



CONVENTION ON BIOLOGICAL DIVERSITY

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Press Release

Cartagena Protocol on Biosafety takes effect

Montreal, September 9, 2003 – The Cartagena Protocol on Biosafety, the first legally binding international agreement governing the transboundary movement of living modified organisms resulting from modern biotechnology enters into force on Thursday, 11 September 2003.

The treaty, which aims at ensuring an adequate level of protection in the field of the safe transfer, handling and use of living modified organisms (LMOs) resulting from modern biotechnology, was adopted in January 2000 by member countries to the Convention on Biological Diversity.

On 13 June this year, the Republic of Palau became the 50th State to ratify the Protocol, which triggered the countdown to the entry into force. To date, 57 States and the European Community have ratified it, the Republic of South Africa being the most recent.

Underscoring the significance of the Protocol's entry into force, CBD Executive Secretary Hamdallah Zedan said, "The Protocol has now become a binding instrument for States (Parties) that have given their consent to be bound by it".

"This means that the transboundary movement of LMOs from one country to another will have to be in conformity with the provisions of the Protocol, in cases where both countries are Parties to the Protocol. However, in cases where movement of LMOs involves a Party and a non Party, such movement shall be consistent with the objective of the Protocol., said Mr. Zedan.

"Because of the sensitivity and contention around some of the issues that almost made it impossible to have agreement on the text of the Protocol until the very last minute, some skeptics were wondering if the Protocol, even though adopted, would ever enter into force. Well, they have been proven wrong", said Ambassador Philemon Yang of Cameroon.

The Protocol establishes a harmonized set of international rules and procedures designed to ensure that countries are provided with the relevant information to enable them to make informed decisions before agreeing to the import of LMOs. It also ensures that LMO shipments are accompanied by appropriate identification documentation.

The adoption of the Protocol in 2000 and now its entry into force have been significant steps. However, the major challenge now is the practical implementation of the provisions to enable the Protocol's objectives to be met.

"All Parties need to take appropriate legal, administrative and other measures at the domestic level to translate the Protocol's provisions and objective into a practical reality", said Mr. Zedan.

Since the adoption of the Protocol, the Intergovernmental Committee on the Cartagena Protocol on Biosafety (ICCP) has made considerable progress in proposing possible implementation measures. ICCP is the interim body, established to undertake preparatory work for the first meeting of the Protocol's decision-making body.

"The work done by ICCP has contributed significantly to clarifying a number of issues thereby giving many countries the confidence they needed to ratify the Protocol and get ready for its implementation", said Ambassador Yang, the ICCP Chair.

The decision-making body of all the member countries of the Protocol - the Conference of the Parties serving as the meeting of the Parties to the Protocol- will convene from 23 to 27 February 2004 in Kuala Lumpur, Malaysia to address strategic and operational measures for the implementation of the Protocol.

While the ultimate responsibility to ensure that the Protocol is implemented lies with Parties, Mr. Zedan observed that "all relevant stakeholders: business and industry, NGOs, scientists, researchers and the media have a big role to play". Their cooperation is essential for the successful implementation of the Protocol. "I encourage all the players to take on their respective responsibilities in support of the Protocol".

"I strongly urge all countries that have not yet done so to ratify the Protocol as soon as possible in order that they may participate as full partners in the decision-making at the first meeting of Parties, which will shape the future of the Protocol".

Additional information for Journalists

- (1) The Cartagena Protocol on Biosafety was negotiated under the Convention on Biological Diversity in order to promote "the safe transfer, handling and use of living modified organisms (LMOs) resulting from modern biotechnology that may have adverse effects on the conservation and sustainable use of biological diversity, taking also into account risks to human health, and specifically focusing on transboundary movements".
- (2) 103 countries signed the Protocol by the closing date for signature on 4 June 2001..
- (3) The entry into force of the Protocol means, in practical terms, that a number of things will change regarding the transboundary movement of LMOs, involving countries that are Parties to the Protocol:
 - (a) Under what is known as the advance informed agreement (AIA) procedure, any Party shipping LMOs for intentional introduction into the environment for the first time shall have to give prior notification to the importing country that is a party to the Protocol and provide sufficient information to enable it to make an informed decision.
 - (b) On the other hand, if a Party approves for domestic use and marketing LMOs intended for direct use as food, feed or processing and these may be exported to other countries, that Party must communicate its decision and details about the LMOs to the world community via the Biosafety Clearing-House (BCH).
 - (c) Furthermore, exporters must ensure that all shipments are accompanied by appropriate documentation required under the Protocol.
 - (d) Shipments of LMOs for intentional introduction into the environment will have to be identified in accompanying documentation as LMOs, with a specification of the LMO identity and characteristics and a declaration that "the movement is in conformity with the requirements of the Protocol.
 - (e) The Biosafety Clearing-House is now operational. All decisions taken by any Party regarding the importation or release of LMOs must now be made available to the Biosafety Clearing-House. In addition, the information specified in the Protocol, including: national laws for implementing the Protocol; any

bilateral, regional and multilateral agreements entered regarding transboundary movement of LMOs and summaries of risk assessments of LMOs must be provided through the BCH.

- (f) Furthermore, Parties must ensure that risk assessments are carried out for decisions taken under the AIA procedure and must adopt measures for managing any risks identified by risk assessments. They must also monitor and control any new risks that may emerge in the future.

- (4) Additional information about the Protocol is available at the following Web sites:

CBD Web site: <http://www.biodiv.org/biosafety> and

Biosafety Clearing-House: <http://bch.biodiv.org/Pilot/Home.aspx>.

Frequently asked questions are also available at: <http://www.biodiv.org/biosafety/faqs.asp>

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