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COMPLIANCE COMMITTEE UNDER THE CARTAGENA PROTOCOL ON BIOSAFETY

Twelfth meeting
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ASSESSMENT OF THE OUTCOMES OF THE SEVENTH MEETING OF THE CONFERENCE OF THE PARTIES SERVING AS THE MEETING OF THE PARTIES TO THE CARTAGENA PROTOCOL ON BIOSAFETY REGARDING ITEMS RELEVANT TO COMPLIANCE

Note by the Executive Secretary

I. INTRODUCTION

1. The Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety (COP-MOP) held its seventh meeting in Pyeongchang, Republic of Korea, from 29 September to 3 October 2014. The meeting considered, among other things, the report, including recommendations submitted by the Compliance Committee, and took decisions accordingly.
2. The present document is meant to assess the outcomes of COP-MOP 7 relating to compliance. It is a review on how and to what extent the recommendations or elements of the recommendations of the Compliance Committee were considered in the decisions taken by COP-MOP 7. The purpose of this assessment is twofold: (a) to show the extent of contribution of the Committee in promoting the implementation of the Protocol by documenting the response of COP-MOP to the Committee's recommendation; and (b) to help the Committee develop its work programme for the coming intersessional period in the light of the decisions taken by COP-MOP.
3. Section II of the document examines the decisions that were taken at COP-MOP 7 under agenda item 4 on the report of the Compliance Committee. The decisions are reviewed vis-à-vis the recommendations that the Committee proposed in the annex to its report to COP-MOP 7.¹ For ease of reference, a table is also provided, as an annex to the present document, showing how and to what extent the recommendations of the Compliance Committee have been integrated in the decisions of the Parties to the Protocol. Section II also considers other relevant decisions adopted at COP-MOP 7 that may require the attention of the Compliance Committee. Section III proposes a possible work plan for the Committee for the next biennium, taking into account the overall organization of work agreed upon earlier by the Committee and the elements derived from COP-MOP 7 decisions relevant to compliance.
4. Finally, the document contains also, for information purposes, the new composition of the Committee following the elections of new members by COP-MOP 7.

¹ UNEP/CBD/BS/COP-MOP/7/2.

II. DECISIONS TAKEN BY COP-MOP 7 TAKING INTO ACCOUNT THE RECOMMENDATIONS OF THE COMPLIANCE COMMITTEE

5. The report of the Compliance Committee to COP-MOP 7 was a consolidated report of the work of the Committee undertaken during the intersessional period after COP-MOP 6, i.e. work accomplished at the tenth and eleventh meetings of the Committee. The Committee's recommendations to COP-MOP 7 had been agreed by the Committee at its eleventh meeting, held in May 2014.

6. Ms. Jimena Nieto Castro, the Chair of the Committee, made a statement at the opening plenary of COP-MOP 7 and submitted the report of the Committee.

7. Following past practice and taking into account the suggestion of the Committee as specified in the annex to its report, the recommendations of the Committee were considered under the relevant agenda items of COP-MOP 7. Accordingly, the recommendations of the Committee were considered under the following agenda items:

- (a) Recommendations 1 to 5 remained under the agenda item on compliance (item 4);²
- (b) Recommendations 6 to 8 were allocated under the item on monitoring and reporting (item 14);³
- (c) Recommendations 9 to 13 were considered under the item on the financial mechanism and resources (item 6);⁴
- (d) Recommendation 14 was considered under the item on unintentional transboundary movements and emergency measures Article 17 (item 16).⁵

8. The discussion below highlights each of the decisions taken by COP-MOP 7 taking into account the recommendations of the Compliance Committee.

BS-VII/1 Report of the Compliance Committee

9. The Committee's first and second recommendations submitted to COP-MOP 7 were with regard to the completeness of information submitted to the Biosafety Clearing-House and its consistency with the information provided through national reports. COP-MOP adopted these recommendations. It encouraged Parties to upload the actual documents that contain the information or, in cases where they provide a link to a website to access a document, to ensure that the link is functional and up-to-date and the information is easily accessible. It also encouraged Parties to ensure that the information they make available to the Biosafety Clearing-House is up to date and consistent with their national reports.

10. The third recommendation was to request Parties and urge other Governments and relevant international and regional organizations to undertake or support capacity-building initiatives to assist developing country Parties in the use of the Biosafety Clearing-House and putting in place facilities enabling them to submit consistent, up-to-date and complete information through the Biosafety Clearing-House and their national reports. This was taken up by COP-MOP, except that Parties were only "invited" to do so, instead of "requested", as proposed by the Committee. COP-MOP 7 also decided to specify that assistance to developing country Parties should be given in particular to the least developed and small island developing States among them, and Parties with economies in transition. The COP-MOP further decided to add that the facilities put in

² See UNEP/CBD/BS/COP-MOP/7/16, paras. 39-49.

