



## Press Brief

# Assessment and Review

## Background

The Protocol requires the COP-MOP to undertake an evaluation of the effectiveness of the Protocol, including an assessment of its procedures and annexes, at least every five years.

## What has been done?

At the fourth meeting, the COP-MOP conducted the first evaluation of the effectiveness of the Protocol. It was noted, based on the analysis of the first national reports and the responses to the questionnaire that was sent to all Parties that limited experience had been gained by Parties in the implementation of the Protocol. The COP-MOP recognised that the lack of operational experience did not provide a good basis for effective assessment and review of the Protocol.

To facilitate the second assessment and review of the Protocol and its annexes and procedures, the COP-MOP requested the Secretariat to: (i) develop a sound methodological approach based on the information contained in the first national reports, answers to the "effectiveness questionnaire", the reports of the Compliance Committee, information on the Biosafety Clearing-House and any other relevant documents; and (ii) draft criteria or indicators that could apply in the evaluation of the effectiveness of the Protocol.

The COP-MOP also invited Parties to make submissions on a Strategic Plan for the Protocol and requested the Secretariat to present a draft Strategic Plan for consideration at the fifth meeting of the Parties. In this regard, the Secretariat prepared a draft Strategic Plan, based on the submissions received from Parties and information contained in the first national reports, and initiated consultative processes which facilitated input into the draft from a wide cross-section of Parties.



Convention on  
Biological Diversity

<http://bch.cbd.int/protocol>



## What is expected at COP-MOP 5?

At its fifth meeting, it is expected that the COP-MOP might:

- Adopt a framework and methodology for the second assessment and review of the Protocol, describing the scope for the assessment and review, the process and timelines for information gathering and analysis and a core set of indicators that may be used.
- Request the Secretariat to collect and analyse information on the implementation of the Protocol drawn from the second national reports and other sources, including the Biosafety Clearing-House, the capacity-building Coordination Mechanism and relevant processes and organizations.
- Establish a mechanism to undertake the review and assessment, using the proposed indicators and the synthesis of information by the Secretariat, and prepare a draft report of the second evaluation and review of the effectiveness of the Protocol for consideration by the sixth meeting.
- Adopt a Strategic Plan of the Cartagena Protocol on Biosafety (2011–2020) and the associated multi-year programme of work of the COP-MOP.

### Secretariat of the Convention on Biological Diversity

413, Saint Jacques Street, suite 800  
Montreal, Quebec, H2Y 1N9  
Canada

Tel.: +1 514 288 2220  
Fax: +1 514 288 6588  
secretariat@cbd.int

<http://bch.cbd.int/protocol>



## Press Brief

# Biosafety Clearing-House

## Background

The Protocol established the Biosafety Clearing-House (BCH) as a mechanism to facilitate the exchange of information on, and experience with, living modified organisms (LMOs) and to assist Parties to implement the Protocol provisions. The BCH is accessible at: <http://bch.cbd.int/>.

## What has been done?

At its first meeting, the COP-MOP adopted the modalities of operation of the BCH, describing its core roles and characteristics; its administration and technical oversight, including the responsibilities of the Secretariat, BCH National Focal Points and relevant organizations; and the modalities for periodic reporting and review of the BCH operations.

At its second, the COP-MOP adopted a multi-year programme of work for the operation of the BCH setting out 5 key objectives and a number of activities to achieve them.

At its third and fourth meetings, the COP-MOP reviewed the implementation of the work programme and took additional decisions to improve the operations of the BCH. In response, the Secretariat made several improvements to the structure and functionality of the BCH, including improvement of the structure of the common formats for submission of information to the BCH, simplification of the procedure for registration and validation of information in the BCH, update of the BCH help system, translation of the BCH into the six UN languages, and introduction of tools for the analysis and graphic representation of the BCH search results. The Secretariat also commissioned an online study of users and potential users of the BCH.



Convention on  
Biological Diversity

<http://bch.cbd.int/protocol>



## What is expected at COP-MOP 5?

At its fifth meeting, the COP-MOP is expected to, among other things:

- Consider the progress report on the programme of work for the operation of the BCH and to provide further guidance, which might include: decisions for enhancing capacity-building in the use of the BCH and ensuring the sustainability of national BCH nodes.
- Take appropriate action on recommendations of the Informal Advisory Committee on the BCH regarding the assessment of the multi-year programme of work.
- Consider the outcomes and recommendations of the study on users and potential users of the BCH and take appropriate action.

