



**CONVENTION ON  
BIOLOGICAL  
DIVERSITY**

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LIAISON GROUP ON CAPACITY-BUILDING  
FOR BIOSAFETY  
Fourth meeting  
Lusaka, 1-2 March 2007

**REPORT OF THE FOURTH LIAISON GROUP MEETING ON CAPACITY-  
BUILDING FOR BIOSAFETY**

**I. INTRODUCTION**

1. The fourth meeting of the Liaison Group on Capacity-Building for Biosafety was held in Lusaka, Zambia, from 1 to 2 March 2007. Eighteen participants attended the meeting. The list of participants is contained in annex IV to this report.
2. The meeting elected Desmond Mahon (Canada) to serve as Chairperson and Francisca Acevedo Gasman (Mexico) as Rapporteur.
3. Pursuant to the request by the Conference of the Parties serving as the meeting of the Parties to the Protocol contained in decision BS-III/4, the Liaison Group adopted its agenda (UNEP/CBD/BS/LG-CB/4/1), which included the following substantive items:
  - (a) Draft criteria and minimum requirements (including minimum qualifications or experience) for experts to be listed on the roster;
  - (b) Possible elements of a quality control mechanism for the roster of experts, and the operational modalities of such a mechanism; and
  - (c) Other measures for improving the effectiveness and use of the roster.
4. In its deliberations, the meeting considered the synthesis of views and suggestions regarding the above issues prepared by the Executive Secretary (document UNEP/CBD/BS/LG-CB/4/2) on the basis of submissions made by Parties, other Governments and relevant organizations.
5. On the last day, participants reviewed and adopted the draft report of the meeting covering the proceedings of the first day. The Secretariat was requested to incorporate proceedings of the last day and send the final draft to all participants for comments. The present report has been finalized on that basis.

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## II. CONCLUSIONS AND RECOMMENDATIONS

6. The following are the conclusions and recommendations developed by the Liaison Group for consideration by the Conference of the Parties serving as the meeting of the Parties to the Protocol pursuant to the request contained in decision BS-III/4.

### *A. Draft criteria and minimum requirements*

7. In view of the evolution of the implementation of the Protocol, the different stages of development of national measures and the corresponding changes in the capacity-building needs of countries, the Liaison Group concluded that it was necessary to review and adapt the roster of experts to the prevailing situation. It was noted that the current structure of the roster, scope of expertise required and some of the criteria for nominating experts as specified in the interim guidelines are no longer applicable or appropriate.

8. With respect to criteria and minimum requirements for nominating experts to the roster, it was noted that the level of expertise required varies according to the type/field of expertise or profession. As such, it is not appropriate to develop a universal set of criteria and minimum requirements applicable to all areas of expertise. In this regard, the Liaison Group recommended a set of four separate broad categories of expertise and developed criteria and minimum requirements for each of the categories as contained in annex I. The categories are:

- (a) Scientific and technical expertise;
- (b) Legal expertise;
- (c) Policy and regulatory expertise; and
- (d) Institutional/ administrative expertise in biosafety systems.

9. In addition, it was agreed that the above broad categories needed to be subdivided into more specific areas of expertise. In this regard, the Liaison Group identified specific areas of expertise and disciplines under each of the four categories (contained in annex II). The Liaison Group also noted that it would be useful, at a later stage, to develop separate sets of criteria and minimum requirements for the different specific areas of expertise and disciplines.

### *B. Elements of a quality control mechanism for the roster*

10. The Liaison Group concluded that a quality control mechanism for the roster was essential to ensure that the roster contains high-quality experts. It recommended that quality control should not be done at a single point or be seen as a one-off endeavour; rather, it should be an ongoing process integrated into policy and institutional systems at different levels.