³ Ibid., paras. 153-161.

⁴ Ibid., paras. 61-71.

⁵ Ibid., paras. 171-181.

place should also allow developing country Parties access to appropriate technologies that would enable them to actively participate in online activities.

11. The Committee's fourth and fifth recommendations to COP-MOP referring to the implementation by Parties of requirements under Article 23 of the Protocol were taken up in paragraphs 5 and 6 of the decision. Both recommendations were adopted by the COP-MOP with the modification that Parties were "encouraged" instead of "urged" to implement these requirements.

12. Finally, in keeping with the facilitative nature of the Committee and its active role during the previous intersessional period in reaching out to Parties that were facing difficulties complying with obligations identified as priorities by COP-MOP 6, COP-MOP 7 encouraged Parties facing difficulties complying with one or more of their obligations under the Protocol in such areas as making information available to the Biosafety Clearing-House and the development or updating of national biosafety frameworks, to seek assistance from the Compliance Committee or the Secretariat, although this was not expressly recommended by the Compliance Committee.

BS-VII/3 Assessment and review of the effectiveness of the Protocol (Article 35)

13. At its ninth meeting, the Compliance Committee had noted the overlap between the function of the Compliance Committee when reviewing general issues of compliance and the process for the second assessment and review in the context of decision BS-V/15. COP-MOP 6, therefore, decided that input from the Compliance Committee had to be taken into account in the process of preparing for the third assessment and review of the effectiveness of the Protocol. Consequently, the Compliance Committee was requested to evaluate the status of implementation of the Protocol as a contribution to the third evaluation of the effectiveness in meeting the objectives of the Protocol in accordance with Article 35 of the Protocol.⁶ Accordingly, at its tenth meeting the Compliance Committee clarified a timeline for the third assessment and review process and the Committee's role therein.⁷ Following the eleventh meeting, members of the Committee also exchanged views on the draft proposal of a methodology (UNEP/CBD/BS/COP-MOP/7/13) for the third assessment and review which was submitted to COP-MOP at its seventh meeting.

14. COP-MOP 7 reiterated its request for the Compliance Committee to provide an input to the third assessment and review of the Protocol and the mid-term evaluation of the Strategic Plan in the form of an evaluation of the status of implementation of the Protocol in meeting its objectives.⁸ The Committee's input, together with the contribution from the Liaison Group on Capacity-Building, is expected to be submitted to the newly established Subsidiary Body on Implementation, at its first meeting, scheduled for May 2016, for its consideration.⁹

BS-VII/5 Matters related to the financial mechanism and resources

15. The Committee's ninth recommendation referred to a possible request by COP-MOP to the Global Environment Facility (GEF) to make funds available, through a focal area set aside for small-scale projects, to eligible Parties that inform the Compliance Committee of their difficulties in complying with the Protocol pursuant to item 8 of paragraph 2(n) of appendix II to decision XI/5 of the Conference of the Parties. The recommendation identified, in particular four specific activities. The request for funding for most of these activities was included in the COP-MOP recommendation to the Conference of the Parties on guidance to the GEF.

⁶ Decision BS-VI/15, para. 5 and 6.

⁷ UNEP/CBD/BS/CC/10/5, annex I.

⁸ Decision BS-VII/3, para. 7.

⁹ The Subsidiary Body on Implementation was established by the Conference of the Parties in its decision XII/26.

16. For the first two activities regarding funds for the preparation of national reports, however, Parties to the Convention decided that GEF should be invited to make available funds from within the Biodiversity Focal Area Set Aside and that it should not be restricted to, but be directed particularly at, those eligible Parties that report difficulties to the Committee.

17. The third activity envisaged in the recommendation of the Committee referred to funds for the updating or finalization and implementation by Parties of their national biosafety frameworks (NBFs). Parties decided to recommend that funding for the implementation of NBFs be realized within Programme 5 on Implementing the Cartagena Protocol on Biosafety under the Biodiversity Focal Area and that the GEF consider mechanisms for supporting the updating and finalization of NBFs by Parties.

18. The fourth activity suggesting support for the use of experts from the Biosafety Roster of Experts in pursuit of the previous three activities was not taken up by COP-MOP.

19. The COP-MOP also recommended (and COP agreed in its decision XII/30 C) that the GEF be invited to consider mechanisms for facilitating access to GEF funding for projects supporting the implementation of the Cartagena Protocol on Biosafety and increasing the level of utilization of GEF funding for biosafety, thus incorporating the Committee's tenth recommendation.

20. As suggested in the eleventh recommendation of the Committee, paragraph 11 of the COP-MOP decision encourages the agencies related to GEF to make sufficient provisions to support eligible Parties in developing and implementing biosafety projects.

