



## Ready Reference

# Decisions and Declarations

RR07

Decision Type	Explanation
<b>Advance Informed Agreement decisions (AIA)</b>	<p><i>LMOs to be intentionally introduced into the environment. The AIA procedure applies before the first intentional transboundary movement of LMOs for intentional introduction into the environment of the Party of import.</i></p>
<b>Article 11 decisions (LMO-FPPs)</b>	<p><i>LMOs intended for direct use as Feed or Food or for Processing (often termed “commodities”).</i></p> <p><i>The procedure outlined in Article 11 of the Protocol requires countries to exchange information at an early stage through the BCH for LMOs intended for direct use as Food or Feed, or for Processing. It includes a requirement to give notice of domestic authorizations of LMOs and to make available copies of national laws and regulations applicable to the import of these LMOs. Article 11 describes the form of decisions that may be taken by both potential exporting and importing Parties and that need to be made available to the BCH.</i></p>
<b>Article 11(1) decision</b>	<p><i>A decision regarding domestic use, including placing on the market, of an LMO that may be subject to transboundary movement for direct use as Food or Feed, or for Processing. The Cartagena Protocol sets out in its Annex II the information that must be provided to the BCH.</i></p>
<b>Article 11(4) decision</b>	<p><i>If a Party takes a decision on the import of LMOs-FFP under its domestic regulatory framework that is consistent with the objective of this Protocol, this information should be made available through the BCH.</i></p>
<b>Article 11(6) decision</b>	<p><i>A decision taken by a developing country Party or a Party with an economy in transition, in the absence of a domestic regulatory framework, prior to the first import of an LMO intended for direct use as Food or Feed, or for Processing.</i></p>



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<i>Article 11(6) declaration</i>	<i>A declaration that, in the absence of a domestic regulatory framework, a decision prior to the first import of an LMO intended for direct use as Food or Feed, or for Processing, in the absence of a domestic regulatory framework will be taken in accordance with the procedure outlined in Article 11.6 (i.e., a risk assessment and decision made within 270 days).</i>
<b>Other decisions, declarations and notifications</b>	<i>Any final decisions regarding the importation or release of LMOs that are not AIA decisions or Article 11 decisions. This category also includes notifications and declarations.</i>
<i>Article 5 Decision</i>	<i>Decision on pharmaceuticals</i>
<i>Article 6.1 Decision</i>	<i>Decision regarding the transit of an LMO. If a Party decides to regulate the transport of Living Modified Organisms (Transit) through its territory, this information should be notified to the BCH.</i>
<i>Article 6.2 decision</i>	<i>Decision on contained use of an LMO. "Contained use" is defined by the Cartagena Protocol to mean "any operation, undertaken within a facility, installation or other physical structure, which involves Living Modified Organisms that are controlled by specific measures that effectively limit their contact with, and their impact on, the external environment" (Article 3(b)).</i>
<i>Article 12(1) decision</i>	<i>Review of a decision: A Party of import may, on its own initiative or upon request, review a decision it has made regarding the import of an LMO on the basis of the new information or where there has been a change of circumstances. Reviews or changes of previous decisions should be promptly made available through the BCH.</i>
<i>Article 13.1a decision</i>	<i>Notification of a simplified procedure: cases in which intentional transboundary movement to a Party of Import may take place at the same time as the movement is notified to the Party.</i>
<i>Article 13.1b decision</i>	<i>Notification of a simplified procedure: LMOs that are exempted by a Party of Import from the AIA procedure.</i>
<i>Article 11(1) notification</i>	<i>Notification that a Party does not have access to the Biosafety Clearing-House</i>

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<i>Article 14.4 notification</i>	<i>Notification that a Party has determined that its domestic regulations apply with respect to specific imports to it.</i>
<i>Article 17.1 notification</i>	<i>Notification of an unintentional transboundary movement of an LMO. When a Party knows of an occurrence in its jurisdiction of a release that leads or may lead to an unintentional transboundary movement of LMOs that is likely to have significant adverse effects on biodiversity and human health, it must notify affected or potentially affected States (through their point of contact for emergency measures under CPB, Article 17), the BCH, and, where appropriate, relevant international organizations with information on the unintentional release as specified in Article 17.3.</i>
<i>Article 25.3 notification</i>	<i>Notification of an illegal transboundary movement of an LMO. The Protocol provides that transboundary movements of LMOs carried out in contravention of a 'Party's domestic laws and regulations should be considered illegal. A Party must make available to the BCH information about any cases of illegal transboundary movement of LMOs pertaining to it.</i>
<i>Article 18 communication</i>	<i>Communication of information on 'Handling, Transport, Packaging and Identification' of LMOs.</i>
<i>BS-I.2(5) Decision</i>	<i>A decision on import or release of a LMO taken by a Party before the Protocol entered into force for it. Parties, governments and other users have to provide relevant information to the Biosafety Clearing-House as soon as possible, including information pertaining to decisions on the release or import of living modified organisms taken prior to entry into force of the Protocol;</i>
<i>Decision taken in accordance with a country's domestic regulatory framework</i>	<i>Decision on a field trial that does not fall under the AIA procedure and is taken in accordance with a country's domestic regulatory framework.</i>
<i>Declaration made upon ratification or accession</i>	<i>A declaration made by a Party at the time of ratifying or acceding to the Protocol.</i>

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<i>BS-V.2(a) decision on field trials</i>	<i>Provide complete and accurate information on final decisions pertaining to Living Modified Organisms and the risk assessment summaries regarding such decisions, as well as risk assessment summaries for all instances when requested by the Protocol including, inter alia, intentional introductions of living modified organisms into the environment for field trials regardless on whether or not the Living Modified Organism will be subjected to future transboundary movements or commercialization</i>