



**Convention on
Biological Diversity**



2010 International Year of Biodiversity

**Format for the Second National Report
on the implementation of
the Cartagena Protocol on Biosafety**

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GUIDELINES FOR USE OF THE REPORTING FORMAT

The following format for preparation of the second national 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 requirements of the Protocol as well as questions that relate to indicators of the Strategic Plan.

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 Protocol.

Questions highlighted in grey may not strictly be based on provisions of the Cartagena Protocol on Biosafety or the decisions of the Parties to the Protocol. They are included in this reporting format only to help draw a baseline for the assessment and review of the Protocol in the context of Article 35 and to help measure progress in the implementation of the Strategic Plan of the Protocol.

The deadline for submission of the second national report is no less than 12 months prior to the sixth meeting of the Conference of the Parties serving as the meeting of the Parties to the Protocol. It is intended to cover activities undertaken between the presentation of the first national report (or the entry into force of the Protocol for reporting Parties that ratified or acceded to the Protocol after 11 September 2007) and the date of reporting for the second national report.

For subsequent national reports, the format is expected to evolve, as questions that are no longer relevant 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. Most of the questions asked require only a tick in one or more boxes and for each article, a text field allows the provision of further details on its implementation. Although there is no set limit on the 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 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.

The form is also available on the BCH for completion electronically at the following address: <http://bch.cbd.int/managementcentre/edit/CPBnationalreport2.shtml>

IMPORTANT: To facilitate the analysis of the information contained in this report, it is recommended that Parties submit the report through the Biosafety Clearing-House or as an attachment to an e-mail in MS Word format, together with a scanned copy of the first signed page, to the Secretariat at: secretariat@cbd.int

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**Second National Report
on the Implementation of the Cartagena Protocol on Biosafety**

Origin of report

1. **Country:** **Czech Republic**
- Contact officer for report*
2. **Name of contact officer:** **Hana Jirakova**
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9. **Organizations/stakeholders who were consulted or participated in the preparation of this report:** **Czech Commission for Genetically Modified Organisms and Genetic Products (representatives of the Central Institute for Supervising and Testing in Agriculture; Czech University of Agriculture; State Phytosanitary Administration; University of South Bohemia, Faculty of Science were consulted); Crop Research Institute; Czech Environmental Inspectorate; Ministry of Agriculture; Customs Administration of the Czech Republic**

Submission

10. **Date of submission:** **September 29, 2011**
11. **Time period covered by this report:** **October 2007- September 2011**

Signature of the reporting officer¹ _____

¹ This document is made available as a protected form in MS Word format for further processing of the information contained therein by the CBD Secretariat. Only text entries and checkboxes are changeable. Once the document is filled in, please save it and print this first page for signature. The form is also available on the BCH for completion electronically at: <http://bch.cbd.int/managementcentre/edit/CPBnationalreport2.shtml>

12. Is your country a Party to the Cartagena Protocol on Biosafety (CPB)?	<input checked="" type="checkbox"/>	Yes
	<input type="checkbox"/>	No
13. If you answered <i>No</i> to question 12, is there any national process in place towards becoming a Party?	<input type="checkbox"/>	Yes
	<input type="checkbox"/>	No
	<input checked="" type="checkbox"/>	Not applicable
14. Here you may provide further details: Entry into force 23, September 2003.		

Article 2 – General provisions

15. Has your country introduced the necessary legal, administrative and other measures for the implementation of the Protocol?	<input checked="" type="checkbox"/>	A domestic regulatory framework is fully in place
	<input type="checkbox"/>	A domestic regulatory framework is partially in place
	<input type="checkbox"/>	Only temporary measures have been introduced
	<input type="checkbox"/>	Only a draft framework exists
	<input type="checkbox"/>	No measures have yet been taken
16. Which specific instruments are in place for the implementation of your national biosafety framework?	<input checked="" type="checkbox"/>	One or more national biosafety laws
	<input checked="" type="checkbox"/>	One or more national biosafety regulations
	<input checked="" type="checkbox"/>	One or more sets of biosafety guidelines
	<input checked="" type="checkbox"/>	Other laws, regulations or guidelines that indirectly apply to biosafety
	<input type="checkbox"/>	No instruments are in place

IMPORTANT: To facilitate the analysis of the information contained in this reports, please send the report to the Secretariat via e-mail at secretariat@cbd.int as attachment in MS Word format, together with a scanned copy of the first signed page; please *do not* send this report via fax or postal mail or in electronic formats other than MS Word.

17. Has your country established a mechanism for the budgetary allocations of funds for the operation of its national biosafety framework?	<input checked="" type="checkbox"/>	Yes
	<input type="checkbox"/>	No
18. Does your country have permanent staff to administer functions directly related to the national biosafety framework?	<input checked="" type="checkbox"/>	Yes
	<input type="checkbox"/>	No
19. If you answered <i>Yes</i> to question 18, how many permanent staff members are in place whose functions are directly related to the national biosafety framework?	<input type="checkbox"/>	One
	<input checked="" type="checkbox"/>	Less than 5
	<input type="checkbox"/>	Less than 10
	<input type="checkbox"/>	More than 10
	<input type="checkbox"/>	Not applicable
20. Has your country's biosafety framework / laws / regulations / guidelines been submitted to the Biosafety Clearing-House (BCH)?	<input checked="" type="checkbox"/>	Yes
	<input type="checkbox"/>	Partially
	<input type="checkbox"/>	No

21. Here you may provide further details on the implementation of Article 2 in your country:

The legislative framework of the Czech Republic - a member of the European Union - has been harmonised with the European Union legislation. The European legislation is listed and described in the parallel 2nd National Report of the European Union.

In the Czech Republic, the basic national legal instrument concerning use of GMOs is the Act No. 78/2004 Coll., on the Use of Genetically Modified Organisms and Genetic Products, as amended, with an implementing Decree No. 209/2004. The Act transposes EU Directives 2001/18/EC and 2009/41/EC, therefore it covers the contained use, deliberate release of GMOs into the environment (i.e. field trials) and placing on the market of GMOs as or in products. It has been in force since February 2004.

The EC Regulations 1829/2003, 1830/2003 concerning authorisation of GM food and feed, traceability and labelling of GMOs and GM food and feed, Regulation 1946/2003 implementing the Cartagena Protocol and Regulation 619/2011 laying down the methods of sampling and analysis for the official control of feed as regards presence of GM material have been directly applicable in the Czech Republic since its accession to the EU in May 2004.

General rules on the co-existence of genetically modified crops with conventional and organic farming are set by the Act 252/1997 Coll., on Agriculture, as amended and specified by the Decree 89/2006, as amended by its implementing Decree 58/2010, on detailed conditions for growing of genetically modified variety.

State administration:

The Competent Authority handling the notifications and regulating the use of GMOs in the Czech Republic is the Ministry of the Environment of the Czech Republic (Competent Authority under EU Directives 2001/18/EC and 2009/41/EC). It co-operates with the Ministry of Health as regards risks for human health and with the Ministry of Agriculture as the agricultural risk, animal health, crops and feeds are concerned.

An expert advisory body to the Ministry of the Environment is the Czech Commission for the Use of GMOs and Genetic Products that consists of scientists, representatives of administrative authorities and NGOs.

The Ministry of the Environment is the Competent Authority and the focal point for the Cartagena Protocol on Biosafety and for the EC Regulation No 1946/2003 as well.

The Competent Authority on state supervision of the use of GMOs is the Czech Environmental Inspectorate. It co-operates with other state supervision bodies in fulfilling this task.

The Ministry of Agriculture of the Czech Republic is the Competent Authority under EC Regulation 1829/2003 on genetically modified food and feed. It also sets down the rules of coexistence.

