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ONLINE FORUM ON PARAGRAPH 3 OF ARTICLE 18
REGARDING THE NEED FOR AND MODALITIES OF
DEVELOPING STANDARDS FOR THE HANDLING,
TRANSPORT, PACKAGING AND IDENTIFICATION OF
LIVING MODIFIED ORGANISMS

Online, 18-29 May 2009

**GUIDING QUESTIONS FOR THE ONLINE FORUM ON PARAGRAPH 3 OF ARTICLE 18
REGARDING THE NEED FOR AND MODALITIES OF DEVELOPING STANDARDS FOR
THE HANDLING, TRANSPORT, PACKAGING AND IDENTIFICATION OF LIVING
MODIFIED ORGANISMS**

1. In decision BS-IV/10, the Parties requested the Executive Secretary to organize an online conference to: (i) identify the relevant standards with regard to handling, transport, packaging and identification of living modified organisms (LMOs); (ii) identify where gaps exist; and (iii) suggest possible modalities to fill the gaps (paragraph 3 of Article 18). In addition, the decision invites Parties, other Governments and relevant international organizations to provide the Executive Secretary with guiding questions for the conference and requests the Executive Secretary to finalise the list of questions in consultation with the Bureau of the Conference of the Parties serving as the meeting of the Parties to the Protocol. The Secretariat issued a notification dated 11 September 2008 calling for the submission of guiding questions by 31 October 2008.
2. The Secretariat had received two submissions by the deadline – one from the European Community and one from the Global Industry Coalition. Many of the questions touched on similar themes. The Secretariat therefore organized and synthesized the questions into four themes and has added three questions (identified below) with the aim of facilitating the discussion. The guiding questions were approved by the Bureau at its meeting in November 2008. The Bureau also allowed the Secretariat the flexibility to incorporate additional questions, as appropriate. The Secretariat has thus added some guiding questions including the questions received from Colombia after the deadline of 31 October 2008.
3. The full set of guiding questions for the online forum is set out below. On the forum website, ^{1/} each theme has its own page. Forum participants will be able to post their responses to the questions and read and respond to the postings of others under each theme.
4. Discussion on theme 4 – conclusions and recommendations – will only be open towards the end of the online forum. The Secretariat will use the flexibility in its mandate from the Bureau to adapt and add to the guiding questions in theme 4 on the basis of the content of the discussions during the first part of the Forum, as needed and as appropriate.

^{1/} http://bch.cbd.int/onlineconferences/forum_art18.shtml.

THEME 1. EXISTING STANDARDS AND STANDARD-SETTING BODIES

- What relevant standards with regard to handling, transport, packaging and identification of living modified organisms already exist? 2/
- What other international organizations are or may be involved in developing standards with regard to identification, handling, packaging and transport practices that are relevant to the different categories of LMOs addressed by the Cartagena Protocol on Biosafety?
- What types of LMOs could be shipped under the guidance or recommendations of the following organizations?
 - (a) United Nations Sub-Committee of Experts on the Transport of Dangerous Goods?
 - (b) International Maritime Organization?
 - (c) International Civil Aviation Organization?
 - (d) International Air Transport Association?
 - (e) International Plant Protection Convention (IPPC)?
 - (f) World Customs Organization (WCO)?
 - (g) Organization for Economic Cooperation and Development?
 - (h) Codex Alimentarius Commission?
 - (i) World Organization for Animal Health (OIE)?
- What are some examples of national governments or regional entities that have developed standards with regard to identification, handling, packaging and transport practices that are relevant to the different categories of LMOs addressed by the Protocol?
- How have different countries implemented the biosafety-related standards set by relevant organizations?

THEME 2. POSSIBLE GAPS – GENERAL

- What types of gaps may exist in the current set of standards that relate to the handling, transport, packaging and identification of LMOs? For example, are there gaps in the scope of the subject matter that is covered by existing standards? Or are there gaps in the capacity to implement existing standards? Please provide and discuss concrete examples where possible.*
- Where do the Protocol's rules regarding the handling, transport, packaging and identification of living modified organisms end and the measures of other international organizations regarding the handling, transport, packaging and identification of food derived from genetically modified organisms begin?

THEME 3. POSSIBLE GAPS – OBJECTIVE OF THE PROTOCOL, TYPES OF LIVING MODIFIED ORGANISMS, SEGREGATION AND TRACEABILITY, THRESHOLDS

- Do existing standards contribute to achieving the objective of the Protocol?
- Are all types of LMOs covered by the Protocol addressed by relevant existing standards?
- How can the segregation and traceability of LMOs that are subject to transboundary movement be ensured? Seeing as many LMO shipments are authorized for several uses, how can we

2/ See also the background document prepared by the Secretariat for the online conference (UNEP/CBD/BS/-ONLINECONF-HTPI/2).

* This question was developed by the Secretariat.

determine which portions of the shipment are for human consumption, animal consumption or planting?

- Does the phrase “may contain” in paragraph 2(a) of Article 18 of the Protocol make it necessary to establish a threshold for the presence of LMOs in a shipment? According to which criteria would such a threshold be established? How will the issues concerning increased costs and increased trade barriers be handled?

THEME 4. CONCLUSIONS AND RECOMMENDATIONS

- If there are identified gaps, what modalities are available to fill those gaps? Which organizations may be appropriate to address these gaps?
- Should the consideration of standard-setting in the context of the Protocol be limited to the requirement for the identification of LMOs? If so, do the requirements in paragraph 2 of Article 18 and the relevant decisions of the governing body of the Protocol not already constitute such standards?*
- Is the development of new standards a justifiable administrative and technical expense?
- How can the Parties leverage the work ongoing in these other international fora to take advantage of the expertise present in these fora and to avoid duplication of resources and efforts?
- A number of standard-setting organizations (e.g. IPPC, WCO, OIE) have expressed a need or a willingness to cooperate with the Protocol on issues of mutual relevance. Similarly, the Parties to the Protocol have requested the Executive Secretary to cooperate with these organizations. How might this be translated into practice?*
- How can the Executive Secretary further establish cooperative relationships with the relevant international bodies working in the areas of developing standards with regard to identification, handling, packaging and transport practices in order to ensure that any relevant concerns and/or gaps identified by the Parties are appropriately addressed?

* This question was developed by the Secretariat.

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