



## Convention on Biological Diversity

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**Compliance Committee under the  
Cartagena Protocol on Biosafety  
Nineteenth meeting**  
Montreal, Canada, 30 April–2 May 2024  
Item 4 of the provisional agenda\*  
**General issues of compliance**

### **General issues of compliance**

#### **Note by the Secretariat**

#### **I. Introduction**

1. One of the functions of the Compliance Committee under the Cartagena Protocol on Biosafety is to review general issues of compliance by Parties with their obligations under the Protocol, taking into account the information provided in the national reports and through the Biosafety Clearing-House.<sup>1</sup>
2. At its fifth meeting, the Compliance Committee agreed to have a standing agenda item on the review of general issues of compliance at its subsequent meetings. As part of that item, the Committee has considered the compliance of Parties with a number of obligations, focusing on (a) the obligation to report on measures taken to implement the Protocol, in accordance with its Article 33; (b) the obligation to make information available in the Biosafety Clearing-House; and (c) the obligation to introduce legal, administrative and other measures to implement the obligations under the Protocol, in accordance with its Article 2.
3. At its eighteenth meeting, the Compliance Committee considered general issues of compliance in conjunction with the review of compliance in priority areas on the basis of information provided in the fourth national reports. It also considered the results of a survey conducted further to decision [CP-10/2](#) concerning challenges that Parties faced in complying with the obligation to submit a national report and to take the measures necessary to implement the Protocol. In that context, the Committee agreed on follow-up actions.
4. Section II of the present note contains an overview of follow-up actions taken since the previous meeting. Section III contains suggestions for follow-up actions by the Compliance Committee and for recommendations to the Conference of the Parties serving as the meeting of the Parties to the Protocol.

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\* CBD/CP/CC/19/1.

<sup>1</sup> Decision [BS-1/7](#), annex, sect. III, para. 1 (d).

## II. Overview of follow-up actions

5. At its eighteenth meeting, in the context of general issues of compliance, the Compliance Committee decided that the Secretariat should send communications to numerous Parties, including with regard to the submission of the fourth national reports and measures to implement the obligations under the Protocol.

6. The subsections below summarize the steps taken and the responses received concerning the communications on general issues of compliance at the time of reporting. However, given the relatively short period since the previous meeting, there was limited time to prepare and transmit all the requested communications, and even less time for Parties to reply, and the Secretariat will provide an update to the Committee at the meeting.

### A. Submission of national reports

7. At its eighteenth meeting, the Compliance Committee reviewed compliance with the obligation to submit a fourth national report. At the time, 16 Parties had not submitted their fourth national reports, and 9 Parties had submitted neither their third nor their fourth national reports, the latter being considered as individual cases of non-compliance. Information on follow-up with regard to the individual cases of non-compliance is provided in document CBD/CP/CC/19/4. The Committee also considered the results of a survey conducted further to decision CP-10/2 concerning challenges that Parties were facing in complying with the obligation to submit a national report.

8. In that context, the Compliance Committee requested the Executive Secretary to write to the national focal point of the Party<sup>2</sup> that had indicated in the survey that it had submitted its fourth national report but the report of which had not yet been received by the Secretariat, requesting the Party to provide clarification and, as appropriate, to submit its national report as a matter of urgency.

9. The Executive Secretary sent said letter on 16 January 2024, but the email to which the letter was attached bounced back. As a result, the Secretariat requested the Permanent Mission of the Party concerned to the United Nations in New York to provide an alternative email address, but no response had been received at the time of reporting.

10. The Compliance Committee also requested the Executive Secretary to write to the national focal points of the other 15 Parties that had not submitted their fourth national reports, to request them to submit those reports as a matter of urgency and urge them to inform the Committee of any challenges that they might face in that regard.

11. One of the 15 Parties submitted its fourth national report directly to the Secretariat on 8 December 2023 and later published it on the Biosafety Clearing-House.<sup>3</sup> Accordingly, the Executive Secretary sent letters, dated 23 January 2024, to the remaining 14 Parties.<sup>4</sup> Five of those Parties subsequently submitted their fourth national reports on the Biosafety Clearing-House.<sup>5</sup> An additional two Parties responded, one to indicate that it was making its best efforts to submit its fourth national report, and the other to acknowledge receipt.

12. As at 7 March 2024, 154 fourth national reports had been received, of which 145 had been published on the Biosafety Clearing-House. Reports of nine Parties had been submitted directly to the Secretariat, and the Secretariat was in contact with those Parties to assist them with the steps needed to publish their reports online.

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<sup>2</sup> Democratic People's Republic of Korea.

<sup>3</sup> Kyrgyzstan.

<sup>4</sup> Afghanistan, Angola, Bolivia (Plurinational State of), Cabo Verde, Dominica, Fiji, Honduras, Jordan, Mauritius, Mongolia, Niue, Saint Vincent and the Grenadines, Trinidad and Tobago and Yemen.

