FIRST REGULAR NATIONAL REPORT ON THE IMPLEMENTATION OF THE CARTAGENA PROTOCOL ON BIOSAFETY

Origin of report

Party:	**FINLAND**
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Submission	
Signature of officer responsible for submitting report:	Jyrki Pitkäjärvi Ministry of the Environment Finland
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Please provide summary information on the process by which this report has been prepared, including information on the types of stakeholders who have been actively involved in its preparation and on material which was used as a basis for the report:

This report updates the interim report submitted in 2005.

The first regular national report of Finland has been prepared by the Ministry of the Environment (Cartagena Protocol on Biosafety National Focal Point). The following stakeholders were invited to send relevant information and comments on the report: Board for Gene Technology at the Ministry of Social Affairs and Health (Competent National Authority), Ministry of Agriculture and Forestry, Ministry of Trade and Industry, Ministry of Transport and Communications, Ministry for Foreign Affairs, Finnish Environment Institute, Finnish Association for Nature Conservation, Finnish Food Safety Authority, National Product Control Agency for Welfare and Health, Finnish Bioindustries Association and Finnish Consumers' Association.

It should be noted that this national report should be read in conjunction with the first regular report produced by the European Commission on the implementation of the Protocol at the EU level. The Finnish national report describes only aspects related to the national implementation of the Protocol.

Obligations for provision of information to the Biosafety Clearing-House

1. Several articles of the Protocol require that information be provided to the Biosafety Clearing-House (see the list below). For your Government, if there are cases where relevant information exists but has not been provided to the Biosafety Clearing-House (BCH), describe any obstacles or impediments encountered regarding provision of that information (note: To answer this question, please check the BCH to determine the current status of your country's information submissions relative to the list of required information below. If you do not have access to the BCH, contact the Secretariat for a summary):

Finland has submitted the following information to the BCH:
- National legislation
- Contact information on the Cartagena Protocol on Biosafety National Focal Point (Art. 19), Competent National Authority (Art. 19), BCH National Focal Point (Art. 19) and Emergency Measures Contact Point (Art. 17)
- National biosafety websites

Competent National Authority:

The Board for Gene Technology; subordinate to the Ministry of Social Affairs and Health

- All functions pursuant to the Cartagena Protocol on Biosafety
- Advisory functions in environmental safety issues
- Gene technology and ethical expertise
- Supervises the use of GMOs both for research and commercial purposes
- Animals, Fishes, Microorganisms, Plants

National Focal Points:

- Mr. Jyrki Pitkäjärvi; Senior Adviser, Ministry of the Environment -- Cartagena Protocol on Biosafety National Focal Point
- Mrs. Irma Salovuori; Secretary General, Board for Gene Technology, Ministry of Social Affairs and Health -- Biosafety Clearing-House Focal Point, Emergency Measures Contact Point

2. Please provide an overview of information that is required to be provided to the Biosafety Clearing-House:

Type of information	*Information exists and is being provided to the Biosafety Clearing-House*	*Information exists but is not yet provided to the Biosafety Clearing-House*	*Information does not exist /not applicable*
a) Existing national legislation, regulations and guidelines for implementing the Protocol, as well as information required by Parties for the advance informed agreement procedure (Article 20.3(a))	X		
b) National laws, regulations and guidelines applicable to the import of LMOs intended for direct use as food or feed, or for processing (Article 11.5);	X		

c) Bilateral, multilateral and regional agreements and arrangements (Articles 14.2, 20.3(b), and 24.1);			X
d) Contact details for competent national authorities (Articles 19.2 and 19.3), national focal points (Articles 19.1 and 19.3), and emergency contacts (Article 17.2 and 17.3(e));	X		
e) In cases of multiple competent national authorities, responsibilities for each (Articles 19.2 and 19.3);			X
f) Reports submitted by the Parties on the operation of the Protocol (Article 20.3(e));	X		
g) Occurrence of unintentional transboundary movements that are likely to have significant adverse effects on biological diversity (Article 17.1);			X
Type of information	*Information exists and is being provided to the Biosafety Clearing-House*	*Information exists but is not yet provided to the Biosafety Clearing-House*	*Information does not exist /not applicable*
h) Illegal transboundary movements of LMOs (Article 25.3);			X
i) Final decisions regarding the importation or release of LMOs (i.e. approval or prohibition, any conditions, requests for further information, extensions granted, reasons for decision) (Articles 10.3 and 20.3(d));			X- Decisions taken by the EU are provided by the European Commission
j) Information on the application of domestic regulations to specific imports of LMOs (Article 14.4);			X
k) Final decisions regarding the domestic use of LMOs that may be subject to transboundary movement for direct use as food or feed, or for processing (Article 11.1);			X
l) Final decisions regarding the import of LMOs intended for direct use as food or feed, or for processing that are taken under domestic regulatory frameworks (Article 11.4) or in accordance with annex III (Article 11.6) (requirement of Article 20.3(d))			X- Decisions will be made at the EU level.

