CASE STUDY (CSI04):

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 a country's entry into force of the Protocol.
- To familiarize government representatives (particularly focal points) with their information-sharing responsibilities.

Scenario

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

Part 1

- Your office is designated as the National Focal Point for the Cartagena Protocol on Biosafety and is responsible 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 adopting 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 releasing 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.
- While developing 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. 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 when your government became 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 then, 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.

You are working for a Competent National Authority and have been contacted by a medical researcher who intends to start some new research. She wishes to import some supplies and wants to know if the Advance Informed Agreement (AIA) Procedure will apply in those instances.

Q1. What are your primary responsibilities as the BCH National Focal Point?

Q2. What minimum information must you submit to the BCH immediately to ensure your government is not breaching its information-sharing obligations under the Protocol?

Q3. What optional information could you also submit to the BCH?

Part 2

- 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 official UN languages or 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 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).

Q4. Which of these events should you register in the BCH and when?

Part 3

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 50 km from your border with a neighboring country.

Q5. Do you have any information-sharing responsibilities for this event? If so, how would you enter this in the BCH?

Mechanics:

Participants can work singly or in groups for this exercise.