11. The Liaison Group considered proposals contained in the submissions made by Parties, other governments and relevant organizations and recommended the following quality control measures and mechanisms for the roster of experts:

- (a) All nominated experts should be required to provide adequate and accurate information using the common nomination form in order to assist the nominating governments to accurately determine their areas and level of expertise;

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(b) The nomination form should include mandatory fields that all experts must complete before their nomination is accepted. The mandatory fields should cover the criteria and minimum requirements for the different categories of expertise as contained in the annex;

(c) All experts should be required to submit their full curriculum vitae (CV) together with the nomination form, which would be downloadable from the roster website;

(d) All experts should be required to provide at least three independent references who can vouch for their expertise;

(e) The nominating governments should ensure that the experts nominated meet all the criteria and minimum requirements under the relevant category of expertise and verify the accuracy of the information provided before submitting the nominations to the Secretariat;

(f) The Secretariat should check all nomination forms for completeness and ensure that the criteria and minimum requirements are met before the nomination is posted on the roster. The Secretariat should be authorized to return to the nominating governments nomination forms that are incomplete and/or do not meet the criteria and minimum requirements;

(g) Governments using experts from the roster should be required to submit evaluation reports on the assignments undertaken by the experts. Those reports should be made publicly available through the Biosafety Clearing-House and links to the reports should be included in the record/ profile of the expert in the roster. The Secretariat should develop a common format for the evaluation reports for consideration and adoption by the Conference of the Parties serving as the meeting of the Parties to the Protocol;

(h) Governments should require their experts to keep their information in the roster up-to-date and should undertake a general review and update of the information every two years. Experts should be maintained on the roster for up to four years. After that period, governments may re-nominate an expert in accordance with the criteria and minimum requirements. Two reminders should be sent to the respective National Focal Points and if no action is taken, the names of the experts should be automatically removed from the roster.

12. Following adoption of the new criteria and minimum requirements and the quality control mechanism by the Conference of the Parties serving as the meeting of the Parties to the Protocol, governments should be requested to withdraw and re-evaluate their experts currently on the roster and/or make fresh nominations in accordance with the criteria and minimum requirements.

### ***C. Other measures for improving the effectiveness and use of the roster of experts***

13. The website interface for the roster database in the Biosafety Clearing-House should be improved in order to enable users to make initial selections from the general areas of expertise. The Secretariat should seek the views of users of the roster in re-designing the website interface.

14. The elements of the updated Action Plan for Building Capacities for the Effective Implementation of the Protocol, which was adopted by the third meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol in its decision BS-III/3, should be taken into account in determining the core areas of expertise for the roster.

15. The interim guidelines for the roster of biosafety experts, as well as the nomination form for the roster, which were adopted by the first meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol in its decision BS-I/4, annex I, should be revised to take into account the

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above-mentioned recommendations and the new developments and experience gained since the roster was established. The proposed changes are contained in annex III to this report. The new added text is highlighted in “bold” and the deleted text is “struck through”.

16. The Secretariat should prepare a revised nomination form for the roster, taking into account the criteria and minimum requirements contained in this report, for consideration by the Conference of the Parties serving as the meeting of the Parties to the Protocol at its fourth meeting.

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*Annex I***DRAFT CRITERIA AND MINIMUM REQUIREMENTS FOR DIFFERENT CATEGORIES OF EXPERTS TO BE NOMINATED TO THE ROSTER****1. SCIENTIFIC AND TECHNICAL EXPERTS**

Minimum academic and professional qualifications:

A postgraduate degree and five years of experience;

Demonstrated professional experience, including:

- Peer-reviewed publications, including articles in internationally recognized journals;
- Non peer-reviewed publications and reports;
- Presentations at conferences, workshops and scientific/technical symposia;
- Participation in relevant scientific and technical committees, expert panels or advisory bodies;
- Project-related experience.

**2. LEGAL EXPERTS**

Minimum academic and professional qualifications:

A degree in law and five years of work experience;

Professional experience in relevant areas of expertise, including:

- In-depth knowledge of the Cartagena Protocol on Biosafety;
- Knowledge of biosafety issues;
- Familiarity with sector(s) related to the Protocol (e.g. international trade, environment, agriculture, etc.);
- National and/or international experience in the relevant area of expertise (e.g. participation in policy, legislative or regulatory development);
- Experience in drafting and/or reviewing national legislation related to issues under the Protocol;
- An understanding of developments in international law;
- An understanding of other international rights and obligations.

