



United States Department of State

*Bureau of Oceans and International
Environmental and Scientific Affairs*

Washington, D.C. 20520

17 January 2020

Ms. Elizabeth Maruma Mrema
Acting Executive Secretary
Convention on Biological Diversity
United Nations Environment Programme
413 Saint-Jacques Street, Suite 800
Montréal, Québec, Canada H2Y 1N9

Dear Ms. Mrema:

The United States appreciates the invitation to provide input in response to the Secretariat's 5 December 2019 Notification No. 2019-110 regarding the draft Implementation Plan and draft Capacity-Building Action Plan (2021-2030) for the Cartagena Protocol on Biosafety.

We are pleased to have the opportunity to share the attached information, and appreciate your consideration of this contribution.

Sincerely,

A handwritten signature in black ink that reads "Barbara M. De Rosa-Joynt".

Barbara M. De Rosa-Joynt
Division Chief for Biodiversity
U.S. National Focal Point for the
Convention on Biological Diversity

Attachment: United States Government Comments Draft Implementation Plan and draft Capacity-Building Action Plan (2021-2030) for the Cartagena Protocol on Biosafety.

Template for comments on the draft Implementation Plan for the Cartagena Protocol and Capacity-Building Action Plan (2021-2030)

Contact information		
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Comments on the text and Appendix		
Page #	Line in text or Element in Appendix	Comment
5-15	Header columns for the table on every page	<p>We suggest that the columns titled “Key areas for capacity-building” be renamed to “Example areas for capacity-building” throughout the document. We also suggest that the columns titled “Capacity-building activities” be renamed to “Example Capacity building activities”.</p> <p>We suggest that “(areas where capacities are needed)” be reworded to “(areas where capacities could be expanded)”.</p> <p>We also suggest that “(suggested capacity building activities within the key areas for developing capacities)” be reworded to “(examples of capacity building activities within key areas for developing capacities)”.</p> <p>We feel that these edits would more accurately reflect the statement that is made on page 3, para 18, line 95: “<i>The key areas and capacity-building activities outlined in the Action Plan are not meant to be prescriptive or exhaustive.</i>”</p>
7	A.5., Key areas for capacity-building (4)	<p>LMO monitoring and emergency responses are not contained within the scope of risk assessment and risk management under Article 15 of the Cartagena Protocol on Biosafety. Emergency measures are addressed in Article 17, and these measures are specific to instances where there has been: “<i>an unintentional transboundary movement of an LMO that is likely to have significant adverse effects on the conservation and sustainable use of biological diversity.</i>”</p> <p>Thus, we suggest that (4) be deleted to accurately reflect the scope of Article 15.</p>
7-8	A.5., Capacity building activities (v), (vi)	<p>LMO monitoring and emergency responses are not contained within the scope of risk assessment and risk management under Article 15 of the Cartagena Protocol on Biosafety. Emergency measures are addressed in</p>

		Article 17, and these measures are specific to instances where there has been: “ <i>an unintentional transboundary movement of an LMO that is likely to have significant adverse effects on the conservation and sustainable use of biological diversity.</i> ” We suggest that (v) and (vi) be deleted from this capacity building column to accurately reflect the scope Article 15.
8-9	A.6., Key areas for capacity building (1)-(4)	(1) The following language should be included at the end of (1): “...for LMOs that are subject to intentional transboundary movement within the scope of this Protocol.” (2) Resources have already been developed in line with what is described here in (2), through activities conducted by the Detection and Identification Laboratory Network. We suggest that (2) be deleted. (5) Resources already exist that provide technical information and certified reference materials, such as the Biosafety Clearing House. Additionally, technical discussions surrounding detection and analysis have been underway for many years within the International Standards Organization (ISO), the relevant standard setting body for this activity. We suggest that (5) be deleted.
10	A.9, Capacity-building activities (i) and (ii)	We note that Article 26 on Socioeconomic Considerations is voluntary, and a significant amount of work under the 2011-2020 agenda has addressed this topic. Until parties agree that work should continue, we suggest that the points under (i) and (ii) be deleted. At a minimum, we suggest that (i) and (ii) acknowledge the voluntary nature of Article 26 by including the following language at the end of each entry: “...for parties that choose to implement Article 26.” We also note that there are other articles within the CPB that have not been fully implemented by all parties, which could streamline the use of resources and allow parties to focus on those LMOs that are likely to cause adverse effects on the conservation and sustainable use of biological diversity. For example, the Simplified Procedures under Article 13 have not been discussed in this document, nor under a formal agenda item considered during the MOP for several years. These activities would allow countries to better implement the advanced informed agreement process by exempting those LMOs that have been determined as being not likely to have adverse effects on the conservation and sustainable use of biological diversity.
11	Key areas for capacity building (5)	As currently framed, the language in (5) is very broad and it is not clear how the parties to the Supplementary Protocol would find resources to conduct such a broad baseline study. Instead, perhaps this bullet could focus on a baseline study that reinforces Article 3 of the Supplementary Protocol, by defining examples where “ <i>damage resulting from LMOs which find their origin in a transboundary movement</i> ” has occurred.
11	Capacity building activities (vi)	As currently framed, the language in (vi) is very broad and it is not clear how the parties to the Supplementary Protocol would find resources to support databases and knowledge management systems for monitoring of all biodiversity. Instead, perhaps this bullet could reinforce Article 3 of the Supplementary Protocol, by measuring where “ <i>damage resulting from LMOs which find their origin in a transboundary movement</i> ” has occurred.

		Additional rows can be added to this table by selecting “Table” followed by “insert” and “rows below”

Please submit your comments to secretariat@cbd.int by **17 January 2020**.