More information can be retrieved from the Czech national node of the BCH at <http://www.mzp.cz/biosafety>

Article 5 – Pharmaceuticals

22. Does your country regulate the transboundary movement, handling and use of living modified organisms (LMOs) which are pharmaceuticals?
- Yes
 Yes, to some extent
 No

23. If you answered *Yes* to question 22, has this information been submitted to the BCH?
- Yes
 Partially
 No
 Not applicable

24. Here you may provide further details on the implementation of Article 5 in your country:

EU pharma legislation provides that a medicinal product may only be placed on the market in the EU if it has received a marketing authorisation, granted either by the Commission or by a member state. As regards medicinal products containing or consisting of GMOs, the assessment for a marketing authorisation must include an environmental risk assessment in line with the requirements of Directive 2001/18/EC. Regulation 1946/2003 mirrors the provisions of the Protocol as regards exports of pharmaceuticals.

Article 6 – Transit and Contained use

25. Does your country regulate the transit of LMOs?
- Yes
 No

26. Does your country regulate the contained use of LMOs?
- Yes
 No

27. If you answered *Yes* to questions 25 or 26, has this information been submitted to the BCH?
- Yes
 Partially
 No
 Not applicable
-

28. Here you may provide further details on the implementation of Article 6 in your country:

- Contained use:

▪ Act 78/2004 Coll., on the Use of Genetically Modified Organisms and Genetic Products, as later amended, and its implementing Decree 209/2044, on Detailed Conditions for the Use of Genetically Modified Organisms and Genetic Products, as amended, transpose Directive 2009/41/EC of the European Parliament and of the Council of 6 May 2009 on the contained use of genetically modified micro-organisms.

- Transit:

Act 78/2004 Coll., on the Use of Genetically Modified Organisms and Genetic Products, as later amended and its implementing Decree 209/2044, on Detailed Conditions for the Use of Genetically Modified Organisms and Genetic Products, as amended, apply also for export, import and transit of GMOs and genetic products.

Regulation 1946/2003 that is directly applicable in the Czech Republic addresses transboundary movement of GMOs, and specifically requirements for exports of GMOs to third countries as well as for unintentional transboundary movements. According to Article 13 of the Regulation 1946/2003, the exporter shall ensure notification of the transit of GMOs through their territory and have informed the BCH of this decision.

Articles 7 to 10: Advance Informed Agreement (AIA) and intentional introduction of LMOs into the environment

29.	Has your country adopted law(s) / regulations / administrative measures for the operation of the AIA procedure of the Protocol?	<input checked="" type="checkbox"/>	Yes
		<input type="checkbox"/>	No
30.	Has your country adopted a domestic regulatory framework consistent with the Protocol regarding the transboundary movement of LMOs for intentional introduction into the environment?	<input checked="" type="checkbox"/>	Yes
		<input type="checkbox"/>	No
31.	Has your country established a mechanism for taking decisions regarding first intentional transboundary movements of LMOs for intentional introduction into the environment?	<input checked="" type="checkbox"/>	Yes
		<input type="checkbox"/>	No
32.	If you answered <i>Yes</i> to question 31, does the mechanism also apply to cases of intentional introduction of LMOs into the environment that were not subject to transboundary movement?	<input checked="" type="checkbox"/>	Yes
		<input type="checkbox"/>	No
		<input type="checkbox"/>	Not applicable
33.	Has your country established a mechanism for monitoring potential effects of LMOs that are released into the environment?	<input checked="" type="checkbox"/>	Yes
		<input type="checkbox"/>	No

34. Does your country have the capacity to detect and identify LMOs?	<input type="checkbox"/>	Yes
	<input checked="" type="checkbox"/>	Yes, to some extent
	<input type="checkbox"/>	No
35. Has your country established legal requirements for exporters under its jurisdiction to notify in writing the competent national authority of the Party of import prior to the intentional transboundary movement of an LMO that falls within the scope of the AIA procedure?	<input checked="" type="checkbox"/>	Yes
	<input type="checkbox"/>	No
36. Has your country established legal requirements for the accuracy of information contained in the notification?	<input checked="" type="checkbox"/>	Yes
	<input type="checkbox"/>	No
37. Has your country ever received an application / notification regarding intentional transboundary movements of LMOs for intentional introduction into the environment?	<input checked="" type="checkbox"/>	Yes
	<input type="checkbox"/>	No
38. Has your country ever taken a decision on an application / notification regarding intentional transboundary movements of LMOs for intentional introduction into the environment?	<input checked="" type="checkbox"/>	Yes
	<input type="checkbox"/>	No
	<input type="checkbox"/>	Not applicable
39. If you answered <i>Yes</i> to question 38, how many LMOs has your country approved to date for import for intentional introduction into the environment?	<input checked="" type="checkbox"/>	None
	<input type="checkbox"/>	Less than 5
	<input type="checkbox"/>	Less than 10
	<input type="checkbox"/>	More than 10
	<input type="checkbox"/>	Not applicable
40. If you answered <i>Yes</i> to question 38, how many LMOs, not imported, has your country approved to date for intentional introduction into the environment?	<input type="checkbox"/>	None
	<input type="checkbox"/>	Less than 5
	<input type="checkbox"/>	Less than 10
	<input checked="" type="checkbox"/>	More than 10
	<input type="checkbox"/>	Not applicable

41. In the current reporting period, how many applications/notifications has your country received regarding intentional transboundary movements of LMOs for intentional introduction into the environment?	<input checked="" type="checkbox"/>	None
	<input type="checkbox"/>	Less than 5
	<input type="checkbox"/>	Less than 10
	<input type="checkbox"/>	More than 10

42. In the current reporting period, how many decisions has your country taken regarding intentional transboundary movements of LMOs for intentional introduction into the environment?	<input checked="" type="checkbox"/>	None
	<input type="checkbox"/>	Less than 5
	<input type="checkbox"/>	Less than 10
	<input type="checkbox"/>	More than 10

If you replied None to question 42 please go to question 50

43. With reference to the decisions taken on intentional transboundary movements of LMOs for intentional introduction into the environment, has your country received a notification from the Party(ies) of export or from the exporter(s) prior to the transboundary movement?	<input type="checkbox"/>	Yes, always
	<input type="checkbox"/>	In some cases only
	<input type="checkbox"/>	No

44. Did the notifications contain complete information (at a minimum the information specified in Annex I of the Cartagena Protocol on Biosafety)?	<input type="checkbox"/>	Yes, always
	<input type="checkbox"/>	In some cases only
	<input type="checkbox"/>	No
	<input type="checkbox"/>	Not applicable

45. Has your country acknowledged receipt of the notifications to the notifier within ninety days of receipt?	<input type="checkbox"/>	Yes, always
	<input type="checkbox"/>	In some cases only
	<input type="checkbox"/>	No
	<input type="checkbox"/>	Not applicable

46. Has your country informed the notifier(s) and the BCH of its decision(s)?

Yes, always

In some cases only

In some cases only the notifier

In some cases only the BCH

No

Not applicable

47. Has your country informed the notifier(s) and the BCH of its decision(s) in due time (within 270 days or the period specified in your communication to the notifier)?

Yes, always

In some cases only

No

Not applicable

48. What percentage of your country's decisions fall into the following categories?

[%] Approving the import without conditions

[%] Approving the import with conditions

[%] Prohibiting the import

[%] Requesting additional information

[%] Extending the period for the communication of the decision

Not applicable

49. In cases where your country approved an import with conditions or prohibited an import, did it provide reasons on which its decisions were based to the notifier and the BCH?

Yes, always

In some cases only

In some cases only to the notifier

In some cases only to the BCH

No

Not applicable

50. Here you may provide further details on the implementation of Articles 7-10 in your country, including measures in case of lack of scientific certainty on potential adverse effects of LMOs for intentional introduction to the environment:

Question 33: Central Institute for Supervising and Testing in Agriculture, State Phytosanitary Administration and Czech Environmental Inspection among other activities monitor potential effects of GMOs released into the environment (field trials as well as commercial release). More information on monitoring activities in the Czech Republic can be retrieved from the Czech node of the BCH at www.mzp.cz/biosafety.

