



Convention on Biological Diversity

Distr.
GENERAL

CBD/CP/CC/15/5
10 May 2018

ENGLISH ONLY

REPORT OF THE COMPLIANCE COMMITTEE UNDER THE CARTAGENA PROTOCOL ON BIOSAFETY ON THE WORK OF ITS FIFTEENTH MEETING MONTREAL, CANADA, 8-10 MAY 2018

INTRODUCTION

1. The fifteenth meeting of the Compliance Committee under the Cartagena Protocol on Biosafety was held on the premises of the Secretariat in Montreal, Canada, from 8 to 10 May 2018.

2. The following members of the Committee were present:

Africa

Ms. Martha Kandawa-Schulz
Mr. Rigobert Ntep
Mr. Dorington O. Ogoyi

Latin America and the Caribbean

Ms. Jimena Nieto Carrasco
Ms. Sol Ortiz García

Asia and the Pacific

Mr. Seung-Hwan Choi
Mr. Letchumanan Ramatha

Western Europe and Others

Ms. Clare Hamilton
Mr. Andreas Heissenberger
Mr. Casper Linnestad

Central and Eastern Europe

Mr. Martin Batic
Ms. Shirin Karryyeva
Ms. Dubravka Stepic

ITEM 1. OPENING OF THE MEETING

3. Ms. Clare Hamilton, Chair of the Committee, opened the meeting at 9.30 a.m. on 8 May 2018. She welcomed the participants and thanked the Secretariat for facilitating the organization of the meeting.

4. Mr. Alexander Shestakov, Head of the Scientific and Policy Support Division, welcomed members on behalf of the Executive Secretary. In his remarks, he noted that the meeting of the Compliance Committee was the first since the entry into force of the [Nagoya – Kuala Lumpur Supplementary Protocol](#) and that some members of the Committee had been instrumental in the negotiation of that treaty. He also noted the important and increasing role of the Committee in assessing the implementation of the Protocol and in supporting Parties in meeting their obligations. He pointed out that the Committee, with its vast experience, served as a model for the work of the younger Compliance Committee under the Nagoya Protocol. Finally, he drew particular attention to the importance of the Committee's input to the post-2020 biodiversity framework.

5. A representative of the Secretariat confirmed that, with 13 members present, there was a quorum for the meeting to proceed in accordance with rule 16 of the Committee's rules of procedure. Mr. Malachy Dottin, one of the members of the Committee, was unable to attend the meeting in person due to a delay in obtaining a visa. At his request, the Committee considered whether he could participate in the meeting remotely. It agreed that that was possible but recalled that, in accordance with rule 15 of the rules of procedure, he would not be able to participate in decision-making on matters of substance. The Committee noted that members participating remotely would not be considered for purposes of reaching quorum, as set out in rule 16 of the rules of procedure, and that the physical presence of members was preferable in order for the Committee to carry out its work effectively. Finally, however, it was not possible to connect to Mr. Dottin during the meeting.

ITEM 2. ORGANIZATIONAL MATTERS

2.1. Adoption of the agenda

6. On the basis of the provisional agenda ([CBD/CP/CC/15/1](#)) prepared by the Secretariat, the Committee adopted the following agenda:

1. Opening of the meeting.
2. Organizational matters:
 - 2.1 Adoption of the agenda;
 - 2.2 Organization of work.
3. Review of consistency between information in national reports and the Biosafety Clearing-House.
4. Assessment of information submitted to the Biosafety Clearing-House under contained use.
5. Review of general issues of compliance.
6. Review of individual cases of non-compliance under consideration by the Committee.
7. Final evaluation of the Strategic Plan for the Cartagena Protocol on Biosafety and follow-up.
8. Report and recommendations of the Committee to the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol at its ninth meeting.
9. Other matters.
10. Adoption of the report.
11. Closure of the meeting.

2.2. Organization of work

7. The Committee agreed on the organization of its work proposed by the Secretariat, as specified in annex I to the annotations to the provisional agenda ([CBD/CP/CC/15/1/Add.1](#)).

