

Thank you Madame Chair. I am making this statement on behalf of Third World Network, Federation of German Scientists, Ecoropa and Econexus.

Incidents of unintentional transboundary movements of LMOs worldwide have occurred with alarming frequency. According to the GM Contamination Register, a total of 448 known contamination incidences and illegal releases have occurred to date since 2005.

1. The operational definitions of illegal transboundary movement and unintentional transboundary movement and the explanatory note proposed by the Compliance Committee provide useful guidance to Parties in their implementation of the Cartagena Protocol and national biosafety laws. They should therefore be adopted by the COP-MOP.

2. Under Article 17, Parties must notify affected or potentially affected States as soon as the Party knows of situations of unintentional transboundary movements. Unfortunately, it appears that such notification does not often happen, much less in a timely manner. Parties should consider setting up regional or sub-regional rapid alert systems that immediately notifies all affected and potentially affected States, if none exists.

3. There is a lack of detail and practical guidelines on emergency measures. It would be beneficial for Parties to learn from other national and regional mechanisms and examples of emergency measures. For example, by requiring an accredited laboratory to provide certification to confirm that a product does not contain the LMO that has unintentionally crossed borders. The issue of liability and redress may also arise if there is damage or sufficient likelihood of damage. In such cases, response measures must be taken in line with the Nagoya-Kuala Lumpur Supplementary Protocol on Liability and Redress.

4. Parties need to be able to detect and identify LMOs so as to take appropriate measures to respond to unintentional transboundary movements. The draft decision should endorse the Technical Tools and Guidance for the Detection and Identification of LMOs and urge its widespread use, including by translating it into all UN languages and making it available for capacity-building workshops.

Under the guidance of the Network of Laboratories, a mechanism for the continued updating and elaboration of the Technical Tools and Guidance should be established. Face-to-face meetings of the Network of Laboratories are therefore necessary.

5. Sequence information and reference materials are necessary in order for countries to be able to detect, test for and know about which LMOs are entering into the country for effective enforcement. Competent authorities are often left in the dark, and this is particularly so for LMOs in field trials. Sequence information and reference materials, including where to access them, should be provided.

6. Finally, gene drives are deliberately designed to spread across entire species and ecosystems, without respect to borders. As such, the likelihood of unintentional transboundary movements occurring is very high. We need to anticipate the implications of such genetically engineered gene drives as they relate to Parties' rights and obligations

under the Protocol. As a first step, a study should be conducted on genetically engineered gene drives and its implications for Article 17 given the high likelihood for unintentional transboundary movement.