### Secretariat of the Convention on Biological Diversity

413, Saint Jacques Street, suite 800  
Montreal, Quebec, H2Y 1N9  
Canada

Tel.: +1 514 288 2220  
Fax: +1 514 288 6588  
secretariat@cbd.int

<http://bch.cbd.int/protocol>



## Press Brief

# Capacity-Building

## Background

Parties are required to cooperate in the development and/or strengthening of human resources and institutional capacities in biosafety for the purpose of the effective implementation of the Protocol, taking into account the needs of developing country Parties and Parties with economies in transition for financial resources and access to technology and know-how.

## What has been done?

At its first meeting, the COP-MOP adopted an Action Plan on capacity-building and established a coordination mechanism for implementation of the Action Plan encompassing coordination meetings, a Liaison Group and capacity-building databases. It also adopted guidelines for the Roster of Biosafety Experts and for the Voluntary Fund for the Roster, established by the COP to provide support, upon request, to developing country Parties and Parties with economies in transition.

At their third meeting, Parties adopted an updated version of the Action Plan and decided to conduct comprehensive reviews of the Action Plan every five years, based on an independent evaluation of the of the initiatives underpinning its implementation.

At the fourth meeting, the COP-MOP invited Governments and relevant organizations to provide information on their capacity-building activities to facilitate more comprehensive reporting on the implementation of the Action Plan and the sharing of experiences on capacity-building. It also welcomed the offer by the United Nations Environment Programme (UNEP) to undertake an expert review to assess the effectiveness of various approaches to capacity-building and compile the lessons learned.



Convention on  
Biological Diversity

<http://bch.cbd.int/protocol>



## What is expected at COP-MOP 5?

At the fifth meeting, it is anticipated that the COP-MOP will, among other things:

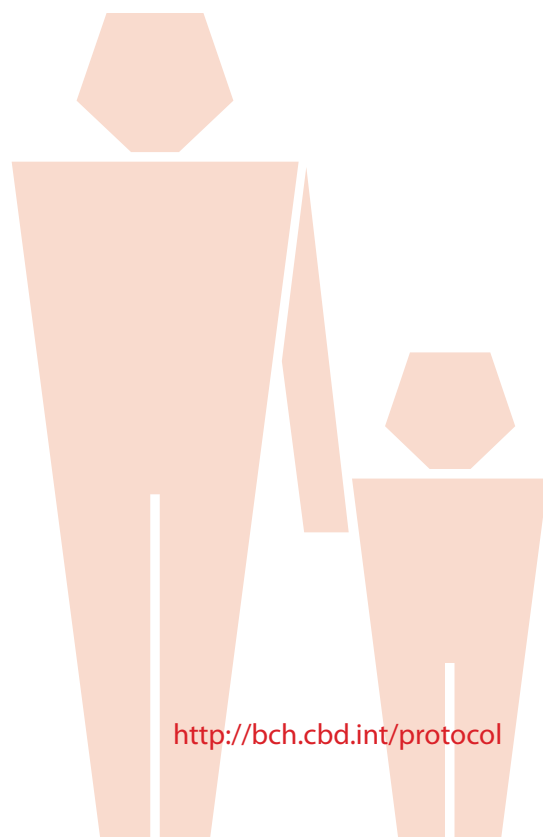
- Consider the status report on the implementation of the capacity-building Action Plan and the report on the training and capacity-building needs of Parties.
- Endorse the terms of reference for the comprehensive review of the capacity-building Action Plan and request the Executive Secretary and other stakeholders to embark on the review process.
- Consider the findings and recommendation of the expert review on the effectiveness of various approaches to capacity-building and incorporate them, as appropriate in its decisions.
- Consider and possibly adopt recommendations of the Coordination Meeting on possibilities for cooperation in identifying capacity-building needs for research and information exchange on socio-economic impacts of living modified organisms.

