

**CARTAGENA PROTOCOL ON BIOSAFETY:
Rights and/or Obligations of Parties of Transit of LMOs**

The Global Industry Coalition (GIC)¹ supports the Secretariat's proposed draft decision to set aside any further consideration of the issue regarding the rights and/or obligations of Parties of Transit of LMOs and encourages governments to address this, if necessary, at the domestic level.

A. Background and Experience to Date

The Conference of the Parties serving as the third meeting of the Parties to the Cartagena Protocol on Biosafety (MOP-3) adopted decision BS-III/16, inviting Parties, other Governments and relevant international organizations to provide further views and information on experience on the rights and/or obligations of Parties of transit of living modified organisms (LMOs), for consideration at their fifth meeting (MOP-5). The views sought include whether or not a Party acting only as a Party of transit takes on obligations of a Party of export under the Protocol. Only two Parties responded to this submission, noting that they had no experience in the matter.

At MOP-5, Parties are again asked to consider a decision on the rights and/or obligations of Parties of transit of LMOs.

B. GIC Views on the Elements of the MOP-5 Draft Decision

- The GIC supports the draft decision to set aside any further consideration of this issue and encourage Parties to continue to address it at the domestic level for the following reasons:
 - There are already numerous existing national, regional and international requirements relating to transit of goods and substances in general, and transit of LMOs in particular;
 - The lack of submissions of specific views or information from Parties in response to the last invitation indicates this is not an issue of importance for the Parties; and
 - Parties should instead focus their attention on efforts to incorporate basic Protocol requirements into national implementing legislation, establishing and operationalizing administrative mechanisms, and building the human capabilities necessary to process requests, conduct science-based risk assessments, and protect confidential business information while providing for appropriate public information and participation.

¹ The Global Industry Coalition (GIC) for the Cartagena Protocol on Biosafety receives input and direction from trade associations representing thousands of companies from all over the world. Participants include associations representing and companies engaged in a variety of industrial sectors such as plant science, seeds, agricultural biotechnology, food production, animal agriculture, human and animal health care, and the environment.