ITEM 3. REVIEW OF CONSISTENCY BETWEEN INFORMATION IN NATIONAL REPORTS AND THE BIOSAFETY CLEARING-HOUSE

8. Introducing the item, the representative of the Secretariat recalled that the review of consistency between information in the third national reports and information in the [Biosafety Clearing-House](#) (BCH) was carried out in accordance with the organization of work agreed by the Committee at its eighth meeting (see [UNEP/CBD/BS/CC/8/3](#)). He explained that the Secretariat had analysed the records made available in the BCH related to six categories of information for which Parties have an obligation to submit information to the BCH and compared those records with the relevant information that Parties had provided in their third national reports. He outlined the note by the Executive Secretary ([CBD/CP/CC/15/2](#)) and indicated that the detailed results of the analysis of information had been made available in the form of tables in an accompanying information document ([CBD/CP/CC/15/INF/3](#)).

9. The Committee expressed appreciation to the Secretariat for preparing the analysis. It recognized that the review of consistency was a valuable exercise as it acted as an incentive for Parties to take care in the preparation of their national reports and to provide accurate and complete information to the BCH. The Committee also noted the visible progress compared to the previous review of consistency and the increasing efforts by Parties to provide detailed information in national reports, thereby facilitating the review of the data and increasing the understanding of the specific situations faced by Parties.

10. The Committee acknowledged that there could be a number of reasons for the consistency issues that had been identified, including issues related to: (a) differences in interpretation and understanding of questions in the national reporting format; (b) inconsistency of time frames in questions; (c) questions that were either too specific or too broad to elicit consistent responses; and (d) differences in the wording used in the reporting format vis-à-vis the wording used in the Protocol.

11. The Committee recognized that it was not possible to make substantial changes to the draft format for the fourth national report, given the need for consistency with the format used for the second and third national reports, in order to be able to measure progress in achieving the objectives of the Strategic Plan for the Cartagena Protocol. It nonetheless noted that, where small improvements could be made to enhance understanding of the questions, that should be done. The Committee acknowledged that a more in-depth review of the reporting format should be undertaken after 2020 in preparation for the fifth national reports.

12. Referring to the page containing “frequently asked questions”, which had been made available at the request of the Committee to assist Parties in the preparation of their third national reports,¹ the Committee suggested that similar information could be made available for the fourth national report. The Committee also noted that an interactive help desk function similar to that available on the [Access and Benefit-sharing Clearing-House](#) could prove useful to Parties in preparing their reports.

13. The Committee stressed the fundamental importance of the BCH for the work of the Committee in promoting compliance with the Protocol and addressing cases of non-compliance. It noted that the Protocol itself provided for the establishment of the BCH (Article 20) and that the BCH was central to the implementation of many of the obligations of the Protocol. It also acknowledged the crucial function of the BCH for information-sharing among Parties, which is pivotal for making informed decisions and enhancing transparency, and also as a valuable source of examples of national approaches to implementation.

14. The Committee emphasized the importance of the ongoing support provided by the Secretariat to BCH national focal points in their efforts to maintain complete and accurate records in the BCH. It recognized that the Secretariat previously had dedicated staff resources that undertook, among other things, the ongoing verification of the accuracy and completeness of information in the BCH and communication with Parties to assist them in addressing those issues. It expressed the view that filling the vacant position would be critical to maintaining the quality of information in the BCH, which was integral to the functioning of the Protocol as well as the work of the Committee.

15. The Committee stressed the importance of undertaking the full migration of the BCH to its new platform, as requested by the Parties in decision [CP-VIII/2](#), in an expeditious manner in order for the additional functionalities to be available for the preparation of the fourth national reports. The Committee welcomed efforts by the Secretariat to explore the possibility of linking records available in the BCH with related questions in the reporting format and noted the need to ensure that that functionality would be available in time for the preparation of the fourth national reports.

¹ See [UNEP/CBD/BS/CC/12/5](#), para. 19. The page is available at: <http://bch.cbd.int/protocol/ThirdNationalReportFAQ.shtml>

16. The Committee also noted the importance of allocating the necessary information technology resources for further improving the BCH with a view to facilitating the implementation of decision CP-VIII/2.