### Secretariat of the Convention on Biological Diversity

413, Saint Jacques Street, suite 800  
Montreal, Quebec, H2Y 1N9  
Canada

Tel.: +1 514 288 2220  
Fax: +1 514 288 6588  
secretariat@cbd.int

<http://bch.cbd.int/protocol>





## Press Brief

# Compliance

## Background

In accordance with the mandate given to it by the Protocol, the Conference of the Parties serving as the meeting of the Parties to the Protocol (COP-MOP), at its first meeting, considered and approved cooperative procedures and institutional mechanisms to promote compliance with the provisions of the Protocol, to address cases of non-compliance by Parties and to provide advice or assistance, where appropriate. It established a Compliance Committee, consisting of 15 members nominated by Parties and elected by the COP-MOP on the basis of three members from each of the five United Nations regional groups, to perform various functions with a view to promoting compliance and addressing cases of non-compliance. The Compliance Committee has held six meetings to date and has so far received two submissions from non-governmental organizations alleging non-compliance with the Protocol. However, it was unable to act on them as it only has a mandate to consider submissions from Parties.

## What has been done?

At its second meeting, the COP-MOP approved the rules of procedure for meetings of the Compliance Committee. At the third and fourth meetings, the COP-MOP considered reports of the Compliance Committee, including its recommendations on various issues. This included, at the fourth meeting of COP-MOP, recommendations from the Committee regarding general issues of compliance with the Protocol based on the information that was made available by Parties through their first national reports.



Convention on  
Biological Diversity



<http://bch.cbd.int/protocol>



## What is expected at COP-MOP 5?

At its fifth meeting, COP-MOP is expected to:

- Provide guidance on how the supportive role of the Compliance Committee could be improved, based on submissions from Parties and how the Committee members could play a facilitative role within their respective regions.
- Consider and provide guidance on how the rate of national reporting on the implementation of the Protocol could be improved in terms of the number of the reports submitted and the quality of information provided.
- Request Parties and encourage other Governments to provide to the Biosafety Clearing-House timely information on their domestic decisions approving LMOs and the risk assessment reports associated with such decisions.
- Call upon Parties as well as other Governments to take the necessary measures to ensure the accuracy and completeness of information they make available to the BCH.



### Secretariat of the Convention on Biological Diversity

413, Saint Jacques Street, suite 800  
Montreal, Quebec, H2Y 1N9  
Canada

Tel.: +1 514 288 2220  
Fax: +1 514 288 6588  
secretariat@cbd.int

<http://bch.cbd.int/protocol>





## Press Brief

# Financial Mechanism and Resources

## Background

The Protocol provides that the financial mechanism of the Convention on Biological Diversity shall be the financial mechanism for the Protocol as well. In 1994, the Conference of the Parties to the Convention (COP) designated the Global Environment Facility (GEF) as the institutional structure entrusted with the operation of the financial mechanism. The Protocol also encourages developed countries to provide additional financial and technological resources for the implementation of the provisions of the Protocol through bilateral, regional and multilateral channels.

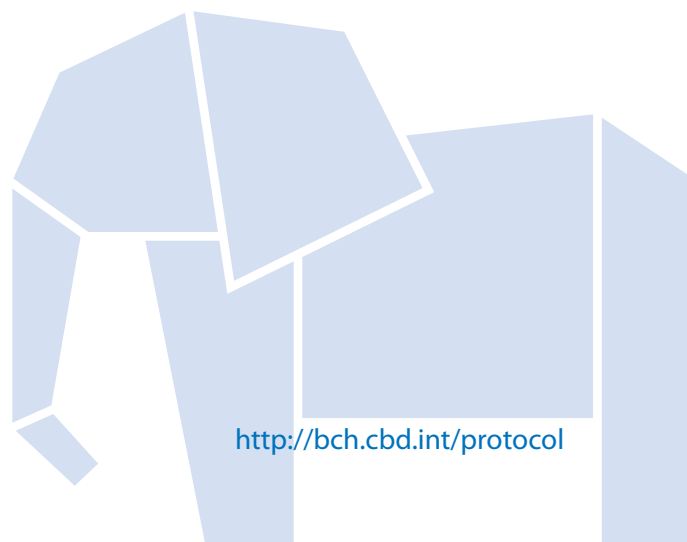
## What has been done?