21. The twelfth recommendation of the Committee, which referred to encouraging Parties to cooperate at the regional level to obtain GEF funding, was taken up COP-MOP, reinforcing the idea that support from GEF should be for joint projects, in order to maximize synergies and opportunities for cost-effective sharing of resources, information, experiences and expertise.

22. Finally, the elements of the thirteenth recommendation of the Committee, regarding better coordination between biosafety, biodiversity and GEF focal points and organizing regional workshops with a view to raising awareness of the importance of fulfilling biosafety-related obligations, identifying local or regional capacity that may be available and utilized, and designing projects that have a better chance of being approved, have been reflected in paragraphs 7, 8 and 9 of decision BS-VII/5.

BS-VII/7 Report of the Executive Secretary on the administration of the Protocol

23. COP-MOP 7 approved core programme budget as set out in table 1 of decision BS-VII/7 providing for one meeting of the Compliance Committee per year during the 2015-2016 biennium.

BS-VII/10 Unintentional transboundary movements and emergency measures (Article 17)

24. At its eleventh meeting, the Compliance Committee reviewed, as part of its agreed work plan, issues related to consistency between the information that each Party had provided through its second national report and the information made available to the Biosafety Clearing-House by that Party. The Committee observed, among other things, that Parties had different approaches in understanding and addressing illegal and unintentional transboundary movements which lead to inconsistencies in the information provided under these areas, and recommended that COP-MOP decide to provide guidance, in the context of operational objective 1.8 of the Strategic Plan, on what constitutes unintentional transboundary movements in contrast with illegal transboundary movements and what follow-up action was required in the case of such transboundary movements.

25. Accordingly, in decision BS-VII/10, Parties and other Governments are invited to submit views, in the context of operational objective 1.8 of the Strategic Plan for the Cartagena Protocol on Biosafety for the period

2011-2020, on what constitutes unintentional transboundary movements in contrast with illegal transboundary movements and what type of information should be exchanged through the Biosafety Clearing-House. The Executive Secretary is requested to compile and synthesize the information submitted for consideration by the Compliance Committee at its thirteenth meeting and, on the basis of this compilation, submit suggested clarifications on what constitutes an unintentional transboundary movement in contrast with an illegal transboundary movement.

26. To further contribute to this clarification, the Network of Laboratories for the Detection and Identification of Living Modified Organisms was invited to participate in online discussions, in February 2015, on (a) the current definitions and uses of the terms “unintentional transboundary movement” and “illegal transboundary movement” of living modified organisms, and (b) the drafting of working definitions for the terms “unintentional transboundary movement” and “illegal transboundary movement” of living modified organisms for consideration by the Compliance Committee and an analysis of the implications on detection and identification of living modified organisms. The transcript of the online discussion held in February is available at: http://bch.cbd.int/onlineconferences/portal_detection/discussions.shtml. The issue will be further discussed in a face-to-face workshop on the detection and identification of living modified organisms scheduled to be held in June 2015.

BS-VII/14 Monitoring and reporting under the Protocol

27. The Compliance Committee reviewed the third national reporting format at its eleventh meeting in line with the agreed workplan of the Committee and paragraph 9 of decision BS-VI/14. The Committee made comments and specific suggestions with a view to improving the format and guidelines. The Secretariat took the comments and suggestions into consideration in finalizing the draft reporting format that was submitted to COP-MOP 7. Accordingly, COP-MOP welcomed, in the preamble to its decision BS-VII/14, the recommendations of the Compliance Committee.

28. The sixth recommendation of the Committee was to urge the 10 Parties whose second national reports were still outstanding (Bahamas, Barbados, Belize, Greece, Luxembourg, Marshall Islands, Montenegro, Nicaragua, Pakistan and Turkmenistan) to submit their national report without further delay using the format for the second national reports, and request the Bureau to communicate with these Parties and follow-up on their progress. While this recommendation was not taken up by COP-MOP,¹⁰ Pakistan did submit its report in September of 2014.

29. The Committee’s seventh recommendation links national reporting with the review processes under the Protocol. It suggested to COP-MOP to urge Parties to submit their third national reports in a timely manner with a view to allowing sufficient time for the analysis of the information, which was essential for assessing compliance, conducting the mid-term review of the Strategic Plan and completing the third assessment and review of the effectiveness of the Protocol. The recommendation has been partly captured in the preamble of the decision, where the draft third national reporting format proposed by the Secretariat was welcomed and the intended role of the information therein was recognized in facilitating the conduct of both the mid-term review of the implementation of the Strategic Plan for the Cartagena Protocol and the third assessment and review of the Protocol.

30. The need for timeliness of reporting, however, has been taken up, perhaps more appropriately, in paragraph 3 of decision BS-VII/3 on the assessment and review of the effectiveness of the Protocol (Article 35), whereby Parties are urged and other Governments are invited “to contribute effectively to the data collection

¹⁰ This was due to the inadvertent omission of the recommendation of the Committee from the suggested elements for a draft decision contained in the document on monitoring and reporting (UNEP/CBD/BS/COP-MOP/7/12).

