

Convention on Biological Diversity

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CONFERENCE OF THE PARTIES TO THE CONVENTION
ON BIOLOGICAL DIVERSITY SERVING AS THE
MEETING OF THE PARTIES TO THE CARTAGENA
PROTOCOL ON BIOSAFETY

Fourth meeting

Bonn, 12-16 May 2008

Item 3 of the provisional agenda*

COMPILATION OF SUBMISSIONS ON IDENTIFIED CONSTRAINTS IN MAKING INFORMATION AVAILABLE IN THE BIOSAFETY CLEARING-HOUSE

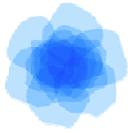
Note by the Executive Secretary

I. INTRODUCTION

1. In its decision BS-III/2, the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety (COP-MOP) invited those Governments that had identified constraints on making information available through the BCH in a timely manner (and/or implemented strategies to overcome these difficulties) to share these experiences with the Secretariat for circulation at its fourth meeting.
2. Accordingly, the Secretariat issued a notification ^{1/} inviting Governments to share their experiences in making information available through the BCH in order to be able to prepare a compilation report for circulation at the fourth meeting of the Conference of the Parties serving as the Meeting of the Parties to the Cartagena Protocol on Biosafety.
3. The Secretariat received two submissions, one from the European Union and one from the Government of Norway. The submissions are being circulated in the form and language in which they were received by the Secretariat.

* UNEP/CBD/BS/COP-MOP/4/1

^{1/} Notification 2006-053 available at <http://www.cbd.int/doc/notifications/2006/ntf-2006-053-bch-en.pdf>



PORTUGAL 2007



EUROPEAN COMMISSION

Dr. Ahmed Djoghlaif
Executive Secretary
Convention on Biological Diversity
413, Saint Jacques Street, Suite 800
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Lisbon / Brussels, 13 December 2007

**Subject: CBD Notification Ref. SCBD/BS/KGM/jh/55075
Cartagena Protocol on Biosafety – Biosafety Clearing-House.**

Dear Dr. Djoghlaif,

The Biosafety Clearing-House (BCH) was established in accordance with Article 20, paragraph 1 of the Cartagena Protocol as part of the clearing-house mechanism under Article 18, paragraph 3, of the Convention to facilitate the exchange of information on, and experience with, living modified organisms and assist Parties in implementing the Protocol.

The European Community and its Member States consider that the BCH is of major importance for the implementation of the Cartagena Protocol, as it promotes transparency of and easy access to biosafety-related information, to Parties, governments, the public, civil-society and scientific institutions.

The information contained in the annexed submission draws from and builds on discussions from expert meetings held within the EU.

Sincerely yours,

[SIGNED]

Margarida Cardoso da Silva

Deputy Director

Portuguese Environment Agency

[SIGNED]

Hugo-Maria Schally

Head of Unit – Cartagena Protocol Focal Point
Environment Directorate-General
European Commission

ANNEX

Please identify obstacles that, in your practical experience, hinder the adequate use of the BCH central portal or the easy submission of information to the BCH central portal and describe any experience you have with the development of strategies to overcome such difficulties.

The European Community and its Member States have provided the majority of information required to the BCH. In doing so, some difficulties were encountered and consequently, some information is still missing. Furthermore, due to the particular nature of the EU, it is difficult to search EU-related information on BCH. The recently introduced new features of the BCH already help to overcome these difficulties. However, some further measures might be required.

In the following, the European Community and its Member States have identified obstacles that hinder adequate use or the easy submission of information to the BCH Central Portal, including some specific obstacles that seem to be relevant only for the EU. Where possible, this submission also suggests potential solutions for overcoming the identified difficulties.

1. Obstacles that hinder adequate use of BCH Central Portal:

a. Lack of required information.

The BCH Central Portal is fully operational. However, in some areas, there is still only very limited information available. It is therefore of major importance that all Parties submit the information required by Article 20 of Cartagena Protocol.

Solution:

Requests the Secretariat to regularly undertake an analysis of the completeness of the information made available through the Central Portal and present this information to the Conference of the Parties serving as the Meeting of the Parties to the Cartagena Protocol on Biosafety (CoP/MoP) for appropriate action.

Requests the Secretariat to liaise with Parties in order to ensure that the information registered in the Biosafety Clearing-House is accurate, complete and in conformity with the appropriate common formats.