m) Declarations regarding the framework to be used for LMOs intended for direct use as food or feed, or for processing (Article 11.6)			X
n) Review and change of decisions regarding intentional transboundary movements of LMOs (Article 12.1);			X
o) LMOs granted exemption status by each Party (Article 13.1)			X
p) Cases where intentional transboundary movement may take place at the same time as the movement is notified to the Party of import (Article 13.1);			X
q) Summaries of risk assessments or environmental reviews of LMOs generated by regulatory processes and relevant information regarding products thereof (Article 20.3(c)).		X- Summaries of risk assessments of relevant field trials will be submitted to the BCH.	

Article 2 – General provisions

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

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

The Finnish legislation implements the present GMO legislation in the EU (especially Directives 2001/18/EC, 90/219/EC, 98/81/EC and the Regulations (EC) No. 1829/2003, 1830/2003, 1946/2003), which also fulfill the requirements of the Cartagena Protocol.

- Gene Technology Act (377/1995; amended in 2000 and 2004) regulating contained use, deliberate release and placing on the market of GMOs
- Government Decree on Gene Technology (928/2004) issues further provisions specified in the Gene Technology Act
- Penal code (578/1995) contains e.g. sanction and punishment provisions concerning illegal import of GMOs
- Decree of the Ministry of Social Affairs and Health (110/2005) on deliberate release of GMOs
- Decree of the Ministry of Social Affairs and Health (90/2005) on differentiated procedures related to deliberate release of GMOs
- Decree of the Ministry of Social Affairs and Health (198/2007) on inspection procedure laid down by the Gene Technology Act

- Decree of the President of the Republic (130/2004) on the ratification of the Cartagena Protocol on Biosafety under the Convention on the Biological Diversity and on the entry into force of the Act implementing the provisions related to the field of legislation of the Protocol
- Government Decree (270/2007) on the chargeable services in accordance with the Gene Technology Act
- Several specific laws, e.g. Pesticide Act (327/1969), Food Act (361/1995) and Feed Act (396/1998), issue specific provisions concerning GMOs
- Decree of the Ministry of the Trade and Industry on the national arrangements provided the entry into force of the Regulation (EC) 1829/2003
- Regulations (EC) No. 1946/2003, 1829/2003 and 1830/2003 shall apply directly in Finland

The content of the regulations (mainly in Finnish) can be found on the following website of the Competent National Authority: www.geenitekniikanlautakunta.fi

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

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

5. Were you a Party of import during this reporting period?	
a) yes	
b) no	X
6. Were you a Party of export during this reporting period?	
a) yes	
b) no	X
7. Is there a legal requirement for the accuracy of information provided by exporters 1/ under the jurisdiction of your country? (Article 8.2)	
a) yes	X
b) not yet, but under development	
c) no	
d) not applicable – not a Party of export	
8. If you were a Party of export during this reporting period, did you request any Party of import to review a decision it had made under Article 10 on the grounds specified in Article 12.2?	
a) yes (please give details below)	
b) not yet, but under development	
c) no	
d) not applicable – not a Party of export	X
9. Did your country take decisions regarding import under domestic regulatory frameworks as allowed by Article 9.2(c).	
a) yes	

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

b) no	
c) not applicable – no decisions taken during the reporting period	X
10. If your country has been a Party of export of LMOs intended for release into the environment during the reporting period, please describe your experiences and progress in implementing Articles 7 to 10 and 12, including any obstacles or impediments encountered:	
11. If your country has taken decisions on import of LMOs intended for release into the environment during the reporting period, please describe your experiences and progress in implementing Articles 7 to 10 and 12, including any obstacles or impediments encountered:	
See the response by the European Community.	