**3. POLICY AND REGULATORY EXPERTS**

Minimum academic and professional qualifications;

Undergraduate degree or equivalent and five years of professional experience;

Professional experience in relevant areas of expertise, including:

- In-depth knowledge of the Cartagena Protocol on Biosafety;
- Knowledge of biosafety issues;
- Familiarity with sector(s) related to the Protocol (e.g. international trade, environment, agriculture, etc.);

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- National and/or international experience in the relevant area of expertise (e.g. participation in policy, legislative or regulatory development);
- Experience in policy formulation;
- Experience working in a regulatory agency or agencies on issues related to the Protocol.

#### **4. INSTITUTIONAL AND ADMINISTRATIVE EXPERTS**

Minimum academic and/or professional qualifications:

A university degree or equivalent and five years of experience in biosafety systems;

Professional experience, including:

- Participation in and/or facilitation of biosafety activities (e.g. workshops, negotiations, advisory and technical bodies, steering committees at the local, national, sub-regional, regional and international levels);
- Experience with and knowledge of the Cartagena Protocol on Biosafety;
- Hands-on experience in biosafety.

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*Annex II***AREAS OF EXPERTISE****1. SCIENTIFIC AND TECHNICAL EXPERTISE****Science and technology***A. Life sciences*

- A.1 Agricultural sciences
  - Agricultural ecology
  - Agriculture
  - Crop protection
  - Pest management
  - Agrobiodiversity
  - Agricultural management
- A.2 Aquaculture sciences
  - Fisheries
  - Aquaculture
- A.3 Animal sciences
  - Animal pathology
  - Animal breeding
  - Entomology
- A.4 Biochemical sciences
  - Proteomics
  - Metabolomics
  - Physiology
- A.5 Biological sciences
  - Microbiology
  - Organisms
- A.6 Botanical sciences
  - Botany
  - Plant physiology
  - Plant pathology
- A.7 Environmental sciences
  - Invasion biology
  - Weed science
  - Ecology
  - Biodiversity
  - Microbial ecology
  - Animal ecology
  - Marine ecology
  - Forest ecology
  - Ecosystem biology
  - Phytoecology
  - Environmental impact assessment
  - Environmental statistics
  - Environmental management
- A.8 Genetics
  - Molecular biology
  - Genomics

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- Genetic engineering
- Evolutionary biology
- Microbial genetics
- Animal genetics
- Plant genetics
- Analytical detection methods
- LMO detection and identification methods
- Gene flow
- A.9 Human sciences
  - Immunology
  - Epidemiology
  - Health safety
- A.10 Microbial biosciences
  - Microbiology
  - Bacteriology
  - Mycology
  - Virology
- A.11 Food sciences
  - Nutritional sciences
  - Food safety
  - Toxicology
- A.12 Soil sciences
  - Soil chemistry
  - Soil biology
  - Soil biochemistry

## *B. Applied sciences*

- B.1 Social and economic sciences
  - Agricultural economics
  - Bioethics
  - Cost-benefit analysis of LMOs
  - Environmental economics
  - Life cycle assessment
  - Social sciences
  - Socio-economic impact analysis
  - Sustainable development
  - Technology assessment
  - Trade impact assessment
  - Other
- B.2 Teaching and training
  - Environmental education
  - Extension work
  - Informal teaching
  - Other
- B.3 Biosafety
  - Development of risk management plans
  - Research in risk assessment
  - Risk assessment and monitoring auditing
  - Risk communication
  - LMO identification
    - Customs and border control