Question 34: Capacity to detect and identify GMOs is sufficient in the Czech Republic. However, more financial means would even strengthen these activities. Contractual laboratories of the Ministry of the Environment are as follows:

- Reference Laboratory for Identification of GMOs, Crop Research Institute
- Accredited Laboratory of the Department of Biochemistry and Microbiology, Institute of Chemical Technology
- National Institute of Public Health - Department for Food Safety and Applied Nutrition

More information can be retrieved from the Czech node of the BCH [http://www.mzp.cz/www/webdav_biosafety.nsf\\$files/Biosafety/national_contacts.htm](http://www.mzp.cz/www/webdav_biosafety.nsf$files/Biosafety/national_contacts.htm)

Questions 37-42: The EU applies its domestic legislative framework instead of the Protocol's advanced informed agreement procedure. This framework is compatible with the provisions of the Protocol. The EU domestic legislative framework is built on a range of legislative measures described above and in the parallel EU 2nd National Report.

Notifications on placing GMO on the market are processed differently from applications for deliberate release of GMO into the environment for experimental purposes in the Czech Republic. A company intending to market a GMO in the EU for intentional introduction into the environment must first obtain an authorisation to this end. The authorisation procedure for placing the GMO on the market involves all Member States, as authorised products are granted free movement throughout the territory of the EU. The so-called "notification" or "application" submitted by the interested company must include a full evaluation of potential risks to human and animal health and to the environment. It is only after this decision is finally adopted on the basis of a prior risk assessment that the company can proceed with the marketing of the GMO in the EU.

A person who wishes to release GMOs into the environment for experimental purposes in the Czech Republic must first obtain written authorisation from the Czech competent national authority. Hence, the authorisation procedure is simpler than the one referred above. The authorisation is given on the basis of an assessment of the risks presented by the GMO -or GMOs- for the environment and human and animal health. The Czech Republic has issued more than 10 decisions on deliberate release of GMOs into the environment for experimental purposes, not imported, in the current reported period. More information on the field trials in the Czech Republic can be retrieved from the Czech node of the BCH at [http://www.mzp.cz/www/webdav_biosafety.nsf\\$files/Biosafety/acts_regulations_guidelines.html](http://www.mzp.cz/www/webdav_biosafety.nsf$files/Biosafety/acts_regulations_guidelines.html) and [http://www.mzp.cz/www/webdav_biosafety.nsf\\$files/Biosafety/decisiones.html](http://www.mzp.cz/www/webdav_biosafety.nsf$files/Biosafety/decisiones.html)

**Article 11 – Procedure for living modified organisms
intended for direct use as food or feed, or for processing (LMOs-FFP)**

51. Has your country adopted specific law(s) or regulation(s) for decision-making regarding domestic use, including placing on the market, of LMOs-FFP? Yes
 No

52. Has your country established legal requirements for the accuracy of information to be provided by the applicant? Yes
 No

53. Has your country established a mechanism to ensure that decisions regarding LMOs-FFP that may be subject to transboundary movement will be communicated to the Parties through the BCH? Yes
 No

54. Has your country established a mechanism for taking decisions on the import of LMOs-FFP? Yes
 No

55. Has your country declared through the BCH that in the absence of a regulatory framework its decisions prior to the first import of an LMO-FFP will be taken according to Article 11.6 of the Cartagena Protocol on Biosafety? Yes
 No

56. Has your country indicated its needs for financial and technical assistance and capacity-building in respect of LMOs-FFP? Yes
 No

57. Has your country ever taken a decision on LMOs-FFP (either on import or domestic use)? Yes
 No

If you replied No to question 57 please go to question 63

58. How many LMOs-FFP has your country approved to date? None
 Less than 5
 Less than 10
 More than 10
 Not applicable

59. In the current reporting period, how many decisions has your country taken regarding the import of LMOs-FFP?
- None
 Less than 5
 Less than 10
 More than 10
-

60. In the current reporting period, how many decisions has your country taken regarding domestic use, including placing on the market, of LMOs-FFP?
- None
 Less than 5
 Less than 10
 More than 10
-

If you replied None to both questions 59 and 60 please go to question 63

61. Has your country informed the Parties through the BCH of its decision(s) regarding import, of LMOs-FFP?
- Yes, always
 In some cases only
 No
-

62. Has your country informed the Parties through the BCH of its decision(s) regarding domestic use, including placing on the market, of LMOs-FFP within 15 days?
- Yes, always
 In some cases only
 Yes, but with delays (i.e. longer than 15 days)
 No
-

63. Here you may provide further details on the implementation of Article 11 in your country, including measures in case of lack of scientific certainty on potential adverse effects of LMOs-FFP:

The Czech Republic follows the EU comprehensive legal framework on GMOs, which also addresses the import of GMOs intended for direct use for food or feed, or for processing. The EU has declared with reference to Article 14.4 of the Cartagena Protocol that it relies on its existing legislative framework for intentional movements of GMOs within the EU and for imports of GMOs into the EU.

With regard to the decisions taken for placing on the market of LMOs-FFP, it has to be noted that those decisions are taken for the whole European territory and not by its Member States individually. Therefore all those decisions are subsequently published in the European Biosafety Clearing-House (BCH) and not in the individual Member States' BCHs.

Article 12 – Review of decision

64. Has your country established a mechanism for the review and change of a decision regarding an intentional transboundary movement of LMOs? Yes
 No

65. Has your country ever received a request for a review of a decision? Yes
 No

66. Has your country ever reviewed / changed a decision regarding an intentional transboundary movement of LMOs? Yes, decision reviewed
 Yes, decision reviewed and changed
 No

67. In the current reporting period, how many decisions were reviewed and/or changed regarding an intentional transboundary movement of an LMO? None
 Less than 5
 More than 5

If you replied None to the question 67 please go to question 71

68. Has your country informed the notifier and the BCH of the review and/or changes in the decision? Yes, always
 In some cases only
 In some cases only the notifier
 In some cases only the BCH
 No

69. Has your country informed the notifier and the BCH of the review and changes in the decision within thirty days? Yes, always
 In some cases only
 Yes, but with delays (i.e. longer than 30 days)
 No

70. Has your country provided reasons to the notifier and the BCH for the review and/or changes in the decision?
- Yes, always
- In some cases only
- In some cases only the notifier
- In some cases only the BCH
- No

71. Here you may provide further details on the implementation of Article 12 in your country:

Article 13 – Simplified procedure

72. Has your country established a system for the application of the simplified procedure regarding an intentional transboundary movement of LMOs?
- Yes
- No

73. Has your country ever applied the simplified procedure?
- Yes
- No

74. If you answered *Yes* to question 73, has your country informed the Parties through the BCH of the cases where the simplified procedure applies?
- Yes, always
- In some cases only
- No
- Not applicable

75. In the current reporting period, how many LMOs has your country applied the simplified procedure to?
- None
- Less than 5
- More than 5

76. Here you may provide further details on the implementation of Article 13 in your country:

The CZ has not made use of the implified procedure for imports of LMOs as specified in Article 13.

Article 14 – Bilateral, regional and multilateral agreements and arrangements

77. Has your country entered into any bilateral, regional or multilateral agreements or arrangements?
- Yes
- No

-
- | | | |
|---|-------------------------------------|--------------------|
| | <input type="checkbox"/> | Yes, always |
| 78. If you answered <i>Yes</i> to question 77, has your country informed the Parties through the BCH of the agreements or arrangements? | <input type="checkbox"/> | In some cases only |
| | <input type="checkbox"/> | No |
| | <input checked="" type="checkbox"/> | Not applicable |
-
79. If you answered *Yes* to question 77, please provide a brief description of the scope and objective of the agreements or arrangements entered into:

80. Here you may provide further details on the implementation of Article 14 in your country:

The Czech Republic has not entered into any bilateral, regional or multilateral agreements or arrangements as per Article 14(1).