<sup>5</sup> Angola, Cabo Verde, Jordan, Trinidad and Tobago and Yemen.

13. The table below presents an overview of the status of submission of the fourth national reports at the time of the eighteenth meeting and as at 7 March 2024. The Secretariat will provide any further update to the Compliance Committee at the present meeting.

**Status of submission of the fourth national reports**

<i>Number of Parties with an obligation to submit a fourth national report, by category</i>	<i>As at 24 October 2023</i>	<i>As at 7 March 2024</i>
Number of Parties that had submitted their fourth national reports directly to the Secretariat	10	9
Number of Parties that had submitted their fourth national reports on the Biosafety Clearing-House	136	145
Number of Parties that had not submitted their fourth national reports	16	10
Number of Parties that had submitted neither their third nor their fourth national reports	9	7
<b>Total</b>	<b>171</b>	<b>171</b>

**B. Submission of information to the Biosafety Clearing-House**

14. In accordance with its cyclical organization of work, the Compliance Committee is to review the consistency of information between the fourth national reports and the Biosafety Clearing-House at the present meeting (under agenda item 3) and the completeness and accuracy of information in the Biosafety Clearing-House at its following meeting.

15. At its previous meeting, in the context of the review of general issues of compliance, the Compliance Committee considered an update on the results of the follow-up by the Secretariat with Parties that had not designated national focal points despite repeated requests of the Committee to do so. The Committee decided on follow-up actions, and information in this regard is presented in document CBD/CP/CC/19/4, for consideration under agenda item 5.

16. Also at its previous meeting and in the context of the review of general issues of compliance, the Compliance Committee requested the Secretariat to continue to follow up with the Parties concerned on the completeness and accuracy of information published through the Biosafety Clearing-House, including summaries of risk assessments. An update in this regard is provided in document CBD/CP/CC/19/2, for consideration under agenda item 3, and the Committee will consider the matter further at its twentieth meeting, under the review of compliance, on the basis of information published through the Biosafety Clearing-House. In addition, the Secretariat has continued to follow up on a regular basis with Parties on the completeness and accuracy of information on the Biosafety Clearing-House.

**C. Measures to implement the obligations under the Protocol**

17. At its previous meeting, in the context of the review of general issues of compliance, the Compliance Committee reviewed compliance with the obligation to take the measures necessary to implement the obligations under the Protocol, on the basis of information provided by Parties in their fourth national reports.<sup>6</sup> The Committee also considered information provided in a survey conducted further to decision CP-10/2, on challenges faced by Parties in that regard.

<sup>6</sup> At its eighteenth meeting, the Committee also reviewed compliance with the obligation to take the measures necessary to implement the obligations under the Protocol in the context of its review of individual cases of non-compliance.

18. In that context, the Compliance Committee requested that the Executive Secretary contact the national focal points of the 16 Parties for which information on the status of adoption of the measures necessary to implement the obligations under the Protocol provided in the survey differed from information provided in this regard in their fourth national reports,<sup>7</sup> inviting the Parties concerned to provide further information and clarification on the status of adoption of such measures. The Secretariat will provide an update on those communications at its present meeting.

19. Further information on compliance with the obligation to take the measures necessary to implement the obligations under the Protocol is provided in document CBD/CP/CC/19/4.

### **III. Suggestions for consideration by the Compliance Committee**

20. In addition to making recommendations to the Conference of the Parties serving as the meeting of the Parties to the Protocol, the Compliance Committee may decide on follow-up actions with Parties facing compliance challenges. Follow-up actions by the Committee have followed a stepwise approach and have included informal communications from the Secretariat to the Parties concerned, letters from the Executive Secretary and letters from the Chair of the Committee. In addition, members of the Committee have also informally followed up with the Parties concerned in their respective regions.

21. At its previous meeting, following its review of general issues of compliance, the Compliance Committee decided on a series of recommendations for submission to the Conference of the Parties serving as the meeting of the Parties.<sup>8</sup> The recommendations will be included in the report that the Committee is to prepare for the Conference of the Parties serving as the meeting of the Parties, under agenda item 6. The Committee may wish to consider whether to make any further recommendations in the light of the information contained in the present note.

22. The Compliance Committee may also wish to decide on any follow-up in the light of the updates provided in the present note and during the meeting, for example, by reiterating its invitation to the members of the Committee to engage with Parties in their respective regions in relation to compliance issues identified by the Committee, such as the designation of national focal points, the submission of national reports and the submission of information through the Biosafety Clearing-House.

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<sup>7</sup> Antigua and Barbuda, Bhutan, Burkina Faso, Cameroon, Georgia, Greece, Guinea-Bissau, Guyana, Kenya, Malaysia, Mexico, Pakistan, Saint Kitts and Nevis, Togo, Tunisia and Zambia.

<sup>8</sup> CBD/CP/CC/18/5, para. 24.