fax or postal mail or in electronic formats other than MS Word.

12. Is your country a Party to the Cartagena Protocol on Biosafety (CPB)?	❒ Yes ❒ No
13. If you answered *No* to question 12, is there any national process in place towards becoming a Party?	❒ Yes ❒ No ❒ Not applicable
14. Here you may provide further details: [Type your text here]	

Article 2 – General provisions

15. Has your country introduced the necessary legal, administrative and other measures for the implementation of the Protocol?	❒ A domestic regulatory framework is fully in place ❒ A domestic regulatory framework is partially in place ❒ Only temporary measures have been introduced ❒ Only a draft framework exists ❒ No measures have yet been taken
16. Which specific instruments are in place for the implementation of your national biosafety framework?	❒ One or more national biosafety laws ❒ One or more national biosafety regulations ❒ One or more sets of biosafety guidelines ❒ Other laws, regulations or guidelines that indirectly apply to biosafety ❒ No instruments are in place
17. Has your country established a mechanism for the budgetary allocations of funds for the operation of its national biosafety framework?	❒ Yes ❒ No
18. Does your country have permanent staff to administer functions directly related to the national biosafety framework?	❒ Yes ❒ No

19. If you answered *Yes* to question 18, how many permanent staff members are in place whose functions are directly related to the national biosafety framework?	❒ One ❒ Less than 5 ❒ Less than 10 ❒ More than 10 ❒ Not applicable
20. Has your country's biosafety framework / laws / regulations / guidelines been submitted to the Biosafety Clearing-House (BCH)?	❒ Yes ❒ Partially ❒ No
21. Here you may provide further details on the implementation of Article 2 in your country: [Type your text here]	
Article 5 – Pharmaceuticals	
22. Does your country regulate the transboundary movement, handling and use of living modified organisms (LMOs) which are pharmaceuticals?	❒ Yes ❒ Yes, to some extent ❒ No
23. If you answered *Yes* to question 22, has this information been submitted to the BCH?	❒ Yes ❒ Partially ❒ No ❒ Not applicable
24. Here you may provide further details on the implementation of Article 5 in your country: [Type your text here]	
Article 6 – Transit and Contained use	
25. Does your country regulate the transit of LMOs?	❒ Yes ❒ No
26. Does your country regulate the contained use of LMOs?	❒ Yes ❒ No
27. If you answered *Yes* to questions 25 or 26, has this information been submitted to the BCH?	❒ Yes ❒ Partially ❒ No ❒ Not applicable

28. Here you may provide further details on the implementation of Article 6 in your country: [Type your text here]	
Articles 7 to 10: Advance Informed Agreement (AIA) and intentional introduction of LMOs into the environment	
29. Has your country adopted law(s) / regulations / administrative measures for the operation of the AIA procedure of the Protocol?	❒ Yes ❒ No
30. Has your country adopted a domestic regulatory framework consistent with the Protocol regarding the transboundary movement of LMOs for intentional introduction into the environment?	❒ Yes ❒ No
31. Has your country established a mechanism for taking decisions regarding first intentional transboundary movements of LMOs for intentional introduction into the environment?	❒ Yes ❒ No
32. If you answered *Yes* to question 31, does the mechanism also apply to cases of intentional introduction of LMOs into the environment that were not subject to transboundary movement?	❒ Yes ❒ No ❒ Not applicable
33. Has your country established a mechanism for monitoring potential effects of LMOs that are released into the environment?	❒ Yes ❒ No
34. Does your country have the capacity to detect and identify LMOs?	❒ Yes ❒ Yes, to some extent ❒ No
35. Has your country established legal requirements for exporters under its jurisdiction to notify in writing the competent national authority of the Party of import prior to the intentional transboundary movement of an LMO that falls within the scope of the AIA procedure?	❒ Yes ❒ No
36. Has your country established legal requirements for the accuracy of information contained in the notification?	❒ Yes ❒ No
37. Has your country ever received an application / notification regarding intentional transboundary movements of LMOs for intentional introduction into the environment?	❒ Yes ❒ No

38. Has your country ever taken a decision on an application / notification regarding intentional transboundary movements of LMOs for intentional introduction into the environment?	❒ Yes ❒ No ❒ Not applicable
39. If you answered *Yes* to question 38, how many LMOs has your country approved to date for import for intentional introduction into the environment?	❒ None ❒ Less than 5 ❒ Less than 10 ❒ More than 10 ❒ Not applicable
40. If you answered *Yes* to question 38, how many LMOs, not imported, has your country approved to date for intentional introduction into the environment?	❒ None ❒ Less than 5 ❒ Less than 10 ❒ More than 10 ❒ Not applicable
41. In the current reporting period, how many applications/ notifications has your country received regarding intentional transboundary movements of LMOs for intentional introduction into the environment?	❒ None ❒ Less than 5 ❒ Less than 10 ❒ More than 10
42. In the current reporting period, how many decisions has your country taken regarding intentional transboundary movements of LMOs for intentional introduction into the environment?	❒ None ❒ Less than 5 ❒ Less than 10 ❒ More than 10
If you replied <u>None</u> to question 42 please go to question 50	
43. With reference to the decisions taken on intentional transboundary movements of LMOs for intentional introduction into the environment, has your country received a notification from the Party(ies) of export or from the exporter(s) prior to the transboundary movement?	❒ Yes, always ❒ In some cases only ❒ No
44. Did the notifications contain complete information (at a minimum the information specified in Annex I of the Cartagena Protocol on Biosafety)?	❒ Yes, always ❒ In some cases only ❒ No ❒ Not applicable

45. Has your country acknowledged receipt of the notifications to the notifier within ninety days of receipt?	❒ Yes, always ❒ In some cases only ❒ No ❒ Not applicable
46. Has your country informed the notifier(s) and the BCH of its decision(s)?	❒ Yes, always ❒ In some cases only ❒ In some cases only the notifier ❒ In some cases only the BCH ❒ No ❒ Not applicable
47. Has your country informed the notifier(s) and the BCH of its decision(s) in due time (within 270 days or the period specified in your communication to the notifier)?	❒ Yes, always ❒ In some cases only ❒ No ❒ Not applicable
48. What percentage of your country's decisions fall into the following categories?	❒ % Approving the import without conditions ❒ % Approving the import with conditions ❒ % Prohibiting the import ❒ % Requesting additional information ❒ % Extending the period for the communication of the decision ❒ Not applicable

49. In cases where your country approved an import with conditions or prohibited an import, did it provide reasons on which its decisions were based to the notifier and the BCH?	❒ Yes, always ❒ In some cases only ❒ In some cases only to the notifier ❒ In some cases only to the BCH ❒ No ❒ Not applicable

50. Here you may provide further details on the implementation of Articles 7-10 in your country, including measures in case of lack of scientific certainty on potential adverse effects of LMOs for intentional introduction to the environment:

[Type your text here]

Article 11 – Procedure for living modified organisms intended for direct use as food or feed, or for processing (LMOs-FFP)

51. Has your country adopted specific law(s) or regulation(s) for decision-making regarding domestic use, including placing on the market, of LMOs-FFP?	❒ Yes ❒ No
52. Has your country established legal requirements for the accuracy of information to be provided by the applicant?	❒ Yes ❒ No
53. Has your country established a mechanism to ensure that decisions regarding LMOs-FFP that may be subject to transboundary movement will be communicated to the Parties through the BCH?	❒ Yes ❒ No
54. Has your country established a mechanism for taking decisions on the import of LMOs-FFP?	❒ Yes ❒ No
55. Has your country declared through the BCH that in the absence of a regulatory framework its decisions prior to the first import of an LMO-FFP will be taken according to Article 11.6 of the Cartagena Protocol on Biosafety?	❒ Yes ❒ No
56. Has your country indicated its needs for financial and technical assistance and capacitybuilding in respect of LMOs-FFP?	❒ Yes ❒ No
57. Has your country ever taken a decision on LMOs-FFP (either on import or domestic use)?	❒ Yes ❒ No

If you replied <u>No</u> to question 57 please go to question 63	
58. How many LMOs-FFP has your country approved to date?	❒ None ❒ Less than 5 ❒ Less than 10 ❒ More than 10 ❒ Not applicable
59. In the current reporting period, how many decisions has your country taken regarding the import of LMOs-FFP?	❒ None ❒ Less than 5 ❒ Less than 10 ❒ More than 10
60. In the current reporting period, how many decisions has your country taken regarding domestic use, including placing on the market, of LMOs-FFP?	❒ None ❒ Less than 5 ❒ Less than 10 ❒ More than 10
If you replied <u>None</u> to both questions 59 and 60 please go to question 63	
61. Has your country informed the Parties through the BCH of its decision(s) regarding import, of LMOs-FFP?	❒ Yes, always ❒ In some cases only ❒ No
62. Has your country informed the Parties through the BCH of its decision(s) regarding domestic use, including placing on the market, of LMOs-FFP within 15 days?	❒ Yes, always ❒ In some cases only ❒ Yes, but with delays (i.e. longer than 15 days) ❒ No
63. Here you may provide further details on the implementation of Article 11 in your country, including measures in case of lack of scientific certainty on potential adverse effects of LMOs-FFP: [Type your text here]	