The EU has determined as per Article 14(4) and 9 (2) (c) that it relies on its existing legislative framework for intentional movements of GMOs within the European Union and for imports of GMOs into the European Union. This decision has been communicated to other Parties through the EU Biosafety Clearing-House.

Articles 15 – Risk assessment

- | | | |
|--|-------------------------------------|-----|
| 81. Has your country established a mechanism for conducting risk assessments prior to taking decisions regarding LMOs? | <input checked="" type="checkbox"/> | Yes |
| | <input type="checkbox"/> | No |
| 82. If you answered <i>Yes</i> to question 81, does this mechanism include procedures for identifying experts to conduct the risk assessments? | <input checked="" type="checkbox"/> | Yes |
| | <input type="checkbox"/> | No |
| 83. Has your country established guidelines for how to conduct risk assessments prior to taking decisions regarding LMOs? | <input checked="" type="checkbox"/> | Yes |
| | <input type="checkbox"/> | No |
| 84. Has your country acquired the necessary domestic capacity to conduct risk assessment? | <input checked="" type="checkbox"/> | Yes |
| | <input type="checkbox"/> | No |
| 85. Has your country established a mechanism for training national experts to conduct risk assessments? | <input checked="" type="checkbox"/> | Yes |
| | <input type="checkbox"/> | No |
| 86. Has your country ever conducted a risk assessment of an LMO for intentional introduction into the environment? | <input checked="" type="checkbox"/> | Yes |
| | <input type="checkbox"/> | No |
-

87. Has your country ever conducted a risk assessment of an LMO intended for direct use as food or feed, or for processing?	<input checked="" type="checkbox"/>	Yes
	<input type="checkbox"/>	No
88. If your country has taken decision(s) on LMOs for intentional introduction into the environment or on domestic use of LMOs-FFP, were risk assessments conducted for all decisions taken?	<input checked="" type="checkbox"/>	Yes, always
	<input type="checkbox"/>	In some cases only
	<input type="checkbox"/>	No
	<input type="checkbox"/>	Not applicable
89. Has your country submitted summary reports of the risk assessments to the BCH?	<input checked="" type="checkbox"/>	Yes, always
	<input type="checkbox"/>	In some cases only
	<input type="checkbox"/>	No
	<input type="checkbox"/>	Not applicable
90. In the current reporting period, if your country has taken decisions regarding LMOs, how many risk assessments were conducted in the context of these decisions?	<input type="checkbox"/>	None
	<input type="checkbox"/>	5 or less
	<input type="checkbox"/>	10 or less
	<input checked="" type="checkbox"/>	More than 10
91. Has your country ever required the exporter to conduct the risk assessment(s)?	<input checked="" type="checkbox"/>	Yes, always
	<input type="checkbox"/>	In some cases only
	<input type="checkbox"/>	No
	<input type="checkbox"/>	Not applicable
92. Has your country ever required the notifier to bear the cost of the risk assessment(s) of LMOs?	<input checked="" type="checkbox"/>	Yes, always
	<input type="checkbox"/>	In some cases only
	<input type="checkbox"/>	No
	<input type="checkbox"/>	Not applicable

93. Here you may provide further details on the implementation of Article 15 in your country:

The EU domestic legal framework, based on a prior risk assessment before authorisation is given, is applicable in the Czech Republic. The notification provided by the company intending to market a GMO must include a full risk assessment of the risks to human and animal health and to the environment, which is assessed by the European Food Safety Authority (EFSA), with an active involvement of Member States, notably as regards the authorisation of GMOs for placing on the market incl. cultivation, where they carry out the initial risk assessment. The overarching aim of the environmental risk assessment is, on a case-by-case basis, to identify and evaluate potential adverse effects of the GMO, both direct and indirect, immediate or delayed, on human health and the environment. The parallel EU 2nd national report includes further details about principles and goals of the environmental risk assessment in the EU that are binding also for the Czech Republic.

In the current reporting period, the Czech Republic has assessed the environmental risk assessment of GM maize MON-ØØØ21-9 as a part of the European authorization procedure for placing above mentioned GM maize on the market incl. cultivation under the Regulation (EC)1829/2003.

In addition, the Czech Republic also carried out risk assessment of GM plants to be released under the field trial conditions on its territory (more than 10 decisions in the current reporting period). More information on the authorization procedure can be retrieved from the Czech node of the BCH at:

[http://www.mzp.cz/www/webdav_biosafety.nsf\\$files/Biosafety/acts_regulations_guidelines.html](http://www.mzp.cz/www/webdav_biosafety.nsf$files/Biosafety/acts_regulations_guidelines.html)
(document "Information for notifiers about field trials")

Ministry of Agriculture in close cooperation with its advisory body - the Scientific Committee for Genetically Modified Food and Feed - regularly participated in the European authorization procedure for genetically modified crops intended for direct use as food or feed, or for processing, under the Regulation 1829/2003.

Article 16 – Risk management

94. Has your country established and maintained appropriate and operational mechanisms, measures and strategies to regulate, manage and control risks identified in risk assessments for:

(i) LMOs for intentional introduction into the environment?

Yes

Yes, to some extent

No

(ii) LMOs intended for direct use as food or feed, or for processing?

Yes

Yes, to some extent

No

95. Has your country established and maintained appropriate measures to prevent unintentional transboundary movements of LMOs?

Yes

Yes, to some extent

No

96. Has your country taken measures to ensure that any LMO, whether imported or locally developed, undergoes an appropriate period of observation that is commensurate with its life-cycle or generation time before it is put to its intended use?

Yes

No

97. Has your country cooperated with other Parties with a view to identifying LMOs or specific traits that may have adverse effects on the conservation and sustainable use of biological diversity?

Yes

No

98. Has your country cooperated with other Parties with a view to taking measures regarding the treatment of LMOs or specific traits that may have adverse effects on the conservation and sustainable use of biological diversity?

Yes

No

99. Here you may provide further details on the implementation of Article 16 in your country, including any details regarding risk management strategies, also in case of lack of scientific certainty on potential adverse effects of LMOs:

The European legislative framework, which is binding also for the Czech Republic, provides that the environmental risk assessment described under question 93 should be conducted with a view to identifying if there is a need for risk management and if so, the most appropriate methods to be used as well as a risk management strategy to be defined. In cases of limited data availability particular appropriate risk management has to be considered to prevent adverse effects on human health and the environment.

As regards national risk management strategies, the Czech Authorities focus mostly on general surveillance of commercial GM crops, using the established surveillance networks and practices such as monitoring of agricultural plants, variety/seed registration, plant health and environmental observations.

The general surveillance includes observation of:

- changes in fitness, survival and dissemination of GM plants,
- interaction between GM plant and non-target organisms, e.g. direct/indirect impact on non-target organisms, changes in susceptibility to non-target pests and diseases;
- impact on habitat diversity and biodiversity, including surrounding area,
- and others.

The State Phytosanitary Administration, Central Institute for Supervising and Testing in Agriculture and Czech Environmental Inspectorate observe potential effects of cultivation of GM maize as a part of their general activities (phytosanitary care, agricultural supervision, nature protection etc.). The Ministry of Environment is currently identifying environmental programmes that can be used for the general surveillance as well.

More information on post-market monitoring activities in the Czech Republic can be retrieved from the Czech node of the BCH at [http://www.mzp.cz/www/webdav_biosafety.nsf\\$files/Biosafety/other_resources.html](http://www.mzp.cz/www/webdav_biosafety.nsf$files/Biosafety/other_resources.html).

Article 17 – Unintentional transboundary movements and emergency measures

100. Has your country made available to the BCH the relevant details setting out its point of contact for the purposes of receiving notifications under Article 17?

