

## THE CARTAGENA PROTOCOL & LEBANON: WHAT IMAGE DO WE WANT

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Since the inception of the project, a large number of publications and case studies have been compiled in anticipation and in preparation for the final goal of developing the National Biosafety Framework for Lebanon. Any person/expert reviewing what has been published about issues related to the Cartagena protocol including the import, production, and use of genetically modified crops and organisms will realize that the world is divided in two. Some countries/organizations are promoting the production and use of GMOs and others are restraining and restricting such activities. Both are backed with scientific arguments, media and information, and provide health and economic justifications.

In Lebanon we are, through this project, developing our understanding and opinions regarding these issues. All those invited to participate in the various activities of the project were selected because of their diverse interests and background and their actual or potential impact on the outcome of the Framework. It is this framework that will regulate and clarify to the rest of the world Lebanon's positions on all issues related to the Cartagena protocol. A broad participation in the development and revision of the Framework will also ensure compliance to what has been proposed.

The issues might sound to many of us far fetched and of low priority but we, as Lebanese, will soon be asked to take decisions and provide official stands regarding many such issues. We should be ready for this otherwise our potentials for imports and exports including transits might be in jeopardy.



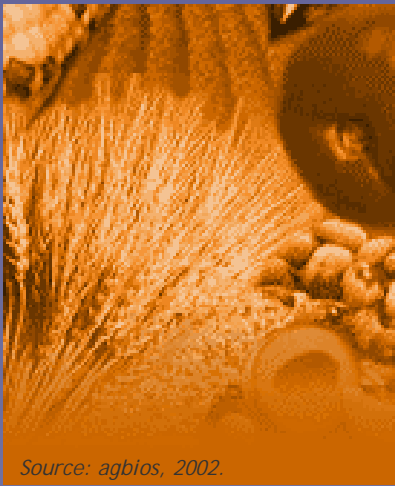
## SANITARY AND PHYTOSANITARY MEASURES IN LEBANON

Ms. D. Klaimi, Biosafety Focal Point, Ministry of Environment - Lebanon.

Under the WTO accession, Lebanon submitted the document on the Sanitary and Phytosanitary Measures (SPS) and Technical Barriers to Trade agreements (TBT), (ACC/8) and the process is in progress. The ministries in charge of these agreements are Ministry of Agriculture (MOA), Ministry of Public Health (MPH), Ministry of Economy and Trade (MOET). The MOA has imposed some trade measures related to food safety. Some SPS trade measures were taken in Lebanon such as banning the export of certain animal species for conservation of local breeds. Nevertheless, these measures are only allowed under the SPS agreement, only if risk assessment and scientific evidence is produced. In cases where relevant scientific evidence is insufficient, a Member may provisionally adopt SPS measures on the basis of available pertinent information, including that from the relevant international organizations as well as from SPS measures applied by other Members. In such circumstances, Members shall seek to obtain the additional information necessary for a more objective assessment of risk and review the SPS measure accordingly within a reasonable period of time.

Border inspection of food, drugs and goods of animal and plant origin is carried out by MOET, MPH and MOA respectively. However, there are issues related to the lack of well-equipped accredited laboratories; add the weak coordination among concerned government agencies. In February 2004, Lebanon issued a new law for establishing the Lebanese Accreditation Council "COLIBAC"; Law no 722 dated 13/2/2004. In November 2003, the MOET signed with the EU the financing agreement for the Quality Program to create a necessary infrastructure for the operation of a quality system that will begin in September 2004. These two accomplishments are considered major steps towards implementing the SPS agreement. In the same context, Lebanon is preparing a legal framework for SPS laws. A survey of all measures is being carried out to identify unjustified procedures and those that are not based on scientific foundation. Consequently, an Inquiry Point will be based at the MOA and the MOET and the MOA will be the National Notification Authority.

Moreover, Lebanon is already a member of the three organizations the SPS agreement explicitly recognizes for international standards, guidelines and recommendations thus paving the way to signing the agreement.



Source: agbios, 2002.

