



CASE STUDY 20:

A country has just become a Party to the Cartagena Protocol and must fulfill its reporting obligations

Objective:

To determine which information-sharing obligations arise on entry into force of the Protocol

References:

BCH Module 10: Becoming a Party to the Protocol

Online BCH Training Site

Scenario:

You have been appointed as the BCH National Focal Point for your government. Your country has just acceded to the Protocol and you have been given responsibility for ensuring your government fulfils its information-sharing obligations now that it is a Party to the Protocol.

Part I:

- Your office is designated as the National Focal Point for the Cartagena Protocol on Biosafety and has been given responsibility for receiving all formal communications on its operation.
- Your national biosafety framework is still in draft form, with a period of public comment due to close in one month, which you

hope will be followed by adoption of a specific biosafety law. In the meantime, most biosafety activities in your country are covered by voluntary guidelines overseen by the *National Gene Technology Advisory Committee (GTAC)*. The GTAC currently make all relevant decisions regarding release of LMOs in your country. However, your national *Food Safety Law* is administered by the *National Food Authority (NFA)* and it does make some mention of labeling for genetically modified foods.

- During the development of your biosafety framework, you identified 134 persons with biosafety expertise for inclusion on your national roster of experts.
- Six months ago, your government signed an agreement with a neighboring country that is not a Party to the Protocol in which you agreed to accept imports of LMOs for processing under a special streamlined documentation process.
- Before the Protocol was adopted in 2003, your GTAC had taken one decision (titled “*Decision-1*”) on importing a genetically modified soybean for food. Between that date and the date of your government becoming a Party, another three decisions were taken on importing genetically modified cotton plants for field trials (*Decision-2*, *Decision-3* and *Decision-4*). Although risk assessments were undertaken at the time, they contain some commercial-in-confidence information and have not been released publicly. You expect two more decisions (*Decision-5* and *Decision-6*) to be released next month.

- (a) What are your primary responsibilities as the BCH National Focal Point?
- (b) What is the minimum information you are required to register with the BCH immediately to ensure your government is not breaching its information-sharing obligations under the Protocol?
- (c) What optional information could you also register with the BCH?

Please use the BCH training portal to enter the information using the Management Centre.

Part II:

- Six months later, your *National Biosafety Law* has been adopted. This law also addresses food safety and replaces the previous sections covered by the Food Safety Law. Although not yet translated into any of the official UN languages, nor registered with the BCH, it is accessible through your national biosafety website.
- Your *National Science Laboratory* has locally developed three indigenous varieties of genetically modified maize that are resistant to insect attack. Two varieties (VAR-1 and VAR-2) are undergoing contained field trials, and the third variety (VAR-3) was approved last week for release for domestic use as animal feed (*Decision-7*).

(d) Which of these events should you register with the BCH and when?
(please use the Online Training site, if required)

Part III:

- Your office was advised this morning that a rabbit infected with a genetically modified virus intended to reduce breeding rates was accidentally released from its containment facility 50 kms from your border with a neighbouring country.

(e) Do you have any information-sharing responsibilities for this event? If so, how would you enter this in the BCH (please use the Online Training site, if required)



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TRAINER NOTES

Training Objective:

Familiarize government representatives (particularly focal points) with their information-sharing responsibilities.

Requirements:

If BCH access is not available, this exercise may be carried out with pen and paper, or as a large group exercise.

Notes:

- Users can work singly or in groups for this exercise.
- Some users are unfamiliar with the term “acceded to the Protocol”, although in fact this is what many countries do – you may take a few moments to discuss the terminology (i.e. “signing” the Protocol does not make a country a Party; countries that have signed the Protocol, “ratify” it when they pass it into national law; countries that did not sign the Protocol “accede” to it when they pass it into national law; apart from terminology there is no practical difference between Parties that ratified or acceded to the Protocol).
- If time is short, this exercise could be replaced by a group exercise to list what information must be registered with the BCH, what information can be registered with the BCH, and what information should not be included in the BCH.