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

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

12. Is there a legal requirement for the accuracy of information provided by the applicant with respect to the domestic use of a living modified organism that may be subject to transboundary movement for direct use as food or feed, or for processing? (Article 11.2)	
a) yes	X
b) not yet, but under development	
c) no	
d) not applicable (please give details below)	
13. Has your country indicated its needs for financial and technical assistance and capacity-building in respect of living modified organisms intended for direct use as food or feed, or for processing? (Article 11.9)	
a) yes (please give details below)	
b) no	
c) not relevant	X
14. Did your country take decisions regarding import under domestic regulatory frameworks as allowed by Article 11.4?	
a) yes	
b) no	X
c) not applicable – no decisions taken during the reporting period	

15. If your country has been a Party of export of LMOs intended for direct use for food or feed, or for processing, during the reporting period, please describe your experiences and progress in implementing Article 11, including any obstacles or impediments encountered:
16. If your country has been a Party of import of LMOs intended for direct use for food or feed, or for processing, during the reporting period, please describe your experiences and progress in implementing Article 11, including any obstacles or impediments encountered:
See the response by the European Community.

Article 13 – Simplified procedure

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

17. Have you applied the simplified procedure during the reporting period?	
a) yes	
b) no	X
18. If your country has used the simplified procedure during the reporting period, or if you have been unable to do so for some reason, please describe your experiences in implementing Article 13, including any obstacles or impediments encountered:	

Article 14 – Bilateral, regional and multilateral agreements and arrangements

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

19. Has your country entered into any bilateral, regional or multilateral agreements or arrangements?	
a) yes	
b) no	X
20. If your country has entered into bilateral, regional or multilateral agreements or arrangements, or if you have been unable to do so for some reason, describe your experiences in implementing Article 14 during the reporting period, including any obstacles or impediments encountered:	
Finland is an EU Member State. See the response of the European Community.	

Articles 15 and 16 – Risk assessment and risk management

21. If you were a Party of import during this reporting period, were risk assessments carried out for all decisions taken under Article 10? (Article 15.2)	
a) yes	
b) no (please clarify below)	
c) not a Party of import / no decisions taken under Article 10	X
22. If yes to question 21, did you require the exporter to carry out the risk assessment?	
a) yes – in all cases	
b) yes – in some cases (please specify the number and give further details below)	

c) no	
d) not a Party of import / no decisions taken under Article 10	X
23. If you took a decision under Article 10 during the reporting period, did you require the notifier to bear the cost of the risk assessment? (Article 15.3)	
a) yes – in all cases	
b) yes – in some cases (please specify the number and give further details below)	
c) no	
d) not a Party of import / no decisions taken under Article 10	X
24. Has your country established and maintained appropriate mechanisms, measures and strategies to regulate, manage and control risks identified in the risk assessment provisions of the Protocol? (Article 16.1)	
a) yes – fully established	X
b) not yet, but under development or partially established (please give further details below)	
c) no	
25. Has your country adopted appropriate measures to prevent unintentional transboundary movements of living modified organisms? (Article 16.3)	
a) yes – fully adopted	X
b) not yet, but under development or partially adopted (please give further details below)	
c) no	
26. Does your country endeavour to ensure that any living modified organism, whether imported or locally developed, undergoes an appropriate period of observation commensurate with its life-cycle or generation time before it is put to its intended use? (Article 16.4)	
a) yes – in all cases	X
b) yes – in some cases (please give further details below)	
c) no (please give further details below)	
d) not applicable (please give further details below)	
27. Has your country cooperated with others for the purposes specified in Article 16.5?	
a) yes (please give further details below)	X
b) no (please give further details below)	
28. Please provide further details about your responses to the above questions, as well as description of your country's experiences and progress in implementing Articles 15 and 16, including any obstacles or impediments encountered:	
Intentional releases into the environment or placing on the market of GMOs are subject to the prior risk assessment and management in Finland. A comprehensive risk assessment is conducted in accordance with the procedures established in the European Community and domestic legislation with a view to	

identify, if there is a need for risk management. The risk assessment shall be carried out by the notifier. It will be evaluated by the Competent Authority in Finland (The Board for Gene Technology), who can consult relevant scientific expert institutions on a case-by-case basis.