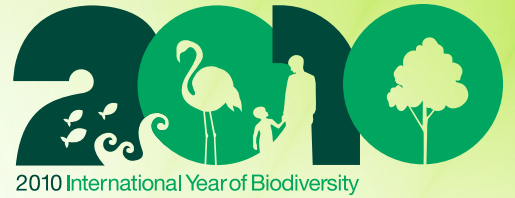
At its previous meetings, the COP-MOP has adopted a number of decisions on matters related to the financial mechanism and resources, including recommendations to the COP regarding guidance to GEF with respect to biosafety. This included guidance with regard to the eligibility criteria, strategy and programme priorities for support.



Convention on  
Biological Diversity

<http://bch.cbd.int/protocol>





## What is expected at COP-MOP 5?

At the fifth meeting, it is anticipated that the COP-MOP might:

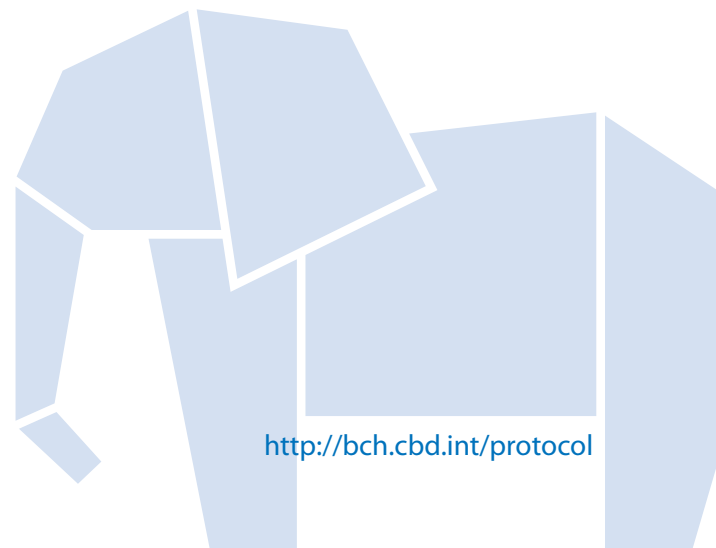
- Consider the report submitted by the GEF on the status of implementation of the previous guidance with respect to biosafety and take appropriate action.
- Recommend to COP, in adopting its guidance to the GEF with respect to biosafety, to request the GEF, among other things, to make available financial resources enable Parties to prepare their second national reports, and to fund biosafety projects outside of the “System for Transparent Allocation of Resources”.
- Decide to establish a Special Biosafety Fund, financed through voluntary contributions from diverse sources, to provide expedited support for activities and programmes aimed at implementing the Protocol, especially those identified in the Strategic Plan for the Protocol.
- Designate the GEF as the entity to operate the Special Biosafety Fund under the authority and guidance of the COP-MOP.

### Secretariat of the Convention on Biological Diversity

413, Saint Jacques Street, suite 800  
Montreal, Quebec, H2Y 1N9  
Canada

Tel.: +1 514 288 2220  
Fax: +1 514 288 6588  
secretariat@cbd.int

<http://bch.cbd.int/protocol>





## Press Brief

# Handling, Transport, Packaging and Identification of Living Modified Organisms

## Background

The Protocol requires Parties to take measures to ensure that living modified organisms (LMOs) being moved from one country to another are safely transported, handled and packaged.

The Protocol and some COP-MOP decisions set specific requirements for the identification of LMOs in shipments moved between countries. The Protocol also provides for the possible development of standards on the identification, handling, packaging and transport of LMOs.

## What has been done?

At its third meeting, the COP-MOP in decision BS-III/10 agreed on the detailed requirements for documentation accompanying living modified organisms intended for direct use as food or feed, or for processing (LMOs-FFP). Parties were requested and other Governments were invited to submit to the Secretariat information on the experience gained with the implementation of the above decision for consideration at the present meeting.

At its fourth meeting, the COP-MOP requested the Secretariat to organize an online forum to identify the relevant standards with regard to handling, transport, packaging and identification of living modified organisms; identify where gaps exist and suggest ways to fill the gaps. The online forum was held in 2009. A total of 104 messages were posted.



