DRAFT FORMAT FOR THE INTERIM NATIONAL REPORT ON IMPLEMENTATION OF THE CARTAGENA PROTOCOL ON BIOSAFETY

GUIDELINES FOR USE OF THE REPORTING FORMAT

The following format for preparation of the report on implementation of the Cartagena Protocol on Biosafety called for under Article 33 of the Protocol is a series of questions based on those elements of the Protocol that establish obligations for Contracting Parties. Responses to these questions will help Parties to review the extent to which they are successfully implementing the provisions of the Protocol and will assist the Conference of the Parties serving as the meeting of the Parties to the Protocol to assess the overall status of implementation of the Convention.

Parties are requested to submit an interim national report on implementation of the Cartagena Protocol on Biosafety in this format to the Executive Secretary no later than 11 September 2005. The reporting format is intended to be specific to the interim national report only. It is expected that the format for the first national report will be slightly more detailed, to allow for reporting on decisions that will have been taken by the Conference of the Parties serving as the meeting of the Parties to the Protocol. Similarly, for subsequent national reports, the format is expected to evolve, as questions that are no longer relevant after the first national report may be deleted, questions that are relevant to ongoing progress in implementation will be retained, and additional questions will be formulated pursuant to future decisions of the Conference of the Parties serving as the meeting of the Parties to the Protocol.

The wording of questions follows the wording of the relevant articles of the Protocol as closely as possible. The use of terms in the questions follows the meanings accorded to them under Article 3 of the Protocol.

The format tries to minimize the reporting burden on Parties, while eliciting the important information regarding implementation of the provisions of the Protocol. Many questions require only a tick in one or more boxes. 1/ Other questions seek a qualitative description of experiences and progress, including obstacles and impediments to the implementation of particular provisions. 2/ Although there is no set limit on length of text, in order to assist with the review and synthesis of the information in the reports, respondents are asked to ensure that answers are as relevant and as succinct as possible.

The information provided by Parties will not be used to rank performance or to otherwise compare implementation between individual Parties.

The Executive Secretary welcomes any comments on the adequacy of the questions, and difficulties in completing the questions, and any further recommendations on how these reporting guidelines could be improved. Space is provided for such comments at the end of the report.

It is recommended that Parties involve all relevant stakeholders in the preparation of the report, in order to ensure a participatory and transparent approach to its development and the accuracy of the information requested. A box is provided in which to identify those groups who have been involved.

Parties are requested to submit an original signed copy by post and an electronic copy on diskette or by electronic mail. An electronic version of this document will be sent to all national focal points and this will also be available from the Convention's website at: http://www.biodiv.org

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1/ If you feel that, in order to properly reflect the circumstances, it is necessary to tick more than one box, please do so. In this case, you are encouraged to provide further information in the text answers that follow.

2/ Please feel free to append to the report further information on any of the questions.

Completed reports and any comments should be sent to:

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Origin of report

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Submission	
Signature of officer responsible for submitting report:	
Date of submission:	

Please provide summary information on the process by which this report has been prepared, including information on the types of stakeholders who have been actively involved in its preparation and on material which was used as a basis for the report:

The Division of Biosafety and Biotechnology (SBB) of the Scientific Institute of Public Health (IPH), acting as national Focal Point for the BCH, has been involved in the preparation of this report for matters related to the Biosafety Clearing-House.

Obligations for provision of information to the Biosafety Clearing-House

1. Several articles of the Protocol require that information be provided to the Biosafety Clearing-House (see the list below). For your Government, if there are cases where relevant information exists but has not been provided to the BCH, describe any obstacles or impediments encountered regarding provision of that information (note: To answer this question, please check the BCH to determine the current status of your country's information submissions relative to the list of required information below. If you do not have access to the BCH, contact the Secretariat for a summary):
Belgium has provided the central portal of the Biosafety Clearing-House with the following comprehensive information: - Existing national legislation for implementing the Protocol, including information required by Parties for the advance informed agreement procedure; - National laws applicable to the import of LMOs intended for direct use as food or feed, or for processing; - Contact details for competent national authorities (including their respective responsibilities), national focal points, and emergency contacts; - National biosafety websites. The above-mentioned information is also available from the Belgian Biosafety Clearing-House (BBCH - http://www.biosafetyprotocol.be), the Belgian node of the BCH. The BBCH also provides for the following additional information: - Scientific guidelines for implementing the Protocol; - Final decisions regarding the release of LMOs. Summaries of risk assessments or environmental reviews of LMOs generated by regulatory processes (article 20.3(c)) have not been submitted as such to the BCH but relevant information is available from the BBCH in searchable databases providing data about all deliberate releases of LMOs into the environment in Belgium for research and development or for any other purposes than placing on the market. Belgium is constantly working to improve the information flow in this area.