<input checked="" type="checkbox"/>	Yes
<input type="checkbox"/>	No

101. Has your country established a mechanism for addressing emergency measures in case of unintentional transboundary movements of LMOs that are likely to have significant adverse effect on biological diversity?

<input checked="" type="checkbox"/>	Yes
<input type="checkbox"/>	No

<p>102. Has your country implemented emergency measures in response to information about releases that led, or may have led, to unintentional transboundary movements of LMOs?</p>	<input checked="" type="checkbox"/>	<p>Yes</p>
	<input type="checkbox"/>	<p>No</p>
<p>103. In the current reporting period, how many times has your country received information concerning occurrences that led, or may have led, to unintentional transboundary movement(s) of one or more LMOs to or from territories under its jurisdiction?</p>	<input checked="" type="checkbox"/>	<p>Never</p>
	<input type="checkbox"/>	<p>Less than 5</p>
	<input type="checkbox"/>	<p>Less than 10</p>
	<input type="checkbox"/>	<p>More than 10</p>
<p><i>If you replied <u>Never</u> to question 103 please go to question 107</i></p>		
<p>104. Has your country notified affected or potentially affected States, the BCH and, where appropriate, relevant international organizations, of the above release?</p>	<input type="checkbox"/>	<p>Yes, for every occurrence</p>
	<input type="checkbox"/>	<p>Yes, for some occurrences</p>
	<input type="checkbox"/>	<p>No</p>
<p>105. If you answered <i>Yes</i> to question 104, who did your country notify?</p>	<input type="checkbox"/>	<p>The affected or potentially affected State</p>
	<input type="checkbox"/>	<p>The BCH</p>
	<input type="checkbox"/>	<p>Relevant international organizations</p>
	<input type="checkbox"/>	<p>Not applicable</p>
<p>106. Has your country immediately consulted the affected or potentially affected States to enable them to determine appropriate responses and initiate necessary action, including emergency measures?</p>	<input type="checkbox"/>	<p>Yes, always</p>
	<input type="checkbox"/>	<p>Yes, in some cases</p>
	<input type="checkbox"/>	<p>No, consultation was made but not immediately</p>
	<input type="checkbox"/>	<p>No, consultation was never made</p>

107. Here you may provide further details on the implementation of Article 17 in your country:

Question 103:

Article 14 of Regulation (EC)1946/2003 that is directly applicable in the Czech Republic provides for measures to prevent unintentional transboundary movements of GMOs and appropriate responses, including emergency measures.

Conventional maize seeds, which was later proved to contain traces of unauthorized GM maize, was transported to the Czech Republic from other European country in 2009 and 2010. However, this transfer within the European Union cannot be considered as a transboundary movement according the relevant EU legislation - Regulation (EC)1946/2003 states that "transboundary movement" means the intentional or unintentional movement of a GMO between one Party or non-Party and another Party on non-Party, excluding intentional movements between Parties within the Community.

Article 18 – Handling, transport, packaging and identification

108. Has your country taken measures to require that LMOs that are subject to transboundary movement are handled, packaged and transported under conditions of safety, taking into account relevant international rules and standards?

Yes
 Yes, to some extent
 No

109. Has your country taken measures to require that documentation accompanying LMOs-FFP clearly identifies that, in cases where the identity of the LMOs is *not known* through means such as identity preservation systems, they *may contain* living modified organisms and are not intended for intentional introduction into the environment, as well as a contact point for further information?

Yes
 Yes, to some extent
 No

110. Has your country taken measures to require that documentation accompanying LMOs-FFP clearly identifies that, in cases where the identity of the LMOs *is known* through means such as identity preservation systems, they *contain* living modified organisms and are not intended for intentional introduction into the environment, as well as a contact point for further information?

Yes
 Yes, to some extent
 No

111. Has your country taken measures to require that documentation accompanying LMOs 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 LMO are consigned?
- Yes
 Yes, to some extent
 No

112. Has your country taken measures to require that documentation accompanying LMOs that are *intended for intentional introduction into the environment* of the Party of import, 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?
- Yes
 Yes, to some extent
 No

113. Does your country have the capacity to enforce the requirements of identification and documentation of LMOs?
- Yes
 Yes, to some extent
 No

114. Has your country established procedures for the sampling and detection of LMOs?
- Yes
 Yes, to some extent
 No

115. Here you may provide further details on the implementation of Article 18 in your country:

The Czech Republic follows the EU comprehensive legal framework on GMOs, which also addresses the issues of handling, transport, packaging and identification requirement covered by Article 18. The parallel EU 2nd National Report lists the adopted legal acts and measures that are of direct relevance to the implementation of Article 18.

Article 19 – Competent National Authorities and National Focal Points

116. Has your country designated one <i>national focal point for the Cartagena Protocol</i> to be responsible for liaison with the Secretariat?	<input checked="" type="checkbox"/>	Yes
	<input type="checkbox"/>	No
117. Has your country designated one <i>national focal point for the Biosafety Clearing-House</i> to liaise with the Secretariat regarding issues of relevance to the development and implementation of the BCH?	<input checked="" type="checkbox"/>	Yes
	<input type="checkbox"/>	No
118. Has your country designated one or more <i>competent national authorities</i> , which are responsible for performing the administrative functions required by the Cartagena Protocol on Biosafety and are authorized to act on your country's behalf with respect to those functions?	<input checked="" type="checkbox"/>	Yes, one
	<input type="checkbox"/>	Yes, more than one
	<input type="checkbox"/>	No
119. In case your country designated more than one <i>competent national authority</i> , has your country conveyed to the Secretariat the respective responsibilities of those authorities?	<input type="checkbox"/>	Yes
	<input type="checkbox"/>	No
	<input checked="" type="checkbox"/>	Not applicable
120. Has your country made available the required information referred in questions 116-119 to the BCH?	<input checked="" type="checkbox"/>	Yes, all information
	<input type="checkbox"/>	Yes, some information
	<input type="checkbox"/>	No
121. In case your country has designated more than one <i>competent national authority</i> , has your country established a mechanism for the coordination of their actions prior to taking decisions regarding LMOs?	<input type="checkbox"/>	Yes
	<input type="checkbox"/>	No
	<input checked="" type="checkbox"/>	Not applicable
122. Has your country established adequate institutional capacity to enable the <i>competent national authority(ies)</i> to perform the administrative functions required by the Cartagena Protocol on Biosafety?	<input checked="" type="checkbox"/>	Yes
	<input type="checkbox"/>	Yes, to some extent
	<input type="checkbox"/>	No

123. Here you may provide further details on the implementation of Article 19 in your country:

The Czech Republic has designated its own competent authority and a national focal point (NFP), while the EU have also designated its own competent authorities and NFP.

Close cooperation and information sharing exists between EU nad the Czech Republic as well as other Member States.

