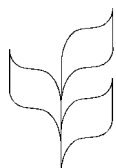




**CBD**



**CONVENTION ON  
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Note from the Secretariat

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Comments by the United Nations Economic and  
Social Council's Committee of Experts on the Transport of Dangerous Goods  
on the draft Protocol on Biosafety (UNEP/CBD/BSWG/5/INF/1)

**Comments by the United Nations Economic and Social Council's Committee of Experts on the Transport of Dangerous Goods on the draft Protocol on Biosafety (Document UNEP/CBD/BSWG/5/INF/1)**

Transport of dangerous goods regulations are, at national level throughout the world and at international level, guided by the UN Recommendations on the Transport of Dangerous Goods which has as a primary objective the protection of public safety, meaning the safety of people, property and the environment, during the transport of dangerous goods. This is achieved through means including classification, documentation, safety marks (labels, placards), specification of means of containment and conditions of transport.

The formation of the UN Recommendations, including the determination of which substances are identified as dangerous should they be accidentally released during transport, depends upon advice from experts of several countries as well as advice from International associations, organizations and conferences, similar to the Conference of Parties to the Convention on Biological Diversity.

One example similar to the question of Living Modified Organisms (LMO) is the situation of infectious substances. As guided by the World Health Organization, infectious substances are divided into four Risk Groups, with most falling into the unregulated group composition of Risk Group I substances. The remaining three Risk Groups have different levels of requirements to be followed for transport.

It is the Committee's expectation that should there be LMO which pose a risk during transport the number of these would be relatively small. However, should there be a requirement to establish, for example, provisions for these related to classification, documentation, safety marks and means of containment, this could rapidly be accomplished using the UN Recommendations on the Transport of Dangerous Goods without the need for a separate transport regulatory system.

This would be the Committee's preferred course of action, initiated by the determination of criteria by the Parties to the Protocol on Biosafety, on the basis of which LMO should be subject to such regulation.

Taking the above into account, it is suggested that:

- a) the square brackets around section 2 of Article 3A as well as the square brackets around paragraph (b) of that section 2 could be removed;
- b) Article 19, which is currently in square brackets, could be deleted; and
- c) the square brackets appearing in paragraph (e) of Annex 1 could be removed given that paragraph (1) begins with the words "Suggested methods".

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