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These organizations are: the FAO/WHO Codex Alimentarius Commission for food safety, the World Organization for Animal Health (OIE) for animal health and zoonoses and the International plant Protection Convention (IPPC) for plant health. In conclusion, while drafting the National Biosafety Framework for Lebanon and when no scientific evidence is available, these three international organizations could assist Lebanon in providing guidelines and standards relevant to GMO's or any other product



## BIOTECHNOLOGY AND INTERNATIONAL TRADE AGREEMENTS

*Ms. D. Klaimi, Biosafety Focal Point, MOE - Lebanon.*

Even though, governments in different countries want to ensure that GMOs do not pose a threat to human health and the environment, they do not agree on the best way to protect themselves against these potential threats. Trade problems arise when countries have different regulations regarding the testing and approval procedures necessary to place GMOs and their products on the market, or when they disagree about labeling and identification requirements. Consequently, within the World Trade Organization (WTO) which was established in 1995, a number of agreements relevant to biotechnology and GMOs emerged namely, the SPS and TBT. Other relevant agreements include The General Agreement on Tariffs and Trade (GATT), Trade Related Intellectual Property Rights (TRIPS), Agriculture, and the work of the Committee on Trade and Environment (CTE). Since Lebanon is still in the accession phase of the WTO, it has not yet signed any of these agreements.

The three agreements that are most pertinent to biotechnology are the SPS, TBT and GATT agreements. These agreements are relevant only when regulations have a direct or indirect impact on international trade between WTO members and do not contain rules that deal explicitly with biotechnology, but they also apply to products derived from it. The agreement that would apply to the national regulation on GMOs depends on the nature of the measure and its objective.

The SPS agreement declares that each country has the right to decide what level of risk is acceptable. It recognizes that countries have rights to restrict trade in order to protect human, animal or plant life or health and allows them to take necessary measures on the basis of scientific foundation. The agreement explicitly recognizes the international standards, guidelines and recommendations of three international organizations: the FAO/WHO Codex Alimentarius Commission for food safety, the OIE and the IPPC. These bodies provide a safe haven for countries developing their national GMO policies. The recently adopted Codex guidelines for assessing human health risks from GM food products are thus a reference under the SPS Agreement. It examines analytical methods available for the detection of GMOs in foods. Regarding biotechnology and biosafety, the definition of SPS addresses measures

for the protection from food safety risks (additives, contaminants, toxins or disease-causing organisms) and from damage caused by pests.

Any measure arising from the possible presence of toxins in GM foods or GM additives would thus be covered. In addition, a regulation with the objective of protecting the environment for example to avoid the spread of GMOs and their breeding with wild relatives might be considered a measure taken to limit the entry of foreign pests.

### *Integration of biotechnology into trade negotiations*

GMOs are considered only as an ad hoc basis in various WTO committees. To date no trade dispute over GMOs has been examined by a WTO dispute settlement panel, and it is not entirely clear how the rules will be applied. However, a formal complaint regarding trade in GMOs has now been filed in the WTO. On May 13 2003, the USA, Canada and Argentina formally requested negotiations with EC regarding EC biotechnology products marketing measures. If this matter is pursued through a dispute resolution panel, it may result in greater clarity in the applicability of WTO rules to biotechnology.

On the other hand, under the SPS and TBT agreements, over 50 SPS and 40 TBT notifications related to GMOs have been circulated on diverse topics including GM foods and feed additives, risk assessments on GMO products and labeling. While many Governments have notified GMO regulations under one or both agreements, the USA and Canada have pointed out inconsistencies in the notification practices

*Sources: Ms. Soha Atallah, MOET-Lebanon.*

*Ms. Maria Perez -Esteve, Agriculture and Commodities Division, WTO-Switzerland.*



## 1<sup>ST</sup> NATIONAL WORKSHOP: INTRODUCTION OF THE CARTAGENA PROTOCOL ON BIOSAFETY

The 1<sup>st</sup> National Workshop organized by the Initiative for Biodiversity Studies in Arid Regions (IBSAR) at the AUB in collaboration with the Ministry of environment (MOE), the United Nations Environment Programme (UNEP) and the United Nations for Development Programmes (UNDP) gathered participants from various institutions presenting public and private sectors. The workshop was held on April 23, 2004 at the Rotana Hotel, Gefinor, Beirut - Lebanon.



*Miss. Al-Khatib-UNDP, Miss. Chamas-MOE, Dr. Sattout-IBSAR-AUB, Dr. Talhouk-IBSAR-AUB, Ms. Klaimi-MOE.*

➤ The objectives of the workshop were to introduce the Cartagena protocol on Biosafety and to develop a stakeholders' map to encourage public participation in the preparation of the NBF for Lebanon and to identify potential institutions to be represented at the National Coordination Committee.

