**CBD Notification 2015-002**

**Malaysia’s submission on item (b):**

**Views on what constitutes unintentional transboundary movements in contrast with illegal transboundary movements and what type of information should be exchanged through the Biosafety Clearing-House**

As Malaysia biosafety law does not refer to unintentional movements of LMOs nor does the emergency response plan in this law condescend to detail, the international level of elaborations on what constitutes unintentional transboundary movement of LMOs and how to respond to such situations should be welcomed.

With regard to what constitutes unintentional transboundary movements in contrast with illegal transboundary movements, we are in the opinion that –

1. “Illegal transboundary movements” can include transboundary movements of LMOs that have not been approved for a particular use in the importing countries or that are carried out in contravention of any of the requirements as stated in the relevant national legislations.
2. “Unintentional transboundary movements” can include transboundary movements resulting from an accidental release of an LMO in the country of origin that is not intended to be received by the receiving country.