Origin of report

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Signature of officer responsible for submitting report:	
Date of submission:	2005 September 6

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:

The Ministry of Environment is the competent authority responsible for implementation of the Cartagena Protocol on Biosafety.

The Ministry of Environment is responsible for preparation of National Report on implementation of the Cartagena Protocol to the Executive Secretary. The Ministry of Environment involved 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 Ministry of Environment prepared draft report and dispatched via E-mail to national responsible institutions – Ministry of Agriculture, Ministry of Health, State Food and Veterinary Service, for submission of comments. The Ministry of Environment specifies the National Report under the received comments from responsible institutions and their subordinated organizations.

The report will be entered into the national GMOs database, providing on a server of Ministry of the Environment (http://gmo.am.lt).

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 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):
Lithuania has provided all relevant information to the BCH. No comments on obstacles and impediments have been encountered.

Information required to be provided to the Biosafety Clearing-House:

(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))

(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);

(c) Bilateral, multilateral and regional agreements and arrangements (Articles 14.2, 20.3(b), and 24.1);

(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));

(e) In cases of multiple competent national authorities, responsibilities for each (Articles 19.2 and 19.3);

(f) Reports submitted by the Parties on the operation of the Protocol (Article 20.3(e));

(g) Occurrence of unintentional transboundary movements that are likely to have significant adverse effects on biological diversity (Article 17.1);

(h) Illegal transboundary movements of LMOs (Article 25.3);

(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));

(j) Information on the application of domestic regulations to specific imports of LMOs (Article 14.4);

(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);

(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))

(m) Declarations regarding the framework to be used for LMOs intended for direct use as food or feed, or for processing (Article 11.6)

(n) Review and change of decisions regarding intentional transboundary movements of LMOs (Article 12.1);

(o) LMOs granted exemption status by each Party (Article 13.1)

(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); and

(q) Summaries of risk assessments or environmental reviews of LMOs generated by regulatory processes and relevant information regarding products thereof (Article 20.3(c)).

Article 2 – General provisions

2. 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	

3. 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:

National policy for the safe use and handling of GMOs and GMPs has been formed by the Parliament (Seimas) and the Government of the Republic of Lithuania, which empowered the designated responsible governmental institutions: Ministry of Environment, Ministry of Agriculture, Ministry of Health, State Food and Veterinary Service. The national biosafety framework (regulatory, administrative, decision-making, monitoring, state control) policy in Lithuania should be constantly reviewed in the light of gained experience and the European Union legislation system.

Lithuanian legislation related to biosafety sector transposes the main requirements of the Cartagena Protocol on Biosafety and the European Union legal acts. As Lithuania has joined the European Union in May 2004, thus the general sector policy for GMOs and GMPs safe usage and handling system is similar to that of the European Union.

The ***Law on GMOs*** was adopted on June 12, 2001, (No. IX-375, amended on March 20, 2003 by the order No. IX-1384) legally came into force since 31 of December 2002. The overall objective of the Law was to determine and delineate the spheres of activities involving GMOs and GMPs, their state management and regulation, also the rights, duties and responsibilities of the users of GMOs and GMPs.

Lithuania has developed and approved variety of orders under the Law.

The main legal measures include:

– ***Order on Regulation of Risk Assessment on GMOs*** adopted by the order No. 681/689/525/753 of the Ministers of Environment, Agriculture, Health and the Director of State Food and Veterinary Service in December 2002, amended in 2004. The order establishes the main principles, methods and performance procedures for the activities related to the risk assessment of GMOs and GMPs, consisted of GMOs, posed to the human and animal health, environment and agriculture.

– ***Order on Regulation on Public Information and Participation in Issuing of Consents for Use of GMOs*** adopted by the order No. 299 of the Minister of Environment on June 11, 2003. The order applies for the parties (natural and legal persons, public institutions) involved in the process of information and participation during the notification and permitting to use the GMOs and GMPs in the Republic of Lithuania. It declares the rights and duties of notifier to inform public announcing the intention to use GMOs or GMPs, inviting to express and deliver comments on the application and preliminary decision taken on each specific case.

– ***Establishing of the GMOs Steering Committee*** adopted by the order No. 602 of the Minister of Environment on December 18, 2001 (amended on March 20, 2003 by the order No.

127 and on February 28, 2005 by the order No. D1-110). The GMOs Steering Committee is a political advisory body for the development and enforcement of national regulatory system with respect to biosafety issues. This Committee consists of members appointed by relevant state authorities, the subordinated organizations, national biotech industry, non-governmental organizations, universities, scientific institutes.

– ***Establishing of the GMOs Experts Committee*** adopted by the order No. 198 of the Minister of Environment on April 25, 2003. The GMOs Experts Committee is a consultative advisory body with clear task to act as an advisor to the competent authority. The national GMOs Experts Committee is formed taking into account the risk assessment requirements from scientific staff of the following specializations: genetics, ecology, botany, health care, agriculture, veterinary, biochemistry, geochemistry, microbiology and some others.

– ***Regulation on GMOs Deliberate Release into the Environment, Placing on the Market*** adopted by the order No. D1-225 of the Minister of Environment on April 29, 2004. The overall objective of this order is to regulate use and control requirements on GMOs and GMPs deliberate release into the environment, placing on the market in the Republic of Lithuania.