For further details see the response by the European Community.

Q. 27: Finland cooperates with the EU member states and on relevant international fora (e.g. OECD, Nordic Council of Ministers) for the purposes specified in Articles 15 and 16.

Article 17 – Unintentional transboundary movements and emergency measures

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

29. During the reporting period, if there were any occurrences under your jurisdiction that led, or could have led, to an unintentional transboundary movement of a living modified organism that had, or could have had, significant adverse effects on the conservation and sustainable use of biological diversity, taking also into account risks to human health in such States, did you immediately consult the affected or potentially affected States for the purposes specified in Article 17.4?	
a) yes – all relevant States immediately	
b) yes – partially consulted, or consultations were delayed (please clarify below)	
c) no – did not consult immediately (please clarify below)	
d) not applicable (no such occurrences)	X
30. Please provide further details about your response to the above question, as well as description of your country's experiences in implementing Article 17, including any obstacles or impediments encountered:	
The Board for Gene Technology is the national contact point responsible for the actions specified in the Article 17 of the Protocol.	

Article 18 – Handling, transport, packaging and identification

31. Has your country taken measures to require that living modified organisms that are subject to transboundary movement within the scope of the Protocol are handled, packaged and transported under conditions of safety, taking into account relevant international rules and standards? (Article 18.1)	
a) yes (please give details below)	X
b) not yet, but under development	
c) no	
d) not applicable (please clarify below)	
32. Has your country taken measures to require that documentation accompanying living modified organisms for direct use as food or feed, or for processing, clearly identifies that they 'may contain' living modified organisms and are not intended for intentional introduction into the environment, as well as a contact point for information? (Article 18.2(a))	
a) yes	X
b) not yet, but under development	
c) no	

33. Has your country taken measures to require that documentation accompanying living modified organisms that are destined for contained use clearly identifies them as living modified organisms and specifies any requirements for the safe handling, storage, transport and use, the contact point for further information, including the name and address of the individual and institution to whom the living modified organisms are consigned? (Article 18.2(b))	
a) yes	X
b) not yet, but under development	
c) no	
34. Has your country adopted measures to require that documentation accompanying living modified organisms that are intended for intentional introduction into the environment of the Party of import and any other living modified organisms within the scope of the Protocol, clearly identifies them as living modified organisms; specifies the identity and relevant traits and/or characteristics, any requirements for the safe handling, storage, transport and use, the contact point for further information and, as appropriate, the name and address of the importer and exporter; and contains a declaration that the movement is in conformity with the requirements of this Protocol applicable to the exporter? (Article 18.2(c))	
a) yes	X
b) not yet, but under development	
c) no	

35. Please provide further details about your responses to the above questions, as well as a description of your country's experiences and progress in implementing Article 18, including any obstacles or impediments encountered:

Finland has introduced in the domestic legislation the measures and regulations approved in the European Community concerning the requirements of handling, transport, packaging and identification of GMOs. For further details on the EU legislation see the response by the European Community.

Detailed information on the documentation requirements under the Cartagena Protocol on Biosafety for the exporters and importers, including examples of such documents, is available on the website of the Board for Gene Technology (www.geenitekniikanlautakunta.fi). An information sheet (in Finnish and in Swedish) introducing the requirements of the Cartagena Protocol has been prepared and distributed to the relevant stakeholders in Finland.

Article 19 – Competent national authorities and national focal points

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

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

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

36. In addition to the response to question 1, please describe any further details regarding your country's experiences and progress in implementing Article 20, including any obstacles or impediments encountered:

Finland cooperates with the EU Member States and the European Commission in the development of a possible common subregional BCH in the EU. For further details see the response by the European Community.

