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# The Cartagena Protocol on Biosafety, and its Nagoya – Kuala Lumpur Supplementary Protocol on Liability and Redress

The Cartagena Protocol on Biosafety is an additional agreement to the Convention on Biological Diversity. It aims to ensure the safe transport, handling and use of living modified organisms (LMOs) resulting from modern biotechnology that may have adverse effects on biodiversity, also taking into account risks to human health. The Protocol establishes procedures for regulating the import and export of LMOs from one country to another.

There are two main sets of procedures, one for LMOs intended for direct introduction into the environment, known as the advance informed agreement (AIA) procedure, and another for LMOs intended for direct use as food or feed, or for processing (LMOs-FFP).

Under the AIA procedure, a country intending to export an LMO for intentional release into the environment must notify in writing the Party of import before the first proposed export takes place. The Party of import must acknowledge receipt of the notification within 90 days and must communicate its decision on whether or not to import the LMO within 270 days. Parties are required to ensure that their decisions are based on a risk assessment of the LMO, which must be carried out in a scientifically sound and transparent manner. Once a Party takes a decision on the LMO, it is required to communicate the decision as well as a summary of the risk assessment to a central information system, the Biosafety Clearing-House (BCH).

Under the procedure for LMOs-FFP, Parties that decide to approve and place such LMOs on the market are required to make their decision and relevant information, including the risk assessment reports, publicly available through the BCH.



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<http://bch.cbd.int/protocol>



The Protocol also requires Parties to ensure that LMOs being shipped from one country to another are handled, packaged and transported in a safe manner. The shipments must be accompanied by documentation that clearly identifies the LMOs, specifies any requirements for the safe handling, storage, transport and use and provides contact details for further information.

The Cartagena Protocol is reinforced by the Nagoya - Kuala Lumpur Supplementary Protocol on Liability and Redress. The Supplementary Protocol specifies response measures to be taken in the event of damage to biodiversity resulting from LMOs. The competent authority in a Party to the Supplementary Protocol must require the person in control of the LMO (operator) to take the response measures or it may implement such measures itself and recover any costs incurred from the operator.

## Fast Facts

- ▶ The Cartagena Protocol on Biosafety was adopted on 29 January 2000 and entered into force on 11 September 2003. As of March 2013, 165 countries and the European Union have ratified or acceded to the Protocol
- ▶ The Nagoya-Kuala Lumpur Supplementary Protocol on Liability and Redress to the Cartagena Protocol on Biosafety was adopted on 15 October 2010 in Nagoya, Japan. It was opened for signature from 7 March 2011 to 6 March 2011. By the closing date, it was signed by 51 Parties to the Cartagena Protocol on Biosafety. As of March 2013, 11 Parties to the Cartagena Protocol have ratified or acceded to the Supplementary Protocol
- ▶ Modern biotechnology involves modifying the genetic material of an organism with the aim of developing or improving one or more characteristics in the organism. While this technology has the potential to generate benefits for humankind and contribute to sustainable development, there are concerns that living modified organisms resulting from biotechnology may have negative effects on biodiversity and human health

## Learn More

The Nagoya – Kuala Lumpur Supplementary Protocol on Liability and Redress to the Cartagena Protocol on Biosafety ▶ [http://bch.cbd.int/protocol/NKL\\_Protocol.shtml](http://bch.cbd.int/protocol/NKL_Protocol.shtml)

Biosafety Clearing-House (BCH) ▶ <http://bch.cbd.int>

Strategic Plan for the Cartagena Protocol on Biosafety for the period 2011-2020  
▶ [http://bch.cbd.int/protocol/issues/cpb\\_stplan\\_txt.shtml](http://bch.cbd.int/protocol/issues/cpb_stplan_txt.shtml)

Biosafety Protocol News ▶ [http://bch.cbd.int/protocol/cpb\\_newsletter.shtml](http://bch.cbd.int/protocol/cpb_newsletter.shtml)

Publications on the Cartagena Protocol ▶ [http://bch.cbd.int/protocol/cpb\\_publications.shtml](http://bch.cbd.int/protocol/cpb_publications.shtml)

Biosafety Information Resource Centre ▶ <http://bch.cbd.int/database/resources>

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