

برنامج
الأغذية
العالمي



Programme
Alimentaire
Mondial

World
Food
Programme

Programa
Mundial
de Alimentos

**Executive Board
Annual Session**

Rome, 28–30 May 2003

POLICY ISSUES

Agenda item 5

For consideration

E

Distribution: GENERAL

WFP/EB.A/2003/5-B/Rev.1

29 May 2003

ORIGINAL: ENGLISH

WFP POLICY ON DONATIONS OF FOODS DERIVED FROM BIOTECHNOLOGY

This document is printed in a limited number of copies. Executive Board documents are available on WFP's WEB site (<http://www.wfp.org/eb>).

Note to the Executive Board



This document is submitted for consideration to the Executive Board.

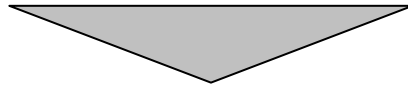
The Secretariat invites members of the Board who may have questions of a technical nature with regard to this document to contact the WFP staff focal point indicated below, preferably well in advance of the Board's meeting.

Director, Communications Division (FRC): Mr N. Gallagher tel.: 066513-2020

Should you have any questions regarding matters of dispatch of documentation for the Executive Board, please contact the Supervisor, Meeting Servicing and Distribution Unit (tel.: 066513-2328).



Draft Decision*



The Board takes note of the WFP policy on donations of foods derived from biotechnology, as set out in document WFP/EB.A/2003/5-B/Rev.1, taking into account that the Director-Generals of the World Trade Organization, the Food and Agriculture Organization and the World Health Organization have been consulted on the policy.

* This is a draft decision. For the final decision adopted by the Board, please refer to the Decisions and Recommendations document issued at the end of the session.



BACKGROUND

1. In response to discussions held during the October 2002 and February 2003 sessions of the Executive Board, the Secretariat has prepared the policy outlined below with respect to donations/purchases of foods derived from biotechnology (GM/biotech foods). This policy is an elaboration of the interim operational policy presented in October 2002, which remains in effect, and reflects consultations with the World Trade Organization (WTO), the Food and Agriculture Organization (FAO) and the World Health Organization (WHO) undertaken at the request of the WFP Executive Board.
2. After the October 2002 session of the Executive Board, the Programme sought the advice of the Directors-General of WTO, FAO and WHO. In addition, the Secretariat reviewed the potential implications of the ratification of the Cartagena Protocol upon WFP operations. The Directors-General of WTO, FAO and WHO have been consulted on the redrafted policy by the WFP Executive Director.
3. Several Member States have raised the issue of how the Cartagena Protocol might affect WFP operations with regard to donations/purchases of genetically modified/biotech foods. As at 15 April 2003, 45 nations had ratified the Protocol. Ninety days after 50 nations have ratified the document, it will go into effect. While the Cartagena Protocol was designed primarily to address trade in live genetically modified organisms, there is reference to trade in food products. It is important to bear in mind that United Nations agencies are not parties to the Cartagena Protocol, which is an agreement among Member States, but these agencies must be prepared to comply fully with implementing measures taken by ratifying parties. WFP will, therefore, fully comply with any national import regulations adopted by countries ratifying the Cartagena Protocol, but the Programme does not have the legal mandate to impose unilaterally any of the Protocol's provisions upon transactions involving other parties.
4. Countries have developed a range of policies on imports of GM/biotech foods. They:
 - treat GM/biotech foods as they do conventional foods and not impose any special requirements;
 - require a notification procedure or labelling regime on some or all GM/biotech food products;
 - do not accept GM/biotech food imports; or
 - apply a combination of regulatory measures on a case-by-case basis.

PROPOSED WFP POLICY

5. The proposed WFP policy with regard to donations/purchases of GM/biotech foods is as follows. Specific procedural guidelines for country offices and Headquarters staff will be developed accordingly.



6. Food aid must, from a legal standpoint, adhere to the same laws and international agreements that apply to commercial agricultural trade. WFP food donations must, therefore, meet internationally agreed standards that apply to trade in food products. Where such standards do not currently exist — as is the case with trade in GM/biotech foods — the Programme has no legal authority to impose them and must respond instead to applicable national regulations, if such exist. It is not the legal prerogative of WFP to impose standards on commercial food transactions involving Member States without their expressed consent or to offer technical advice on the desirability or formulation of food-import regulations.
7. WFP requires its country offices to keep abreast of and comply with all national regulations on the importation of food, including any that may relate to GM/biotech foods. Such regulations must be followed as rations are developed, procurement actions are undertaken, and country offices seek the agreement of beneficiary governments to import food aid donations, whether purchased or provided in-kind. WFP continues to maintain its long-standing policy that only food that is approved as safe for human consumption in both the donor and recipient countries should be used as food aid.
8. Country offices are expected to comply fully with existing national import policies, whatever form they may take.
9. WFP anticipates that the Cartagena Protocol will take effect later in 2003. As ratifying nations adapt their import regimes to reflect the provisions of the Protocol, WFP country offices will be expected to comply with any consequent changes in national import regulations.
10. Within the framework outlined above (paras. 6–9), the Programme will continue to accept donations of GM/biotech foods. If a donor does not wish to have its cash donations used to purchase GM foods, the Programme will comply with any such request.



ACRONYMS USED IN THE DOCUMENT

FAO	Food and Agriculture Organization of the United Nations
WHO	World Health Organization
WTO	World Trade Organization
GM	genetically modified

