

International Regimes Governing Genetic Modification in Agriculture

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Outline

- Cartagena Protocol on Biosafety
- WTO Agreements (TRIPS and Agriculture)
- Bilateral trade and investment agreements
- International food safety regulations (Codex..)

Cartagena Protocol on Biosafety

- Objective (Article 1 of CPB): “to contribute to ensuring an adequate level of protection in the field of the safe transfer, handling and use of living modified organisms resulting from modern biotechnology 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”

Key obligations created by CPB

- Excluded from coverage (Article 5 of CPB) are living modified organisms which are pharmaceuticals
- Information provision, exchange (e.g. Biosafety Clearing House) and sharing on development, transit, testing, procurement, commercialization, etc of living modified organisms

Obligations from CPB

- Article 15: “Risk assessments undertaken ... shall be carried out in a scientifically sound manner, ... and taking into account recognized risk assessment techniques. Such risk assessments shall be based, ... , on information provided in accordance with Article 8 and other available scientific evidence in order to identify and evaluate the possible adverse effects of living modified organisms biological diversity, taking also into account risks to human health.”

Obligations from CPB

- Article 19 (National authorities) requires parties to establish national institutions—policies, regulations and agencies—to domestic the CPB
- Article 22 (Capacity Building) “Parties shall cooperate in the development and/or strengthening of human resources and institutional capacities in biosafety, including biotechnology to the extent that it is required for biosafety, for the purpose of the effective implementation of this Protocol, in developing country Parties, Including facilitating private sector involvement.”

WTO Agreements (TRIPS and Agriculture)

- Agreement on Agriculture (AoA)--In May of 2003, the US, along with Canada and Argentina, launched a formal complaint at the WTO about the European Union's *de facto* moratorium on new approvals of GM crops and foods, including imports of GM products

Codex Alimentarius

- The guidelines published by the Codex Alimentarius Commission have implications for the international food trade, including GM food. Codex Alimentarius sets voluntary international guidelines on food standards.