



### **CASE STUDY 20:**

#### **A country has just become a Party to the Cartagena Protocol and must fulfill its information-sharing obligations**

#### **Objective:**

To determine which information-sharing obligations arise on entry into force of the Protocol for a country.

#### **References:**

BCH Training Module “Information sharing obligations on becoming a Party to the Protocol”<sup>1</sup>

Cartagena Protocol on Biosafety<sup>2</sup>

#### **Scenario:**

You have been appointed by your government as the BCH National Focal Point. 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

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<sup>1</sup> [http://bch.cbd.int/help/trainingmaterials/En/03\)%20Training%20Modules/MO10En.pdf](http://bch.cbd.int/help/trainingmaterials/En/03)%20Training%20Modules/MO10En.pdf)

<sup>2</sup> <http://bch.cbd.int/protocol/text/>

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 makes 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 entered into force 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 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 taken 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 in 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 in the BCH?

**Please use the BCH training site 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 in 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 insects. 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 in the BCH and when?  
(please use the Online Training site, if required)

*Part III:*

- Your office was advised this morning that a rabbit infected by a genetically modified virus intended to reduce breeding rates was accidentally released from its containment facility, which is 50 km 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:**

This Case Study can be completely developed by participants using the BCH Training site.

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

Participants shall use the BCH Training Module “Information sharing obligations on becoming a Party to the Protocol” and the text of the Cartagena Protocol on Biosafety to solve this exercise. These links shall be made available on the computers before starting the 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 can not be included in the BCH.