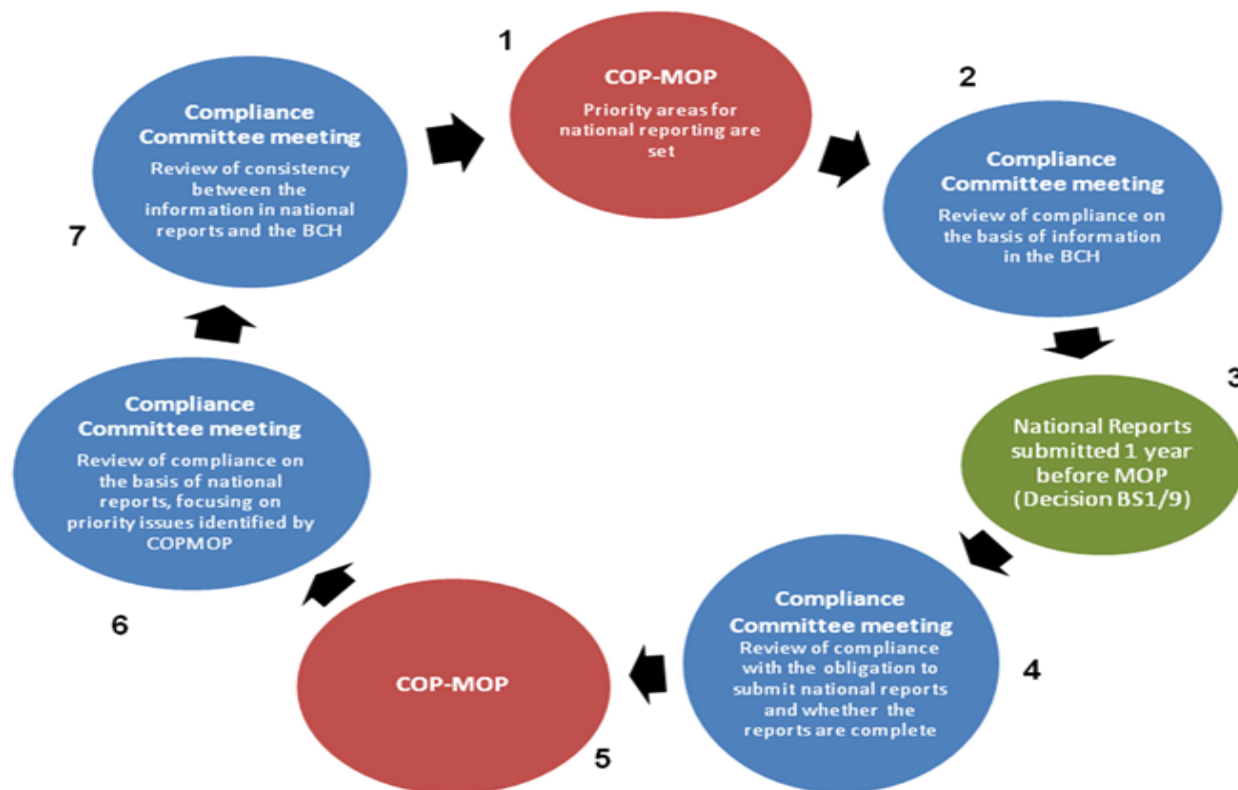
process by completing and submitting their national reports in a timely manner and by providing adequate and complete information in their reports, in accordance with the relevant decisions”.

31. The Committee’s eighth recommendation was to request the Executive Secretary to organize online discussions, such as webinars, and regional workshops on national reporting with a view to assisting Parties in understanding the reporting format, the rationale behind each question and the technical facilities for the online submission of their third national reports. The recommendation was not incorporated into the decision of COP-MOP 7 on monitoring and reporting. Nevertheless, the Secretariat continues to use all available means and opportunities to clarify questions related to national reporting format, timetables, and information on availability of resources for the preparation of national reports with a view to expediting the timely submission of these reports.

32. It should be noted that, in paragraph 3 of decision BS-VII/2 on operation and activities of the Biosafety Clearing-House, Parties, other Governments and relevant international and regional organizations are invited to: (a) undertake or support capacity-building initiatives to assist developing country Parties in putting in place facilities enabling them to submit consistent, up-to-date and complete information through the Biosafety Clearing-House and their national reports; and (b) to provide funding and to strengthen and expand initiatives, as much as possible in a coordinated way, aimed at overcoming obstacles encountered by developing country Parties, in particular the least developed countries 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, training and the development of infrastructure necessary for facilitating the retrieval and submission of information to the Biosafety Clearing-House.