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- LMO detection and quantitative analysis
- LMO traceability skills
- LMO documentation expertise
- Unique identification system development
- B.4 LMO monitoring
  - Confined field trials
  - Gene flow analysis and gene ecology
  - LMO post-release monitoring/surveillance
- B.5 Organism traits
  - Altered growth (yield)/development
  - Antibiotic resistance
  - Bacterial resistance
  - Drought tolerance
  - Fungus resistance
  - Herbicide tolerance
  - Insect resistance
  - Marker genes
  - Nematode resistance
  - Product quality (e.g. nutritional composition)
  - Virus resistance
  - Other

### **C. Other technical areas**

- C.1 Biotechnology research
- C.2 LMO application/dossier preparation
- C.3 Project development, management and monitoring
- C.4 Public information/communications

## **2. LEGAL EXPERTISE**

### *A. Biosafety law/legal systems*

- A.1 Biosafety law drafting and review
- A.2 Biosafety regulations drafting and review
- A.3. Compliance with Protocol obligations

### *B. International law/legal systems*

- B.1 Food safety
- B.2. Environment
- B.3 Trade
- B.4 Existing international rights and obligations
- B.5 Other (conflicts, transnational processes, choice of law, etc.)

### *C. National law/legal systems*

- C.1 Food safety law
- C.2. Environment law
- C.3 Trade law
- C.4 Analysis of existing national legislation to compare with new Protocol requirements
- C.5 Other

### *D. Liability and redress*

- D.1 International law
- D.2 Environmental economic valuation

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*E. Intellectual property*

- E.1 Trademark
- E.2 Patent
- E.3 Legal disputes
- E.4 Confidential business information

**3. POLICY AND REGULATORY EXPERTISE**

*(Regulatory category and specific areas of expertise under each category)*

*A. Policy and program development and administration*

- A.1 Administration and management systems (including permits)
- A.2 Policy/guideline/standard development
- A.3 Development of regulations (national or international)

*B. Scientific and technical support*

- B.1 Laboratory services (testing/diagnostics)
- B.2 Risk assessment/science advice

*C. Operations*

- C.1 Audit/inspection/monitoring systems
- C.2 Enforcement/compliance/prosecutions

*D. General program areas*

- D.1 Biosafety
- D.2 Ecosystem management
- D.3 Plant protection/quarantine
- D.4 Seed/variety certification
- D.5 Plant breeders' rights
- D.6 Plant products
- D.7 Pesticides
- D.8 Animal health (including fish)
- D.9 Customs/border control

**4. INSTITUTIONAL AND ADMINISTRATIVE EXPERTISE**

*A. Regulatory/ administrative*

- A.1 Administrative procedures and enforcement
- A.2 Decision-making procedures (AIA, FFB)
- A.3 Data management and information-sharing
- A.4 Handling of notifications and LMO import/release applications
- A.5 Import/export and transboundary movement regulation

*B. Institutional*

- B.1 Administrative procedures and enforcement systems
- B.2 Data management and information-sharing
- B.3 Decision-making procedures
- B.4 Institutional development
- B.5 Public awareness and participation
- B.6 Public information/communications

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*C. Science and technology*

- C.1 Import/export and transboundary movements
- C.2 LMO monitoring for environmental impact
- C.3 LMO identification
- C.4 Research and development
- C.5 Risk assessment and risk management
- C.6 Social and economic sciences
- C.7 Public awareness and participation

*D. Legal*

- D.1 Legislation and regulation
- D.2 Import/export and transboundary movement control

*E. General policy development*

- E.1 Poverty reduction strategy/development strategy
- E.2 Socio-economic issues
- E.3 Agricultural and rural development
- E.4 Biotechnology policy
- E.5 Sustainable development
- E.6 Environmental protection
- E.7 Research and development
- E.8 Biodiversity strategy and action plan

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*Annex III*

**PROPOSED REVISIONS TO THE INTERIM GUIDELINES FOR THE  
ROSTER OF BIOSAFETY EXPERTS**

**A. Mandate of the roster**

1. The mandate of the roster of experts shall be to provide advice and other support, as appropriate and upon request, to developing country Parties, in particular the least developed and small island developing States among them, and Parties with economies in transition, to conduct risk assessment, make informed decisions, develop national human resources and promote institutional strengthening, associated with the transboundary movements of LMOs. Moreover, the roster of experts should perform all other functions assigned to it by the Conference of the Parties serving as the meeting of the Parties to the Protocol in future, in particular in the field of capacity-building.