Article 20 – Information Sharing and the Biosafety Clearing-House (BCH)

124. Please provide an overview of the status of the information provided by your country to the BCH by specifying for each category of information whether it is available and whether it has been submitted to the BCH.
- | | | |
|-------|--|---|
| 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, paragraph 3 (a)) | <input checked="" type="checkbox"/> Information available and in the BCH
<input type="checkbox"/> Information available but not in the BCH
<input type="checkbox"/> Information available but only partially available in the BCH
<input type="checkbox"/> Information not available |
| <hr/> | | |
| 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, paragraph 5) | <input checked="" type="checkbox"/> Information available and in the BCH
<input type="checkbox"/> Information available but not in the BCH
<input type="checkbox"/> Information available but only partially available in the BCH
<input type="checkbox"/> Information not available |
| <hr/> | | |
| c. | Bilateral, multilateral and regional agreements and arrangements (Articles 14, paragraph 2 and 20, paragraph 3 (b)) | <input type="checkbox"/> Information available and in the BCH
<input type="checkbox"/> Information available but not in the BCH
<input type="checkbox"/> Information available but only partially available in the BCH
<input checked="" type="checkbox"/> Information not available |
| <hr/> | | |
| d. | Contact details for competent national authorities (Article 19, paragraphs 2 and 3), national focal points (Article 19, paragraphs 1 and 3), and emergency contacts (Article 17, paragraph 3 (e)) | <input checked="" type="checkbox"/> Information available and in the BCH
<input type="checkbox"/> Information available but not in the BCH
<input type="checkbox"/> Information available but only partially available in the BCH
<input type="checkbox"/> Information not available |

e. Reports submitted by the Parties on the operation of the Protocol (Article 20, paragraph 3 (e))	<input checked="" type="checkbox"/> Information available and in the BCH <input type="checkbox"/> Information available but not in the BCH <input type="checkbox"/> Information available but only partially available in the BCH <input type="checkbox"/> Information not available
f. Decisions by a Party on regulating the transit of specific living modified organisms (LMOs) (Article 6, paragraph 1)	<input type="checkbox"/> Information available and in the BCH <input type="checkbox"/> Information available but not in the BCH <input type="checkbox"/> Information available but only partially available in the BCH <input checked="" type="checkbox"/> Information not available
g. Occurrence of unintentional transboundary movements that are likely to have significant adverse effects on biological diversity (Article 17, paragraph 1)	<input type="checkbox"/> Information available and in the BCH <input type="checkbox"/> Information available but not in the BCH <input type="checkbox"/> Information available but only partially available in the BCH <input checked="" type="checkbox"/> Information not available
h. Illegal transboundary movements of LMOs (Article 25, paragraph 3)	<input type="checkbox"/> Information available and in the BCH <input type="checkbox"/> Information available but not in the BCH <input type="checkbox"/> Information available but only partially available in the BCH <input checked="" type="checkbox"/> Information not available

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, paragraph 3 and 20, paragraph 3(d))

- Information available and in the BCH
- Information available but not in the BCH
- Information available but only partially available in the BCH
- Information not available

j. Information on the application of domestic regulations to specific imports of LMOs (Article 14, paragraph 4)

-
- Information available and in the BCH
 - Information available but not in the BCH
 - Information available but only partially available in the BCH
 - Information not available

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, paragraph 1)

-
- Information available and in the BCH
 - Information available but not in the BCH
 - Information available but only partially available in the BCH
 - Information not available

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, paragraph 4) or in accordance with annex III (Article 11, paragraph 6) (requirement of Article 20, paragraph 3(d))

-
- Information available and in the BCH
 - Information available but not in the BCH
 - Information available but only partially available in the BCH
 - Information not available
-

m. Declarations regarding the framework to be used for LMOs intended for direct use as food or feed, or for processing (Article 11, paragraph 6)	<input type="checkbox"/> Information available and in the BCH <input type="checkbox"/> Information available but not in the BCH <input type="checkbox"/> Information available but only partially available in the BCH <input checked="" type="checkbox"/> Information not available
n. Review and change of decisions regarding intentional transboundary movements of LMOs (Article 12, paragraph 1)	<input type="checkbox"/> Information available and in the BCH <input type="checkbox"/> Information available but not in the BCH <input type="checkbox"/> Information available but only partially available in the BCH <input checked="" type="checkbox"/> Information not available
o. LMOs granted exemption status by each Party (Article 13, paragraph 1)	<input type="checkbox"/> Information available and in the BCH <input type="checkbox"/> Information available but not in the BCH <input type="checkbox"/> Information available but only partially available in the BCH <input checked="" type="checkbox"/> Information not available
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, paragraph 1)	<input type="checkbox"/> Information available and in the BCH <input type="checkbox"/> Information available but not in the BCH <input type="checkbox"/> Information available but only partially available in the BCH <input checked="" type="checkbox"/> Information not available

q. Summaries of risk assessments or environmental reviews of LMOs generated by regulatory processes and relevant information regarding products thereof (Article 20, paragraph 3 (c))	<input checked="" type="checkbox"/>	Information available and in the BCH
	<input type="checkbox"/>	Information available but not in the BCH
	<input type="checkbox"/>	Information available but only partially available in the BCH
	<input type="checkbox"/>	Information not available
125. Has your country established a mechanism for strengthening the capacity of the BCH National Focal Point to perform its administrative functions?	<input type="checkbox"/>	Yes
	<input checked="" type="checkbox"/>	No
126. Has your country established a mechanism for the coordination among the BCH National Focal Point, the Cartagena Protocol focal point, and the competent national authority(ies) for making information available to the BCH?	<input type="checkbox"/>	Yes
	<input checked="" type="checkbox"/>	No
127. Does your country use the information available in the BCH in its decision making processes on LMOs?	<input type="checkbox"/>	Yes, always
	<input checked="" type="checkbox"/>	Yes, in some cases
	<input type="checkbox"/>	No
128. Has your country experienced difficulties accessing or using the BCH?	<input checked="" type="checkbox"/>	Yes
	<input type="checkbox"/>	No
129. If you answered <i>Yes</i> to question 128, has your country reported these problems to the BCH or the Secretariat?	<input checked="" type="checkbox"/>	Yes
	<input type="checkbox"/>	No
	<input type="checkbox"/>	Not applicable
130. Is the information submitted by your country to the BCH complete and up-to date?	<input checked="" type="checkbox"/>	Yes
	<input type="checkbox"/>	No

131. Here you may provide further details on the implementation of Article 20 in your country:

Question 124 i: Only final decisions on field trials were made in the Czech Republic. Final decisions on commercial release are made on EU level and are available at the EU BCH.

Questions 124 j: Information according to Article 14, paragraph 4 published at the European level in the EU BCH is valid also for the Czech Republic.

Question 124 k, l: Decisions according to the Article 11, paragraph 1 are taken at the European level and are obligatory also for the Czech Republic. All these decisions are made available in the EU BCH.

Questions 124 m: Article 11, paragraph 6 is not relevant for the Czech Republic as it is not a developing country or Party with an economy in transition.

Question 126: One person was appointed the BCH National Focal Point and Cartagena Protocol National Focal Point in the Czech Republic. This person also works for the Czech competent authority under the Cartagena Protocol on Biosafety.

Question 128: Minor difficulties with the BCH Central Portal were experienced and consulted with the Secretariat during the current reporting period. Communication with the BCH team was quick and helpful, great assistance was always provided and therefore all problems were promptly solved.

Article 21 – Confidential information

132. Has your country established procedures to protect confidential information received under the Protocol? Yes No

133. Does your country allow the notifier to identify information that is to be treated as confidential? Yes, always In some cases only No

134. Here you may provide further details on the implementation of Article 21 in your country:

Act 78/2004 Coll., paragraph 9 as well as relevant European legislation, which is listed in the parallel EU 2nd National Report, define which information can be treated as confidential.

In addition, it has to be noted that all the confidentiality provisions make clear what information shall never be considered as confidential, notably as regards the general description of the GMO, the name and address of the authorisation holders, the risk assessment information and any methods and plans for emergency responses.

Article 22 – Capacity-building

135. Has your country received external support or benefited from collaborative activities with other Parties in the development and/or strengthening of human resources and institutional capacities in biosafety?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
---	--

136. If you answered <i>Yes</i> to question 135, how were these resources made available?	<input type="checkbox"/> Bilateral channels <input type="checkbox"/> Regional channels <input checked="" type="checkbox"/> Multilateral channels <input type="checkbox"/> Not applicable
---	---

137. Has your country provided support to other Parties in the development and/or strengthening of human resources and institutional capacities in biosafety?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
---	--

138. If you answered <i>Yes</i> to question 137, how were these resources made available?	<input type="checkbox"/> Bilateral channels <input checked="" type="checkbox"/> Regional channels <input type="checkbox"/> Multilateral channels <input type="checkbox"/> Not applicable
---	---

139. Is your country eligible to receive funding from the Global Environment Facility (GEF)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
--	--

If you replied No to question 139 please go to question 143

140. Has your country ever initiated a process to access GEF funds for building capacity in biosafety?	<input type="checkbox"/> Yes <input type="checkbox"/> No
--	---

141. If you answered <i>Yes</i> to question 140, how would you characterize the process?	<input type="checkbox"/> Very easy <input type="checkbox"/> Easy <input type="checkbox"/> Average <input type="checkbox"/> Difficult <input type="checkbox"/> Very difficult
--	--

Please add further details about your experience in accessing GEF funds under question 150.