III. PROPOSED WORK PLAN FOR THE COMPLIANCE COMMITTEE FOR THE PERIOD PRIOR TO COP-MOP 8

33. The Compliance Committee at its eighth meeting agreed on the organization of work as set out in the figure below, noting that this organization of work was intended to complement any work plan or existing arrangement for the consideration of specific items by the Committee.



34. Accordingly, and taking into account the outcomes of COP-MOP 7 as reviewed above, the Committee may wish to consider the following activities and adopt its work plan for the biennium before COP-MOP 8:

- (a) Twelfth meeting (second quarter of 2015):¹¹
 - (i) Assessment of the outcomes of COP-MOP 7 relating to compliance;
 - (ii) Review of compliance on the basis of information in the Biosafety Clearing-House (step 2 in the organization of work above);
 - (iii) Input to the third assessment and review of the Protocol and mid-term evaluation of the Strategic Plan (decision BS-VII/3, para. 7);
 - (iv) Any other matter;
- (b) Thirteenth meeting (first quarter of 2016):¹²
 - (i) Status of compliance with the obligation to submit third national reports and whether the information in the reports is complete (step 4 in the organization of work above);
 - (ii) Evaluation of the status of implementation of the Protocol in meeting its objectives: input to the third assessment and review and the mid-term evaluation of the Strategic Plan;
 - (iii) General issues of compliance;

¹¹ These proposed items have already been taken into account in developing the provisional agenda for the current meeting.

¹² The Secretariat suggests that the next meeting of the Committee be in March 2014 in order to finalize the input that the Committee is requested to make to the third assessment and review of the Protocol and the mid-term evaluation of the Strategic Plan so that the input could be made available to the Subsidiary Body on Implementation, at its first meeting, scheduled for end of April and early May 2016.

- (iv) Any other issues that may be pending or may arise;
- (v) Preparation and adoption of the report and the recommendations of the Committee for submission to COP-MOP 8.

IV. MEMBERSHIP

35. As the Committee had noted at its last meeting, the term of five members came to an end on 31 December 2014. Accordingly, COP-MOP 7 has elected or re-elected the following members to serve on the Compliance Committee:

- (a) *Africa* – Dr. Martha Kandawa-Schultz (Namibia);
- (b) *Asia and the Pacific* – Mr. Choi Seung-Hwan (Republic of Korea);
- (c) *GRULAC* – Ms. Sol Ortíz García (México);
- (d) *CEE* – Dr. Martin Batic (Slovenia);
- (e) *WEOG* – Mrs. Clare Hamilton (United Kingdom of Great Britain and Northern Ireland).

36. Accordingly, the composition of the Committee for the biennium 2015-2016 is as follows:

- 1. Ms. Kaouthar Tliche Aloui (Tunisia) (31 December 2016)
- 2. Dr. Martha Kandawa-Schultz (Namibia) (31 December 2018)
- 3. Mr. Johansen Voker (Liberia) (31 December 2016)
- 4. Mr. Choi Seung-Hwan (Republic of Korea) (31 December 2018)
- 5. Dr. Banpot Napompeth (Thailand) (31 December 2016)
- 6. Dr. Rai S. Rana (India) (31 December 2016)
- 7. Dr. Angela Lozan (Moldova) (31 December 2016)
- 8. Dr. Martin Batic (Slovenia) (31 December 2018)
- 9. Ms. Dubravka Stepic (Croatia) (31 December 2016)
- 10. Mr. Héctor Conde Almedia (Cuba) (31 December 2016)
- 11. Ms. Sol Ortíz García (México) (31 December 2018)
- 12. Ms. Jimena Nieto Carrasco (Colombia) (31 December 2016)
- 13. Mr. Ruben Dekker (Netherlands) (31 December 2016)
- 14. Ms. Clare Hamilton (United Kingdom of Great Britain and Northern Ireland) (31 December 2018)
- 15. Mr. Geoff Ridley (New Zealand) (31 December 2016).

V. CONCLUSION

31. The seventh meeting of the Parties to the Protocol considered most of the recommendations of the Committee favourably. The table in the annex below shows how the recommendations were considered, accepted, and, as appropriate, included in the decisions of COP-MOP under the items to which they were considered to be relevant.