2. The roster of experts is an instrument to build capacities and to aid developing country Parties, in particular the least developed and small island developing States among them, and Parties with economies in transition until adequate capacities have been built.

**B. Administration of the roster**

The Secretariat of the Convention/Protocol shall administer the roster. These functions will include:

- (a) Establishing and reviewing, as necessary, the nomination form;
- (b) Maintaining an appropriate electronic database to allow easy access to the roster;
- (c) Maintaining a ~~soft paper~~ copy of the roster on CD-ROM, updated at least once a year, ~~of the roster and distribute it upon request;~~
- (d) Advising ~~the Parties~~ **Conference of the Parties serving as the meeting of the Parties to the Protocol** on coverage of all areas of expertise available through the roster, and on regional and gender balances on the roster ~~from time to time;~~
- (e) Assisting Parties, on request, in identifying appropriate experts; and
- (f) Performing such other administrative functions as are set out in these guidelines or as directed by the Conference of the Parties to the Convention serving as the meeting of the Parties to the Protocol in other decisions;
- (g) **Assisting Parties, upon request, in** ~~verifying the availability of experts as necessary.~~

**C. Access to the roster**

Access to the roster should be maintained through the Biosafety Clearing-House (via the Internet or non-electronic means). ~~Every two years, the Secretariat will produce publish once a year a written~~ **CD-ROM** version of the roster for distribution to Parties, **upon request**, along with a description of how the different Internet search fields can be used to aid Parties to identify needed expertise. A Party may request ~~any~~ updated version ~~in~~ between these publications.

**D. Membership on the roster of experts**

**I. Nomination of members**

1. Roster members shall be nominated by Governments **in accordance with the criteria and minimum requirements (contained in annex [...])**. Governments are responsible for ensuring that nominees **meet the criteria and minimum requirements** and possess the highest professional qualities and expertise in the fields for which they are nominated. **Governments are also responsible for**

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**validating the accuracy of information provided in the nomination form. Parties Governments** should consult with relevant stakeholders and seek interested individuals, including from national and sub-national governments, research and academic institutions, industry, **civil society, and non-governmental organizations and intergovernmental organizations (e.g. OECD, CGIAR centres, etc)** for the purpose of providing balanced, high-quality nominations.

2. ~~The Parties Governments~~ are encouraged to consider **active** retired experts with accumulated knowledge and experience, and with no current institutional affiliations, as potential nominees.

3. **Governments may nominate experts from other countries, including their nationals in the diaspora, who meet the criteria and minimum requirements.**

#### 2. *Mechanism for nomination*

1. The nomination form attached to these guidelines as appendix 1 shall be used for all nominations. Electronic submissions of the form are encouraged. Nominating governments should ensure ~~that the accuracy of the information submitted on all nomination forms~~ **is complete, accurate and meets the criteria and minimum requirements.** The Executive Secretary will undertake periodic review of the nomination form with input from governments, in particular review **the specific areas of expertise under the broad categories, of expertise and make necessary revisions to the nomination form.**

2. **In accordance with the quality control mechanism for the roster,** governments shall endeavour to keep their nominations to the roster of experts up-to-date **and shall undertake a general review and update of the records of their nominees every two years.** ~~Parties shall use their national reports to the Cartagena Protocol on Biosafety to confirm their nominations and, if necessary, update information of individual experts. Non Parties are invited to confirm and update information with the same periodicity. Experts shall be maintained on the roster for up to four years. After that period,~~ governments **may re-nominate their experts in accordance with the criteria and minimum requirements.** Two reminders shall be sent to the respective National Focal Points and if no action is taken, the names of the experts will be automatically removed from the roster.