142. Has your country ever received funding from the GEF for building capacity in biosafety?

- Pilot Biosafety Enabling Activity
- Development of National Biosafety Frameworks
- Implementation of National Biosafety Frameworks
- Building Capacity for Effective Participation in the BCH (Phase I)
- Building Capacity for Effective Participation in the BCH (Phase II)
- None of the above

143. During the current reporting period, has your country undertaken activities for the development and/or strengthening of human resources and institutional capacities in biosafety?

- Yes
 - No
-

144. If you answered *Yes* to question 143, in which of the following areas were these activities undertaken?

- Institutional capacity
 - Human resources capacity development and training
 - Risk assessment and other scientific and technical expertise
 - Risk management
 - Public awareness, participation and education in biosafety
 - Information exchange and data management including participation in the Biosafety Clearing-House
 - Scientific, technical and institutional collaboration at subregional, regional and international levels
 - Technology transfer
 - Identification of LMOs, including their detection
 - Socio-economic considerations
 - Implementation of the documentation requirements under Article 18.2 of the Protocol
 - Handling of confidential information
 - Measures to address unintentional and/or illegal transboundary movements of LMOs
 - Scientific biosafety research relating to LMOs
 - Taking into account risks to human health
 - Other: <Text entry>
 - Not applicable
-

145. During the current reporting period, has your country carried out a capacity-building needs assessment?

Yes

No

146. Does your country still have capacity-building needs?

Yes

Yes, a few

No

147. If you answered *Yes* to question 146, indicate which of the following areas still need capacity-building.

- Institutional capacity
 - Human resources capacity development and training
 - Risk assessment and other scientific and technical expertise
 - Risk management
 - Public awareness, participation and education in biosafety
 - Information exchange and data management including participation in the Biosafety Clearing-House
 - Scientific, technical and institutional collaboration at subregional, regional and international levels
 - Technology transfer
 - Identification of LMOs, including their detection
 - Socio-economic considerations
 - Implementation of the documentation requirements under Article 18.2 of the Protocol
 - Handling of confidential information
 - Measures to address unintentional and/or illegal transboundary movements of LMOs
 - Scientific biosafety research relating to LMOs
 - Taking into account risks to human health
 - Other: <Text entry>
 - Not applicable
-

148. Has your country developed a capacity-building strategy or action plan? Yes
 No

149. Has your country submitted the details of national biosafety experts to the Roster of Experts in the BCH? Yes
 No

150. Here you may provide further details on the implementation of Article 22 in your country, including further details about your experience in accessing GEF funds:

GEF approved in 2005 the last support for the Czech Republic for the Project (2006 – 2011) aiming at implementation of the National Biosafety Framework (NBF). This Project represented an important contribution to the NBF in the Czech Republic, in all important areas: biosafety policy; regulatory regime; administrative system; monitoring and enforcement; public awareness, participation and education. Capacity building formed an integral part of activities developed within the Project.

Further capacity-building activities were developed in the Czech Republic within regional and subregional workshops (e.g. in cooperation with FAO for CEE countries, UNEP instruction workshops etc.)

Article 23 – Public awareness and participation

151. Has your country established a strategy or put in place legislation for promoting and facilitating public awareness, education and participation concerning the safe transfer, handling and use of LMOs? Yes
 Yes, to some extent
 No

152. Has your country established a biosafety website? Yes
 No

153. Has your country established a mechanism to ensure public access to information on living modified organisms that may be imported? Yes
 Yes, to a limited extent
 No

154. Has your country established a mechanism to consult the public in the decision-making process regarding LMOs? Yes
 Yes, to a limited extent
 No

155. Has your country established a mechanism to make available to the public the results of decisions taken on LMOs?

Yes

Yes, to a limited extent

No

156. Has your country taken any initiative to inform its public about the means of public access to the Biosafety Clearing-House?

Yes

No

157. In the current reporting period, has your country promoted and facilitated public awareness, education and participation concerning the safe transfer, handling and use of LMOs?

Yes
 Yes, to a limited extent
 No

158. If you answered *Yes* to question 157, has your country cooperated with other States and international bodies?

Yes
 No
 Not applicable

159. In the current reporting period, how many times has your country consulted the public in the decision-making process regarding LMOs and made the results of such decisions available to the public?

Never
 Less than 5
 More than 5

160. Here you may provide further details on the implementation of Article 23 in your country:

Czech legislation on GMOs promotes public awareness and participation as an integral part of its regulatory framework. Act 78/2004 Coll., as later amended that is in line with relevant Community law governing GMOs, and in particular Directive 2001/18/EC and Regulation (EC) No 1829/2003, incorporates following provisions for public participation in decision-making on GMOs:

- The Ministry of the Environment of the Czech Republic makes available a summary of the notification for deliberate release of GMO into the environment for experimental purposes to the public on the internet, on its official board and ensures its publication by the relevant municipality and regional authorities. Anybody may send to the Ministry his/her opinion or make comments within 30 days of publication of the summary of the notification. In case that a negative opinion/comments from the public is raised, in which environmental risk assessment results are doubted or an objection to insufficient protection of the health and the environment is made, the Ministry is obliged to arrange public hearing prior to making a decision.
- The Czech Republic makes available to the public online information in Czech language on the use of GMOs at http://www.mzp.cz/cz/geneticky_modifikovane_organismy. Up-to-date information on the contained use as well as all intentional releases of GMOs into the environment in their territory is available - the Register of authorized GMOs and the Register of GMO Users were established and made public here. Information on GMOs approved to be placed on the market are also made available to the public - European databases and its relevant links are provided. Detailed information on system of exchange of information established in the EU is provided in the parallel EU 2nd National Report.

Furthermore, cooperation has been developed with centres of environmental education, schools, civil society and other organizations, especially within the UNEP/GEF Project, and public awareness and education have been enhanced through numerous workshops and edited publications. Internet represent an important source of information (web-pages of the Ministry of the Environment, Ministry of Agriculture, research and other institutions).

The Czech node of the BCH Central Portal <http://www.mzp.cz/biosafety> was established with support of the UNEP-GEF project "Building Capacity for Effective Participation in the Biosafety Clearing-House" (2006-2008). Besides obligatory information according to Article 20 much useful non-obligatory information on the use of GMOs and relevant activities in the Czech Republic is provided.

Moreover, the Czech Republic is Party to the Aarhus Convention on Access to Information , Public Participation in Decision-making and Access to Justice in Environmental Matters. The main legal instrument to align EU Member States legislation with the provisions of the Aarhus Convention is listed in the parallel EU 2nd National Report. In the Czech Republic, access to information is regulated by Act 123/1998 Coll., on Right to Environmental Information and Act 106/1999 Coll., on Free Access to Information. Acts transpose relevant above mentioned EU legislation.