Article 12 – Review of decision	
64. Has your country established a mechanism for the review and change of a decision regarding an intentional transboundary movement of LMOs?	❒ Yes ❒ No
65. Has your country ever received a request for a review of a decision?	❒ Yes ❒ No
66. Has your country ever reviewed/changed a decision regarding an intentional transboundary movement of LMOs?	❒ Yes, decision reviewed ❒ Yes, decision reviewed and changed ❒ No
67. In the current reporting period, how many decisions were reviewed and/or changed regarding an intentional transboundary movement of an LMO?	❒ None ❒ Less than 5 ❒ More than 5
If you replied <u>None</u> to the question 67 please go to question 71	
68. Has your country informed the notifier and the BCH of the review and/or changes in the decision?	❒ Yes, always ❒ In some cases only ❒ In some cases only the notifier ❒ In some cases only the BCH ❒ No
69. Has your country informed the notifier and the BCH of the review and changes in the decision within thirty days?	❒ Yes, always ❒ In some cases only ❒ Yes, but with delays (i.e. longer than 30 days) ❒ No

70. Has your country provided reasons to the notifier and the BCH for the review and/or changes in the decision?	❒ Yes, always ❒ In some cases only ❒ In some cases only the notifier ❒ In some cases only the BCH ❒ No
71. Here you may provide further details on the implementation of Article 12 in your country: [Type your text here]	
Article 13 – Simplified procedure	
72. Has your country established a system for the application of the simplified procedure regarding an intentional transboundary movement of LMOs?	❒ Yes ❒ No
73. Has your country ever applied the simplified procedure?	❒ Yes ❒ No
74. If you answered *Yes* to question 73, has your country informed the Parties through the BCH of the cases where the simplified procedure applies?	❒ Yes, always ❒ In some cases only ❒ No ❒ Not applicable
75. In the current reporting period, how many LMOs has your country applied the simplified procedure to?	❒ None ❒ Less than 5 ❒ More than 5
76. Here you may provide further details on the implementation of Article 13 in your country: [Type your text here]	
Article 14 – Bilateral, regional and multilateral agreements and arrangements	
77. Has your country entered into any bilateral, regional or multilateral agreements or arrangements?	❒ Yes ❒ No

78. If you answered *Yes* to question 77, has your country informed the Parties through the BCH of the agreements or arrangements?	❒ Yes, always ❒ In some cases only ❒ No ❒ Not applicable
79. If you answered Yes to question 77, please provide a brief description of the scope and objective of the agreements or arrangements entered into: [Type your text here]	
80. Here you may provide further details on the implementation of Article 14 in your country: [Type your text here]	

Articles 15 – Risk assessment

81. Has your country established a mechanism for conducting risk assessments prior to taking decisions regarding LMOs?	❒ Yes ❒ No
82. If you answered *Yes* to question 81, does this mechanism include procedures for identifying experts to conduct the risk assessments?	❒ Yes ❒ No
83. Has your country established guidelines for how to conduct risk assessments prior to taking decisions regarding LMOs?	❒ Yes ❒ No
84. Has your country acquired the necessary domestic capacity to conduct risk assessment?	❒ Yes ❒ No
85. Has your country established a mechanism for training national experts to conduct risk assessments?	❒ Yes ❒ No
86. Has your country ever conducted a risk assessment of an LMO for intentional introduction into the environment?	❒ Yes ❒ No
87. Has your country ever conducted a risk assessment of an LMO intended for direct use as food or feed, or for processing?	❒ Yes ❒ No
88. If your country has taken decision(s) on LMOs for intentional introduction into the environment or on domestic use of LMOs-FFP, were risk assessments conducted for all decisions taken?	❒ Yes, always ❒ In some cases only ❒ No ❒ Not applicable

89. Has your country submitted summary reports of the risk assessments to the BCH?	❒ Yes, always ❒ In some cases only ❒ No ❒ Not applicable
90. In the current reporting period, if your country has taken decisions regarding LMOs, how many risk assessments were conducted in the context of these decisions?	❒ None ❒ 5 or less ❒ 10 or less ❒ More than 10
91. Has your country ever required the exporter to conduct the risk assessment(s)?	❒ Yes, always ❒ In some cases only ❒ No ❒ Not applicable
92. Has your country ever required the notifier to bear the cost of the risk assessment(s) of LMOs?	❒ Yes, always ❒ In some cases only ❒ No ❒ Not applicable
93. Here you may provide further details on the implementation of Article 15 in your country: [Type your text here]	
Article 16 – Risk management	
94. Has your country established and maintained appropriate and operational mechanisms, measures and strategies to regulate, manage and control risks identified in risk assessments for:	❒ Yes ❒ Yes, to some extent
(i) LMOs for intentional introduction into the environment?	❒ No
(ii) LMOs intended for direct use as food or feed, or for processing?	❒ Yes ❒ Yes, to some extent ❒ No

95. Has your country established and maintained appropriate measures to prevent unintentional transboundary movements of LMOs?	❒ Yes ❒ Yes, to some extent ❒ No
96. Has your country taken measures to ensure that any LMO, whether imported or locally developed, undergoes an appropriate period of observation that is commensurate with its life-cycle or generation time before it is put to its intended use?	❒ Yes ❒ No
97. Has your country cooperated with other Parties with a view to identifying LMOs or specific traits that may have adverse effects on the conservation and sustainable use of biological diversity?	❒ Yes ❒ No
98. Has your country cooperated with other Parties with a view to taking measures regarding the treatment of LMOs or specific traits that may have adverse effects on the conservation and sustainable use of biological diversity?	❒ Yes ❒ No
99. Here you may provide further details on the implementation of Article 16 in your country, including any details regarding risk management strategies, also in case of lack of scientific certainty on potential adverse effects of LMOs: [Type your text here]	
Article 17 – Unintentional transboundary movements and emergency measures	
100. Has your country made available to the BCH the relevant details setting out its point of contact for the purposes of receiving notifications under Article 17?	❒ Yes ❒ No
101. Has your country established a mechanism for addressing emergency measures in case of unintentional transboundary movements of LMOs that are likely to have significant adverse effect on biological diversity?	❒ Yes ❒ No
102. Has your country implemented emergency measures in response to information about releases that led, or may have led, to unintentional transboundary movements of LMOs?	❒ Yes ❒ No
103. In the current reporting period, how many times has your country received information concerning occurrences that led, or may have led, to unintentional transboundary movement(s) of one or more LMOs to or from territories under its jurisdiction?	❒ Never ❒ Less than 5 ❒ Less than 10 ❒ More than 10

If you replied Never to question 103 please go to question 107

104. Has your country notified affected or potentially affected States, the BCH and, where appropriate, relevant international organizations, of the above release?

- ❒ Yes, for every occurrence
- ❒ Yes, for some occurrences
- ❒ No

105. If you answered *Yes* to question 104, who did your country notify?

- ❒ The affected or potentially affected State
- ❒ The BCH
- ❒ Relevant international organizations
- ❒ Not applicable

106. Has your country immediately consulted the affected or potentially affected States to enable them to determine appropriate responses and initiate necessary action, including emergency measures?

- ❒ Yes, always
- ❒ Yes, in some cases
- ❒ No, consultation was made but not immediately
- ❒ No, consultation was never made

107. Here you may provide further details on the implementation of Article 17 in your country: [Type your text here]

Article 18 – Handling, transport, packaging and identification

108. Has your country taken measures to require that LMOs that are subject to transboundary movement are handled, packaged and transported under conditions of safety, taking into account relevant international rules and standards?

- ❒ Yes
- ❒ Yes, to some extent
- ❒ No

109. Has your country taken measures to require that documentation accompanying LMOs-FFP clearly identifies that, in cases where the identity of the LMOs is *not known* through means such as identity preservation systems, they *may contain* living modified organisms and are not intended for intentional introduction into the environment, as well as a contact point for further information?	❒ Yes ❒ Yes, to some extent ❒ No
110. Has your country taken measures to require that documentation accompanying LMOs-FFP clearly identifies that, in cases where the identity of the LMOs *is known* through means such as identity preservation systems, they *contain* living modified organisms and are not intended for intentional introduction into the environment, as well as a contact point for further information?	❒ Yes ❒ Yes, to some extent ❒ No
111. Has your country taken measures to require that documentation accompanying LMOs 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 LMO are consigned?	❒ Yes ❒ Yes, to some extent ❒ No
112. Has your country taken measures to require that documentation accompanying LMOs that are *intended for intentional introduction into the environment* of the Party of import, 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?	❒ Yes ❒ Yes, to some extent ❒ No
113. Does your country have the capacity to enforce the requirements of identification and documentation of LMOs?	❒ Yes ❒ Yes, to some extent ❒ No
114. Has your country established procedures for the sampling and detection of LMOs?	❒ Yes ❒ Yes, to some extent ❒ No
115. Here you may provide further details on the implementation of Article 18 in your country: [Type your text here]	

Article 19 – Competent National Authorities and National Focal Points	
116. Has your country designated one *national focal point for the Cartagena Protocol* to be responsible for liaison with the Secretariat?	❒ Yes ❒ No
117. Has your country designated one *national focal point for the Biosafety Clearing-House* to liaise with the Secretariat regarding issues of relevance to the development and implementation of the BCH?	❒ Yes ❒ No
118. Has your country designated one or more *competent national authorities*, which are responsible for performing the administrative functions required by the Cartagena Protocol on Biosafety and are authorized to act on your country's behalf with respect to those functions?	❒ Yes, one ❒ Yes, more than one ❒ No
119. In case your country designated more than one *competent national authority*, has your country conveyed to the Secretariat the respective responsibilities of those authorities?	❒ Yes ❒ No ❒ Not applicable
120. Has your country made available the required information referred in questions 116-119 to the BCH?	❒ Yes, all information ❒ Yes, some information ❒ No
121. In case your country has designated more than one *competent national authority*, has your country established a mechanism for the coordination of their actions prior to taking decisions regarding LMOs?	❒ Yes ❒ No ❒ Not applicable
122. Has your country established adequate institutional capacity to enable the *competent national authority(ies)* to perform the administrative functions required by the Cartagena Protocol on Biosafety?	❒ Yes ❒ Yes, to some extent ❒ No
123. Here you may provide further details on the implementation of Article 19 in your country: [Type your text here]	