#### 3. *Maximum number of nominations*

~~Each Government is recommended not to nominate more than 50 experts, and not more than five experts per area of specialization (as this term is used in the nomination form) may be nominated.~~

#### 3. *Balanced representation*

1. All governments are encouraged to nominate experts and to encourage regional balance in the roster. Governments should utilize regional centres of excellence in developing countries, in particular the least developed and small island developing States among them, and countries with economies in transitions, as sources for the nomination of experts. The Secretariat will ensure that the roster database allows for a regional breakdown of roster members as a primary “filter” in searching the list of members.

2. Governments are encouraged to promote gender balance in their nominations, ~~as well as ensure appropriate expertise for assessments with respect to Article 26 of the Cartagena Protocol.~~

3. The Executive Secretary shall **prepare a report annually to the Parties** on the sectoral, regional and gender ~~balances in composition of~~ **the roster for consideration by** the Conference of the Parties serving as the meeting of the Parties to the Protocol at its regular meetings.

#### 4. *Required information on experts*

Information required for each nominee is **defined in the criteria and minimum requirements contained in annex [... and set out in the nomination form.** The Secretariat shall ensure each form is complete prior to listing a nominee on the roster.

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## 5. *Institutions*

Involving experts from existing and independent institutions with relevant expertise in biosafety would allow access to a wide base of multidisciplinary knowledge. Therefore, experts are ~~invited~~ **required** to indicate on the nomination form whether they are members of any institution.

### *E. Scope of expertise required*

1. The areas of expertise required for members of the roster are identified **in the criteria and minimum requirements contained in annex [...] and** on the nomination form in appendix 1.

~~2. The areas of expert advice and support that may be provided through the roster are set out in the indicative list contained in appendix 2 to these guidelines.~~

### *F. Choice of experts for assignments*

#### *1. Choice by requesting Party*

The choice of experts for any given assignment is to be made by the requesting Party.

#### *2. Assistance by Secretariat*

When requested by a Party seeking an expert, the Secretariat shall provide assistance to the Party to identify experts listed in the specific area(s) of expertise in the roster. Where feasible, the Secretariat should include a list of potential experts that reflects regional and gender participation.

#### *3. Secretariat facilitating initial contact*

The Secretariat may facilitate the initial contact of a Party seeking assistance with any expert on the roster, **upon request**. When ~~direct contact is made by a Party~~ **contacts to** an expert **directly**, the Party ~~shall should~~ report the contact and its result to the Secretariat in order to ~~ensure that~~ **compile and maintain** full records on the operations of the roster ~~can be maintained~~.

### *G. Obligations of individuals on the roster*

#### *1. Ensuring complete and accurate information on nomination forms*

Experts are responsible ~~to ensure~~ **for ensuring** that the information on their nomination form is complete and accurate.

#### *2. Agreement to release nomination form information to the public*

All information on the nomination form should normally be made available to the public, including on the Biosafety Clearing-House, after a nomination is completed. However, a roster member may request the non-disclosure of direct contact information (telephone, address, fax and e-mail) if she or he chooses.

#### *3. Acceptance or refusal of a request for assistance/advice*

Members of the roster may accept or reject any proposed assignment.

#### *4. Declining to act if there is a real or perceived conflict of interest*

1. Experts should decline any assignment where an assignment may raise a real or perceived conflict of interest. Prior to undertaking any assignment through the roster or being put forward on a secretariat shortlist, each roster member will complete a conflict of interest declaration, indicating if they have any personal, institutional or other professional interests or arrangements that would create a conflict of interest or that a reasonable person might perceive ~~creates as~~ **creating** a conflict.

2. If the declaration raises concerns, the Secretariat or Party concerned may seek further information from the expert. If legitimate concerns remain, it is recommended that any judgments as to whether a conflict exists should err on the side of caution, consistent with maintaining the highest level of credibility of the roster process.

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#### 5. *Acting in a personal capacity*

Each expert shall act solely in his or her personal capacity, regardless of any other governmental, industry, organizational or academic affiliation.