Information required to be provided to the Biosafety Clearing-House:

(a) Existing national legislation, regulations and guidelines for implementing the Protocol, as well as information required by Parties for the advance informed agreement procedure (Article 20.3(a)*)*

(b) National laws, regulations and guidelines applicable to the import of LMOs intended for direct use as food or feed, or for processing (Article 11.5);

(c) Bilateral, multilateral and regional agreements and arrangements (Articles 14.2, 20.3(b), and 24.1);

(d) Contact details for competent national authorities (Articles 19.2 and 19.3), national focal points (Articles 19.1 and 19.3), and emergency contacts (Article 17.2 and 17.3(e));

(e) In cases of multiple competent national authorities, responsibilities for each (Articles 19.2 and 19.3);

(f) Reports submitted by the Parties on the operation of the Protocol (Article 20.3(e));

(g) Occurrence of unintentional transboundary movements that are likely to have significant adverse effects on biological diversity (Article 17.1);

(h) Illegal transboundary movements of LMOs (Article 25.3);

(i) Final decisions regarding the importation or release of LMOs (i.e. approval or prohibition, any conditions, requests for further information, extensions granted, reasons for decision) (Articles 10.3 and 20.3(d));

(j) Information on the application of domestic regulations to specific imports of LMOs (Article 14.4);

(k) Final decisions regarding the domestic use of LMOs that may be subject to transboundary movement for direct use as food or feed, or for processing (Article 11.1);

(l) Final decisions regarding the import of LMOs intended for direct use as food or feed, or for processing that are taken under domestic regulatory frameworks (Article 11.4) or in accordance with Annex III (Article 11.6) (requirement of Article 20.3(d))

(m) Declarations regarding the framework to be used for LMOs intended for direct use as food or feed, or for processing (Article 11.6)

(n) Review and change of decisions regarding intentional transboundary movements of LMOs (Article 12.1);

(o) LMOs granted exemption status by each Party (Article 13.1)

(p) Cases where intentional transboundary movement may take place at the same time as the movement is notified to the Party of import (Article 13.1); and

(q) Summaries of risk assessments or environmental reviews of LMOs generated by regulatory processes and relevant information regarding products thereof (Article 20.3(c)).

Article 2 – General provisions

2. Has your country introduced the necessary legal, administrative and other measures for implementation of the Protocol? (Article 2.1)	
a) full domestic regulatory framework in place (please give details below)	almost
b) some measures introduced (please give details below)	
c) no measures yet taken	

3. Please provide further details about your response to the above question, as well as description of your country's experiences and progress in implementing Article 2, including any obstacles or impediments encountered:

As a member of the EU, Belgium has to implement the EU legislation on GMOs, which is consistent with the provisions of the Protocol (see common EU report).