Convention on  
Biological Diversity

<http://bch.cbd.int/protocol>



## What is expected at COP-MOP 5?

At this meeting, the Parties are expected to, among other things:

- Review and assess the experience gained with the use of a commercial invoice or other document required by domestic regulatory and/or administrative frameworks, as documentation accompanying LMOs-FFP with a view to further harmonization of a documentation format to fulfil specific identification requirements, including consideration of the need for a stand-alone document.
- Examine capacity-building efforts in developing countries related to the implementation of requirements for the documentation and identification of LMOs.
- Review the outcomes of the online forum on standards for shipments of LMOs and decide on any future actions to be taken. These actions might include calling for greater cooperation with other standard-setting bodies, establishing a technical experts group to develop standards under the Protocol or inviting further exchange of information and experience through the Biosafety Clearing-House and regional workshops.

### Secretariat of the Convention on Biological Diversity

413, Saint Jacques Street, suite 800  
Montreal, Quebec, H2Y 1N9  
Canada

Tel.: +1 514 288 2220  
Fax: +1 514 288 6588  
secretariat@cbd.int

<http://bch.cbd.int/protocol>



## Press Brief

# Liability and Redress

## Background

The Protocol mandated the Conference of the Parties serving as the meeting of the Parties to the Protocol (COP-MOP) to adopt, at its first meeting, a process for the elaboration of international rules and procedures in the field of liability and redress for damage resulting from transboundary movements of living modified organisms (LMOs) and endeavour to complete the process within four years.

## What has been done?

At its first meeting, the COP-MOP established an Ad Hoc Open Ended Working Group of Legal and Technical Experts on Liability and Redress to elaborate options for elements of international rules and procedures on liability and redress under the Protocol. The Working Group held five meetings between 2005 and 2008.

At its fourth meeting, the COP-MOP on the basis of the final report of the Working Group further negotiated and produced proposed operational text for the international rules and procedures on liability and redress (contained in the annex to decision BS-IV/12) as the basis for further negotiations. To continue the process, the COP-MOP established a Group of the Friends of the Co-Chairs Concerning Liability and Redress in the Context of the Protocol.

During its first meeting held in February 2009 in Mexico City, the Group of the Friends of the Co-Chairs further negotiated the proposed operational texts and produced draft text for a supplementary protocol on liability and redress to the Biosafety Protocol. The draft text was further negotiated at second and third meetings of the Group held in Kuala Lumpur in February and June 2010. The third meeting also considered draft guidelines on civil liability. A fourth meeting of the Group will be held in Nagoya from 6 to 8 October 2010, prior to COP-MOP 5 to resolve outstanding issues and finalize its work for subsequent submission to the COP-MOP 5.



Convention on  
Biological Diversity

<http://bch.cbd.int/protocol>



## What is expected at COP-MOP 5?

The fifth meeting of the COP-MOP will consider the report of the Group of the Friends of the Co-Chairs Concerning Liability and Redress. It is anticipated that the meeting might:

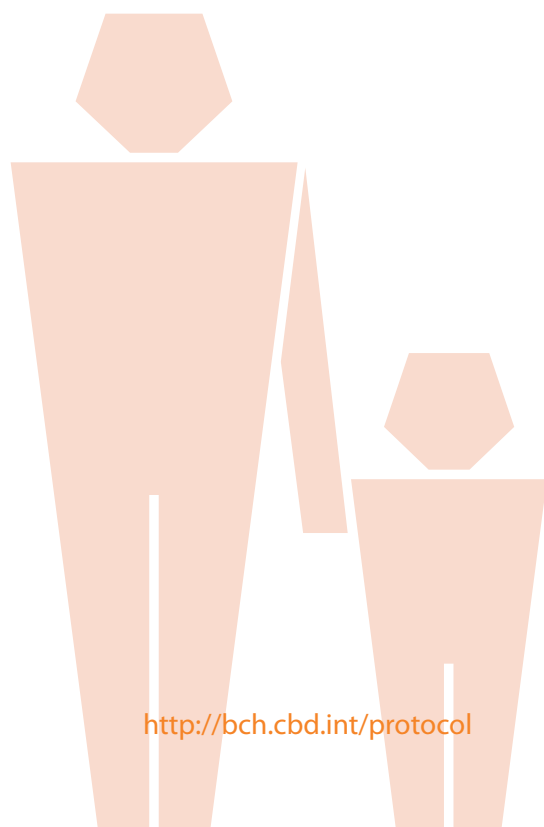
- Set up a Legal Drafting Group to review the draft Supplementary Protocol with a view to ensuring legal clarity and consistency of its provisions;
- Adopt a Supplementary Protocol on Liability and Redress to the Cartagena Protocol on Biosafety.
- Request the UN Secretary-General to be the Depository of the Supplementary Protocol, if adopted, and open it for signature at the United Nations Headquarters in New York from 7 March 2011 to 6 March 2012.
- Adopt, as part of the Supplementary Protocol complementary capacity-building measures to support national efforts in developing and implementing liability and redress rules and procedures for damage resulting from living modified organisms.