Article 20 – Information Sharing and the Biosafety Clearing-House (BCH)		
124. Please provide an overview of the status of the information provided by your country to the BCH by specifying for each category of information whether it is available and whether it has been submitted to the BCH.		
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, paragraph 3 (a))	❒ Information available and in the BCH ❒ Information available but not in the BCH ❒ Information available but only partially available in the BCH ❒ Information not available
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, paragraph 5)	❒ Information available and in the BCH ❒ Information available but not in the BCH ❒ Information available but only partially available in the BCH ❒ Information not available
c.	Bilateral, multilateral and regional agreements and arrangements (Articles 14, paragraph 2 and 20, paragraph 3 (b))	❒ Information available and in the BCH ❒ Information available but not in the BCH ❒ Information available but only partially available in the BCH ❒ Information not available

d.	Contact details for competent national authorities (Article 19, paragraphs 2 and 3), national focal points (Article 19, paragraphs 1 and 3), and emergency contacts (Article 17, paragraph 3 (e))	❒ Information available and in the BCH ❒ Information available but not in the BCH ❒ Information available but only partially available in the BCH ❒ Information not available
e.	Reports submitted by the Parties on the operation of the Protocol (Article 20, paragraph 3 (e))	❒ Information available and in the BCH ❒ Information available but not in the BCH ❒ Information available but only partially available in the BCH ❒ Information not available
f.	Decisions by a Party on regulating the transit of specific living modified organisms (LMOs) (Article 6, paragraph 1)	❒ Information available and in the BCH ❒ Information available but not in the BCH ❒ Information available but only partially available in the BCH ❒ Information not available

g.	Occurrence of unintentional transboundary movements that are likely to have significant adverse effects on biological diversity (Article 17, paragraph 1)	❒ Information available and in the BCH ❒ Information available but not in the BCH ❒ Information available but only partially available in the BCH ❒ Information not available
h.	Illegal transboundary movements of LMOs (Article 25, paragraph 3)	❒ Information available and in the BCH ❒ Information available but not in the BCH ❒ Information available but only partially available in the BCH ❒ Information not available
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, paragraph 3 and 20, paragraph 3(d))	❒ Information available and in the BCH ❒ Information available but not in the BCH ❒ Information available but only partially available in the BCH ❒ Information not available

j.	Information on the application of domestic regulations to specific imports of LMOs (Article 14, paragraph 4)	❒ Information available and in the BCH ❒ Information available but not in the BCH ❒ Information available but only partially available in the BCH ❒ Information not available
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, paragraph 1)	❒ Information available and in the BCH ❒ Information available but not in the BCH ❒ Information available but only partially available in the BCH ❒ Information not available
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, paragraph 4) or in accordance with Annex III (Article 11, paragraph 6) (requirement of Article 20, paragraph 3(d))	❒ Information available and in the BCH ❒ Information available but not in the BCH ❒ Information available but only partially available in the BCH ❒ Information not available

m.	Declarations regarding the framework to be used for LMOs intended for direct use as food or feed, or for processing (Article 11, paragraph 6)	❒ Information available and in the BCH ❒ Information available but not in the BCH ❒ Information available but only partially available in the BCH ❒ Information not available
n.	Review and change of decisions regarding intentional transboundary movements of LMOs (Article 12, paragraph 1)	❒ Information available and in the BCH ❒ Information available but not in the BCH ❒ Information available but only partially available in the BCH ❒ Information not available
o.	LMOs granted exemption status by each Party (Article 13, paragraph 1)	❒ Information available and in the BCH ❒ Information available but not in the BCH ❒ Information available but only partially available in the BCH ❒ Information not available

p. Cases where intentional transboundary movement may take place at the same time as the movement is notified to the Party of import (Article 13, paragraph 1)	❒ Information available and in the BCH ❒ Information available but not in the BCH ❒ Information available but only partially available in the BCH ❒ Information not available
q. Summaries of risk assessments or environmental reviews of LMOs generated by regulatory processes and relevant information regarding products thereof (Article 20, paragraph 3 (c))	❒ Information available and in the BCH ❒ Information available but not in the BCH ❒ Information available but only partially available in the BCH ❒ Information not available
125. Has your country established a mechanism for strengthening the capacity of the BCH National Focal Point to perform its administrative functions?	❒ Yes ❒ No
126. Has your country established a mechanism for the coordination among the BCH National Focal Point, the Cartagena Protocol focal point, and the competent national authority(ies) for making information available to the BCH?	❒ Yes ❒ No
127. Does your country use the information available in the BCH in its decision making processes on LMOs?	❒ Yes, always ❒ Yes, in some cases ❒ No
128. Has your country experienced difficulties accessing or using the BCH?	❒ Yes ❒ No

129. If you answered *Yes* to question 128, has your country reported these problems to the BCH or the Secretariat?	❒ Yes ❒ No ❒ Not applicable
130. Is the information submitted by your country to the BCH complete and up-to date?	❒ Yes ❒ No
131. Here you may provide further details on the implementation of Article 20 in your country: [Type your text here]	
Article 21 – Confidential information	
132. Has your country established procedures to protect confidential information received under the Protocol?	❒ Yes ❒ No
133. Does your country allow the notifier to identify information that is to be treated as confidential?	❒ Yes, always ❒ In some cases only ❒ No
134. Here you may provide further details on the implementation of Article 21 in your country: [Type your text here]	
Article 22 – Capacity-building	
135. Has your country received external support or benefited from collaborative activities with other Parties in the development and/or strengthening of human resources and institutional capacities in biosafety?	❒ Yes ❒ No
136. If you answered *Yes* to question 135, how were these resources made available?	❒ Bilateral channels ❒ Regional channels ❒ Multilateral channels ❒ Not applicable
137. Has your country provided support to other Parties in the development and/or strengthening of human resources and institutional capacities in biosafety?	❒ Yes ❒ No

138. If you answered *Yes* to question 137, how were these resources made available?	❒ Bilateral channels ❒ Regional channels ❒ Multilateral channels ❒ Not applicable
139. Is your country eligible to receive funding from the Global Environment Facility (GEF)?	❒ Yes ❒ No
If you replied <u>No</u> to question 139 please go to question 143	
140. Has your country ever initiated a process to access GEF funds for building capacity in biosafety?	❒ Yes ❒ No
141. If you answered *Yes* to question 140, how would you characterize the process? *Please add further details about your experience in accessing GEF funds under question 150.*	❒ Very easy ❒ Easy ❒ Average ❒ Difficult ❒ Very difficult
142. Has your country ever received funding from the Global Environment Facility (GEF) for building capacity in biosafety?	❒ Pilot Biosafety Enabling Activity ❒ Development of National Biosafety Frameworks ❒ Implementation of National Biosafety Frameworks ❒ Building Capacity for Effective Participation in the BCH (Phase I) ❒ Building Capacity for Effective Participation in the BCH (Phase II) ❒ None of the above

143. During the current reporting period, has your country undertaken activities for the development and/or strengthening of human resources and institutional capacities in biosafety?	❒ Yes ❒ No
144. If you answered *Yes* to question 143, in which of the following areas were these activities undertaken?	❒ Institutional capacity ❒ Human resources capacity development and training ❒ Risk assessment and other scientific and technical expertise ❒ Risk management ❒ Public awareness, participation and education in biosafety ❒ Information exchange and data management including participation in the Biosafety Clearing-House ❒ Scientific, technical and institutional collaboration at subregional, regional and international levels ❒ Technology transfer ❒ Identification of LMOs, including their detection ❒ Socio-economic considerations ❒ Implementation of the documentation requirements under Article 18.2 of the Protocol ❒ Handling of confidential information ❒ Measures to address unintentional and/or illegal transboundary movements of LMOs ❒ Scientific biosafety research relating to LMOs ❒ Taking into account risks to human health ❒ Other: <Text entry> ❒ Not applicable
145. During the current reporting period, has your country carried out a capacity-building needs assessment?	❒ Yes ❒ No

146. Does your country still have capacity-building needs?	❒ Yes ❒ Yes, a few ❒ No
147. If you answered *Yes* to question 146, indicate which of the following areas still need capacity-building.	❒ Institutional capacity ❒ Human resources capacity development and training ❒ Risk assessment and other scientific and technical expertise ❒ Risk management ❒ Public awareness, participation and education in biosafety ❒ Information exchange and data management including participation in the Biosafety Clearing-House ❒ Scientific, technical and institutional collaboration at subregional, regional and international levels ❒ Technology transfer ❒ Identification of LMOs, including their detection ❒ Socio-economic considerations ❒ Implementation of the documentation requirements under Article 18.2 of the Protocol ❒ Handling of confidential information ❒ Measures to address unintentional and/or illegal transboundary movements of LMOs ❒ Scientific biosafety research relating to LMOs ❒ Taking into account risks to human health ❒ Other: <Text entry> ❒ Not applicable
148. Has your country developed a capacity-building strategy or action plan?	❒ Yes ❒ No

149. Has your country submitted the details of national biosafety experts to the Roster of Experts in the BCH?	❒ Yes ❒ No

150. Here you may provide further details on the implementation of Article 22 in your country, including further details about your experience in accessing GEF funds:

[Type your text here]

Article 23 – Public awareness and participation

151. Has your country established a strategy or put in place legislation for promoting and facilitating public awareness, education and participation concerning the safe transfer, handling and use of LMOs?	❒ Yes ❒ Yes, to some extent ❒ No
152. Has your country established a biosafety website?	❒ Yes ❒ No
153. Has your country established a mechanism to ensure public access to information on living modified organisms that may be imported?	❒ Yes ❒ Yes, to a limited extent ❒ No
154. Has your country established a mechanism to consult the public in the decision-making process regarding LMOs?	❒ Yes ❒ Yes, to a limited extent ❒ No
155. Has your country established a mechanism to make available to the public the results of decisions taken on LMOs?	❒ Yes ❒ Yes, to a limited extent ❒ No
156. Has your country taken any initiative to inform its public about the means of public access to the Biosafety Clearing-House?	❒ Yes ❒ No
157. In the current reporting period, has your country promoted and facilitated public awareness, education and participation concerning the safe transfer, handling and use of LMOs?	❒ Yes ❒ Yes, to a limited extent ❒ No
158. If you answered *Yes* to question 157, has your country cooperated with other States and international bodies?	❒ Yes ❒ No ❒ Not applicable

159. In the current reporting period, how many times has your country consulted the public in the decision-making process regarding LMOs and made the results of such decisions available to the public?	❒ Never ❒ Less than 5 ❒ More than 5
160. Here you may provide further details on the implementation of Article 23 in your country: [Type your text here]	

Article 24 – Non-Parties

161. Has your country entered into any bilateral, regional, or multilateral agreement with non-Parties regarding transboundary movements of LMOs?	❒ Yes ❒ No
162. Has your country ever imported LMOs from a non-Party?	❒ Yes ❒ No
163. Has your country ever exported LMOs to a non-Party?	❒ Yes ❒ No
164. If you answered *Yes* to questions 162 or 163, were the transboundary movements of LMOs consistent with the objective of the Cartagena Protocol on Biosafety?	❒ Yes, always ❒ In some cases only ❒ No ❒ Not applicable
165. If you answered *Yes* to questions 162 or 163, was information about these transboundary movements submitted to the BCH?	❒ Yes, always ❒ In some cases only ❒ No ❒ Not applicable
166. If your country is not a Party to the Cartagena Protocol, has it contributed information to the BCH on LMOs released in, or moved into, or out of, areas within its national jurisdiction?	❒ Yes, always ❒ In some cases only ❒ No ❒ Not applicable
167. Here you may provide further details on the implementation of Article 24 in your country: [Type your text here]	

Article 25 – Illegal transboundary movements

168. Has your country adopted domestic measures aimed at preventing and/or penalizing transboundary movements of LMOs carried out in contravention of its domestic measures to implement this Protocol?	❒ Yes ❒ No
169. Has your country established a strategy for detecting illegal transboundary movements of LMOs?	❒ Yes ❒ No
170. In the current reporting period, how many times has your country received information concerning cases of illegal transboundary movements of an LMO to or from territories under its jurisdiction?	Never Less than 5 Less than 10 More than 10
If you replied Never to question 170 please go to question 175	
171. Has your country informed the BCH and the other Party(ies) involved?	❒ Yes ❒ Only in some cases ❒ Only the other Party(ies) involved ❒ Only the BCH ❒ No ❒ Not applicable
172. Has your country established the origin of the LMO(s)?	❒ Yes ❒ Yes, some cases ❒ No
173. Has your country established the nature of the LMO(s)?	❒ Yes ❒ Yes, some cases ❒ No
174. Has your country established the circumstances of the illegal transboundary movement(s)?	❒ Yes ❒ Yes, some cases ❒ No

175. Here you may provide further details on the implementation of Article 25 in your country: [Type your text here]

Article 26 – Socio-economic considerations

176. If your country has taken a decision on import, has it ever taken into account socio-economic considerations arising from the impact of the LMO on the conservation and sustainable use of biological diversity?
- ❒ Yes
- ❒ Only in some cases
- ❒ No
- ❒ Not applicable

177. Has your country cooperated with other Parties on research and information exchange on any socio-economic impacts of LMOs?
- ❒ Yes
- ❒ Yes, to a limited extent
- ❒ No

178. Here you may provide further details on the implementation of Article 26 in your country: [Type your text here]

Article 27 – Liability and Redress

179. Has your country signed the Nagoya-Kuala Lumpur Supplementary Protocol on Liability and Redress?
- ❒ Yes
- ❒ No

180. Has your country initiated steps towards ratification, acceptance or approval of the Nagoya-Kuala Lumpur Supplementary Protocol?
- ❒ Yes
- ❒ No

181. Here you may provide further details on any activities undertaken in your country towards the implementation of the Nagoya-Kuala Lumpur Supplementary Protocol on Liability and Redress:

[Type your text here]

Article 33 – Monitoring and reporting

182. Has your country submitted the previous national reports (Interim and First National Reports)?
- ❒ Yes
- ❒ Yes, Interim report only
- ❒ Yes, First report only
- ❒ No
- ❒ Not applicable

183. If your country did not submit previous reports, indicate the main challenges that hindered the submission	❒ Lack of financial resources to gather the necessary information ❒ Lack of relevant information at the national level ❒ Difficulty in compiling the information from various sectors ❒ No obligation to submit (e.g. country was not a Party at the time) ❒ Other, please specify [Type your text here] ❒ Not applicable

Other information

184. Please use this field to provide any other information on issues related to national implementation of the Protocol, including any obstacles or impediments encountered.

[Type your text here]

Comments on reporting format

185. Please use this field to provide any other information on difficulties that you have encountered in filling in this report.

[Type your text here]

BS-V/15.
ASSESSMENT AND REVIEW (ARTICLE 35)

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

Recalling Article 35 of the Protocol which requires the evaluation of the effectiveness of the Protocol, including an assessment of its procedures and annexes, to be undertaken at least every five years,

Recognizing that the first assessment and review, which was to be conducted in 2008, could not lead to a meaningful evaluation of the effectiveness of the Protocol due to the absence of a methodological approach and lack of sufficient experience in the implementation of the Protocol,

Recalling decision BS-IV/15 which requested the Executive Secretary to develop a methodological approach, draft criteria or indicators that could contribute to an effective second assessment and review of the Protocol,

1. *Decides:*

(a) That the scope of the second assessment and review of the effectiveness of the Protocol focus primarily on evaluating the status of implementation of core elements of the Protocol as identified in the annex below;

(b) That the evaluation should be based on information on the implementation of the Protocol gathered through the second national reports, the Biosafety Clearing-House, information that might be made available through the Compliance Committee in relation to its functions to review general issues of compliance, the capacity-building coordination mechanism and other relevant processes and organizations;

2. *Requests* the Executive Secretary to collect and compile information on the implementation of the Protocol and to commission the analysis of such compilation of information with a view to facilitating the second assessment and review of the effectiveness of the Protocol;

3. *Decides also*:

(a) To establish a regionally balanced ad hoc technical expert group, subject to the availability of funds, to: (i) review the analysis of information referred to in paragraph

2 above; and (ii) submit its recommendations to the sixth meeting of the Conference of the Parties serving as the meeting of the Parties for its consideration; and

(b) That the third assessment and review of the Protocol be conducted in conjunction with the midterm review of the implementation of the Strategic Plan at the eighth meeting of the Parties, using, among other things, information collected through the third national reports;

4. *Urges* Parties and *invites* other Governments and relevant international organizations to contribute, as appropriate, to the data collection processes by completing and submitting, in a timely manner, national reports, or by responding to a questionnaire and providing complete information on the implementation of the Protocol.

Annex

ELEMENTS AND CORRESPONDING INDICATORS FOR SECOND ASSESSMENT AND REVIEW

A. Coverage

Element 1. Geographic coverage of the Protocol and Protocol's coverage of transboundary movements of LMOs:

(a) Number of Parties to the Protocol;

(b) Number of Parties that have designated national focal points;

(c) Number of Parties submitting timely national reports on their implementation of the Protocol;

(d) Number of Parties importing LMOs from non-Parties;

(e) Number of Parties exporting LMOs to non-Parties.

B. Domestic implementation of core procedures and annexes

Element 2. AIA procedures (or domestic regulatory frameworks consistent with the Protocol), in accordance with the Protocol, are established for the transboundary movement of LMOs for intentional introduction into the environment:

(a) Number of Parties that have put in place laws and regulations and/or administrative measures for operation of the AIA procedure;

(b) Number of Parties that have adopted a domestic regulatory framework consistent with the Protocol as regards the transboundary movement of LMOs for intentional introduction into the environment;

(c) Number of Parties that have designated competent national authorities;

(d) Number of Parties importing or exporting LMOs that do not have relevant laws and regulations in place governing transboundary movements of LMOs for intentional introduction into the environment;

(e) Regional trends in adopting AIA procedures or domestic regulatory frameworks consistent with the Protocol.

Element 3. AIA procedures (or domestic regulatory framework consistent with the Protocol) for the transboundary movement of LMOs for intentional introduction into the environment are operational and functioning:

(a) Number of Parties with domestic institutional and administrative (decision-making) arrangements in place to deal with AIA applications;

(b) Number of Parties with a budgetary allocation for the operation of their national biosafety framework;

(c) Number of Parties with permanent staff in place to administer their national biosafety frameworks (including AIA applications);

(d) Number of Parties that have processed AIA applications and reached decisions on import;

(e) Regional trends in operation and functioning of AIA procedures.

