



Convention on Biological Diversity

Distr.
GENERAL

UNEP/CBD/BS/COP-MOP/7/2
30 May 2014

ORIGINAL: ENGLISH

CONFERENCE OF THE PARTIES TO THE CONVENTION ON BIOLOGICAL DIVERSITY SERVING AS THE MEETING OF THE PARTIES TO THE CARTAGENA PROTOCOL ON BIOSAFETY

Seventh meeting

Pyeongchang, Republic of Korea, 29 September - 3 October 2014

Item 4 of the provisional agenda*

REPORT OF THE COMPLIANCE COMMITTEE UNDER THE CARTAGENA PROTOCOL ON BIOSAFETY ON THE WORK OF ITS TENTH AND ELEVENTH MEETINGS

1. The Compliance Committee held two meetings during the intersessional period that followed the sixth meeting of the Parties to the Protocol, i.e., its tenth meeting, from 29 to 31 May 2013, and its eleventh meeting, from 28 to 30 May 2014, at the offices of the Secretariat in Montreal, Canada. This document presents a consolidated report of the discussions and outcomes from these two meetings.
2. At its tenth meeting, the Committee reviewed, among other things, the outcomes of the sixth meeting of the Conference of the Parties serving as the meeting of the Parties to the Biosafety Protocol (COP-MOP) as they relate to compliance and the Compliance Committee. It also reviewed compliance on the basis of the second national reports, with a focus on the priority issues identified by the Parties to the Biosafety Protocol at their sixth meeting. It reviewed general issues of compliance as regards: (a) introducing legal, administrative and other measures necessary for the implementation of the Protocol; (b) making information available to the Biosafety Clearing-House (BCH) as required under the various provisions of the Protocol; and (c) promoting public awareness, education and participation. The Committee agreed on various measures and timelines for following up with Parties that have yet to comply with their obligations with respect to national reporting and putting in place legal and administrative measures necessary to implement their obligations under the Protocol.
3. The Committee examined the invitation from the Conference of the Parties to the Global Environment Facility (GEF) contained in decision XI/5, Appendix II, paragraph 2(n)(8), i.e. to consider supporting activities recommended by the Compliance Committee to assist eligible Parties to comply with their obligations under the Protocol. In this context, the Committee discussed specific activities that could be considered for GEF assistance and agreed to recommend the activities listed in the annex to this document.
4. At its eleventh meeting, the Committee considered, on the basis of a report from the Secretariat, the status of compliance with respect to cases reviewed at its previous meeting. The Committee also reviewed the consistency between the information that each Party had provided through its second national report and the information made available to the BCH by that Party. It noted that the Parties had been very engaged in the three years between the submission of national reports and the review of information undertaken for the meeting. It also noted some of the factors that might have contributed to the discrepancies identified. The

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Committee requested the Secretariat to continue to follow-up with the Parties concerned to address the inconsistencies identified, including authorizing the Chair to write a letter to the Parties concerned, as appropriate, reminding them of their obligation to provide complete and consistent information as required under the Protocol. The Committee agreed to a number of recommendations in this regard, as contained in the annex.

5. The Committee reviewed the third national reporting format prepared by the Secretariat and made a number of comments and suggestions for improving it. It also agreed on some recommendations to be submitted to the COP-MOP as contained in the annex.

6. Following the eleventh meeting, members of the Committee exchanged views via electronic means on the draft proposal of a methodology for the third assessment and review of the effectiveness of the Protocol as an input to the finalization of the assessment document (UNEP/CBD/BS/COP-MOP/7/13) to be submitted to the COP-MOP at its seventh meeting.

7. The full text of the reports of the Committee on the work of its tenth and eleventh meetings as well as the working documents for each meeting are available on the Secretariat's website at the following links:

- <http://www.cbd.int/doc/?meeting=BSCC-10>
- <http://www.cbd.int/doc/?meeting=BSCC-11>.

*Annex***RECOMMENDATION OF THE COMPLIANCE COMMITTEE TO THE CONFERENCE OF THE PARTIES SERVING AS THE MEETING OF THE PARTIES TO THE CARTAGENA PROTOCOL ON BIOSAFETY AT ITS SEVENTH MEETING***

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:

Compliance

1. *Encourage* 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;
2. *Encourage* Parties to ensure that the information they make available to the BCH is up to date and consistent with their national reports;
3. *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;
4. *Urge* 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;
5. *Encourage* Parties to make effective use of the various tools, materials and mechanisms made available by the Secretariat and others, 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;

Monitoring and reporting

6. *Urge* 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 *request* the Bureau to communicate with these Parties and follow-up on their progress;
7. *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 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;
8. *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;

Financial mechanism and resources

9. *Request* 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

* Following the practice adopted at the earlier meetings of the Conference of the Parties serving as the meeting of the Parties to the Protocol, recommendations may be referred to the relevant agenda items where their consideration might be more appropriate.

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:

(a) The preparation of the third national reports under the Protocol, in accordance with paragraph 2(g) of decision BS-VI/5;

(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;

(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;

(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;

10. *Encourage* the Global Environment Facility to facilitate the availability of funds to eligible Parties for biosafety projects;

11. *Encourage* the implementing agencies of the Global Environment Facility, in particular the United Nations Environment Programme, to make sufficient provisions to support eligible Parties in developing and implementing biosafety projects;

12. *Encourage* Parties to cooperate at the regional level to obtain Global Environment Facility funding;

13. *Urge* 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;

Unintentional transboundary movements

14. *Decide*, 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.