Article 21 – Confidential information

37. Does your country have procedures to protect confidential information received under the Protocol and that protect the confidentiality of such information in a manner no less favourable than its treatment of confidential information in connection with domestically produced living modified organisms? (Article 21.3)	
a) yes	X
b) not yet, but under development	
c) no	
38. If you were a Party of import during this reporting period, did you permit any notifier to identify information submitted under the procedures of the Protocol or required by the Party of import as part of the advance informed agreement procedure that was to be treated as confidential? (Article 21.1)	
a) yes	
If yes, please give number of cases	
b) no	
c) not applicable – not a Party of import / no such requests received	X
39. If you answered yes to the previous question, please provide information on your experience including description of any impediments or difficulties encountered:	
Any information or documents produced in the context of the implementation of the Protocol are subject to the provisions on publicity and confidentiality of documents laid down in the Act on the Openness of Government Activities (621/1999) and Gene Technology Act (377/1995).	
40. If you were a Party of export during this reporting period, please describe any impediments or difficulties encountered by you, or by exporters under your jurisdiction if information is available, in the implementation of the requirements of Article 21:	

Article 22 – Capacity-building

41. If a developed country Party, during this reporting period has your country cooperated in the development and/or strengthening of human resources and institutional capacities in biosafety for the purposes of the effective implementation of the Protocol in developing country Parties, in particular the least developed and small island developing States among them, and in Parties with economies in transition?	
a) yes (please give details below)	X
b) no	
c) not applicable – not a developed country Party	
42. If yes to question 41, how has such cooperation taken place:	

Baltic Biosafety: A Nordic-Baltic capacity-building project

The overall aim of the project was to contribute to the safe and sustainable use of modern biotechnology in the Baltic States. The objective was to transfer experience and expertise from the relevant Nordic authorities in the area of biosafety to their counterparts in the Baltic states. The target group consisted of officials at the ministries of agriculture and the environment as well as at the inspection institutions. There were four workshops and each workshop combined lecturers and group works.

The subjects addressed in the workshops were as follows:
The first workshop dealt with contained use of genetically modified micro-organisms. The participating experts were from Finland, Denmark and Sweden.
The second workshop focused on the Biosafety Protocol. The participating experts were from Denmark, Norway, Finland and Sweden.
The third workshop was concerned with deliberate releases of genetically modified plants. The participating experts were from Finland and Sweden.
The fourth workshop dealt with the new EU Regulations on traceability and labelling, and the public participation aspect of GMOs. The experts were from Denmark and Sweden.

On average, each workshop included approximately 35 participants from the Baltic States, representing the various authorities and institutions targeted by the project. This turnout was due entirely to the knowledge and experience of the Baltic Environmental Forum, with its large network of contacts in the Baltic States. Reports from the workshop can be found at www.bef.lv

43. If a developing country Party, or Party with an economy in transition, during this reporting period has your country contributed to the development and/or strengthening of human resources and institutional capacities in biosafety for the purposes of the effective implementation of the Protocol in another developing country Party or Party with an economy in transition?	
a) yes (please give details below)	
b) no	
c) not applicable – not a developing country Party	X

44. If yes to question 43, how has such cooperation taken place:

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

46. If a developing country Party or a Party with an economy in transition, have you benefited from cooperation for technical and scientific training in the use of risk assessment and risk management for biosafety?

a) yes – capacity-building needs fully met (please give details below)	
b) yes – capacity-building needs partially met (please give details below)	
c) no – capacity-building needs remain unmet (please give details below)	
d) no – we have no unmet capacity-building needs in this area	
e) not applicable – not a developing country Party or a Party with an economy in transition	X
47. If a developing country Party or a Party with an economy in transition, have you benefited from cooperation for technical and scientific training for enhancement of technological and institutional capacities in biosafety?	
a) yes – capacity-building needs fully met (please give details below)	
b) yes – capacity-building needs partially met (please give details below)	
c) no – capacity-building needs remain unmet (please give details below)	
d) no – we have no unmet capacity-building needs in this area	
e) not applicable – not a developing country Party or a Party with an economy in transition	X
48. Please provide further details about your responses to the above questions, as well as description of your country's experiences and progress in implementing Article 22, including any obstacles or impediments encountered:	