17. The Committee requested the Secretariat to contact the Parties identified in the analysis whose records on the BCH were inconsistent with the information provided in their third national report with a view to resolving the inconsistency.

18. The Committee noted the inconsistency of information in the BCH provided by the European Union and its Member States. It welcomed the offer from Committee members who were from European Union Member States to take up that issue at the level of the European Union.

19. The Committee decided to recommend that, at its ninth meeting, the Conference of the Parties serving as the meeting of the Parties:

(a) Note with appreciation the efforts made by Parties to comply with their obligations under the Protocol to make information available to the BCH;

(b) Urge Parties to make all required information available in the BCH in a timely manner, in particular risk assessments and final decisions relating to the first intentional transboundary movement of living modified organisms for intentional introduction into the environment, including those on living modified organisms intended for field trials;

(c) Remind Parties of decision BS-VII/1, whereby they are encouraged: (i) when submitting to the BCH information required under the Protocol to upload the actual documents that contain the information, or, 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 easily accessible; and (ii) to ensure that the information they make available to the BCH is up to date and consistent with their national reports;

(d) Urge Parties to coordinate at the national level in order to avoid inconsistency of information in the national reports and the BCH and encourage communication between national focal points and competent national authorities;

(e) Encourage Parties to use free text boxes in the reporting format to explain responses.

ITEM 4. ASSESSMENT OF INFORMATION SUBMITTED TO THE BIOSAFETY CLEARING-HOUSE UNDER CONTAINED USE

20. The representative of the Secretariat recalled decision [CP-VIII/17](#), whereby the Conference of the Parties serving as the meeting of the Parties noted the lack of clarity regarding the type of information that is to be submitted to the Biosafety Clearing-House when final decisions are taken regarding the importation of living modified organisms destined for contained use and requested the Compliance Committee to assess if information that had been submitted to the Biosafety Clearing-House under contained use was in accordance with Article 6 of the Cartagena Protocol, and to make a recommendation in this regard for consideration by the Conference of the Parties serving as the meeting of the Parties at its ninth meeting. He also recalled that the Committee had agreed, at its last meeting, to consider the issue at its fifteenth meeting and to organize an online discussion in the intersessional period. He noted that the online discussion had taken place on the collaborative portal of the Compliance Committee from 22 January to 9 February 2018.

21. The representative of the Secretariat drew the attention of the Committee to the note by the Executive Secretary on the subject ([CBD/CP/CC/15/3](#)). He indicated that the document provided an overview of the decisions submitted to the BCH under contained use, an overview of the informal discussions held by the Committee and a summary of the information provided by Parties as requested by the Committee members during the online discussion to clarify certain decisions submitted to the BCH under contained use. Finally, he recalled that the Conference of the Parties serving as the meeting of the Parties, in its decision CP-VIII/17, had invited Parties and other Governments to make submissions

related to practical guidance on specific measures for contained use for consideration at its ninth meeting, with a view to identifying areas where activities might be needed to support Parties in their efforts to develop national measures on contained use. He noted that the Committee might wish to consider the synthesis of relevant information provided through those submissions, which was also contained in the document before the Committee.

22. The Committee reviewed the information presented in the document. Members shared additional information on their national approaches to contained use. In that context, they also discussed domestic rules and procedures concerning introduction into the environment and field trials.

23. The Committee assessed the decisions submitted to the BCH under “contained use”. It noted that some records made available under that category were not fully in accordance with Article 6 and that some of those records related instead to intentional introduction into the environment.

24. The Committee decided to recommend that, at its ninth meeting, the Conference of the Parties serving as the meeting of the Parties:

(a) Take note of the Committee’s assessment of information on the BCH submitted by Parties as decisions under contained use;

(b) Remind Parties of their obligation under Article 20, paragraph 3(d), to publish in the BCH their final decisions regarding the importation or release of living modified organisms and to encourage other Governments to do so;

(c) Remind Parties that:

(i) Article 3(b) of the Protocol sets out the definition of contained use, namely “any operation, undertaken within a facility, installation or other physical structure, which involves living modified organisms that are controlled by specific measures that effectively limit their contact with, and their impact on, the external environment”;

(ii) Intentional introduction into the environment can include introduction both for experimental or for commercial purposes;

(iii) A field trial, confined field trial or experimental introduction is to be regarded as intentional introduction into the environment and not as contained use.