Element 4. Procedures for decision-making in relation to transboundary movements of living modified organisms intended for direct use as food or feed, or for processing (LMO-FFPs) are established and operational:

(a) Number of Parties that have taken final decisions regarding domestic use, including placing on the market, of LMO-FFPs that may be subject to transboundary movement;

(b) Number of Parties with a decision-making procedure specific to the import of LMOFFPs.

Element 5. Risk assessment procedures for LMOs are established and operational:

(a) Number of Parties with risk assessment guidance in place for LMOs;

(b) Number of Parties that have conducted risk assessments as part of a decision-making process regarding an LMO;

(c) Number of Parties with an advisory committee or other arrangements in place for conducting or reviewing risk assessment;

(d) Number of decisions in the Biosafety Clearing-House accompanied by a summary of the risk assessment of the LMO;

(e) Number of Parties with the necessary domestic capacity to conduct risk assessment;

(f) Number of Parties reporting having used Annex III of the Protocol or any other guidance on risk assessment agreed to by the Conference of the Parties serving as the meeting of the Parties to the Protocol;

(g) Regional trends in relation to risk assessment capacity.

Element 6. Procedures for the establishment of appropriate LMO risk management measures and monitoring are established and operational:

(a) Number of Parties that have authorized introductions of LMOs into the environment and that have requirements and/or procedures in place and enforced to regulate, manage and control risks identified in risk assessments;

(b) Number of Parties with capacity to detect and identify the presence of LMOs;

(c) Regional trends in relation to riskmanagement capacity.

Element 7. Procedures for identifying and addressing illegal transboundary movements of LMOs are in place and operational:

(a) Number of Parties with domestic measures to prevent and penalize illegal transboundary movements, including through the regulation of transit and contained use;

(b) Number of Parties reporting having received information concerning cases of illegal transboundary movements of an LMO to or from territories under its jurisdiction;

(c) Number of Parties with capacity to detect illegal transboundary movements of LMOs (e.g. personnel, technical capacity).

Element 8. Procedures for preventing, identifying and addressing unintentional transboundary movements of LMOs are established and operational, including notification procedures and emergency measures:

(a) Number of Parties having notified to the Biosafety Clearing-House their contact points regarding unintentional transboundary movement of LMOs in accordance with Article 17;

(b) Number of Parties with a mechanism in place for notifying potentially affected States of actual or potential unintentional transboundary movements of LMOs;

(c) Number of instances of unintentional transboundary movements identified;

(d) Number of Parties with a mechanism to identify and determine significant adverse effects on biological diversity of any unintentional transboundary movements of LMOs;

Element 9. Appropriate requirements are established and implemented in relation to the Protocol's requirements on the handling, transport, packaging and identification of LMOs:

(a) Number of Parties with requirements for handling, transport, packaging and identification of LMOs in place consistent with Article 18 of the Protocol and relevant subsequent decisions of the Conference of the Parties serving as the meeting of the Parties to the Protocol for:

(i) Contained use;
(ii) Intentional introduction into the environment;
(iii) LMO-FFPs.

Element 10. Procedures for notification of required information to the Biosafety Clearing-House are established and operational:

(a) Number of Parties that have allocated responsibilities for notification of information to the Biosafety ClearingHouse;

(b) Number of Parties that have in place systems for the management of biosafety information necessary for the implementation of the Protocol.

Element 11. Procedures and measures for promoting public awareness are being implemented:

(a) Number of Parties implementing public-awareness programmes or activities;

(b) Number of Parties providing for some level of public participation in decision-making processes on LMOs.

C. International level procedures and mechanisms

Element 12. Capacity-building Action Plan being effectively implemented:

(a) Amount of funding provided or received for supporting biosafety capacity-building activities and the impacts resulting from such funding.

(b) Number of Parties seeking assistance to be able to use experts from the roster of experts and number of Parties actually receiving such assistance;

(c) Number of Parties reporting using local expertise to undertake or review risk assessments and other activities relating to the implementation of the Protocol.

Element 13. Compliance Committee is functioning:

(a) Parties raise issues with the Compliance Committee concerning their own compliance with Protocol obligations;

(b) Compliance Committee has decision-making rules of procedure in place.

Element 14. The Biosafety Clearing-House is operational and accessible:

(a) Number of Parties and other users accessing the Biosafety Clearing-House on a regular basis, i.e. at least once a month;

(b) Number of Parties reporting difficulties accessing or using the Biosafety Clearing-House;

(c) Extent to which information on the Biosafety Clearing-House is reliable and up to date.

D. Impacts of transboundary movements of LMOs on biological diversity, taking also into account risks to human health

Element 15. Consideration should be given to the work on biodiversity indicators in the context of the Convention on Biological Diversity.

BS-V/16.
STRATEGIC PLAN FOR THE CARTAGENA PROTOCOL ON BIOSAFETY FOR THE PERIOD 2011-2020

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

Recalling decision BS-IV/15 that invited Parties to make submissions on a strategic plan for the Protocol and requested the Executive Secretary to present a strategic plan for consideration at the present meeting,

Taking note of the submissions of Parties and other Governments; and the consultative processes conducted, under the guidance of the Bureau, with a view to contribute to the development of a strategic plan;

1. *Adopts* the Strategic Plan of the Cartagena Protocol on Biosafety for the period 20112020 (annex I to the present decision) and its multi-year programme of work of the Conference of the Parties serving as the meeting of the Parties to the Protocol (annex II to the present decision);

2. *Urges* Parties and *invites* other Governments and relevant international organizations, as appropriate, to:

(a) Review and align, as appropriate, their national action plans and programmes relevant to the implementation of the Protocol, including their National Biodiversity Strategies and Action Plans, with the Strategic Plan; and

(b) Allocate adequate human and financial resources necessary to expedite the implementation of the Strategic Plan;

3. *Urges* Parties to submit their national reports on the implementation of the Cartagena Protocol on Biosafety in a comprehensive and timely manner using the second national reporting format in order for the second assessment and review on the effectiveness of the Protocol to, among other things, establish a baseline for evaluating progress in the implementation of the Protocol and the Strategic Plan;

4. *Decides* to conduct a mid-term evaluation of the Strategic Plan:

(a) Five years after its adoption in conjunction with the third assessment and review scheduled to be conducted at the eighth meeting of the Conference of the Parties

serving as the meeting of the Parties to the Protocol;

(b) Using appropriate evaluation criteria that need to be proposed by the Executive Secretary at the seventh meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol.

Annex I

STRATEGIC PLAN FOR THE CARTAGENA PROTOCOL ON BIOSAFETY FOR THE PERIOD 2011-2020

I. THE CONTEXT

1. The Cartagena Protocol on Biosafety was adopted in January 2000 and entered into force on 11 September 2003. The first meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol (COP-MOP) adopted, on the basis of recommendations from the Intergovernmental Committee on the Cartagena Protocol on Biosafety, a medium-term programme of work for the period covering the second to the fifth meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol.

2. Over the past six years since the first meeting of the Parties, significant achievements have been made towards the implementation of the Protocol. The number of Parties has increased by more than 100 since the entry into force of the Protocol. Many decisions have been adopted to facilitate the implementation of the Protocol and the Biosafety ClearingHouse became fully operational. More than 100 countries received, through the implementing agencies of the Global Environment Facility, capacity-building assistance in support of their efforts to develop and implement their national biosafety legal and administrative frameworks. The number of bilateral, sub-regional and regional cooperative arrangements to support biosafety capacitybuilding activities has also increased in the past years.

3. The medium-term programme of work of the Conference of the Parties serving as the meeting of the Parties to the Protocol has been instrumental in guiding the implementation of the Protocol. The medium term programme of work is due to end at the present meeting of the Parties to the Protocol.

4. A process was established to undertake an assessment and review of the effectiveness of the Protocol in accordance with Article 35 of the Protocol. The initiation of

the assessment and review process on the one hand, and the completion of the medium-term programme of work on the other, presented an opportunity for Parties to consider developing a longterm vision for the Protocol in the form of a strategic plan and a corresponding multi-year programme of work. This also coincides with the ongoing process to revise and update the Strategic Plan of the Convention in light of the resolve for action beyond the 2010 biodiversity target.

5. Significant challenges remain as regards the implementation of the Protocol. The Conference of the Parties serving as the meeting of the Parties to the Protocol still needs to provide additional guidance and clarify procedures and processes in a number of areas, such as the application of the advance informed agreement procedure, compliance (Article 34), liability and redress (Article 27), risk assessment and risk management (Articles 15 and 16), handling, transport, packaging and identification (Article 18) and capacity-building (Article 22). One of the major prerequisites of successful implementation of planned activities is the provision of sufficient financial resources including alternative mechanisms for funding and technical support especially for developing countries and countries with economies in transition.

6. This Strategic Plan and the multi-year programme of work accompanying it (annex II) have been prepared on the basis of the submissions from Parties, the analysis of the first national reports, the successive decisions taken by the Conference of the Parties serving as the meeting of the Parties to the Protocol at its last four meetings, and through general discussions and comments received from Parties, other Governments and stakeholders. The Strategic Plan also takes into account the experience gained through the development, implementation and revision of the Strategic Plan of the Convention.

II. THE STRATEGIC PLAN: ITS INTERPRETATION AND MONITORING

7. The Strategic Plan consists of a vision, a mission and five strategic objectives. For each strategic objective there are a number of expected impacts, operational objectives, outcomes and indicators. The strategic objectives have been derived and prioritized according to their contribution to the full implementation of the Protocol, taking into consideration the limited implementation as established by the Assessment and Review process. The focal areas underlying the five strategic objectives are, in their order of priority, as follows: 1. Facilitating the establishment and further development of effective biosafety systems for the implementation of the Protocol; 2. Capacity-building; 3. Compliance and review; 4. Information sharing; 5. Outreach and cooperation.