### Secretariat of the Convention on Biological Diversity

413, Saint Jacques Street, suite 800  
Montreal, Quebec, H2Y 1N9  
Canada

Tel.: +1 514 288 2220  
Fax: +1 514 288 6588  
secretariat@cbd.int

<http://bch.cbd.int/protocol>





## Press Brief

# Monitoring and Reporting

## Background

The Protocol requires Parties to monitor implementation of their obligations under the Protocol and to report to the Conference of the Parties serving as the meeting of the Parties to the Protocol (COP-MOP) on measures taken to implement the Protocol.

## What has been done?

At its first meeting held in 2004, the COP-MOP requested Parties to submit their national reports on the implementation of the Protocol every four years. However, in the initial four-year period Parties were requested to submit an interim report two years after entry into force of the Protocol.

At its third meeting, the COP-MOP after considering the analysis of the interim reports, adopted a format for the first regular national reports and outlined a schedule and the process for the preparation and synthesis of the reports.

At its fourth meeting, the COP-MOP considered an analysis of first national reports prepared by the Secretariat. It also requested the Secretariat 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 the suggestions made by Parties, for consideration at the fifth meeting.



Convention on  
Biological Diversity

<http://bch.cbd.int/protocol>



## What is expected at COP-MOP 5?

At the fifth meeting, it is expected that the COP-MOP will, among other things:

- Adopt a new reporting format and request Parties to use it to prepare their second national report on the implementation of the Protocol.
- Request the Global Environment Facility to make financial resources available to enable eligible Parties to prepare their national reports, recognizing the limitations that some Parties might face in fulfilling their national reporting obligation due to lack of financial resources.
- Request Parties to submit to the Secretariat their second national report twelve months prior to the sixth meeting of the Parties.

### Secretariat of the Convention on Biological Diversity

413, Saint Jacques Street, suite 800  
Montreal, Quebec, H2Y 1N9  
Canada

Tel.: +1 514 288 2220  
Fax: +1 514 288 6588  
secretariat@cbd.int

<http://bch.cbd.int/protocol>





## Press Brief

# Public Awareness, Education and Participation

## Background

The Protocol requires Parties to promote and facilitate public awareness and education, including access to information, regarding the safe transfer, handling and use of living modified organisms (LMOs). Parties are also required, in accordance with their respective laws and regulations, to consult the public in the decision-making process regarding LMOs and to make public the final decision taken. They are also required to inform the public about the means of access to the Biosafety Clearing-House.

## What has been done?

At their second meeting, the Parties to the Protocol considered options for cooperation on the promotion and facilitation of public awareness, education and participation concerning LMOs. They agreed to review the progress made in implementing this provision of the Protocol at their fifth meeting.

At the fourth meeting, the Parties considered an interim progress report and agreed to develop a programme of work on public awareness, education and participation concerning the safe transfer, handling and use of LMOs. In this regard, Governments and organizations were invited to submit to the Secretariat their views on the possible elements of the programme of work. The Secretariat was requested to prepare a synthesis of the submissions and develop a draft programme of work for consideration at the fifth meeting.



Convention on  
Biological Diversity

<http://bch.cbd.int/protocol>



## What is expected at COP-MOP 5?

At this meeting, it is anticipated that the Parties will:

- Review the status of implementation of the Protocol's provision on public awareness, education and participation and the lessons learned so far.
- Adopt a comprehensive programme of work on public awareness, education and participation concerning the safe transfer, handling and use of LMOs.
- Establish mechanisms (including an informal advisory committee and an online collaborative portal or discussion forum) to facilitate the implementation of the programme of work.