ITEM 5. REVIEW OF GENERAL ISSUES OF COMPLIANCE

25. The representative of the Secretariat introduced the note by the Executive Secretary on the subject ([CBD/CP/CC/15/4](#)), which contained information on two issues considered by the Committee at its previous meeting: (a) the obligation to introduce the necessary and appropriate measures to implement the Protocol and to monitor the implementation at the national level; and (b) the obligation to submit a third national report. The document provided an overview of the follow-up activities undertaken in the last year by the Chair of the Committee and the Secretariat, and of the responses received from Parties.

26. The Committee noted that many issues raised by Parties regarding challenges faced in introducing measures to implement obligations under the Protocol were similar to challenges identified on earlier occasions by the Committee and that many of them were interlinked. The Committee identified lack of political will as a key challenge to implementation. It suggested that raising the awareness of decision makers, including parliamentarians, would be useful, including through the high-level segment to be organized prior to the fifteenth meeting of the Conference of the Parties, in Egypt in November 2018. The Committee recalled decision [XII/27](#), whereby the Conference of the Parties, in deciding to hold future meetings of the Conference of the Parties and the Conference of the Parties serving as the meetings of the Parties to the two Protocols concurrently, recommended that, in future, the high-level segment of the Conference of the Parties be organized as a high-level segment of the Convention and its Protocols. The Committee welcomed the offers by some members to engage with the outgoing and incoming

presidencies of the Conference of the Parties regarding the agenda for the high-level segment. The Committee recognized that the fifteenth anniversary of the Cartagena Protocol and the entry into force of the Nagoya–Kuala Lumpur Supplementary Protocol presented a timely opportunity to highlight biosafety during the high-level segment. The Committee also recognized that engagement with all stakeholders, including industry and the public, was important for the effective implementation of the Protocol as it might contribute to generating the political will to develop measures.

27. In the light of the information presented in CBD/CP/CC/15/4 and discussions under the agenda item on consistency of information between third national reports and the BCH, the Committee considered ways in which it could support Parties in developing measures to implement the Protocol. In that respect, the Committee recognized that the availability of financial resources for the implementation of the Protocol was an ongoing challenge for many Parties. The Committee encouraged the Secretariat to coordinate with the United Nations Environment Programme and the Global Environment Facility to share information on implementation challenges identified by the Committee to help inform the development of project proposals. The Committee discussed the possibility of donors being urged to provide voluntary funds to enable the Committee to facilitate compliance in cases where financial resources were needed.

28. The Committee also considered an update on the submission of third national reports and the results of the communications of the Chair in that regard. The Committee welcomed the seven additional reports submitted following its fourteenth meeting but noted that 23 third national reports were still outstanding.

29. The Committee decided that its Chair would send a follow-up letter in hard copy to the Minister of Foreign Affairs with a copy to the national focal points for the Cartagena Protocol and the Convention on Biological Diversity, of the following Parties whose third national reports were outstanding: Angola; Azerbaijan; Belize; Cabo Verde; Comoros; Democratic People's Republic of Korea; Djibouti; Jordan; Libya; Myanmar; Nauru; Papua New Guinea; Qatar; Saudi Arabia; Serbia; Seychelles; State of Palestine; Syrian Arab Republic; and the former Yugoslav Republic of Macedonia. In the letter, the Chair would remind those Parties of their obligation to submit their third national report and refer them to their second national report, which might provide information to assist them in that regard.

30. The Committee recalled that it had contacted Greece, Montenegro and Turkmenistan on numerous occasions, most recently by letter from its Chair to the Minister of Foreign Affairs, but that those Parties had still not submitted national reports over multiple reporting cycles. The Committee decided to consider those as individual cases of non-compliance (item 6).