8. The vision and mission are the overarching statements of the desired future state and the purpose that the Strategic Plan strives to achieve in the long run while the five strategic objectives spell out what will need to be met in order for the vision and the mission to be achieved within the ten-year duration of the Plan. In addition, the Strategic Plan has been presented in the form of a logical framework for ease of reference:

(a) Each strategic objective has a number of expected impacts that will occur if the strategic objective is achieved;

(b) The operational objectives comprise actions that will need to be undertaken in order to realise the impacts;

(c) The outcomes are the consequences that would be seen if the operational objectives are achieved, an aggregation of the outcomes will result in the impacts of the strategic goals; and

(d) The indicators serve as a monitoring and evaluation tool of the Strategic Plan for measuring achievements.

9. The stakeholders of the Strategic Plan will vary depending on the issues, the actions or activities described in the Plan. Some of the actions will be undertaken by either the Parties or other Governments or the Secretariat or other organizations or individuals or a combination of all.

10. The elements of the Strategic Plan should also be interpreted in light of the text of the Cartagena Protocol on Biosafety. Any interpretation and understanding of the Strategic Plan should be considered only in the context and scope of the Cartagena Protocol on Biosafety.

11. This Strategic Plan will be implemented through a ten-year programme of work for the Protocol, supported by biennial work plans. The multi-year programme of work will, if necessary, be adjusted from time to time on the basis of: (i) experience gained in the implementation of the requirements of the Protocol; and (ii) the result of the periodic assessment and review of the effectiveness of the Protocol as provided for in Article 35 of the Protocol. A mid-term evaluation will be undertaken five years after the adoption of the Strategic Plan. This evaluation process will use the indicators in the Strategic Plan to assess the extent to which the strategic objectives are being achieved. Information will be drawn mainly from the national reports and from other sources that are relevant and available to generate the data necessary for the analysis. The evaluation will capture the effectiveness of the Strategic Plan and allow Parties to adapt to

emerging trends in the implementation of the Protocol. Sufficient resources will need to be allocated to this process.

III. ASSUMPTIONS

12. A number of assumptions have been made in the development of the Strategic Plan. First, it is assumed that the Conference of the Parties serving as the meeting of the Parties to the Protocol will adopt a number of decisions including on: common approaches to risk assessment and risk management; identification and documentation; a supplementary protocol on liability and redress; and socio-economic considerations and decision-making. It is also assumed that:

(a) Parties and subregional organizations are incorporating rules and procedures from the decisions of the Conference of the Parties serving as the meeting of the Parties to the Protocol into their national or regional frameworks;

(b) The "Action Plan for Building Capacities for the Effective Implementation of the Protocol" will be regularly updated, agreed upon and implemented;

(c) Parties will submit, in a timely manner, national reports and the required information, such as existing laws and regulations, and decisions on living modified organisms, to the Biosafety Clearing-House;

(d) Adequate and predictable resources will be made available at the national and international level. It is also noted that biennial detailed budgets presented at each meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol during the duration of the Strategic Plan are essential for the effective implementation of the Strategic Plan.

13. A further assumption is that a baseline of the status of implementation of the Protocol and global indicators will be established after the second assessment and review process of the Protocol at the sixth meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol to establish a global picture. The indicators have been drafted in such a way that they would facilitate measurement of progress against this baseline.

IV. HUMAN RESOURCE NEEDS TO SUPPORT THE IMPLEMENTATION OF THE STRATEGIC PLAN

14. The implementation of the Strategic Plan calls for adequate financial resources to support relevant activities at the national level as well as activities that are expected to be conducted by the Secretariat.

15. It is recognized that Parties are facing challenges accessing funds available under the existing financial mechanism. It is, therefore, necessary to take measures that improve accessibility of available funds. In this regard, the Global Environment Facility is invited to make funds available to eligible Parties in a facilitated manner and to monitor expeditious accessibility of those funds. Parties are also invited to provide, in their national reports in the section of the reporting format that refers to capacity building, information on their experience in accessing existing funds from the Global Environment Facility.

ELEMENTS OF STRATEGIC PLAN FOR THE CARTAGENA PROTOCOL ON BIOSAFETY

VISION

Biological diversity is adequately protected from any adverse effects of living modified organisms

MISSION

To strengthen global, regional & 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

Strategic Objective	*Expected Impacts*	*Operational Objectives*	*Outcomes*	*Indicators*
Focal area 1: **Facilitating the establishment and further development of effective biosafety systems for the implementation of the Protocol** To put in place further tools and guidance necessary to make the Protocol fully operational	Full implementation of the Cartagena Protocol on Biosafety by Parties Enhanced performance by Parties towards the attainment of the overarching objectives of conservation and sustainable use of biological diversity	1.1 National Biosafety Frameworks To enable all Parties to have operational national biosafety frameworks in place for the implementation of the Protocol	• Decisions regarding the safety of a living modified organism are based on established regulatory and administrative rules consistent with the Protocol • Biosafety issues and the implementation of the Biosafety Protocol are integrated into the relevant sectors	• Number of Parties, in particular centers of origin, that have in place national biosafety legislation and implementing guidelines not more than 6 years after accession to/ratification of the Protocol • Percentage of the Parties that have in place administrative rules and procedures for handling notifications and requests for approval of imports of LMOs intended for direct use as food or feed, or for processing; contained use and for introduction into the environment • Percentage of Parties that have designated national focal points and competent national authorities • Percentage of Parties that have received notifications in accordance with Article 8 of the Protocol or appropriate domestic legislation. • Percentage of Parties that have taken import decisions in accordance with Article 10 of the Protocol or appropriate domestic legislation.

Strategic Objective	*Expected Impacts*	*Operational Objectives*	*Outcomes*	*Indicators*
		1.2 Coordination and support To put in place effective mechanisms for developing biosafety systems with the necessary coordination, financing and monitoring support	• Improved understanding of the capacity-building needs of developing country Parties and Parties with economies in transition • A cohesive approach and effective mechanisms established for biosafety capacity-building • Parties have adequate and predictable financial and technical resources to enable them to implement their obligations under the Protocol in an integrated and sustainable manner • National biosafety capacity-building strategies and action plans by each Party in place and implemented • Existing resources and opportunities leveraged and more effectively used • Improved coordination and collaboration between Parties and entities implementing or funding biosafety capacity-building efforts • Improved coordination and collaboration between LMO importing and exporting Parties	• Number of Parties that have assessed their capacity-building needs, including training and institutional needs, and submitted the information to the BCH not more than 3 years after accession to/ratification of the Protocol • Percentage of the Parties that have developed national biosafety capacity-building action plans for implementing the Protocol • Percentage of the Parties that have in place training programmes for personnel dealing with biosafety issues and for long-term training of biosafety professionals • Percentage of Parties that have in place national coordination mechanisms for biosafety capacity-building initiatives • Amount of new and additional financial resources mobilized for the implementation of the Protocol • Number of Parties that have predictable and reliable funding for strengthening their capacity in implementing the Protocol • Number of Parties reporting that their capacity-building needs have been met • Number of cooperative arrangements reported involving LMO exporting and importing Parties

Strategic Objective	*Expected Impacts*	*Operational Objectives*	*Outcomes*	*Indicators*
		1.3 Risk assessment and risk management To further develop and support implementation of scientific tools on common approaches to risk assessment and risk management for Parties	• Guidance on risk assessment and risk management including guidance on new developments in modern biotechnology • Common approaches to risk assessment and risk management established and adopted by Parties and other Governments, as appropriate	• Percentage of Parties adopting and using guidance documents on risk assessment and risk management for the purpose of: • Performing their own risk assessment and risk management; • Evaluating risk assessment reports submitted by notifiers. • Percentage of Parties adopting common approaches to risk assessment and risk management • Percentage of Parties that undertake actual risk assessment pursuant to the Protocol.
		1.4 LMOs or traits that may have adverse effects To develop modalities for cooperation and guidance in identifying LMOs or specific traits that may have adverse effects on the conservation and sustainable use of biological diversity, taking also into account risks to human health	• Modalities developed and put in place • Parties enabled to identify, assess, and monitor LMOs or specific traits that may have adverse effects	• Guidance on living modified organisms or specific traits that may have adverse effects on the conservation and sustainable use of biological diversity, taking also into account risks to human health, developed by Parties and available • Number of Parties that have the capacity to identify, assess and monitor living modified organisms or specific traits that may have adverse effects on the conservation and sustainable use of biological diversity, taking into account risks to human health.

