



Convention on Biological Diversity

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Conference of the Parties to the Convention on Biological Diversity serving as the meeting of the Parties to the Cartagena Protocol on Biosafety Eleventh meeting

Cali, Colombia, 21 October–1 November 2024

Agenda item 5

Report of the Compliance Committee

Working Group II

Compliance

Draft decisions submitted by the Chair of Working Group II

A

Compliance: general issues

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

1. *Reminds* Parties of the importance of complying with their obligations under the Cartagena Protocol on Biosafety;¹
2. *Also reminds* Parties of their obligation to designate a national focal point and to keep information on their national focal points up to date;
3. *Requests* that Parties collaborate fully when requested to provide information related to their compliance with obligations under the Cartagena Protocol;
4. *Notes with appreciation* the efforts made by Parties to comply with their obligations under the Cartagena Protocol to make information available to the Biosafety Clearing-House, and urges Parties to ensure that this information is consistent with the information provided in their national reports;
5. *Encourages* Parties to use the free text fields in the format for the fifth national report to explain responses provided, and invites Parties that are facing challenges in complying with certain obligations to share information in those free text fields on the challenges encountered;
6. *Recalls* that Parties facing difficulties with complying with one or more obligations under the Cartagena Protocol are urged to seek assistance from the Compliance Committee;

¹ United Nations, *Treaty Series*, vol. 2226, No. 30619.

7. *Recognizes* the usefulness of the compliance action plans in advancing the development of measures to implement the Cartagena Protocol and the role of the Compliance Committee in facilitating support to Parties in this regard;

8. *Welcomes* the support for the development of biosafety legislation provided by the United Nations Environment Programme through its Law and Environment Assistance Platform to Parties with a compliance action plan under active consideration;

9. *Urges* Parties, and invites other Governments, to provide voluntary funds in support of the 11 Parties² that have developed compliance action plans, as well as any additional Parties that develop and implement compliance action plans at the request of the Committee;

10. *Urges* eligible Parties to prioritize biosafety projects during the programming of their national allocations under the System for Transparent Allocation of Resources;

11. *Reminds* Parties of Article 23 of the Cartagena Protocol, including its provisions relating to public awareness and education, and its potential to facilitate compliance with the Protocol, recalling that materials and tools have been developed by the Secretariat and are available on the Biosafety Clearing-House.

B

Compliance: caution

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

Recalling Article 33 of the Cartagena Protocol on Biosafety,³

Recalling also section VI, paragraph 2 (b), of the Procedures and Mechanisms on Compliance under the Cartagena Protocol, as contained in the annex to decision BS-I/7 of the Conference of the Parties serving as the meeting of the Parties to the Protocol of 27 February 2004,

Noting with regret that Belize, Libya and Papua New Guinea have not submitted their third or their fourth national reports,

Noting that the Compliance Committee and the Executive Secretary have contacted Belize, Libya and Papua New Guinea on numerous occasions, in accordance with decision BS-V/1 of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol of 15 October 2010, which included offering support to those Parties in preparing their reports,

1. *Cautions* Belize, Libya and Papua New Guinea;

2. *Requests* Belize, Libya and Papua New Guinea as a matter of urgency, to submit their fourth national reports;

3. *Encourages* Belize, Libya and Papua New Guinea to seek the assistance of the Compliance Committee, in accordance with decision BS-V/1, should they require support in preparing their reports.

² Barbados, Burundi, Guinea, Kyrgyzstan, Lebanon, Morocco, Oman, Samoa, Suriname, Trinidad and Tobago and Tunisia.

³ United Nations, *Treaty Series*, vol. 2226, No. 30619.

C**Compliance: other matters**

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

Noting the recommendation of the Compliance Committee contained in paragraph 1 of the annex to document CBD/CP/MOP/11/3, and seeking to assist the Compliance Committee in carrying out its work,

Acknowledging that the definitions of “living modified organism” and “modern biotechnology” provided in Article 3 of the Cartagena Protocol on Biosafety⁴ are not in question,

Recognizing the sovereign right of Parties to adopt legislation to implement their obligations under the Cartagena Protocol,

1. *Encourages* Parties to submit information regarding national legislation, regulations and guidelines on new developments in modern biotechnology that are relevant to the Cartagena Protocol and not published in the Biosafety Clearing-House;

2. *Requests* the Executive Secretary to compile information contained in the Biosafety Clearing-House and other sources regarding current national legislation, regulations and guidelines on new developments in modern biotechnology;

3. *Also requests* the Executive Secretary to submit the information gathered in response to paragraphs 1 and 2 above for consideration by the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol at its twelfth meeting.

⁴ United Nations, *Treaty Series*, vol. 2226, No. 30619.