31. Following extensive deliberations, the Committee requested the Executive Secretary, as appropriate, to continue following up with Parties:

(a) That had not made available in the BCH the specific measures to implement the Protocol mentioned in their third national report, and request them to make those measures available;

(b) That had reported having measures fully in place, but had only made available to the BCH the national biosafety framework developed under the United Nations Environment Programme-Global Environment Facility project on implementation of national biosafety frameworks, and request them to provide more information;

(c) That had reported having only “partial” measures in place, to request them to provide additional information on the specific measures that still needed to be developed.

32. The Committee decided that its Chair would contact those Parties that had reported not having taken any measures, or only having taken draft or temporary measures for the implementation of the Protocol, and request those Parties to develop a compliance action plan in accordance with Section VI, paragraph 1(c), of the procedures and mechanisms on compliance, as contained in the annex to decision [BS-I/7](#), setting out a timeline and the actions required.

33. The Committee decided to recommend that, at its ninth meeting, the Conference of the Parties serving as the meeting of the Parties:

- (a) Remind Parties of their responsibility and obligation to take the necessary and appropriate legal, administrative and other measures to implement the Protocol;
- (b) Also remind Parties to monitor the implementation of their obligations under the Protocol, in accordance with Article 33;
- (c) Welcome the additional third national reports submitted, but urge the Parties that have not yet submitted their third national report to do so as soon as possible;²
- (d) Recommend that the Conference of the Parties, in adopting its guidance to the financial mechanism with respect to support for the implementation of the Cartagena Protocol, invite the Global Environment Facility to make funding available:
 - (i) To assist eligible Parties that have not yet done so to fully put in place measures to implement the Protocol;
 - (ii) To support eligible Parties in completing their fourth national reports;
 - (iii) To support Parties in implementing compliance action plans regarding the achievement of compliance with the Protocol;
- (e) Urge eligible Parties to engage proactively with the Global Environment Facility, including through coordination with their Global Environment Facility operational focal point, to ensure that they are able to access available funds for biosafety;
- (f) Urge Parties and invite other Governments to provide voluntary funds in support of those Parties requested by the Committee to develop and implement compliance action plans;
- (g) Encourage Parties to allocate funds to biosafety in national budgets;
- (h) Remind Parties of the importance of engaging constructively with all stakeholders, including industry and the public, for the effective implementation of the Protocol;
- (i) Encourage Parties to mainstream biosafety in their educational systems.

ITEM 6. REVIEW OF INDIVIDUAL CASES OF NON-COMPLIANCE UNDER CONSIDERATION BY THE COMMITTEE

34. Introducing this item, the representative of the Secretariat provided an update with regard to the individual case of non-compliance before the Committee concerning the Marshall Islands and its reporting obligation. He outlined the steps that the Secretariat had taken following the request from the Committee at its fourteenth meeting (see [CBD/CP/CC/14/5](#), para. 24), including communications with the national focal points for the BCH and the Convention, assistance in the development of a draft online third national report and informal communications with a regional organization. The Secretariat noted, however, that the third national report had still not been submitted. The Secretariat also drew the attention of the Committee to information document [CBD/CP/CC/15/INF/2](#), which provided an overview of the previous efforts of the Committee to encourage and assist Parties that had not complied with their reporting obligation.

35. The Committee recognized that one of the challenges in following up with some of those Parties was that information concerning their national focal points no longer seemed to be up to date and that they had not responded to requests from the Secretariat to update the information. It was noted that the

² Angola, Azerbaijan, Belize, Cabo Verde, Comoros, Democratic People's Republic of Korea, Djibouti, Greece, Jordan, Libya, Marshall Islands, Montenegro, Myanmar, Nauru, Papua New Guinea, Qatar, Saudi Arabia, Serbia, Seychelles, State of Palestine, Syrian Arab Republic, the former Yugoslav Republic of Macedonia and Turkmenistan.

matter would be considered in more detail at the Committee's sixteenth meeting in the context of the review of compliance on the basis of information in the BCH.