- Belgium has transposed the directive 98/81/CE on the contained use of GMOs in regional decrees: the decree of Walloon Government of 4 July 2002; the decree of Flemish Government of 6 February 2004 (mending decree of 6 February 1991), the decree of Government of the Brussels-Capital Region of 8 November 2001
- Belgium has transposed the directive 2001/18/CE on the deliberate release and placing on the market of GMOs in the royal decree of 21 February 2005
- Belgium has designated competent authorities (see BCH) for the implementation of all international, European and Belgian legislations relative to GMOs (transposition of directives 98/81/CE and 2001/18/CE; regulation 1946/2003 relative to the export of GMOs; regulations 1829/2003 relative to food and feed GMOs ; contact point in case of unintentional transboundary movement of GMOs. For regulation 1830/2003 relative to labeling and traceability, the competence distribution in Belgium is still under discussion and under study by layers; however, practically, the obligations are already assumed for most of the GMOs presently on the market, i.e. GMOs intended for food and feed
- Belgium has established procedures and taken practical measures to implement the provisions of those regulations:
  A cooperation agreement has been established (1997) between the Federal State and the Regions to facilitate the implementation of the obligations, especially concerning risk assessment of GMOs and decisions of authorizations . A national consultative council, composed of academic and administrative representatives of the Federal State and the Regions, helped by several academic experts groups, managed by the Division of Biosafety and Biotechnology of the national Scientific Institute of Public Health, gives advice to the concerned ministers in case of decisions on authorizations or refusal of introduction and /or use of new GMOs. A Biosafety Leading Group, composed of administrative and political representatives from the federal and regional levels (ministries of environment, health, agriculture, economy, foreign affairs) conveys to take positions on European and international environmental issues on GMOs. A GMO Steering Group, composed of federal administrative and political representatives of environment and health ministries, meets regularly to exchange information, tasks, and insure coherent policies concerning GMOs ("green" – for agricultural purposes - , but also "red"- for pharmaceutical purposes - GMOs).
  Contacts have been taken and practical dispositions have been developed and will be improved following experince to insure the respect of their obligations by stakeholders, especially concerned industries. Contacts are established and procedures in process to be improved with customs responsible persons. A national agency (National Agency for the Safety of Food Chain) is in charge of GMOs controls in the food chain. Federal inspectors are in charge of field inspections for field trials. Till now, no commercial GMOs have been planted. The full traceability implementation is presently being established , as well as the coexistence regulations between GMOs ans no-GMOs cultures.

- A national GMO day, conveying all stakeholders and the press has been organized on 30 November 2004, with presentations by national, European and international representatives on GMOs legislations and measures at the different levels.

Articles 7 to 10 and 12: The advance informed agreement procedure

See question 1 regarding provision of information to the Biosafety Clearing-House.

4. Is there a legal requirement for the accuracy of information provided by exporters 1/ under the jurisdiction of your country? (Article 8.2)	
a) yes	X (cf. common EU answer)
b) no	
c) not applicable – not a Party of export	
5. If you were a Party of export during this reporting period, did you request any Party of import to review a decision it had made under Article 10 on the grounds specified in Article 12.2?	
a) yes (please give details below)	
b) no	x
c) not applicable – not a Party of export	
6. Did your country take decisions regarding import under domestic regulatory frameworks as allowed by Article 9.2(c).	
a) yes	
b) no	
c) not applicable – no decisions taken during the reporting period	X (cf. common EU answer)
7. If your country has been a Party of export of LMOs intended for release into the environment during the reporting period, please describe your experiences and progress in implementing Articles 7 to 10 and 12, including any obstacles or impediments encountered:	
Till now, very few experience, only in direction of USA. Some wording is confusing in the annex I of the Protocol (as well as in the annex of regulation CE/1946/2003, that implement in the EU the exporter duties of the Protocol). For example, in the notification addressed to the potentially importing country, the exporter should furnish " a *previous and existing* risk assessment report consistent with annex III " . Is it to be understood that there is no absolute requirement to furnish a risk assessment in the notification ?	
8. If your country has taken decisions on import of LMOs intended for release into the environment during the reporting period, please describe your experiences and progress in implementing Articles 7 to 10 and 12, including any obstacles or impediments encountered:	
Not applicable – see common EU answer	

1/ The use of terms in the questions follows the meanings accorded to them under Article 3 of the Protocol

Article 11 – Procedure for living modified organisms intended for direct use as food or feed, or for processing

See question 1 regarding provision of information to the Biosafety Clearing-House.