Strategic Objective	*Expected Impacts*	*Operational Objectives*	*Outcomes*	*Indicators*
		1.5 Liability and Redress To adopt and implement the Nagoya – Kuala Lumpur Supplementary Protocol on Liability and Redress to the Cartagena Protocol on Biosafety.	• Each Party takes administrative and legal measures necessary to implement the Nagoya – Kuala Lumpur Supplementary Protocol on Liability and Redress to the Cartagena Protocol on Biosafety at the domestic level	• Entry into force of the Nagoya – Kuala Lumpur Supplementary Protocol on Liability and Redress to the Cartagena Protocol on Biosafety prior to the seventh meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol • Percentage of Parties to the Nagoya – Kuala Lumpur Supplementary Protocol on Liability and Redress to the Cartagena Protocol on Biosafety having in place national administrative and legal frameworks incorporating rules and procedures on liability and redress for damage caused by living modified organisms
		1.6 Handling, transport, packaging and identification To enable Parties to implement the requirements of the Protocol and COP-MOP decisions on identification and documentation requirements for living modified organisms	• All shipments of living modified organisms intended for direct use as food or feed, or for processing, contained use or intentional introduction into the environment are identified through accompanying documentation in accordance with the requirements of the Protocol and COP-MOP decisions • Easy to use and reliable technical tools for the detection of unauthorized LMOs are developed and made available • Existing guidance for handling, transport and packaging of LMOs is used	• Percentage of Parties that put in place documentation requirements for living modified organisms intended for direct use as food or feed, or for processing • Percentage of Parties that put in place documentation requirements for living modified organisms for contained use and for intentional introduction into the environment • Number of Parties with access to tools that are capable of detecting unauthorized LMOs. • Number of Parties using guidance developed for the handling, transport and packaging of LMOs

Strategic Objective	*Expected Impacts*	*Operational Objectives*	*Outcomes*	*Indicators*
		1.7 Socio-economic considerations To, on the basis of research and information exchange, provide relevant guidance on socio-economic considerations that may be taken into account in reaching decisions on the import of living modified organaisms	• Peer reviewed research relevant to socio-economic considerations, taking into account the modality of peer review as specified in section E, Annex III of decision VIII/10 • Guidelines regarding socio-economic considerations of living modified organisms developed and used, as appropriate, by Parties • Socio-economic considerations applied, where appropriate, by Parties	• Number of peer reviewed research papers published, made available and used by Parties in considering socio-economic impacts of LMOs • Number of Parties reporting on their approaches to taking socioeconomic considerations into account • Number of Parties reporting on their experiences in taking socio-economic considerations into account in reaching decisions on import of living modified organisms • Number of Parties using guidelines on socio-economic considerations

Strategic Objective	*Expected Impacts*	*Operational Objectives*	*Outcomes*	*Indicators*
		1.8 Transit, contained use, unintentional transboundary movements and emergency measures To develop tools and guidance that facilitate the implementation of the Protocol's provisions on transit, contained use, unintentional transboundary movements and emergency measures	• Parties enabled to manage LMOs in transit • Guidance developed to assist Parties to detect and take measures to respond to unintentional releases of living modified organisms	• Percentage of Parties having in place measures to manage LMOs in transit • Percentage of Parties having in place measures for contained use • Percentage of Parties using the guidance to detect occurrence of unintentional releases of living modified organisms and being able to take appropriate response measures
Focal area 2: **Capacity building** 2. To further develop and strengthen the capacity of Parties to implement the Protocol	Increased safety in the transfer, handling and use of living modified organisms Effective and efficient regulatory, administrative and monitoring frameworks established by Parties for the implementation of the Protocol	2.1 National Biosafety Frameworks To further support the development and implementation of national regulatory and administrative systems.	• National Biosafety Frameworks developed and implemented	• Number of Parties with operational regulatory frameworks • Number of Parties with functional administrative arrangements

Strategic Objective	*Expected Impacts*	*Operational Objectives*	*Outcomes*	*Indicators*
	Necessary mechanisms put in place to enable Parties to make science-based risk assessments More transparent and expeditious decision-making Full use of information exchange systems			
		2.2 Risk assessment and risk management To enable Parties to evaluate, apply, share and carry out risk assessments and establish local science-based capacities to regulate, manage, monitor and control risks of LMOs	• Resources, including human resources required to assess risks of living modified organisms are available and administrative mechanisms are in place • Training materials and technical guidance on risk assessment and risk management developed and used by Parties • Infrastructure and administrative mechanisms established for the management of risks of living modified organisms at national, subregional or regional level	• Ratio of risk assessment summary reports as against number of decisions on LMOs on the BCH • Number of risk assessment summary reports in the BCH that are in compliance with the Protocol • Number of people trained on risk assessment, as well as in monitoring, management and control of LMOs • Number of Parties that have infrastructure, including laboratories for monitoring, management and control • Number of Parties that are using the developed training materials and technical guidance • Number of Parties that are of the opinion that the training materials and technical guidance are sufficient and effective

Strategic Objective	*Expected Impacts*	*Operational Objectives*	*Outcomes*	*Indicators*
		2.3 Handling, transport, packaging and identification To develop capacity for handling, transport, packaging and identification of living modified organisms	• Customs/border officials are able to enforce the implementation of the Protocol's requirements related to handling, transport, packaging and identification of living modified organisms • Personnel are trained and equipped for sampling, detection and identification of LMOs	• Number of customs officers and laboratory personnel trained • Percentage of Parties that have established or have reliable access to detection laboratories • National and regional laboratories certified with the capacity to detect LMOs • Number of certified laboratories in operation
		2.4 Liability and Redress To assist Parties to the Protocol in their efforts to establish and apply the rules and procedures on liability and redress for damage resulting from the transboundary movements of living modified organisms	• An institutional mechanism or process identified or established to facilitate the implementation of the international rules and procedures on liability and redress at the national level	• Number of eligible Parties that received capacity building support in the area of liability and redress involving living modified organisms • Number of domestic administrative or legal instruments identified, amended or newly enacted that fulfill the objective of the international rules and procedures in the field of liability and redress

Strategic Objective	*Expected Impacts*	*Operational Objectives*	*Outcomes*	*Indicators*
		2.5 Public awareness, education and participation To enhance capacity at the national, regional and international levels that would facilitate efforts to raise public awareness, and promote education and participation concerning the safe transfer, handling and use of LMOs	• Parties have access to guidance and training materials on public awareness, education and participation concerning the safe transfer, handling and use of LMOs • Parties are enabled to promote and facilitate public awareness, education and participation in biosafety	• Percentage of Parties having in place mechanisms for ensuring public participation in decision-making concerning LMOs not later than 6 years after accession to/ratification of the Protocol • Percentage of Parties that inform their public about existing modalities for participation • Number of Parties having in place national websites and searchable archives, national resource centres or sections in existing national libraries dedicated to biosafety educational materials
		2.6 Information sharing To ensure that the BCH is easily accessed by all established stakeholders, in particular in developing countries and countries with economies in transition	• Increased access to information in the BCH and sharing of information through the BCH by users in developing countries and countries with economies in transition • Tools to facilitate implementation of the Protocol are easily accessible through the BCH • Information on the BCH is easily accessible to stakeholders including the general public	• Number of submissions to the BCH from developing countries and countries with economies in transition • Amount of traffic from users to the BCH from developing countries and countries with economies in transition

Strategic Objective	*Expected Impacts*	*Operational Objectives*	*Outcomes*	*Indicators*
		2.7 Biosafety education and training To promote education and training of biosafety professionals through greater coordination and collaboration among academic institutions and relevant organizations	• A sustainable pool of biosafety professionals with various competencies available at national/international levels • Improved biosafety education and training programmes • Increased exchange of information, training materials and staff and students exchange programmes among academic institutions and relevant organizations	• Number of academic institutions by region offering biosafety education and training courses and programmes • Number of biosafety training materials and online modules available
Focal area 3: **Compliance and review** To achieve compliance with and effectiveness of the Protocol	Parties are in compliance with the requirements of the Protocol	3.1 Compliance with the Protocol To strengthen the mechanisms for achieving compliance	• Each Party fully implements its obligations and regularly monitors the implementation of its obligations under the Protocol • Improved reporting by Parties including by submitting complete and timely national reports • All Parties able to enforce their regulatory frameworks and decisions • Sufficient financial resources are allocated to compliance • The Compliance Committee is able to thoroughly review the implementation of obligations by Parties and to propose appropriate measures • Supportive role of the Compliance Committee is improved	• Number of Parties that have identified and addressed their non-compliance issues • Number of Parties having approved and functional national legal, administrative and other measures to implement the Protocol • Percentage of Parties that designated all National Focal Points • Number of Parties having in place a system for handling requests including for Advance Informed Agreement • Percentage of Parties that published all mandatory information via the BCH • Number of Parties having in place a monitoring and enforcement system • Number of national reports received under each reporting cycle • Number of Parties able to access financial resources to fulfill their obligations under the Protocol

Strategic Objective	*Expected Impacts*	*Operational Objectives*	*Outcomes*	*Indicators*
		3.2 Assessment and review To improve the effectiveness of the Protocol, including through regular assessment and review processes	• Assessment and review of the Protocol, including its procedures and annexes, are undertaken on a regular basis • The Protocol, including its procedures and annexes, is adapted if new challenges are brought about by new developments in the field of modern biotechnology or to adapt to challenges of implementation	• Number of assessment reports submitted and reviews published • Number of Parties modifying their national biosafety frameworks to correspond with amendments to the Protocol adopted to address new challenges
Focal area 4: **Information sharing** To enhance the availability and exchange of relevant information	Transparency in the development and use of LMOs Increased compliance with national and international requirements Informed decisionmaking Enhanced public awareness of biosafety	4.1 BCH effectiveness To increase the amount and quality of information submitted to and retrieved from the BCH	• The BCH is recognized as the most authoritative repository of information on biosafety • Information submitted to the BCH is accurate, complete and timely • A larger number of countries submit and retrieve information • Risk assessment reports are shared in a timely manner through the BCH • Facilitated access to resources and experiences related to biosafety	• Ratio of risk assessment summary reports as against number of decisions on LMOs • Number of publications contained in the Biosafety Information Resource Centre • Amount of traffic from users to the BCH • Number of references to the BCH • Number of countries with focal points registered on the BCH • Number of countries/regions having published biosafety laws and or regulations on the BCH • Number of AIA/domestic decisions available through BCH • Number of users of the BCH requesting improvement on accuracy, completeness or timeliness of information