Recommends to the Secretariat to help Parties identify situations where relevant information seems to be missing.

b. Reliability and validity of information in the BCH Central Portal

Parties and other authorised users that place information on the BCH are responsible for the accuracy and updating of their submitted information. The SCBD regularly sends reminders for updating information. However, some of the information in the BCH Central Portal seems to be out of date.

The only mechanism that would also include mandatory updating of information was suggested by the Capacity Building Liaison Group for managing the information on Roster of Experts, but the final decision will rely on the MOP.

More concretely, the Liaison Group suggested that governments require their experts to keep their information in the roster up-to-date and to undertake a general review and update of the information every two years. Experts should be maintained on the roster for up to 4 years. After that period, governments may re-nominate an expert in accordance with criteria and minimum requirements. Two reminders should be sent to the respective National Focal Point and if no action is taken, the names of the experts should be automatically removed from the roster.

In a similar way, an equivalent procedure could be applied to other types of information.

Solution:

Implementation of an equivalent procedure for validation of other types of information on BCH Central Portal, establishing a timeframe for confirmation or update of information by Parties;

Identification, by SCBD, of other types of information that could be handled according to this procedure and proposal to CoP/MoP;

Implementation by SCBD of a 'time button' in a search options that would allow searching only information that was updated within certain time period.

c. Search and Retrieval of Information

The European Community and its Member States consider that finding information in the BCH Central Portal in an effective manner is extremely important. However, it requires a certain level of expertise to find information quickly and efficiently.

The objective of the BCH is to help Parties and exporters/ importers implement their obligations under the Protocol/ under national legislation of Parties of export/ import and consequently, the main target group for the information available at the BCH are decision makers in governments and organisations and exporters and/or importers of living modified organisms. However, Article 23 on Public Awareness and Participation clearly recognises the need to ensure public participation and access to information, and the role of BCH in this process. This is also in line with the provisions of Aarhus Convention.

Considering this, developments towards a more user-friendly version of the BCH are most welcomed and the latest improvements are in line with this goal.

Solution:

Assessment, by the SCBD, of the latest changes introduced in the BCH Central Portal and, if needed, submission of new proposals for further improvements.

Search Options:

- **Search based on approved use** (field trials, feed, food, processing, cultivation).

In accordance with Article 14.4. Cartagena Protocol, the European Community and its Member States rely on their existing legislative framework for intentional movements of GMO's within the

Community and for imports of GMOs into the EC. This makes it cumbersome to enter information according to the common formats. In addition, it seems difficult to search for EU-related information, if there is no familiarity with the particularities of the EU as a regional economic integration organisation.

The common denominator of all taken decisions is the approved use and thus, the possibility of searching decisions undertaken in accordance with the Protocol, based on their approved use should be introduced. In a similar way an equivalent possibility should be applied to Risk Assessment's searches.

Example:

Differentiation between feed, food, import, processing, contained use and cultivation;

Differentiation between field trials and commercial cultivations (the same is true when searching RAs).

Solution:

Introduction of approved use as one of the search options.

▪ **Search Results**

In order to contribute to a more effective search, we consider that for each decision search result should be described and sorted by:

- LMO: scientific name, common name, I.U., event
- Trait
- Approved use
- Country

Solution:

Implementation by the SCBD of a technical solution that guarantees this feature.

2. Obstacles that hinder easy submission of information to the BCH Central Portal

a. General

The submission of information to the BCH should be more structured, reducing where possible free text entries in order to find adequate data when searching information.

Solution: Simplification of submission procedures, e.g. by reducing, where possible, free text entries and substituting them by metadata/common vocabulary.

b. Language

Difficulties in fulfilling submission obligations for some Parties were identified, as this information had to be submitted in one of the six UN languages and often the documents are not available in one of these languages.

Solution: This issue was technically solved by the SCBD in the new version of BCH central portal, where there will be possibility to enter country data in two languages – in one of the six UN official languages and another of country's choice. Two new applications developed by SCBD (HERMES and AJAX) support multilingual national BCH. However, Parties are encouraged to provide courtesy translations if possible (could be unofficial). The European Community and its Member States would like to congratulate the Secretariat for the new features of the BCH in this context.

c. Standardisation of information

The European Community and its Member States identified difficulties in implementing the BCH obligations in what concerns to the provision of information on risk assessments (Article 20.3. c) Cartagena Protocol), namely regarding:

- No common understanding on the definition and scope of some fields of information required (per example, “summaries of risk assessment”, “environmental reviews”, etc.);
- Difficulties of use by EU Member States of Annex III format for submitting relevant information.