9. Is there a legal requirement for the accuracy of information provided by the applicant with respect to the domestic use of a living modified organism that may be subject to transboundary movement for direct use as food or feed, or for processing? (Article 11.2)	
a) yes	X (cf. common EU answer
b) no	
c) not applicable (please give details below)	
10. Has your country indicated its needs for financial and technical assistance and capacity building in respect of living modified organisms intended for direct use as food or feed, or for processing? (Article 11.9)	
a) yes (please give details below)	
b) no	
c) not relevant	X (cf. common EU answer)
11. Did your country take decisions regarding import under domestic regulatory frameworks as allowed by Article 11.4?	
a) yes	
b) no	
c) not applicable – no decisions taken during the reporting period	
12. If your country has been a Party of export of LMOs intended for direct use for food or feed, or for processing, during the reporting period, please describe your experiences and progress in implementing Article 11, including any obstacles or impediments encountered:	
Not applicable – BE not a party of export of LMOs-FFPs during that period	
13. If your country has been a Party of import of LMOs intended for direct use for food or feed, or for processing, during the reporting period, please describe your experiences and progress in implementing Article 11, including any obstacles or impediments encountered:	
See detailed common EU answer	

Article 13 – Simplified procedure

See question 1 regarding provision of information to the Biosafety Clearing-House.

14. If your country has used the simplified procedure during the reporting period, please describe your experiences in implementing Article 13, including any obstacles or impediments encountered:
Not applicable – see common EU answer (no simplified procedure during that period)

Article 14 – Bilateral, regional and multilateral agreements and arrangements

See question 1 regarding provision of information to the Biosafety Clearing-House.

15. If your country has entered into bilateral, regional or multilateral agreements or arrangements, describe your experiences in implementing Article 14 during the reporting period, including any obstacles or impediments encountered:
Not applicable – see common EU answer (no such agreements during that period

Articles 15 and 16 – Risk assessment and risk management

16. If you were a Party of import during this reporting period, were risk assessments carried out for all decisions taken under Article 10? (Article 15.2)	
a) yes	
b) no (please clarify below)	
c) not a Party of import	x
17. If yes, did you require the exporter to carry out the risk assessment?	
a) yes – in all cases	
b) yes – in some cases (please specify the number and give further details below)	
c) no	
d) not a Party of import	x
18. If you took a decision under Article 10 during the reporting period, did you require the notifier to bear the cost of the risk assessment? (Article 15.3)	
a) yes – in all cases	
b) yes – in some cases (please specify the number and give further details below)	x
c) no	
19. Has your country established and maintained appropriate mechanisms, measures and strategies to regulate, manage and control risks identified in the risk assessment provisions of the Protocol? (Article 16.1)	
a) yes	X
b) no	
20. Has your country adopted appropriate measures to prevent unintentional transboundary movements of living modified organisms? (Article 16.3)	
a) yes	X
b) no	
21. Does your country endeavour to ensure that any living modified organism, whether imported or locally developed, undergoes an appropriate period of observation commensurate with its life-cycle or generation time before it is put to its intended use? (Article 16.4)	
a) yes – in all cases	X (cf. common EU answer)
b) yes – in some cases (please give further details below)	
c) no (please give further details below)	
d) not applicable (please give further details below)	

22. Has your country cooperated with others for the purposes specified in Article 16.5?	
a) yes (please give further details below)	X (cf. common EU answer)
b) no (please give further details below)	
23. Please provide further details about your responses to the above questions, as well as description of your country's experiences and progress in implementing Articles 15 and 16, including any obstacles or impediments encountered:	
See detailed common EU answer	

Article 17 – Unintentional transboundary movements and emergency measures

See question 1 regarding provision of information to the Biosafety Clearing-House.

24. During the reporting period, if there were any occurrences under your jurisdiction that led, or could have led, to an unintentional transboundary movement of a living modified organism that had, or could have had, significant adverse effects on the conservation and sustainable use of biological diversity, taking also into account risks to human health in such States, did you immediately consult the affected or potentially affected States for the purposes specified in Article 17.4?	
a) yes – all relevant States immediately	
b) partially (please clarify below)	
c) no (please clarify below)	X (cf. common EU answer)
25. Please provide further details about your response to the above question, as well as description of your country's experiences in implementing Article 17, including any obstacles or impediments encountered:	
See common EU answer	