Annex

**THE EXTENT OF INTEGRATION OF THE RECOMMENDATIONS OF THE COMPLIANCE COMMITTEE INTO THE DECISIONS OF
COP-MOP 7**

Recommendation of the Committee (Annex, document UNEP/CBD/BS/COP-MOP/7/2)	COP-MOP 7 decision	Remarks/clarifications
<p>The Compliance Committee recommends that the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety decide, at its seventh meeting, to:</p> <p>1. <i>Encourage</i> Parties to provide the Biosafety Clearing-House with the actual documents that contain the information required under the Protocol and, in cases where they provide a link to a website to access a document, ensure that the link is functional and up-to-date and the information is easily accessible;</p> <p>2. <i>Encourage</i> Parties to ensure that the information they make available to the Biosafety Clearing-House is up to date and consistent with their national reports;</p> <p>3. <i>Request</i> Parties and urge other Governments and relevant international and regional organizations to undertake or support capacity-building initiatives to assist developing country Parties in the use of the Biosafety Clearing-House and putting in place facilities enabling them to submit consistent, up-to-date and complete information through the Biosafety Clearing-House</p>	<p>BS-VII/1. Compliance</p> <p>1. <i>Encourages</i> Parties, when submitting to the Biosafety Clearing-House information required under the Protocol, to upload the actual documents that contain the information or, in cases where they provide a link to a website to access a document, ensure that the link is functional and up-to-date and the information is easily accessible;</p> <p>2. <i>Also encourages</i> Parties to ensure that the information they make available to the Biosafety Clearing-House is up to date and consistent with their national reports;</p> <p>3. <i>Invites</i> Parties, other Governments and relevant international and regional organizations to undertake or support capacity-building initiatives aimed at assisting developing country Parties, in particular the least developed and small island developing States among them, and Parties with economies in transition, in the use of the Biosafety Clearing-House and in putting in place facilities</p>	<p>The suggested elements for a draft decision are all adopted.</p> <p>Parties decided to “invite” rather than “request” Parties to undertake or support capacity-building initiatives to assist developing country Parties in the submission of information on the Biosafety Clearing-House and in national reports. They further decided to specify that assistance should be particularly for least developed and small island developing States among them, and Parties with economies in transition. Finally, following</p>

Recommendation of the Committee (Annex, document UNEP/CBD/BS/COP-MOP/7/2)	COP-MOP 7 decision	Remarks/clarifications
<p>and their national reports;</p> <p>4. <i>Urge</i> Parties to implement requirements under Article 23 of the Protocol within a mechanism appropriate to their national circumstances, which could include the integration of public awareness, education and participation within: (a) NBSAPs; (b) a broader national framework for communication, education and public awareness (CEPA); or (c) efforts to implement Target 1 of the Aichi Targets, and taking into account relevant elements of the programme of work on public awareness, Education and participation adopted in decision BS-V/13;</p> <p>5. <i>Encourage</i> Parties to make effective use of the various tools, materials and mechanisms made available by the Secretariat and others,</p>	<p>that will enable them to submit consistent, up-to-date and complete information through the Biosafety Clearing-House and their national reports and allow developing country Parties access to appropriate technologies for active participation in online activities;</p> <p>4. <i>Encourages</i> Parties that are facing difficulties complying with one or more of their obligations under the Protocol to seek assistance from the Compliance Committee or the Secretariat in such areas as making information available to the Biosafety Clearing-House and the development or updating of national biosafety frameworks;</p> <p>5. <i>Encourages</i> Parties to implement requirements under Article 23 of the Protocol within a mechanism appropriate to their national circumstances, which could include the integration of public awareness, education and participation in national biodiversity strategies and action plans, broader national frameworks for communication, education and public awareness (CEPA), or efforts to implement Aichi Biodiversity Target 1, taking into account relevant elements of the programme of work on public awareness, education and participation adopted in decision BS-V/13;</p> <p>6. <i>Encourages</i> Parties to make effective use of the various tools, materials and mechanisms made available by the Secretariat and other</p>	<p>requests by several Parties during discussions in working group 1, they decided to add assisting developing country Parties to facilitate their active participation in online activities.</p> <p>Although not in the recommendations of the Committee, Parties decided to make particular reference to the availability of the Committee, in keeping with its facilitative role, and the Secretariat to assist Parties facing difficulties.</p> <p>The recommendation regarding implementation of Article 23 was largely unchanged, except that Parties were “encouraged” rather than “urged” to implement these requirements.</p>

Recommendation of the Committee (Annex, document UNEP/CBD/BS/COP-MOP/7/2)	COP-MOP 7 decision	Remarks/clarifications
including the online forum and the online regional networks established through the Biosafety Clearing-House, to share information, experiences and lessons learned in the implementation of obligations under Article 23 of the Protocol;	sources, including the online forum and the online regional networks established through the Biosafety Clearing-House, to share information, experiences and lessons learned in the implementation of obligations under Article 23 of the Protocol.	
<p>9. <i>Request</i> the Global Environment Facility to make funds available through a focal area set aside for small-scale projects to eligible Parties that inform the Compliance Committee of their difficulties in complying with the Protocol pursuant to item 8 of paragraph 2(n) of appendix II to decision XI/5 of the Conference of the Parties, and in particular for the following activities:</p> <p>(a) The preparation of the third national reports under the Protocol, in accordance with paragraph 2(g) of decision BS-VI/5;</p> <p>(b) The preparation, by Parties that have not yet done so, of their first national reports under the Protocol, in accordance with decision BS-V/14;</p>	<p>BS-VII/5. Matters related to the financial mechanism and resources</p> <p>14. <i>Recommends</i> that the Conference of the Parties, in adopting its further guidance to the financial mechanism with respect to support for the implementation of the Cartagena Protocol on Biosafety, invite the Global Environment Facility:</p> <p>(a) To fund, in view of the experience gained during the second national reporting process, the following activities within the Biodiversity Focal Area Set Aside for eligible Parties, in particular those that have reported to the Compliance Committee difficulties in complying with the Protocol, with a view to fulfilling their national reporting obligation under the Protocol:</p> <p>(i) Preparation of the third national reports under the Cartagena Protocol on Biosafety, in accordance with paragraph 2 (g) of decision BS-VI/5;</p> <p>(ii) Preparation, by Parties that have not yet done so, of their first national reports under the Cartagena Protocol on Biosafety, in accordance with decision BS-V/14;</p> <p>(b) To fund the following activities of eligible</p>	<p>Some elements of the recommendations to the Global Environment Facility were incorporated in the guidance to the financial mechanism that was finally adopted by COP 11 (Decision XII/30)</p>