Article 24 – Non-Parties

- | | | |
|---|-------------------------------------|--------------------|
| 161. Has your country entered into any bilateral, regional, or multilateral agreement with non-Parties regarding transboundary movements of LMOs? | <input type="checkbox"/> | Yes |
| | <input checked="" type="checkbox"/> | No |
| 162. Has your country ever imported LMOs from a non-Party? | <input type="checkbox"/> | Yes |
| | <input checked="" type="checkbox"/> | No |
| 163. Has your country ever exported LMOs to a non-Party? | <input type="checkbox"/> | Yes |
| | <input checked="" type="checkbox"/> | No |
| 164. If you answered <i>Yes</i> to questions 162 or 163, were the transboundary movements of LMOs consistent with the objective of the Cartagena Protocol on Biosafety? | <input type="checkbox"/> | Yes, always |
| | <input type="checkbox"/> | In some cases only |
| | <input type="checkbox"/> | No |
| | <input checked="" type="checkbox"/> | Not applicable |
| 165. If you answered <i>Yes</i> to questions 162 or 163, was information about these transboundary movements submitted to the BCH? | <input type="checkbox"/> | Yes, always |
| | <input type="checkbox"/> | In some cases only |
| | <input type="checkbox"/> | No |
| | <input checked="" type="checkbox"/> | Not applicable |
| 166. If your country is not a Party to the Cartagena Protocol, has it contributed information to the BCH on LMOs released in, or moved into, or out of, areas within its national jurisdiction? | <input type="checkbox"/> | Yes, always |
| | <input type="checkbox"/> | In some cases only |
| | <input type="checkbox"/> | No |
| | <input checked="" type="checkbox"/> | Not applicable |

167. Here you may provide further details on the implementation of Article 24 in your country:

Act 78/2004 Coll., which is in line with the EU legislation on GMOs, applies also to all imports / exports of LMOs, whether these originate from parties or non-parties to the Protocol.

Article 25 – Illegal transboundary movements

<p>168. Has your country adopted domestic measures aimed at preventing and/or penalizing transboundary movements of LMOs carried out in contravention of its domestic measures to implement this Protocol?</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<p>169. Has your country established a strategy for detecting illegal transboundary movements of LMOs?</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<p>170. In the current reporting period, how many times has your country received information concerning cases of illegal transboundary movements of an LMO to or from territories under its jurisdiction?</p>	<input checked="" type="checkbox"/> Never <input type="checkbox"/> Less than 5 <input type="checkbox"/> Less than 10 <input type="checkbox"/> More than 10
<p><i>If you replied <u>Never</u> to question 170 please go to question 175</i></p>	
<p>171. Has your country informed the BCH and the other Party(ies) involved?</p>	<input type="checkbox"/> Yes <input type="checkbox"/> Only in some cases <input type="checkbox"/> Only the other Party(ies) involved <input type="checkbox"/> Only the BCH <input type="checkbox"/> No <input type="checkbox"/> Not applicable
<p>172. Has your country established the origin of the LMO(s)?</p>	<input type="checkbox"/> Yes <input type="checkbox"/> Yes, some cases <input type="checkbox"/> No
<p>173. Has your country established the nature of the LMO(s)?</p>	<input type="checkbox"/> Yes <input type="checkbox"/> Yes, some cases <input type="checkbox"/> No
<p>174. Has your country established the circumstances of the illegal transboundary movement(s)?</p>	<input type="checkbox"/> Yes <input type="checkbox"/> Yes, some cases <input type="checkbox"/> No

175. Here you may provide further details on the implementation of Article 25 in your country:

Czech Republic follows EU legislation relevant to Article 25, which is listed in the parallel EU 2nd National Report.

No illegal transboundary movements have been recorded during the current reporting period. Besides general provisions applied, the Czech Environmental Inspectorate monitored possible occurrence of non-approved transgenic fish *Danio rerio* (so called Glow fish) that was found in the Czech Republic in 2006 and first half of 2007. However, no more above mentioned transgenic fish occurrence was recorded.

Article 26 – Socio-economic considerations

- | | |
|---|--|
| 176. If your country has taken a decision on import, has it ever taken into account socio-economic considerations arising from the impact of the LMO on the conservation and sustainable use of biological diversity? | <input type="checkbox"/> Yes
<input type="checkbox"/> Only in some cases
<input type="checkbox"/> No
<input checked="" type="checkbox"/> Not applicable |
| 177. Has your country cooperated with other Parties on research and information exchange on any socio-economic impacts of LMOs? | <input type="checkbox"/> Yes
<input checked="" type="checkbox"/> Yes, to a limited extent
<input type="checkbox"/> No |
-

178. Here you may provide further details on the implementation of Article 26 in your country:

Socio-economic considerations have been relevant at Member State level for the question of co-existence between conventional, organic and GM crops. The Czech Republic adopted its national rules for co-existence in 2006 (Decree 89/2006 Coll., on detailed conditions for growing of genetically modified variety, amended by Decree 58/2010 Coll.) that are in line with the Commission Recommendation of July 23, 2003 on guidelines for the development of national strategies and best practices to ensure the coexistence of genetically modified crops with conventional and organic farming (notified under document C2003/556/EC).

The Czech Republic participated in discussions and information exchange on socio-economic issues at several international meetings, e.g. Network Group for the Exchange and Coordination of Information "COEX-NET" (working group under the European Commission). The meetings serve for exchange and coordination of information concerning coexistence of genetically modified, conventional and organic crops. More information can be retrieved from http://ec.europa.eu/agriculture/gmo/coexistence/index_en.htm.

The Czech Republic also participated in the survey of the European Commission in 2009 and elaborated a report on the socio-economic implications of GMO cultivation. The Czech report is available at the Czech node of the BCH at [http://www.mzp.cz/www/webdav_biosafety.nsf\\$files/Biosafety/other_resources.html](http://www.mzp.cz/www/webdav_biosafety.nsf$files/Biosafety/other_resources.html)

Article 27 – Liability and Redress

- | | | |
|---|-------------------------------------|-----|
| 179. Has your country signed the Nagoya-Kuala Lumpur Supplementary Protocol on Liability and Redress? | <input checked="" type="checkbox"/> | Yes |
| | <input type="checkbox"/> | No |
| 180. Has your country initiated steps towards ratification, acceptance or approval of the Nagoya-Kuala Lumpur Supplementary Protocol? | <input checked="" type="checkbox"/> | Yes |
| | <input type="checkbox"/> | No |
-

181. Here you may provide further details on any activities undertaken in your country towards the implementation of the Nagoya-Kuala Lumpur Supplementary Protocol on Liability and Redress:

The Czech Republic signed the new treaty on 11 May 2011.

Upon signing the Supplementary Protocol the Czech Republic launched the ratification process. The new treaty has to be approved by the Parliament of the Czech Republic and afterwards signed (ratified) by the Head of the State.

A request for approval of the Supplementary Protocol was submitted to the Czech Parliament in July 2011.

Issues of liability and redress under the Supplementary Protocol are already covered by relevant domestic and EU legislation. For this reason it seems that no further legislation will be needed to implement the provisions of the Supplementary Protocol once it enters into force. However, conclusion of the Protocol requires the consent of the European Council and the European Parliament. The necessary administrative procedures thereto have recently been initiated.

Article 33 – Monitoring and reporting

- | | | |
|---|-------------------------------------|--------------------------|
| | <input type="checkbox"/> | Yes |
| | <input type="checkbox"/> | Yes, Interim report only |
| 182. Has your country submitted the previous national reports (Interim and First National Reports)? | <input checked="" type="checkbox"/> | Yes, First report only |
| | <input type="checkbox"/> | No |
| | <input type="checkbox"/> | Not applicable |
-

183. If your country did not submit previous reports, indicate the main challenges that hindered the submission
- Lack of financial resources to gather the necessary information
 - Lack of relevant information at the national level
 - Difficulty in compiling the information from various sectors
 - No obligation to submit (e.g. country was not a Party at the time)
 - Other, please specify [Type your text here]
 - Not applicable
-

Other information

184. Please use this field to provide any other information on issues related to national implementation of the Protocol, including any obstacles or impediments encountered.

No further comments

Comments on reporting format

185. Please use this field to provide any other information on difficulties that you have encountered in filling in this report.

The offline format is not very user friendly.