Article 18 – Handling, transport, packaging and identification

26. Has your country taken measures to require that living modified organisms that are subject to transboundary movement within the scope of the Protocol are handled, packaged and transported under conditions of safety, taking into account relevant international rules and standards? (Article 18.1)	
a) yes (please give details below)	X (cf. common EU answer)
b) no	
c) not applicable (please clarify below)	
27. Has your country taken measures to require that documentation accompanying living modified organisms for direct use as food or feed, or for processing, clearly identifies that they 'may contain' living modified organisms and are not intended for intentional introduction into the environment, as well as a contact point for information? (Article 18.2(a))	
a) yes	X (cf. common EU answer)
b) no	
28. Has your country taken measures to require that documentation accompanying living modified organisms that are destined for contained use clearly identifies them as living modified organisms and specifies any requirements for the safe handling, storage, transport and use, the contact point for further information, including the name and address of the individual and institution to whom the living modified organisms are consigned? (Article 18.2(b))	
a) yes	X (cf. common EU answer)
b) no	
29. Has your country adopted measures to require that documentation accompanying living modified organisms that are intended for intentional introduction into the environment of the Party of import and any other living modified organisms within the scope of the Protocol, clearly identifies them as living modified organisms; specifies the identity and relevant traits and/or characteristics, any requirements for the safe handling, storage, transport and use, the contact point for further information and, as appropriate, the name and address of the importer and exporter; and contains a declaration that the movement is in conformity with the requirements of this Protocol applicable to the exporter? (Article 18.2(c))	
a) yes	X (cf. common EU answer)
b) no	
30. Please provide further details about your responses to the above questions, as well as description of your country's experiences and progress in implementing Article 18, including any obstacles or impediments encountered:	
See detailed common EU answer	

Article 19 – Competent national authorities and national focal points

See question 1 regarding provision of information to the Biosafety Clearing-House.

Article 20 – Information-sharing and the Biosafety Clearing-House

See question 1 regarding provision of information to the Biosafety Clearing-House.

31. In addition to the response to question 1, please describe any further details regarding your country's experiences and progress in implementing Article 20, including any obstacles or impediments encountered:
The Division of Biosafety and Biotechnology (SBB) of the Scientific Institute of Public Health (IPH) has been appointed as Belgian Focal Point for the BCH. According to decision BS-I/3, the BCH National Focal Point liaises with the Secretariat regarding issues of relevance to the development and implementation of the Biosafety Clearing-House, including information clearance before publication to the BCH central portal, and liaison with the Secretariat regarding the technical aspects of national participation to the BCH. In this respect, the SBB has actively participated in the development of the pilot phase of the Biosafety Clearing-House, contributing to the work of the group of technical experts on the BCH, established by the CBD Secretariat to provide advice on technical issues associated with the implementation of the pilot phase of the BCH. In the framework of its capacity-building activities (see question 36), the SBB also provides the Secretariat with regular input regarding the structure and functionalities of the central portal. The SBB also participated in a meeting among the BCH national Focal Points in the Member States of the EU aimed at reviewing and defining the modalities of collaboration within the EU's BCH focal points. The expertise available at the SBB has allowed Belgium to be active since many years in the development and management of Internet-based systems for information sharing in the field of biosafety. Indeed, the "Belgian Biosafety Server" (BBS - http://www.biosafety.be) is runned by the SBB since March 1996, providing information on scientific and regulatory aspects of biosafety related to activities carried out using living modified organisms. The BBS was one of the first website worldwide fully dedicated to biosafety and it is still today a reference at international level. In June 2001, the "Belgian Biosafety Clearing-House" (BBCH - http://www.biosafetyprotocol.be) has been set up by the SBB, in agreement with the relevant competent authorities. This was done in response to the recommendation of the first meeting of the Intergovernmental Committee for the Cartagena Protocol on Biosafety (ICCP-1) which "encouraged Governments with national databases to facilitate the establishment of linkages to the Biosafety Clearing-House". Since that time, the BBCH has been regularly updated. In parallel, the SBB has also introduced the necessary data to the central portal using the Management Centre were necessary. Some work has also been performed at the technical level. The interoperability with the central portal using a pull mechanism was tested. The main obstacle encountered regarding technical developments was the high level of technical expertise needed to comply with the technical choices made by the Secretariat. It is however expected that further technical improvement of the BBCH will be possible in the next few months, taking also into account the need to provide interoperability among the national BCH within the EU.