The workshop included three sessions. The first session started with opening statements and presentation of the project context, objective and teams. The participants were welcomed by Dr. Elsa J. Sattout, National Project Coordinator and the floor was given to Miss. Lamia Chamas, Head of Conservation of Nature Department at the MOE who stressed on the importance of public participation in the development of the NBF for Lebanon. Mrs. Dima Al-khatib, UNDP representative, gave basic information about the project funded by the Global Environment Facility through UNEP and implemented locally by UNDP Lebanon. She added that the project complements the numerous initiatives addressing the fulfilment of the country's commitments to the Convention of Biological Diversity (CBD).

Ms. Diane Klaimi, MOE representative, presented the context and background of the Cartagena Protocol. Dr. Salma N. Talhouk, IBSAR Director - talked about the importance of this project to our country looking at the regional level regarding trade of GMOs crops and development of modern biotechnology.



*Dr. Semaan - AUST, Dr. Talhouk - IBSAR-AUB,  
Dr. Seoud- AUB.*

Two sessions followed whereby in the first session Dr. Al-Khatib gave an introduction to the Cartagena protocol on biosafety and an overview on biotechnology and key components of National Biosafety Framework (NBF). Dr. Sattout presented the scope of work of the project and the activities to be undertaken for the development of NBF for Lebanon project. The aim of the project was stated which is to prepare the NBF that will include the legislations and policies that regulate the safe use and handling of LMOs. The various project components including awareness, capacity building, and production of awareness material and dissemination of information were presented.

The creation of a list-server to ensure public participation in the development process was envisaged as well as the continuation of the production of a project newsletter "NBFP@Lebanon".

The presentation given by IBSAR experts tackled subjects related to modern biotechnology, cooperative programmes as well as administrative policies and legislative structure.

During the third session, the participants were divided in several groups. They were invited to draw a stakeholders' map for public participation in the development of NBF for Lebanon. The elaborated lists included names of individuals & organizations. The list enclosed 18 Ministries and Governmental agencies, 15 Universities and research centres, 20 Agricultural syndicates and cooperatives, 38 International organizations, 22 Non-governmental agencies, 44 Companies/institutes from the private sector, 7 Legislation authorities.



*Dr. Mohtasseb-IBSAR-AUB, Mr. Makdessi-IDAL, Mr. Moukarzel-MOE, Dr. Obeid- Balmund University.*

Participants showed concerns related to the potential impacts of biotechnology on the environment and its products mainly LMOs. Participants raised questions related to the executing agents of the NBF and the potential conflicts between different ministries especially the MOE and the MOA. In that context, it was mentioned that all the ministries, institutions and agencies are invited to share and involve in the process of building the NBF in order to achieve a sound and applicable framework.

Questions were raised also on the strategy that will be followed to encourage all the concerned parties to be involved. ➤

### **WHERE ARE WE NOW: PHASE II @PHASE I**

*Today, July 30 2004, is the closing day of the first phase of the NBF project in Lebanon. The 2<sup>nd</sup> National workshop is organized to present the results of the surveys performed at Phase I, to update the public on where are we now and to ensure a platform for public participation while paving the way for drafting the Lebanese NBF.*

*Activities from phase II were imported into phase I, two young volunteers - Mr. Ramsey Nasser & Mr. Joseph Khury - are working on the design and programming of the Lebanese Biosafety Clearing House Mechanisms (BCHM). We will be moving forward and stepping into Phase II. We will keep you updated on our activities through our list-server and the project newsletter...*

➤ The suggestions were made on the level of informing the different parties on all the activities of the project, set meetings with key persons and explain the importance of their participation and of their opinion in the process of building the NBF. Another set of questions related to the Cartagena protocol and its provisions concerning the transfer of LMOs and the way to deal with accidents were raised. At this stage, the discussions focused on the importance of having the national policies that cover all aspects that will ensure the protection of human health and environment in addition to the interests of the country.

The discussions also revealed the importance of considering the regional harmonization and the policies of the neighbouring countries since Lebanon is a party of many treaties especially within the Arab league.