36. The Committee noted that Greece, the Marshall Islands, Montenegro and Turkmenistan had still not submitted their third national reports, as well as reports under previous reporting cycles, despite the efforts on numerous occasions by the Committee to address the issue.

37. Following lengthy and careful deliberations, the Committee decided to recommend that, at its ninth meeting, the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol issue a caution, in accordance with section VI, paragraph 2(b), of the procedures and mechanisms on compliance under the Protocol, as contained in the annex to decision BS-I/7, to Greece, the Marshall Islands, Montenegro and Turkmenistan for their failure to submit multiple national reports, in compliance with Article 33. A draft text for the caution is provided in annex I.

38. The Committee decided that its Chair would send a follow-up letter in hard copy to the Minister of Foreign Affairs with a copy to the national focal points and the competent national authorities for the Cartagena Protocol and the national focal points for the Convention on Biological Diversity of Greece, the Marshall Islands, Montenegro and Turkmenistan, informing them that the Committee would recommend to the Conference of the Parties serving as the meeting of the Parties that, at its ninth meeting, it issue a caution to those Parties, as provided for in section VI, paragraph 2(b), of the Procedures and Mechanisms on Compliance under the Cartagena Protocol on Biosafety as contained in the annex to decision BS-I/7, unless they submitted their national report before the ninth meeting of the Conference of the Parties serving as the meeting of the Parties.

ITEM 7. FINAL EVALUATION OF THE STRATEGIC PLAN FOR THE CARTAGENA PROTOCOL ON BIOSAFETY AND FOLLOW-UP

39. To introduce this item, the representative of the Secretariat made a presentation on: (a) the role of the Committee in the final evaluation of the Strategic Plan for the Cartagena Protocol on Biosafety for the period 2011-2020; (b) the proposal for the process to develop the post-2020 biodiversity framework; and (c) the proposal for the alignment of national reporting under the Convention and its Protocols.

40. The representative of the Secretariat recalled decision [CP-VIII/15](#), whereby Parties to the Protocol had welcomed the input of the Compliance Committee to the third assessment and review of the effectiveness of the Protocol and mid-term evaluation of the Strategic Plan and had requested the Committee to continue providing inputs to the final evaluation of the Strategic Plan. He explained that the Subsidiary Body on Implementation, at its upcoming second meeting, was expected to review a suggested process for the fourth assessment and review and make recommendations for the consideration of the Conference of the Parties serving as the meeting of the Parties to the Protocol at its ninth meeting.

41. The representative of the Secretariat informed the Committee of the proposal being presented to the Subsidiary Body on Implementation regarding the process for the follow-up to the Strategic Plan for Biodiversity 2011-2020 (see [CBD/SBI/2/17](#)), and recalled that that work was meant to cover the Convention and also consider its Protocols, as appropriate. He also informed the Committee of the proposal being presented to the Subsidiary Body on Implementation regarding the alignment of national reporting under the Convention and its Protocols (see [CBD/SBI/2/12](#)).

42. The Committee agreed to consider its role in the final evaluation of the Strategic Plan for the Cartagena Protocol on Biosafety at its sixteenth meeting, in the light of the decision on assessment and review to be adopted by the Conference of the Parties serving as the meeting of the Parties to the Protocol at its ninth meeting. The Committee suggested that, if the Parties to the Protocol mandated the Liaison Group on Capacity-building to contribute to the fourth assessment and review and the final evaluation of

the Strategic Plan, it would be beneficial for some of its members to be present at the meeting of the Liaison Group on Capacity-building for coordination purposes and to avoid duplication of effort.

43. The Committee recognized that it would be essential for biosafety to be explicitly included in the post-2020 biodiversity framework, and that inclusion of biosafety could be beneficial for a number of reasons, including raising awareness and enhancing the visibility of biosafety issues. Some members expressed concern that the draft document on proposals regarding the process for the preparation of the post-2020 biodiversity framework, which had previously been made available for peer review, did not sufficiently identify opportunities for engagement in the process through biosafety-specific meetings, nor did it sufficiently consider relevant experiences, practices or processes under the Protocol. The Committee took the view that biosafety experts should be involved in that process in order to make sure that biosafety was adequately addressed in the framework. In that context, some members of the Committee expressed concern that the concurrent holding of the meetings of the Conference of the Parties and the meetings of the Parties to the Protocols had affected the participation of biosafety experts in the meetings of the Parties to the Cartagena Protocol on Biosafety, and recognized that funds for participation of representatives were limited. The Committee also took the view that Parties should prioritize the participation of biosafety experts in national delegations.