Article 21 – Confidential information

32. Does your country have procedures to protect confidential information received under the Protocol and that protect the confidentiality of such information in a manner no less favourable than its treatment of confidential information in connection with domestically produced living modified organisms? (Article 21.3)	
a) yes	X (cf. common EU answer
b) no	
33. If you were a Party of import during this reporting period, did you permit any notifier to identify information submitted under the procedures of the Protocol or required by the Party of import as part of the advance informed agreement procedure that was to be treated as confidential? (Article 21.1)	
a) yes	
If yes, please give number of cases	
b) no	
c) not applicable – not a Party of import	X (cf. common EU answer)
34. If you answered yes to the previous question, please provide information on your experience including description of any impediments or difficulties encountered:	
See detailed common EU answer	
35. If you were a Party of export during this reporting period, please describe any impediments or difficulties encountered by you, or by exporters under your jurisdiction if information is available, in the implementation of the requirements of Article 21:	

Article 22 – Capacity-building

36. If a developed country Party, during this reporting period has your country cooperated in the development and/or strengthening of human resources and institutional capacities in biosafety for the purposes of the effective implementation of the Protocol in developing country Parties, in particular the least developed and small island developing States among them, and in Parties with economies in transition?	
a) yes (please give details below)	X
b) no	
c) not applicable – not a developed country Party	

37. If yes, how has such cooperation taken place:

Belgium is contributing to effective implementation of the Protocol in developing country Parties with the following initiative:

"Biosafety Clearing-House: Data Search and Input"
The initiative is co-organised by the Division of Biosafety and Biotechnology (SBB) and the Belgian focal point for the Convention on biological diversity (CBD). The programme consists in a two- or three-weeks course held in Brussels, Belgium. The primary objective is to train BCH national Focal Points from developing countries to enable them to retrieve information from the BCH and to provide information through the BCH. The training course allows the participants to learn how to use the central portal of the BCH, to implement and manage a local database (including management of a network of partners), to present information required under the Protocol and other relevant biosafety-related information. The training is restricted to participants from developing countries. Participants must have been designated as Biosafety Clearing-House national Focal Point or must be directly involved in information sharing under the Cartagena Protocol on Biosafety. Depending on the participants, the course is given in French and/or in English.
This training is an extension of the partnering project established since 1998 by the Belgian CBD focal point in the context of the Clearing-House Mechanisms (CHM) of the Convention. The training is made possible through a financing of the Directorate-General for Development Cooperation (DGDC) of Belgium.
The following training courses have already been held:
- 13-31 October 2003, gathering representatives from Cameroon, Djibouti and Madagascar;
- 18-29 October 2004, with delegates from Niger, Burkina Faso and the Centrafrican Republic;
- 9-23 May 2005, gathering representatives from Congo Brazzaville, Mauritania and Togo.
A fourth session will take place from 21 November to 2 December 2005, gathering representatives from Burundi, Mali and Senegal.

See also commun EU answer

38. If a developing country Party or a Party with an economy in transition, have you benefited from cooperation for technical and scientific training in the proper and safe management of biotechnology to the extent that it is required for biosafety?	
a) yes – capacity-building needs fully met (please give details below)	
b) yes – capacity-building needs partially met (please give details below)	
c) no – capacity-building needs remain unmet (please give details below)	
b) no – we have no unmet capacity-building needs in this area	
e) not applicable – not a developing country Party or a Party with an economy in	x

transition	
39. If a developing country Party or a Party with an economy in transition, have you benefited from cooperation for technical and scientific training in the use of risk assessment and risk management for biosafety?	
a) yes – capacity-building needs fully met (please give details below)	
b) yes – capacity-building needs partially met (please give details below)	
c) no – capacity-building needs remain unmet (please give details below)	
d) no – we have no unmet capacity-building needs in this area	
e) not applicable – not a developing country Party or a Party with an economy in transition	x

40. If a developing country Party or a Party with an economy in transition, have you benefited from cooperation for technical and scientific training for enhancement of technological and institutional capacities in biosafety?	
a) yes – capacity-building needs fully met (please give details below)	
b) yes – capacity-building needs partially met (please give details below)	
c) no – capacity-building needs remain unmet (please give details below)	
d) no – we have no unmet capacity-building needs in this area	
e) not applicable – not a developing country Party or a Party with an economy in transition	x

41. Please provide further details about your responses to the above questions, as well as description of your country's experiences and progress in implementing Article 22, including any obstacles or impediments encountered:
Not applicable