Solution:

Preparation of guidance on the information fields in order to have a harmonised approach by all Parties regarding BCH submissions;

Work with Biosafety Clearing-House National Focal Points and biosafety practitioners in order to revise BCH's common formats and forms, in terms of the comprehension and usefulness of each field and provide user-friendly references and examples, in line with IAC-BCH recommendations.



DET KONGELIGE
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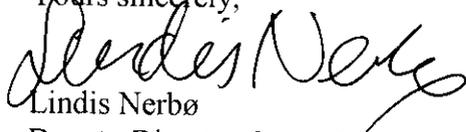
Our ref
200501695-/BE

Date
14 DES 2007

CBD Notification 2006-053 - Submission of views in preparation for the fourth Meeting of the Parties to the Cartagena Protocol on Biosafety

With reference to the notification mentioned above, please find enclosed Norway's submission on the Biosafety Clearing House.

Yours sincerely,



Lindis Nerbø
Deputy Director General



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Norwegian submission on the Biosafety Clearing House of the Cartagena Protocol on Biosafety

Decision BS-III/2 – Biosafety Clearing House (BCH)

Paragraph 4 of Decision BS-III/2 on the operation and activities of the BCH of the third meeting of the Conference of the Parties serving as the Meeting of the Parties to the Cartagena Protocol invites those Governments that have identified constraints on making information available to the BCH and /or implemented strategies to overcome these difficulties to share these experiences.

Norway appreciates the efforts made in the continuous development of the BCH Central Portal. The Management Centre of the BCH is easy to use, and the information is displayed in a user-friendly manner on the new version of the BCH.

Norway has provided the majority of information required to the BCH. No major constraints on making information available to the BCH have been encountered.

Norway has established a national BCH website at <http://bch.dirnat.no> which can be viewed in either English or Norwegian. Our national BCH website contains links to information on Norwegian regulatory framework, decisions and contact points registered in the database of the Central Portal. The new option to register all information in a language of a country's own choice in addition to the six official UN languages is an important improvement for use of the information in the BCH-database at the national level in Norway.

We would nevertheless avail ourselves of this opportunity to point out obstacles with regard to lack of or outdated information that may hinder adequate use of the BCH.

We have noticed that the information available in some areas is limited, and that some information seems to be outdated.

We therefore draw attention to the solution related to lack of information suggested by the Informal Advisory Committee of the BCH at its third meeting according to paragraphs 3 and 4 of document UNEP/CBD/BS/BCH-IAC/3/2. The solution entails a request to the Secretariat to analyse regularly the quality and completeness of the information made available through the Central Portal and present this information to the Conference of the Parties serving as the Meeting of the Parties to the Cartagena Protocol on Biosafety (COP-MOP) for appropriate action. In cases of incomplete, inadequate or unavailable information, the Secretariat should check whether information does not exist or has not been reported. Furthermore, the Secretariat is requested to liaise with Parties in order to ensure that the information registered in the Biosafety Clearing-House is accurate, complete and in conformity with the appropriate common formats. Finally, the Secretariat is recommended to monitor regularly the information registered by countries, so as to ensure its usefulness and further recommends that the Secretariat continue in its efforts to identify missing data from countries that are non-compliant with regard to meeting their obligations to the BCH.

As regards outdated information a procedure along the lines of the one suggested by the Capacity Building Liaison Group for management of information on Roster of Experts could be considered by the COP-MOP. The type of information that could be covered by such a procedure and the timeframe for confirmation or updating of information would have to be considered. The procedure suggested was that governments require their experts to keep their

information on the Roster updated and to review and update the information in general every two years. Experts should be maintained on the roster for up to 4 years, with the possibility of re-nomination by governments in accordance with criteria and minimum requirements. In cases where experts are not re-nominated despite two reminders to the respective National Focal Point, the names of the experts should be automatically removed from the Roster.

The online survey on the recently revamped BCH launched by CBD Notification of 7 December 2007 in accordance with requests made by both the COP-MOP and the Informal Advisory Committee of the Biosafety Clearing-House should provide useful feedback to the COP-MOP on the user-friendliness of and the quality of the information registered in the new and improved BCH. We will certainly do our best to contribute to the usefulness of this survey.