Recommendation of the Committee (Annex, document UNEP/CBD/BS/COP-MOP/7/2)	COP-MOP 7 decision	Remarks/clarifications
<p>(c) The updating or finalization and implementation by Parties of their national biosafety frameworks, in accordance with paragraph 2(h) of decision BS-VI/5;</p> <p>(d) Supporting the use of experts, selected in consultation with the concerned Parties, from the Biosafety Roster of Experts in pursuit of (a), (b) and (c) above, as necessary;</p> <p>10. <i>Encourage</i> the Global Environment Facility to facilitate the availability of funds to eligible Parties for biosafety projects;</p> <p>11. <i>Encourage</i> the implementing agencies of the Global Environment Facility, in particular the United Nations Environment Programme, to make</p>	<p>Parties within Programme 5 on Implementing the Cartagena Protocol on Biosafety under the Biodiversity Focal Area:</p> <p>(i) Implementation of national biosafety frameworks, in accordance with paragraph 2 (h) of decision BS-VI/5;</p> <p>(c) To consider mechanisms for:</p> <p>(i) Supporting the updating and finalization of national biosafety frameworks;</p> <p>14. <i>Recommends</i> that the Conference of the Parties, in adopting its further guidance to the financial mechanism with respect to support for the implementation of the Cartagena Protocol on Biosafety, invite the Global Environment Facility:</p> <p>(c) To consider mechanisms for:</p> <p>(ii) Facilitating access to GEF funding for projects supporting the implementation of the Cartagena Protocol on Biosafety;</p> <p>(iii) Increasing the level of utilization of GEF funding for biosafety;</p> <p>11. <i>Encourages</i> the implementing agencies of the Global Environment Facility to make</p>	

Recommendation of the Committee (Annex, document UNEP/CBD/BS/COP-MOP/7/2)	COP-MOP 7 decision	Remarks/clarifications
<p>sufficient provisions to support eligible Parties in developing and implementing biosafety projects;</p> <p>12. <i>Encourage</i> Parties to cooperate at the regional level to obtain Global Environment Facility funding;</p> <p>13. <i>Urge</i> Parties to strengthen their efforts to improve their access to funding for biosafety projects from the Global Environment Facility through, among other things, better coordination between biosafety, biodiversity and GEF focal points and cooperation in organizing regional workshops with a view to: (a) raising awareness of the importance of fulfilling biosafety-related obligations; (b) identifying local or regional capacity that may be available and utilized; and (c) designing projects that have a better chance of being approved;</p>	<p>sufficient provisions to support eligible Parties in developing and implementing biosafety projects;</p> <p>6. <i>Also encourages</i> Parties to cooperate at the regional and subregional levels and to request support from the Global Environment Facility for joint projects in order to maximize synergies and opportunities for cost-effective sharing of resources, information, experiences and expertise;</p> <p>7. <i>Invites</i> Parties and other Governments to engage in activities to raise awareness of relevant government officials (including GEF operational focal points) regarding the importance of biosafety and the national obligations under the Cartagena Protocol on Biosafety with a view to ensuring due consideration of biosafety in the programming of the national GEF allocations for biodiversity;</p> <p>8. <i>Urges</i> Parties to improve their efforts to access funding for biosafety projects from the Global Environment Facility, inter alia, through better coordination between Cartagena Protocol national focal points, CBD national focal points, and GEF operational focal points;</p> <p>9. <i>Also urges</i> Parties to cooperate in organizing regional workshops with a view to raising awareness of the Cartagena Protocol as a tool for sustainable development and the importance of fulfilling obligations under the</p>	