#### 6. *Exhibiting highest professional standards*

Any expert carrying out an assignment is expected to comply with all applicable professional standards in an objective and neutral way and to exhibit a high degree of professional conduct in undertaking an assignment. These standards should extend to any discussions that assist a Party in choosing an expert. Experts are expected to perform their duties in a timely manner.

#### 7. *Contributing to training of local personnel when possible*

Experts may be asked, when appropriate, to contribute to on-the-ground-training and capacity-building of local personnel as part of their assignment.

#### 8. *Confidentiality and transparency*

1. Unless otherwise authorized by the requesting Party concerned, experts on the roster undertaking assignments shall not divulge confidential information obtained through or as a result of performing their duties. Confidentiality should be as stipulated in the agreement between the Party and the expert.

2. The final written advice of the expert shall be made available through the Biosafety Clearing-House, respecting confidential information.

#### 9. *Setting clear expectations*

It is the responsibility of the Party and the expert to ensure that the expectations and terms of reference of the Party are clear and that these have been understood by the expert.

#### 10. *Submitting a report*

Brief reports should be prepared by the expert following completion of the assignment, including overall assessment of the process, the results achieved and constraints encountered, as well as suggestions that might be considered for future assignments.

### **H. *Payment of roster members***

#### 1. *Pro bono assignments*

Any expert may choose to undertake an assignment on a *pro bono* basis. The same principles relating to conflict of interest, acting in a personal capacity, and other obligations under section G would apply to such *pro bono* assignments.

#### 2. *Secondment*

Any organization may permit experts affiliated with it to undertake an assignment as a secondment from their usual duties. Transparent and full disclosure of any such arrangements should be made. No government or institution is obligated to cover any or all of the cost of a nominated expert.

#### 3. *Payments fixed by contract with requesting Party*

Legal arrangements for fees and/or expenses associated with an assignment should be addressed in contractual agreements between the Party and the expert in question.

### **I. *Liability***

Decisions taken by the requesting Party on the basis of advice provided will be the sole responsibility of the Party.

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1. *Liability of nominating Party*

Nominating governments shall not be liable for the personal conduct, inputs or results arising from or connected with the work of an expert it has nominated.

2. *Liability of the Secretariat*

The Secretariat shall not be liable for, or subject to any legal process arising from or connected with, the use or advice of an expert from the roster.

3. *Liability of experts*

Liability of the expert and the applicable law should be addressed in the contract between the Party seeking assistance and the expert.

**J. Reports**

1. Parties **and other Governments using experts from the roster** are ~~encouraged~~ **required** to provide the Secretariat with an evaluation of the advice or other support provided by experts and the results achieved. Such evaluations should be made available through the Biosafety Clearing-House.

2. ~~Once a year, the Quarterly Report prepared by t~~ The Secretariat ~~will include a section~~ **shall prepare, for each regular meeting of** Conference of the Parties serving as the meeting of the Parties to the Protocol, a report on the operations of the roster. ~~which should~~ **The reports shall** include factual information on the number of experts on the roster, **as well as** regional, gender, **and** discipline breakdowns of the roster. **The reports shall also include information on** direct contacts initiated by Parties and their results or contacts facilitated by the Secretariat and their results, including the individual experts contracted by each requesting Party, a note on the topic and description of the assignment, results of the work undertaken and the availability of written products. These reports ~~shall should~~ be made available through the Biosafety Clearing-House.

**K. Periodic review**

The operation of the roster ~~shall should~~ be subject to independent periodic reviews. ~~The first review should take place in two years. The p~~periodic reviews ~~shall should then~~ take place **every five years** in accordance with Article 35 of the Protocol. These periodic reviews ~~shall should~~ be broad-based, looking at appropriate balances in the roster membership, its uses, successes, failures, quality control of roster assignments, the need for additional advisory services in administering the roster, and other possible recommendations for revisions to the mandate or these rules of procedure to respond to the findings.

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