Strategic Objective	*Expected Impacts*	*Operational Objectives*	*Outcomes*	*Indicators*
		4.2 BCH as a tool for online discussions and conferences To establish the BCH as a fully functional and effective platform for assisting countries in the implementation of the Protocol	• Countries are better equipped with tools made available through the BCH • The BCH principles of inclusiveness, transparency and equity are applied consistently • Protocol discussions and negotiating processes facilitated through the BCH • Increased awareness of the BCH in different stakeholder groups and regions	• Number of online discussions and real-time conferences carried out through the BCH platform • Percentage of Parties participating in online discussions and real-time conferences on the BCH • Number of participants in online discussions and conferences, their diversity and background • Number of capacity building activities aimed to increase the transparency, inclusiveness and equity of participation in the BCH
		4.3 Information sharing other than through the BCH To enhance understanding through other information exchange mechanisms	• Information sharing enhanced at regional, national and international biodiversity and biosafety meetings • Different modalities and opportunities used to share biosafety related information	• Number of events organized in relation to biosafety • Number of biosafety related publications shared

Strategic Objective	*Expected Impacts*	*Operational Objectives*	*Outcomes*	*Indicators*
Focal area : 5 **Outreach and cooperation** To expand the reach of the Protocol and promote cooperation	Increased political support for the implementation of the Protocol Increased support from and collaboration with relevant organizations, conventions and initiatives for the implementation of the Protocol	5.1 Ratification of the Protocol To achieve global recognition of the Protocol	• All Parties to the Convention on Biological Diversity become Parties to the Protocol	• Percentage of Parties to the Convention on Biological Diversity that become Parties to the Protocol
		5.2 Cooperation To enhance international cooperation and collaboration in biosafety	• Official relationships established with secretariats of other conventions and organizations • Secretariat of the CBD invited as an observer to WTO SPS and TBT Committees	• Number of established relationships with other conventions as reflected in joint activities

Strategic Objective	*Expected Impacts*	*Operational Objectives*	*Outcomes*	*Indicators*
		5.3 Communication and outreach To raise the profile of the Protocol	• Outreach services of the Protocol enhanced among relevant national and international stakeholders • All Parties have designed and implemented education and communication strategies	• Number of national awareness and outreach programmes on biosafety • Percentage of Parties that have in place national communication strategies on biosafety not later than 3 year after having adopted national biosafety laws
			• Biosafety issues and Protocol activities are regularly covered by local as well as international media • Increased understanding of the relationship between the Protocol and the CBD and other biosafety-related agreements	• Percentage of Parties that have in place national biosafety websites, including national BCH nodes that are accessible to and searchable by the public • Number of Parties with awareness and educational materials on biosafety and the Protocol available and accessible to the public, including the diversity of these materials

Annex II

PROGRAMME OF WORK OF THE CONFERENCE OF THE PARTIES SERVING AS THE MEETING OF THE PARTIES TO THE CARTAGENA PROTOCOL ON BIOSAFETY FOR THE PERIOD 20122016

1. *Standing items:*

(a) Matters relating to the financial mechanism and resources;

(b) Report of the Executive Secretary on the administration of the Protocol;

(c) Programme of work and budget for the Secretariat as regards its costs of distinct secretariat services for the Protocol;

(d) Report from, and consideration of recommendations from the Compliance Committee;

(e) Cooperation with other organizations.

2. The Conference of the Parties serving as the meeting of the Parties to the Protocol may consider, *inter alia,* the following items:

2.1 *At its sixth meeting:*

(a) Monitoring and reporting (Article 33; decision BS-I/9, paragraph 5)

To consider the second national reports with a view to evaluate the implementation of obligations under the Protocol by Parties.

(a) Assessment and review (Article 35; operational objective (OP) 3.2)

To consider the report of the second evaluation and review of the effectiveness of the Protocol, including an assessment of its procedures and annexes.

(b) Capacity-building/Roster of Experts (decision BS-III/3, paragraph 6, 13, 15 and 17;, decision BS-IV/4, paragraph 10; BS-V/3, paragraph 19; and focal area 2)

To conduct the comprehensive review of the updated Action Plan taking into account,

inter alia, the independent expert evaluation of the effectiveness and outcomes of the capacity-building initiatives;

To evaluate the performance of the roster of biosafety experts and the coordination mechanism.

(d) Handling, transport, packaging and identification (Article 18.2(b) and (c); decision BS-III/10, paragraph 7; decision BS-IV/8, paragraph 2; and OP 1.6 and 2.3)

To review and assess the implementation of the requirements of the Protocol on identification and documentation of living modified organisms.

(e) Handling, transport, packaging and identification (Article 18.3; decision BS-V/9, paragraph 1(d))

To consider analysis of information on existing standards, methods and guidance relevant to the handling, transport, packaging and identification of living modified organisms.

(f) Socio-economic considerations (decision BS-IV/16, paragraph 5; decision BS-V/3, paragraphs 21-31; and OP 1.7)

To consider socio-economic considerations that may be taken into account in reaching decisions on import of living modified organisms, and related capacity building needs.

(g) Notification requirements (Article 8; decision BS-IV/18, paragraph 2)

To review the national implementation of the notification requirements of living modified organisms.

(h) Risk assessment and risk management (decision BS-V/12, section IV and Annex; OP 1.3)

To review the training and development and support the implementation of science-based tools on common approaches to risk assessment and risk management for Parties with particular reference to risk management strategies;

To consider the synthesis of submissions of information on risk assessments, carried out on a case-by-case basis with regards to the receiving environment of the living modified organism, that might assist Parties in the identification of living modified organisms

that are not likely to have adverse effects on the conservation and sustainable use of biological diversity, taking also into account risks to human health, and criteria for the identification of such living modified organisms;

To consider reports and recommendations from the open-ended online forum and the Ad Hoc Technical Expert Group on Risk Assessment and Risk Management.

(i) Liability and redress (OP 1.5)

To consider the status of signature, ratification or accession to the Nagoya – Kuala Lumpur Supplementary Protocol on Liability and Redress to the Biosafety Protocol.

(j) Unintentional transboundary movements and emergency measures (Article 17; OP 1.8)

To consider the development of tools and guidance that facilitate appropriate responses to unintentional transboundary movements and initiate necessary actions, including emergency measures.

2.2 *At its seventh meeting:*

(a) Risk assessment and risk management (OP 1.3 and OP 2.2) and identification of LMOs or traits that may have adverse effects (Article 16 (5) and OP 1.4)

To consider the modalities for cooperation and guidance in identifying LMOs or specific traits that may have adverse effects on the conservation and sustainable use of biological diversity, taking also into account risks to human health.

(b) Handling, transport, packaging and identification (Article 18.2(a); decision V/8; OP 1.6 and 2.3,)

To consider submissions of further information on experience gained with the implementation of paragraph 4 of decision BS-III/10 as well as decision BS-V/8, including any information on obstacles that are encountered in the implementation of these decisions as well as specific capacity-building needs to implement these decisions;

To review capacity-building efforts to facilitate the implementation of requirements for handling, transport, packaging and identification of living modified organisms.

(c) Contained use of living modified organisms (Article 6(2); OP 1.8)

To consider the development of tools and guidance that facilitates the implementation of the Protocol's provisions on contained use of LMOs.

(d) Capacity-building (OP 2.1, 2.2 & 2.5)

To review the general capacitybuilding aspects of national biosafety frameworks including the decision-making procedures and mechanism and their public awareness and participation aspects.

(e) Information sharing and the BCH (OP 4.1 & 4.2)

To review the overall operation of the BCH including access to and retrieval of information by users.

(f) Liability and redress (OP 1.5 & 2.4)

To consider the status of implementation of the Supplementary Protocol.

(g) Monitoring and reporting (Article 33, decision BS-V/14, paragraph 8)

To consider the format for the third national reports.

2.3 *At its eighth meeting*

(a) Rights and obligations of transit States (Article 6(1); decision BS-V/10; OP 1.8)

To review the status of implementation of the provisions of the Protocol or any decision by Parties related to the transit of living modified organisms.

(b) Assessment and review (Article 35; decision BS-V/15; OP 3.2)

To assess the effectiveness of the Protocol, including through regular assessment and review processes in conjunction with the mid-term review of the Strategic Plan.

(c) Monitoring and reporting (Article 33; decision BS-I/9, paragraph 5; decision BS-V/14; OP 3.1 and 3.2)

To review the monitoring and reporting process as a major element of the assessment and review process;

To consider the third national reports with a view to evaluate the implementation of the obligations under the Protocol by Parties.

(d) Liability and redress (OP 2.4)

To review the need for any guidance or assistance to Parties in their efforts to establish and apply the Supplementary Protocol and/or and national rules and procedures on liability and redress related to living modified organisms.

(f) Public awareness, education and participation (OP. 2.5; decision BS-V/13, paragraph 4)

To review the programme of work in light of experiences gained.

BS-V/17.
TRIBUTE TO THE GOVERNMENT AND PEOPLE OF JAPAN

We, the participants in the fifth meeting of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety,

Having met in Nagoya from 11 to 15 October 2010 at the gracious invitation of the Government of Japan,

Deeply appreciative of the excellent arrangements made for the meeting and the especial courtesy and warm hospitality extended to participants by the Government of Japan, Aichi Prefecture, the City of Nagoya, and their people,

Express our sincere gratitude to the Government and people of Japan for their generosity of spirit and their contribution to the success of this meeting.