Article 23 – Public awareness and participation

49. Does your country promote and facilitate public awareness, education and participation concerning the safe transfer, handling and use of living modified organisms in relation to the conservation and sustainable use of biological diversity, taking also into account risks to human health? (Article 23.1(a))	
a) yes – significant extent	X
b) yes – limited extent	
c) no	
50. If yes, do you cooperate with other States and international bodies?	
a) yes – significant extent	X
b) yes – limited extent	
c) no	
51. Does your country endeavour to ensure that public awareness and education encompass access to information on living modified organisms identified in accordance with the Protocol that may be imported? (Article 23.1(b))	
a) yes – fully	X
b) yes – limited extent	
c) no	

52. Does your country, in accordance with its respective laws and regulations, consult the public in the decision-making process regarding living modified organisms and make the results of such decisions available to the public? (Article 23.2)	
a) yes – fully	X
b) yes – limited extent	
c) no	
53. Has your country informed its public about the means of public access to the Biosafety Clearing-House? (Article 23.3)	
a) yes – fully	X
b) yes – limited extent	
c) no	
54. Please provide further details about your responses to the above questions, as well as description of your country's experiences and progress in implementing Article 23, including any obstacles or impediments encountered:	

The Finnish legislation promotes public participation as an integral part of an environmental policy in compliance with the Community legislation. Finland has been a Party of the Aarhus Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters since 2004. The Finnish legislation is compatible with the provisions of the Convention.

The Gene Technology Act provides provisions of the public participation concerning the decisions making process of a) contained use and b) deliberate release into the environment of GMOs:
a) The Board for Gene Technology may decide that the public must be consulted in regard to certain circumstances related to the proposed contained use. The consulting and the supplying of documents are subject to the provisions on confidentiality laid down in the Act.
b) The Board for Gene Technology shall consult the public in regard to a planned deliberate release into the environment for any other purpose than for placing on the market. The Board shall inform at least in the Official Gazette that it has received the above-mentioned application.
At least the following particulars shall be reported in the Official Gazette or in other media:
1) the right of access of the public to documents regarding the deliberate release for any other purpose than for placing on the market;
2) at which agency and how the access to the documents is arranged;
3) a possibility to obtain a copy of the application document;
4) to which authority written opinions shall be addressed; and
5) a 60 days' time limit for consulting and when the time limit expires.
The consulting and the supplying of documents are subject to the provisions on confidentiality in the Act.

In the cases of GMO notifications for placing on the market of GMOs the Commission of the EU is responsible for the public consultation procedure according to the Community legislation. Regulation (EC) No 1829/2003 issues the public participation procedures in cases of GM food and feed products. See also the response by the European Community.

According to the Government Decree on Gene Technology the Government appoints the Advisory Board for Biotechnology which has in its capacity of an advisory body e.g. a duty to organize information and training in the field of biotechnology and in particular of gene technology.

The Board for Gene Technology (the Competent Authority of the Protocol and the BCH National Focal Point) maintains a website (http://www.geenitekniikanlautakunta.fi), in which information on the Board,

the national and Community GMO legislation, the current issues, the public participation procedures, the notification materials, and the authorized field releases and the GMO products can be obtained (mainly in Finnish). This information includes also specific data on the provisions and requirements of the export and import of GMOs according to EU and domestic legislation as well as to the Cartagena Protocol on Biosafety. The biosafety information is also available in the LUMONET database (Finnish Clearing-House Mechanism of the Convention on Biological Diversity; http://www.ymparisto.fi/default.asp?node=5318&lan=fi) maintained by the Finnish Environment Institute (SYKE).

Article 24 – Non-Parties

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

55. Have there been any transboundary movements of living modified organisms between your country and a non-Party during the reporting period?	
a) yes	
b) no	X
56. If there have been transboundary movements of living modified organisms between your country and a non-Party, please provide information on your experience, including description of any impediments or difficulties encountered:	

