

Cartagena Protocol on Biosafety

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Unintentional transboundary movements and emergency measures

Republic of Korea Submission

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(a) Information on actual cases of unintentional transboundary movement and case studies related to their existing mechanisms for emergency measures in case of unintentional transboundary movements of living modified organisms that are likely to have significant adverse effects on the conservation and sustainable use of biological diversity, taking also into account risks to human health, including information on existing rapid alert mechanisms and monitoring systems;

Republic of Korea has not had to implement emergency measures, as there have been no cases of unintentional transboundary movements of LMOs to date. However, Korea LMO act(The act on transboundary movement of LMOs, etc) article 27, its implementing ordinance article 26, and 'Safety Management Plan for LMOs' have the provisions that the government shall take emergency measures and notifies the Biosafety Clearing-House of relevant information(article 17 paragraph 3) when the environmental release which may lead to unintentional transboundary movements of LMOs occurs in Korea.

(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.

We can understand the constitution elements of unintentional transboundary movements in contrast with illegal transboundary movements in a regard that unintentional transboundary movements means 'unexpected' transboundary movements. And the unintentional environmental release cases which may lead to 'unexpected' transboundary movements can be described as followings. In addition, the unintentional environmental release cases mentioned below can constitute unintentional transboundary movements only if the release case leads, or may lead, to an unintentional transboundary movement of a LMO that is likely to have significant adverse effects on the conservation and sustainable use of biological diversity, taking also into account risks to human health as stated in article 17 paragraph 1 of the Biosafety Protocol.

Case 1; Act of God or force majeure etc.

Unintentional environmental release caused by act of God(typhoon, floods etc.), act of war, or civil unrest.

Case 2; False or carelessness without intention

Unintentional environmental release caused by down grain around roads or harbors arising from handling and transport of LMOs-FFP which were approved for commercial sale.

Case 3; Incomplete safety management for unauthorized LMOs

Unintentional environmental release caused by incomplete safety management for unauthorized LMOs which are in the process of research, or approval; In this case, the unauthorized LMOs must be treated with distinction depending on the degree of risk assessment fulfillment.