44. The Committee emphasized that the Strategic Plan for the Cartagena Protocol had been a very useful tool for guiding Parties in their implementation of the Protocol. Some members of the Committee suggested that a specific and detailed programme setting out activities to reach the objectives of the Protocol should be considered as part of the post-2020 biodiversity framework.

45. The Committee was of the opinion that it could be useful to examine how the implementation of the Biosafety Protocol could contribute to the achievement of the Sustainable Development Goals,³ as the results of such an examination might assist in the development of the post-2020 biodiversity framework.

46. The Committee decided to include an item on the development of the post-2020 biodiversity framework on the agenda of its next meeting.

ITEM 8. REPORT AND RECOMMENDATIONS OF THE COMMITTEE TO THE CONFERENCE OF THE PARTIES SERVING AS THE MEETING OF THE PARTIES TO THE PROTOCOL AT ITS NINTH MEETING

47. The Committee considered and adopted a consolidated report (to be issued as CBD/CP/MOP/9/2) on the work of its two intersessional meetings, including recommendations for consideration and adoption, as appropriate, by the Conference of the Parties serving as the meeting of the Parties to the Protocol at its ninth meeting.

ITEM 9. OTHER MATTERS

48. The representative of the Secretariat informed the Committee that the terms of five of its members would end on 31 December 2018 and that, therefore, the Conference of the Parties serving as the meeting of the Parties to the Protocol would be invited to elect five members at its ninth meeting. The members of the Committee whose terms would end at the end of the year were: (a) *Africa*: Martha Kandawa-Schulz; (b) *Latin America and the Caribbean*: Sol Ortiz García; (c) *Western Europe and Others Group*: Clare Hamilton (has served two terms); (d) *Central and Eastern Europe*: Martin Batic; (e) *Asia and the Pacific*: Seung-Hwan Choi.

³ See General Assembly resolution [70/1](#) of 25 September 2015, entitled “Transforming our world: the 2030 Agenda for Sustainable Development”.

49. The Chair expressed the view that continuity in membership could be beneficial at this important juncture and noted that the deliberations of the Committee benefited from the balance of technical and legal expertise among its members.

50. Committee members expressed gratitude to Ms. Clare Hamilton for her work as Chair and her instrumental role as a member of the Committee over a number of years.

ITEM 10. ADOPTION OF THE REPORT

51. The Chair introduced the draft report of the Committee, which was adopted as orally amended.

ITEM 11. CLOSURE OF THE MEETING

52. The Chair declared the meeting closed at 2.00 p.m. on Thursday, 10 May 2018.

*Annex***DRAFT CAUTION**

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

Recalling Article 33 of the Protocol,

Also recalling section VI, paragraph 2(b), of the Procedures and Mechanisms on Compliance under the Cartagena Protocol on Biosafety as contained in the annex to decision BS-I/7,

Noting with regret that Greece, the Marshall Islands, Montenegro and Turkmenistan have not submitted their national reports under multiple reporting cycles,

Also noting that the Compliance Committee and the Executive Secretary have contacted Greece, the Marshall Islands, Montenegro and Turkmenistan on numerous occasions, in accordance with decision BS-V/1, including by offering support to these Parties to prepare their reports,

1. *Cautions* Greece, the Marshall Islands, Montenegro and Turkmenistan for failure to fulfil their reporting obligations;

2. *Requests* Greece, the Marshall Islands, Montenegro and Turkmenistan, as a matter of urgency, to submit their third national reports;

3. *Encourages* Greece, the Marshall Islands, Montenegro and Turkmenistan to seek the assistance of the Compliance Committee in accordance with decision BS-V/1, should they require support in preparing their reports.