Recommendation of the Committee (Annex, document UNEP/CBD/BS/COP-MOP/7/2)	COP-MOP 7 decision	Remarks/clarifications
<p>14. <i>Decide</i>, in the context of operational objective 1.8 of the Strategic Plan, to provide guidance on what constitutes unintentional transboundary movements in contrast with illegal transboundary movements and what follow-up action is required in the case of such transboundary movements.</p>	<p>Protocol; identifying available local or regional capacities that may be utilized; and designing projects that have a better chance of being approved;</p> <p>BS-VII/10. Unintentional transboundary movements and emergency measures (Article 17)</p> <p>2. <i>Invites</i> Parties and other Governments, in the context of operational objective 1.8 of the Strategic Plan for the Cartagena Protocol on Biosafety for the period 2011-2020, to submit views on what constitutes unintentional transboundary movements in contrast with illegal transboundary movements and what type of information should be exchanged through the Biosafety Clearing-House;</p> <p>5. <i>Requests</i> the Executive Secretary:</p> <p>(a) To continue organizing online discussions through the Network of Laboratories focusing on the detection and identification of living modified organisms;</p> <p>(e) To compile and synthesize information submitted through paragraph 2 above for consideration by the Compliance Committee at its thirteenth meeting and, on the basis of this compilation, submit suggested clarifications on what constitutes an unintentional transboundary movement in contrast with an illegal</p>	<p>The Network of Laboratories for Detection and Identification of Living Modified Organism also held online discussions in February 2015 on the following:</p> <p>Current definitions and uses of the terms “unintentional transboundary movement” and “illegal transboundary movement” of LMOs; and</p> <p>Drafting working definitions for “unintentional transboundary movement” and “illegal transboundary movement” of LMOs for consideration of the Compliance Committee and an analysis of the implications on detection and identification of LMOs</p> <p>A transcript of the discussions is available at: http://bch.cbd.int/onlineconferences/portal_detection/discussions.shtml</p> <p>The issue will also be discussed in a face-to-face workshop on the detection and identification of LMOs to be held in June 2015.</p>

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	transboundary movement.	
<p>6. <i>Urge</i> the Bahamas, Barbados, Belize, Greece, Luxembourg, the Marshall Islands, Montenegro, Nicaragua, Pakistan and Turkmenistan to submit their national report without further delay using the format for the second national reports, and <i>request</i> the Bureau to communicate with these Parties and follow-up on their progress;</p> <p>7. <i>Urge</i> Parties to submit their third national reports in a timely manner with a view to allowing sufficient time for the analysis of the information in the reports, which is essential for assessing compliance, conducting the mid-term review of the Strategic Plan and completing the third assessment and review of the effectiveness of the Protocol;</p> <p>8. <i>Request</i> the Executive Secretary to</p>	<p>BS-VII/14. Monitoring and reporting</p> <p><i>Also welcoming</i> the recommendations of the Compliance Committee on the draft third national reporting format,</p> <p><i>Also welcoming</i> the draft third national reporting format proposed by the Secretariat and <i>recognizing</i> the intended role of the information therein contained in facilitating the conduct of both the mid-term review of the implementation of the Strategic Plan for the Cartagena Protocol as well as the third assessment and review of the Protocol,</p>	<p>The preambular paragraph welcomes the role of the Committee in the preparation of the draft format for the third national report.</p> <p>This recommendation was not integrated in the COP-MOP decision. However, one more Party (Pakistan) has submitted its second national report.</p> <p>While the link between the submission of the third national report and the review processes is captured in the preambular paragraphs of the decision, the need for timeliness of reporting is rather taken up in paragraph 3 of decision BS-VII/3 on the Assessment and review of the effectiveness of the Protocol (Article 35) “<i>Urges</i> Parties and invites other Governments to contribute effectively to the data collection process by completing and submitting their national reports in a timely manner and by providing adequate and complete information in their reports, in accordance with the relevant decisions”</p> <p>This request to the Executive Secretary was not integrated into the decision. However, the</p>

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<p>organize online discussions, such as webinars, and regional workshops on national reporting with a view to assisting Parties in understanding the reporting format, the rationale behind each question and the technical facilities for the online submission of their third national reports;</p>		<p>following relevant paragraph from decision BS-VII/2 on the operation and activities of the Biosafety Clearing-House, partly incorporates the notion that Parties may need capacity building assistance to understand and submit their third national reports:</p> <p>3. <i>Invites</i> Parties, other Governments and relevant international and regional organizations:</p> <p>(a) To undertake or support capacity-building initiatives to assist developing country Parties in putting in place facilities enabling them to submit consistent, up-to-date and complete information through the Biosafety Clearing-House and their national reports;</p> <p>(b) To provide funding and to strengthen and expand initiatives, as much as possible in a coordinated way, aimed at overcoming obstacles encountered by developing country Parties, in particular the least developed countries 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, training and the development of infrastructure necessary for facilitating the retrieval and submission of information to the Biosafety Clearing-House, while recalling paragraph 10 of decision BS-V/2.</p>