### Secretariat of the Convention on Biological Diversity

413, Saint Jacques Street, suite 800  
Montreal, Quebec, H2Y 1N9  
Canada

Tel.: +1 514 288 2220  
Fax: +1 514 288 6588  
secretariat@cbd.int

<http://bch.cbd.int/protocol>



## Press Brief

# Risk Assessment and Risk Management

## Background

Parties to the Protocol are required to make decisions on import of living modified organisms (LMOs) for intentional introduction into the environment in accordance with scientifically sound risk assessments. They are also required to adopt measures for managing risks identified during risk assessments.

## What has been done?

At its fourth meeting, the COP-MOP established an Open-ended Online Expert Forum and Ad Hoc Technical Expert Group (AHTEG) on Risk Assessment and Risk Management to develop guidance on specific aspects of risk assessment. As part of the preparation for the work of the AHTEG, eight ad hoc online discussion groups and four regional real-time online conferences (for Europe, Latin America, Africa and Asia) were held under the Online Forum.

Through the above process, a document entitled "Guidance on Risk Assessment of Living Modified Organisms" was developed. Part I of the document, "Roadmap for Risk Assessment of Living Modified Organisms," elaborates the technical and scientific process of environmental risk assessment in accordance with Annex III to the Protocol and provides background material and links to relevant references. Part II: "Specific Types of Living Modified Organisms and Traits" provides guidance on the risk assessment of LMOs with stacked genes or traits, living modified crops with improved tolerance to abiotic stress and living modified mosquitoes.

Furthermore in response to the request made at the last meeting, the Secretariat in collaboration with other relevant UN bodies and international organizations developed a draft training manual entitled "Risk Assessment of Living Modified Organisms". The draft manual was used during the Pacific subregional workshop in Fiji (4-7 July 2010), and the Asian subregional training course on risk assessment in Cambodia (12-16 July 2010).



Convention on  
Biological Diversity

<http://bch.cbd.int/protocol>



## What is expected at COP-MOP 5?

At its fifth meeting, it is anticipated that the COP-MOP might:

- Consider and take appropriate action on recommendations from the AHTEG, including publication of the “Guidance on Risk Assessment of Living Modified Organisms” and continuation of the process for development of further guidance on risk assessment.
- Establish mechanisms for identifying LMOs or specific traits that may have or are not likely to have adverse effects on the conservation and sustainable use of biodiversity, taking into account human health.
- Request the Secretariat to convene further sub-regional and regional training courses and to revise and publish the training manual on risk assessment.

### Secretariat of the Convention on Biological Diversity

413, Saint Jacques Street, suite 800  
Montreal, Quebec, H2Y 1N9  
Canada

Tel.: +1 514 288 2220  
Fax: +1 514 288 6588  
secretariat@cbd.int

<http://bch.cbd.int/protocol>





## Press Brief

# Rights and/or Obligations of Parties of Transit of Living Modified Organisms

## Background

The Protocol provides that while the advance informed agreement procedure does not apply to living modified organisms (LMOs) in transit, a Party has the right to regulate LMOs transiting through its territory and make its decision available to the Biosafety Clearing-House.

## What has been done?

At the second meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol (COP-MOP), some Parties highlighted the need for clarification of the rights and/or obligations of transit States. In this regard, the COP-MOP invited Parties, other Governments and relevant international organizations to submit views regarding clarification of the rights and/or obligations of transit States, particularly regarding documentation requirements.

At its third meeting, the COP-MOP took note of the submissions that were received and invited further views and information on the experience of Parties on this issue, including whether or not a Party acting only as a Party of transit takes on the obligations of a Party of export under the Protocol.



Convention on  
Biological Diversity

<http://bch.cbd.int/protocol>



## What is expected at COP-MOP 5?

At this meeting, Parties are expected to:

Consider the submissions made to date regarding possible rights and/or obligations of Parties of transit, as well as information on existing regional and national requirements regarding transit of LMOs, and take appropriate action. Possible options include:

- Setting aside any further consideration of this item and encouraging Parties to continue addressing it at the domestic level.
- Referring the issue to the Compliance Committee for its future consideration, as appropriate, when a specific request is made by a Party, or if a need for such consideration is identified through analysis of national reports.

### Secretariat of the Convention on Biological Diversity

413, Saint Jacques Street, suite 800  
Montreal, Quebec, H2Y 1N9  
Canada

Tel.: +1 514 288 2220  
Fax: +1 514 288 6588  
secretariat@cbd.int

<http://bch.cbd.int/protocol>