Article 25 – Illegal transboundary movements

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

57. Has your country adopted appropriate domestic measures to prevent and penalize, as appropriate, transboundary movements of living modified organisms carried out in contravention of its domestic measures? (Article 25.1)	
a) yes	X
b) no	
58. Have there been any illegal transboundary movements of living modified organisms into your country during the reporting period?	
a) yes	X
b) no	
59. Please provide further details about your response to the above question, as well as description of your country's experiences in implementing Article 25, including any obstacles or impediments encountered:	
Finland has adopted domestic measures to prevent and penalize illegal transboundary movements of GMOs. The illegal import and export of GMOs have been regulated by the Penal Code and Gene Technology Act. The Commission adopted in September 2006 emergency measures regarding the non-authorised genetically modified organism 'LL RICE 601' in several rice products on the EU market. In Finland, the Finnish Food Safety Authority (Evira) found out two importers of the long grain rices that are mentioned in the Commission's Decision (2006/601/EC). The rice stocks of these importers were put into official	

temporary prohibition and the distribution of the products were denied until their purity was verified. In September 2006 six of the nine random samples of the stocks were tested positive for LL RICE 601 by the Food control. Moreover, Evira informed in this regard all feed importers in Finland. In September 2006 one of nine random samples of feeds containing rice (pet food) was tested positive for LL RICE 601 by the Feed control. A sales and marketing ban was imposed on the imported batch and the importer was ordered to withdraw the feed from the market. The results of all the positive batches were notified to all other EU Member States via EU's Rapid Alert System for Food and Feed (RASFF).

GM fish or 'glofish' have been found in several EU Member States in 2007, including Finland. Since these fish were not notified according to the EU legislation, their imports into and sale in the EU constituted illegal transboundary movements in the sense of Article 25 of the Protocol. In May 2007 the Finnish Competent Authority (the Board for Gene Technology) received information on possible marketing of genetically modified zebra fish (Danio rerio) in Finland. Evira traced a lot of 600 fish imported outside the EU. The fish had been distributed to retailers and fish still available at the aquarium shops were analyzed. The Board subjected the importer and retailers to orders. The marketing was banned and further possession of modified fish is allowed only if the regulations for contained use are followed. Otherwise they must be destroyed. In order to notify the buyers and general public a letter was sent to Finnish aquarium clubs and a notice has been published at the Board's website. Also, the Board has notified Finnish pet retailers of the illegal product. Evira will carry out further supervision on the situation regarding genetically modified ornamental fish.

Article 26 – Socio-economic considerations

60. If during this reporting period your country has taken a decision on import, did it take into account socio-economic considerations arising from the impact of living modified organisms on the conservation and sustainable use of biological diversity, especially with regard to the value of biological diversity to indigenous and local communities? (Article 26.1)	
a) yes – significant extent	
b) yes – limited extent	
c) no	
d) not a Party of import	X

61. Has your country cooperated with other Parties on research and information exchange on any socio-economic impacts of living modified organisms, especially on indigenous and local communities? (Article 26.2)	
a) yes – significant extent	
b) yes – limited extent	
c) no	X

62. Please provide further details about your responses to the above questions, as well as description of your country's experiences and progress in implementing Article 26, including any obstacles or impediments encountered:

In the risk assessment carried out prior to decisions on the import of GMOs no account is taken of the socio-economic considerations. However, these aspects may be considered in a risk analysis process where the issues of the coexistence between the GM, conventional and organic farming will be considered. In this regard, the possible amendments of the national legislation as well as the national strategies and the guidelines will be further considered and prepared, taken into account the recommendations by the national expert groups, which ended their work at the end of 2005.

See also the response by the European Community.

Article 28 – Financial mechanism and resources

63. Please indicate if, during the reporting period, your Government made financial resources available to other Parties or received financial resources from other Parties or financial institutions, for the purposes of implementation of the Protocol.	
a) yes – made financial resources available to other Parties	X
b) yes – received financial resources from other Parties or financial institutions	
c) both	
d) neither	
64. Please provide further details about your response to the above question, as well as description of your country's experiences, including any obstacles or impediments encountered:	
Finland has contributed the BI Trust Fund to facilitate participation of the developing country Parties and Parties with the economies in transition in the OETEG on Art. 18.2(a), the 2nd – 4th OEWG meetings on Liability and Redress as well as the MOP-2 and MOP-3 meetings, and the BH Trust Fund for the organization of the first OEWG meeting on Liability and Redress.	

Other information

65. Please use this box to provide any other information related to articles of the Protocol, questions in the reporting format, or other issues related to national implementation of the Protocol:
No further information.

Comments on reporting format

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

No difficulties encountered.