The experts of IBSAR emphasized both the potential positive and negative impacts of biotechnology and they clarified the importance of being unbiased in discussing these issues in order to facilitate the decision making process related to biotechnology, its use and the related biosafety policies ♦



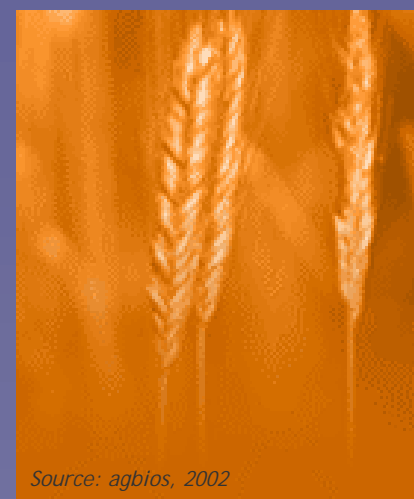
## Threats to wild relatives of important indigenous crops in Lebanon

*Dr. R. Assi, Manager - Agrobiodiversity Project, Lebanese Agriculture Research Institute  
Tel Amara - Lebanon.*

The Near East region, including Lebanon, is an area of mega-diversity of important food crops and pasture species. It is one of the few nuclear centers where numerous species originated 10,000 years ago, and where their wild relatives and landraces of enormous genetic diversity are still found. The wild relatives exist in their natural habitats and they are considered an important source of genes for resistance to biotic and abiotic stresses. Thus they are valuable genetic resources for germplasm enhancement upon which global food security and agricultural development depend.

Many major crops having wild relatives still exist in the natural habitats in Lebanon. These include: wheat, barley, lentils, lathyrus, vetch, medics, clover, almonds, plums, pears, pistachio, onion and garlic.

This important part of agrobiodiversity still remaining in the region is seriously eroding through the degradation of natural habitats mainly because of human activities. Most important factors of degradation include intensification and expansion of agriculture, deforestation, urbanization and overgrazing. The possible future threats include the introduction and widespread of genetically modified crops. This might cause gene flow to occur between a GM crop and a closely related wild species. If the gene transferred from the GM crop to the wild plant significantly increases the biological fitness of the recipient, this might result in a decline in genetic diversity within the wild population resulting in a decline in agrobiodiversity. ♦



Source: agbios, 2002

## EVENTS

### 8TH INTERNATIONAL SYMPOSIUM ON THE BIOSAFETY OF GENETICALLY MODIFIED ORGANISMS

The symposium will be held on September 26-30 2004 in Montpellier, France, under the responsibility of the International Society for Biosafety Research (ISBR). The theme of this year's symposium is: "How Scientific Research Informs Biosafety Decisions. *For more information go to:* <http://www.inra.fr/gmobiosafety/>

### COORDINATION MEETING FOR REPRESENTATIVES OF ACADEMIC INSTITUTIONS ACTIVELY INVOLVED IN EDUCATION AND TRAINING PROGRAMMES IN BIOSAFETY

The meeting is organized by SAEFL in collaboration with the CBD Secretariat. It will be held in Geneva, Switzerland on October 4 - 6, 2004. *For more information go to:* <http://www.biodiv.org>

### Workshop on Capacity-building and Exchange of Information on Paragraph 2 of Article 18

The meeting will be held in Bonn, Germany on November 8 - 10, 2004. *For more information go to:* <http://www.biodiv.org>



## FOR FURTHER INFORMATION

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## ABBREVIATIONS

GMO	Genetically Modified Organisms
IPPC	International plant Protection Convention
LMO	Living Modified Organism
MOA	Ministry of Agriculture
MOE	Ministry of Environment
MOET	Ministry of Economy and Trade
MPH	Ministry of Public Health
NBF	National Biosafety Framework
OIE	World Organization for Animal Health
SPS	Sanitary and Phytosanitary Measures
TBT	Technical Barriers to Trade agreements
WTO	World Trade Organization

## READINGS

CropLife International. Biosafety Frameworks Addressing the Release of Plant LMOs. Reference Guide Summary. Available at: <http://www.croplife.org/library/>

Guidelines for National Participation in the Biosafety Clearing-House (BCH). Available at: <http://www.biodiv.org/doc/notification/s/2003/ntf-2003-105-bch-en.pdf>

*If you would like to Join the project E-bulletin, a bimonthly E-newsletter which keep you updated on worldwide biosafety news and resources, just send an e-mail to: [Elsa.Sattout@aub.edu.lb](mailto:Elsa.Sattout@aub.edu.lb) or to [dklaimi@moe.gov.lb](mailto:dklaimi@moe.gov.lb)*