Article 23 – Public awareness and participation

42. Does your country promote and facilitate public awareness, education and participation concerning the safe transfer, handling and use of living modified organisms in relation to the conservation and sustainable use of biological diversity, taking also into account risks to human health? (Article 23.1(a))	
a) yes – significant extent	x
b) yes – limited extent	
c) no	
43. If yes, do you cooperate with other States and international bodies?	
a) yes – significant extent	
b) yes – limited extent	x
c) no	
44. Does your country endeavour to ensure that public awareness and education encompass access to information on living modified organisms identified in accordance with the Protocol that may be imported? (Article 23.1(b))	
a) yes – fully	x
b) yes – limited extent	
c) no	
45. Does your country, in accordance with its respective laws and regulations, consult the public in the decision-making process regarding living modified organisms and make the results of such decisions available to the public? (Article 23.2)	
a) yes – fully	x
b) yes – limited extent	
c) no	
46. Has your country informed its public about the means of public access to the Biosafety Clearing-House? (Article 23.3)	
a) yes – fully	x
b) yes – limited extent	
c) no	
47. Please provide further details about your responses to the above questions, as well as description of your country's experiences and progress in implementing Article 23, including any obstacles or impediments encountered:	
Belgium maintains on-line information systems that provide the public with up-to-date information on the legislative framework for LMOs, applications for LMO authorisations, decisions taken by relevant authorities, risk assessment aspects and guidelines, and measures provided as part of risk management. To date, the main information source for these purposes is the "Belgian Biosafety Server" (which can be accessed at http://www.biosafety.be). This information is rather for a warned public . In accordance with European Community and national requirements, Belgium is also actively contributing to information exchange systems established at Community level to provide public information about LMOs. In September 2005, the Federal Public Service for Health, Food Chain Safety and Environment has opened a new	

internet site (www.health.fgov.be) where information is available for the general public on all subjects treated in the FPS, a.o. GMOs . Besides general back-ground information on GMOs, this site provides general information on all international, European and Belgian legislations on GMOs , a. o. the Cartagena Protocol, awareness on the present debates, news, with numerous links to more detailed documents.

In 2003, two "citizens fora" (one in the Walloon Region, one in the Flemish Region) were organized by the Federal Public Service for Health, Food Chain Safety and Environment and the organization Fundation for Future Generations at the communal level for statements, questions-answers sessions and discussions between scientists, officials and local citizens around the problematics of GMOs biosafety. A report of those meetings was made by the Fundation for Future Generations.

On 30 November 2004, the DG Environment (National Focal Point for the Protocol) of the Federal Public Service for Health, Food Chain Safety and Environment organized a GMO day open to all stakeholders and representatives and the press; national, European and international representatives made talks in order to explain all legislations concerning GMO's biosafety, from international to national ones; debates were organized in various workshops on actuality subjects related to the matter (coexistence, comparison of legislations in various countries, USA-EC WTO conflict, enlargement of the evaluation, …)

Belgium is in the process to establish new practical procedures, on the basis of previous ones, for public consultation on GMOs decisions in case of field trials in Belgium (for marketing, the consultation process is in charge of the Commission). There are presently no field trials anymore in our country since 2004.

Belgium has been largely involved in the Aarhus – GMO process, and is in particular the main country at the basis of the EU proposed text that led to the amendment on GMOs approved during the last Aarhus – MOP in Almaty.

Article 24 – Non-Parties

See question 1 regarding provision of information to the Biosafety Clearing-House**.**

48. If there have been transboundary movements of living modified organisms between your country and a non-Party, please provide information on your experience, including description of any impediments or difficulties encountered:
Following the EU regulation CE/1946/2003 implementing the exporter duties of the Cartagena Protocol, the EU members states should behave similarly towards non-Parties as towards Parties (what is also encouraged by the COP-MOP of the Protocol). In case of export of LMOs aimed at deliberate release into the environment in the USA, it is however difficult to know if the risk assessment will be made in conformity with what is required by that regulation and that is in conformity with the requirements of the Protocol.

Article 25 – Illegal transboundary movements

See question 1 regarding provision of information to the Biosafety Clearing-House.

