



RISK ASSESSMENT & MANAGEMENT: CANADA'S FAILURES

Article 15 (+Annex III) and Article 16 of the Biosafety Protocol are very clear about risk assessment and risk management. Countries should, among others, undertake risk assessment in a scientifically sound and transparent manner including the following principles:

- lack of scientific knowledge or scientific consensus should not necessarily be interpreted as indicating a particular level of risk, an absence of risk, or an acceptable risk;
- risks should be considered in the context of risks posed by the non-modified recipients or parental organisms; and
- risks should be assessed on a case-by-base basis.

The methodology described in Annex III of the Protocol follows the conventional risk assessment paradigm, beginning with identification of a potential hazard, such as characteristics of an LMO, which may have an adverse effect on biodiversity. Risks are then characterized based on combined evaluation of the likelihood of adverse effects, and the consequences should those effects be realized.

At this meeting of the Parties, Canada's delegation is likely to repeat that its domestic provisions are compatible with and similar to those of the Biosafety Protocol. Unfortunately this last assertion is not true. Delegates should be aware of the 2008 Report published last March by the Canadian Commissioner for Environment and Sustainable Development (CESD) that documents Canada's general failure on the question of biosafety. The Commissioner is independent from the government and is part of the Office of the Auditor General of Canada.

Greenpeace invites you to read below the extracts of the Commissioner's 2008 report below and adopt strict liability biosafety to protect Parties from Canada's irresponsibility. Some of the main conclusions of the Commissioner have been underlined.

...International Environmental Agreements

- '[Canada] has made unsatisfactory progress toward providing a complete and understandable picture of the results expected from Canada's international environmental agreements. In addition, the departments do not generally make complete and understandable information available on the results the government both expected to achieve and has achieved toward fulfilling obligations under the agreements.'
- 'The government has made unsatisfactory progress in planning, monitoring, and reporting the extent to which Canada is meeting its commitments from the World Summit on Sustainable Development in 2002. [...] [Canada] still has no longer-term plan for ensuring that it will be in a position to report significant progress on its commitments, while taking into account the review timetable established by the UN.'

...Genetically Engineered Fish

- 'Progress is unsatisfactory. Since the establishment of the Federal Biotechnology Regulatory Framework in 1993, Fisheries and Oceans Canada has frequently committed to developing regulations covering transgenic aquatic organisms, including genetically engineered fish. Although it has been working on this matter since 1993, Fisheries and Oceans Canada has not made satisfactory progress toward completing the regulations.

- ‘In 2004, we reported that Fisheries and Oceans Canada had made little progress on its commitment, even though 12 years earlier it had recognized the need for regulations dealing with aquatic biotechnology.’
- ‘In our view, new regulations could address the weaknesses of Canada's current regulations in this area. This includes the need to strengthen oversight of research and develop mandatory reporting requirements for GE fish and for accidental releases of genetically engineered organisms into the environment. Fisheries and Oceans Canada has decided not to develop a policy.’
- ‘Departmental officials have incomplete knowledge of research and development activities because proponents are not required to disclose that they are conducting research.’
- ‘There is no mandatory reporting of an accidental release of a research and development organism into the environment. Although such a breach is subject to Environment Canada's compliance and enforcement policy, the Department could only act on it once it became aware of the breach. The result of these weaknesses is that the extent of research under way in Canada and any accidental release of GE fish may not be fully known.’
- ‘Fisheries and Oceans Canada has repeatedly missed deadlines for completing regulations. Since the Federal Biotechnology Regulatory Framework was established in 1993, Fisheries and Oceans Canada has frequently committed to developing regulations for transgenic aquatic organisms, including genetically engineered fish, and has repeatedly missed deadlines for completing them.’
- ‘Although regulations on transgenic aquatic organisms, including genetically engineered fish, have been under development since the early 1990s, Fisheries and Oceans Canada has still not made satisfactory progress in developing them. The Department committed to developing these regulations in response to a petition in 2001 and in response to our audit in 2004.’

...Aquatic Invasive Species

- ‘Fisheries and Oceans Canada has made unsatisfactory progress in implementing our 2002 recommendations. While the Department has identified some aquatic invasive species that pose major risks to Canada and put in place biological risk assessment guidelines, the rate at which new alien species are becoming established is exceeding the rate at which the Department is assessing risks. The Department has failed to assess economic and social risks, and priorities and objectives for prevention, control, or eradication of risks posed by aquatic invasive species have not been set.’
- ‘In addition, Fisheries and Oceans Canada does not have plans or mechanisms in place for early detection of, or rapid response to, aquatic invasive species and is therefore unprepared to prevent, control, or eradicate potential new aquatic invasive species. It has not monitored or reported how effective its efforts have been at preventing, controlling, or eradicating the aquatic invasive species it has identified.’
- ‘We found that risks posed by aquatic invasive species have not been adequately assessed or effectively managed. The federal government is not yet in a position to prevent, control, or eradicate invasive species that pose the greatest threat to Canada's aquatic ecosystems and economy. Much remains to be done to meet commitments made in the federal government's 1995 Canadian Biodiversity Strategy.’

**You can read Canada's Commissioner for the Environment &
Sustainable Development 2008 report at:**

http://www.oag-bvg.gc.ca/internet/English/aud_parl_cesd_200803_e_30125.html