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U.S. Department of Agriculture
Agricultural Outlook Forum 2005
February 25, 2005

**THE CARTAGENA PROTOCOL ON BIOSAFETY OBLIGATIONS AND
IMPLEMENTATION**

Xueman Wang
Secretariat of the Convention on Biological Diversity



The Cartagena Protocol on Biosafety Obligations and Implementation

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Secretariat of the Convention on Biological Diversity



- **Negotiation of the Biosafety Protocol**
(from 1996 to 2000)
- **Adoption:** *29 January 2000*
- **Entry into force:** *11 September 2003*
- **113 Parties** *(as of 20 Feb.05)*



Biosafety Protocol

**The Protocol – a multilateral binding instrument
specifically dealing with LMOs**

***A balanced approach toward
Biotech***



Embrace Benefits

Ensure adequate safety

Reconcile trade and development interests in biotech



- **Objective:**
Protection of biodiversity and human health
- **Focus:**
Transboundary movements of LMOs (trade)



The Protocol Architecture

Objective

Precautionary Approach

- *AIA Procedure*
- *Procedure for FFP*

Risk Assessment
Risk Management

Handling transport packaging Identification
documentation for shipment

Info Sharing
Public Participation

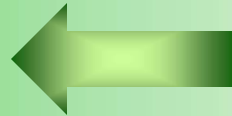
SUPPORTING MECHANISMS

BCH, Capacity Building, Compliance, Liability



Decision-making on LMO import

***Import
Decision***



(Basis)

Risk Assessment

Precaution

Socio-Economic Considerations



Risk Assessment

- *Risk assessment - basis for decision-making*
Obligations for risk assessment prior to decisions on import
- *How to conduct*
 - In a scientifically sound manner
- *Who to conduct*
 - *Party of Import, (cost may be undertaken by exporters)*
 - *or Party of export*



Precautionary Approach

Lack of scientific certainty due to insufficient relevant scientific information and knowledge regarding the extent of the potential adverse affects of a LMO on the conservation and sustainable use of biological diversity in the Party of import, taking also into account risks to human health, shall not prevent that Party from taking a decision, as appropriate, with regard to the import of the LMO in question in order to avoid or minimize such potential adverse effects.



Socio-Economic considerations

- **To take into account socioeconomic considerations arising from the impact of LMOs on the conservation and sustainable use of biodiversity, especially with regard to the value of biodiversity to indigenous and local community**
- **To be consistent with Parties' international obligations**



Key Features

The Protocol:

- **Ensure importing Parties to make informed decisions**
- **Provide a science-based approach for decision making**
- **Allow importing Parties to exercise precautionary approach and take into account “socio-economic considerations”**

Consistent with Parties' other international obligations



Identification Scheme

Documents accompanying shipment of LMOs

- *Identification of agricultural LMO commodities*
 - **“May contain”**
 - **Use commercial invoice/existing system**
(interim arrangement)

Working Group to examine:

- **Format and information of documentation**
- **Thresholds for adventitious LMOs**
- **Detection techniques**



Relationship between Protocol and WTO

- **Mutual supportiveness**
- **Not to imply a change in the rights and obligations of a Party under any existing international agreements**
- **Not to intend to subordinate the Protocol to other international agreements**





Mutually Supportive to Achieve Sustainable Development





Protocol's Supporting Mechanisms

- **Information exchange – *Biosafety Clearing-House***
- **Capacity Building**
- **Compliance Committee (*15 persons acting in an individual capacity*)**
- **Liability and redress for damage resulting from transboundary movements of LMOs**



Significance of the Protocol

- **Establish a global regulatory framework on LMOs**
- **Institutionalize information sharing**
- **Ensure a transparent and informed decision- making**
- **Provide capacity building to developing countries**



National Implementation (1)

Challenges:

- Translate Protocol's requirements into domestic measures
- Take a balanced approach toward development, biosafety and trade

Food Security

Trade

Domestic Biosafety Regulations/Measures

Biotech Development

***Ethics
Politics***



National Implementation (2)

UNEP-GEF project to develop national biosafety frameworks to implement Protocol

- **Participation:**

More than 120 developing countries

- **Funding:**

More than US\$ 56 million



National Biosafety Framework

Main components:

- **Policy on Biosafety**
- **A regulatory regime for Biosafety**
- **A system to handle notifications or request for authorizations**
- **Enforcement and monitoring for environmental effects**
- **Public information and participation**



Thank you

***For more information:
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