49. Has your country adopted appropriate domestic measures to prevent and penalize, as appropriate, transboundary movements of living modified organisms carried out in contravention of its domestic measures? (Article 25.1)	
a) yes	X partly
b) no	

50. Please provide further details about your response to the above question, as well as description of your country's experiences in implementing Article 25, including any obstacles or impediments encountered:
As mentioned in the common EU report, the EU Member States are in charge to take the measures to prevent and penalize illegal transboundary movements of GMOs. Belgium has foreseen penalties in case of contraventions to the provisions of the royal decree of 21 February 2005 that transposes the directive 2001/18/CE on the deliberate release into the environment and placing on the market of GMOs; these penalties are mentioned in article 49 of that decree. Belgium is presently in the process of establishing a penalty regime in the case of contraventions to the provisions of regulations CE/1946/2003 (export of GMOs), CE/1830/2003 (labelling and traceability). Contacts have already been taken since a long time with customs responsible persons and procedures are in the process to still be improved (especially in the case of exports) in order to control transboundary movements of GMOs. The Federal Agency for Food Chain Safety is in charge of controlling the respect of the legislation in the food and feed products inside the country. The inspections are in the process to be reinforced concerning GMOs in the field .

Article 26 – Socio-economic considerations

51. If during this reporting period your country has taken a decision on import, did it take into account socio-economic considerations arising from the impact of living modified organisms on the conservation and sustainable use of biological diversity, especially with regard to the value of biological diversity to indigenous and local communities? (Article 26.1)	
a) yes – significant extent	
b) yes – limited extent	
c) no	x
d) not a Party of import	
52. Has your country cooperated with other Parties on research and information exchange on any socio-economic impacts of living modified organisms, especially on indigenous and local communities? (Article 26.2)	
a) yes – significant extent	
b) yes – limited extent	x
c) no	
53. Please provide further details about your responses to the above questions, as well as description of your country's experiences and progress in implementing Article 26, including any obstacles or impediments encountered:	
In 2005, the Federal Ministry of Environment has financed a research project ordered by the DG Environment (National Focal Point for the Protocol) of the Federal Public Service for Health, Food Chain Safety and Environment to a research team of the University of Leuven, on the socio-economical impacts of GMOs, interesting developed and developing countries . On the basis of some case studies previously developed by that team (where a Ph. D. is in preparation on that approach) this financing aimed at establishing a methodology for the study of such impacts, respecting the wording of the Cartagena Protocol (socio-economic impacts of GMOs related to impacts on biodiversity and on indigeneous and local populations) . In that original approach, rather than focusing on the GMO innovation, the case by case relevance of GMO cultures is compared to other types of cultures and technologies potentially able to solve the same problem, considering impacts for and from the environment, the agricultural practice, the health, the local population expectations and incomes (producers and consumers) , the market, …. The first part of that study will be finished end of 2005. After cases studies in developed countries, the team has also started to consider cases studies in developing countries. For details on the researches of that group, see www.gena.ucl.ac.be	

Article 28 – Financial mechanism and resources

54. Please indicate if, during the reporting period, your government made financial resources available to other Parties or received financial resources from other Parties or financial institutions, for the purposes of implementation of the Protocol.	
a) yes – made financial resources available to other Parties	X (cf. commun EU answer)
b) yes – received financial resources from other Parties or financial institutions	
c) both	
d) neither	
55. Please provide further details about your response to the above question, as well as description of your country's experiences, including any obstacles or impediments encountered:	
See common EU answer.	

Other information

56. Please use this box to provide any other information related to articles of the Protocol, questions in the reporting format, or other issues related to national implementation of the Protocol:
Around 2004-2005, the Federal Ministry of Environment has financed a research project ordered by the DG Environment (National Focal Point for the Protocol) to a research team of the Faculty of Agronomy of Gembloux and aimed at establishing a methodology of study on the spacialized potential of hybridization of GMOs cultures with indigeneous flora, with Colza as a case study. Results of that study (that mainly shows lack of available data to make accurate evaluations of such potential of hybridization) should soon be available on the FPS portal.

Comments on reporting format

The wording of these questions is based on the Articles of the Protocol. Please provide information on any difficulties that you have encountered in interpreting the wording of these questions:
