

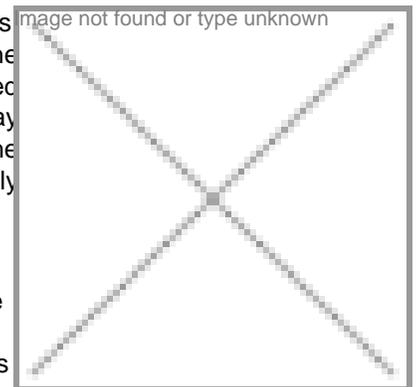
## World to become "bio safe" from September 11

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Thanks to the power and reach of the television, print and internet-based media systems most of the world's population will remember the date September 11 because of the terrorist attacks on the World Trade Center in New York on that day in 2001 which killed over 3,000 people. Come September 11, 2003, two years after that event, the world may have that date to remember for another important happening. It will be the day when the first international treaty that will regulate the transboundary movement of all genetically modified organisms.

The journey to make the world safe from accidental release of Living Modified Organisms (LMOs) began on January 29, 2000. It has taken the first step to become a reality on June 13, 2003, when a representative of the tiny island republic of Palau deposited a ratified copy of the Cartagena Protocol on Biosafety with the United Nations. As per the provisions of the convention, the treaty will come into effect on September 11, exactly 90 days after the 50th member country ratified the protocol. While India has ratified the Protocol, countries like the US, UK and Japan have yet to do so.



The contours of the treaty was evident when the countries that were party to the UN's Convention on Biological Diversity adopted a supplementary agreement to the Convention known as the Cartagena Protocol on Biosafety on January 29, 2000.

The Protocol sought to protect biological diversity from potential risks that may be posed by LMOs resulting from modern biotechnology.

The full name of the Protocol is the Cartagena Protocol on Biosafety to the Convention on Biological Diversity. Cartagena is city in Colombia where the Protocol was originally scheduled to be concluded and adopted in February 1999. However, due to a number of outstanding issues, the Protocol was finalized and adopted a year later on 29 January 2000 in Montreal, Canada.

The Protocol has established an Advance Informed Agreement (AIA) procedure for ensuring that countries are provided with prior written notification and information necessary to make informed decisions before agreeing to the first import of LMOs that are to be intentionally introduced into the environment.

## What happens to LMOs from September 11

A number of provisions of the Protocol will take effect from September 11, 2003: These are:

- Countries shipping LMOs for intentional introduction into the environment will have to give prior notification to the importing country that is a party to the Protocol, under what is known as the advance informed agreement (AIA) procedure. They should also provide sufficient information for the first shipment to enable them to make informed decisions.
- These shipments will have to be identified in accompanying documentation as LMOs with specification of the LMO identity and characteristics and with a declaration that "the movement is in conformity with the requirements of the Protocol".
- Likewise, shipments of LMO commodities intended for direct use for food, feed or processing will have to be identified in accompanying documentation as "may contain" LMOs and as "not intended for intentional introduction into the environment".
- Parties will be required to use the Biosafety Clearing-House (BCH) to fulfill a number of obligations. Specific information that must be made available through the BCH includes: national biosafety laws; risk assessment summaries; and final decisions by importing Parties with supporting reasons. The pilot phase of the BCH, which is largely Internet-based, has been developed by the Secretariat of the Convention and is available at [www.biodiv.org/biosafety](http://www.biodiv.org/biosafety)
- Any Party that approves for domestic use and marketing LMOs intended for direct use as food, feed or processing that may be exported will be required to communicate this decision and details about the LMO to the world community via the BCH.
- Importing Parties must make a decision on the import of LMOs for intentional release into the environment on the basis of a scientifically-sound risk assessment and communicate the decision to the notifier and the BCH within a period not exceeding 270 days.
- In cases where scientific certainty is lacking due to insufficient relevant scientific information and knowledge with regard to the potential adverse effects of an LMO on the conservation and sustainable use of biological diversity in the Party of import, Parties may take a decision in order to avoid or minimize such potential adverse effects.
- Parties will have an obligation to inform affected States and take other appropriate action if they discover an unintentional movement of LMOs across borders.
- If an illegal shipment of LMOs occurs, the affected Party may request the Party of origin of the shipment to repatriate or destroy the LMO at its own expense.
- Parties to the Protocol will cooperate to help developing countries build human resources and institutions to make informed decisions about LMOs.

## What are LMO products?

LMOs form the basis of a range of products and agricultural commodities. Processed products containing dead modified organisms or non-living GMO components include certain vaccines; drugs; food additives; and many processed, canned and preserved foods. They can also include corn and soybean derivatives used in many foods and nonfoods, cornstarch used for cardboard and adhesives, fuel ethanol for gasoline, vitamins, vaccines and pharmaceuticals, and yeast-based foods such as beer and bread.

The Protocol makes reference to the precautionary approach contained in Principle 15 of the Rio Declaration on Environment and Development.

The Protocol also establishes a Biosafety Clearing-House(BCH) to facilitate the exchange of information and experiences on LMOs and to assist countries in the implementation of the Protocol.

The Protocol was adopted by more than 130 countries on 29 January 2000 in Montreal, Canada. During the time it was open for signature, from May 15, 2000 to June 4, 2001, it received 103 signatures.

The Protocol aims to contribute to the safe transfer, handling and use of LMOs 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.

Experts said from September 11, it will become legally binding in the international legal system and in the legal systems of countries that have given consent to be bound by it; and henceforth member countries must comply with, and implement, all the provisions of the Protocol.

The Cartagena Protocol on Biosafety is the only international instrument that deals exclusively with LMOs. Two other international environment related agreements such as the International Plant Protection Convention (IPPC) and the Codex Alimentarius Commission covers various safety aspects of LMOs along with several other issues.

The Protocol deals with transboundary movement of LMOs that may have adverse effects on biodiversity, taking also into account human health. It does not, however, cover non-living products derived from LMOs, such as cooking oil from Genetically Modified (GM) corn or ketchup from GM tomatoes.

N Suresh

## **Biosafety conscious countries**

### **Africa**

Botswana, Cameroon, Djibouti, Ghana, Kenya, Lesotho, Liberia, Mali, Mauritius, Mozambique, Tanzania, Tunisia and Uganda.

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### **Asia & Pacific**

Bhutan, Fiji, India, Maldives, Marshall Islands, Nauru, Niue, Oman, Palau and Samoa.

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### **Central and Eastern Europe**

Belarus, Bulgaria, Croatia, the Czech Republic, Republic of Moldova, Slovenia and Ukraine.

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### **Latin America & Caribbean**

Barbados, Bolivia, Colombia, Cuba, Ecuador, Mexico, Nicaragua, Panama, Saint Kitts and Nevis, Trinidad and Tobago and Venezuela.

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### **Western Europe and Others Group**

Austria, Denmark, the European Community, France, Luxembourg, Norway, Spain, Sweden, Switzerland and The Netherlands.

**An interesting footnote:** The first and the 50th states to ratify the Cartagena Protocol on Biosafety are small island developing states: the Republic of Trinidad and Tobago was the first state to ratify the Protocol (1 August 1996). The Republic of Palau became the 50th State to ratify the Protocol on June 13 2003