– ***Order on Regulation on Contained Use of Genetically Modified Microorganisms*** adopted by the order No. 413 of the Minister of Environment on August 4, 2003 (amended on April 29, 2004 by the order No. D1-233 and on March 4, 2005 by the order No. D1-130). The overall objective of this legal act: enable current and potential users to participate in the world GMOs research and development market, to ensure safe use of GMOs in contained use, thus protecting human health and environment from possible negative harmful effects posed by GMOs.

– ***Order on Regulation on Preparation of Monitoring Plan of GMOs after the Placing on the Market*** adopted by the order No. 601 of the Minister of Environment on December 1, 2003.

– ***Order on Regulation on GMOs database*** adopted by the order No. D1-542 of the Minister of Environment on October 18, 2004.

– ***Order on the Control of GM Plants and their Products, not Intended to Use as Food and Feed, which are Phytosanitary Controlled, and GM Seeds*** adopted by the order No. 3D-515 of the Minister of Agriculture on September 14, 2004.

–***Resolution on the Reports to the European Commission Concerning EU Environment Division Legislation Implementation, and Information Needed to the Report to the European Environment Agency*** adopted by the Government of the Lithuanian Republic in April 2004.

– ***Environmental Protection Validity for the State Regulatory Officials*** provided by the order No. D1-445 of the Minister of Environment on August 20, 2004.

– ***Code on Administrative Right's Violation*** adopted by the Parliament (Seimas) of the Republic of Lithuania in 2004. Lithuania is preparing draft amendment currently.

A list of all legal measures pertaining to GMOs has been submitted to the Biosafety Clearing-House. More information on the content of these legislative acts could be found through the national GMOs database (via Internet address: http://gmo.am.lt).

The Cartagena Protocol on Biosafety was ratified on September 18, 2003, at the Parliament (Seimas) of the Republic of Lithuania by adopting the ***Law on Ratification of the Cartagena Protocol on Biosafety to the Convention on Biological Diversity.***

Lithuania, as a new European Union member, considers common European Union criteria concerning particular cases of GMOs and GMPs usage. Lithuania has constructed the national legislation along the lines of the Directive 98/81/EC of 26 October amending the Directive 90/219/EEC on the contained use of genetically modified microorganisms; the Directive

2001/18/EC of 12 March 2001 on the deliberate release into the environment of genetically modified organisms; and of the requirements of the Cartagena Protocol on Biosafety.

Intentional and unintentional movements of GMOs between Lithuania and other Member States of the European Union and the third countries are regulated by the Regulation (EC) No. 1946/2003 on transboundary movements of genetically modified organisms, with the exception of intentional within the Community.

GMOs and food products derived from GMOs, which are placed on the market, must satisfy labelling and traceability conditions, which are laid down in the European Union regulation (EC) No. 1829/2003 and the regulation (EC) No. 1830/2003 concerning the traceability and labelling of GMOs and the traceability of food and feed products produced from GMOs and amending the Directive 2001/18/EC.

Lithuania is preparing the draft rules on co-existence of genetically modified crops with conventional and organic farming and their propagating material with due consideration to the European Commission Recommendation (2003/556/EC) on guidelines for the development of national strategies and best practices to ensure the co-existence of genetically modified crops with conventional and organic farming.

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

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

4. 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) no	
c) not applicable – not a Party of export	
5. 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) no	
c) not applicable – not a Party of export	**X**
6. Did your country take decisions regarding import under domestic regulatory frameworks as allowed by Article 9.2(c).	
a) yes	
b) no	
c) not applicable – no decisions taken during the reporting period	**X**
7. 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:	
Lithuania has not been a Party of export of LMOs intended for release into the environment during the reporting period.	
8. 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:	
Lithuania has no taken decisions on import of LMOs intended for release into the environment during the reporting period. (See Report of the Commission on Implementation of the Cartagena Protocol on Biosafety by the European Community)	

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

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.

9. 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) no	
c) not applicable (please give details below)	
10. 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)	**X**
b) no	
c) not relevant	
11. Did your country take decisions regarding import under domestic regulatory frameworks as allowed by Article 11.4?	
a) yes	
b) no	
c) not applicable – no decisions taken during the reporting period	**X**
12. 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:	
Lithuania has indicated its needs for financial and technical assistance and capacity building in state safety control and risk assessment of GMOs and GMPs, consisted of GMOs, intended for direct use as food or feed, or for processing. (Pls. find answer 41 under *Article 22 – Capacity-Building*). Lithuania has not been a Party of export of LMOs intended for direct use for food or feed, or for processing, during the reporting period.	
13. 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:	
Lithuania has not been a Party of import of LMOs intended for direct use for food or feed, or for processing, during the reporting period. (See Report of the Commission on Implementation of the Cartagena Protocol on Biosafety by the European Community).	

Article 13 – Simplified procedure

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

14. If your country has used the simplified procedure during the reporting period, please describe your experiences in implementing Article 13, including any obstacles or impediments encountered:
Lithuania has not used the simplified procedure during the reporting period.

Article 14 – Bilateral, regional and multilateral agreements and arrangements

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

15. If your country has entered into bilateral, regional or multilateral agreements or arrangements, describe your experiences in implementing Article 14 during the reporting period, including any obstacles or impediments encountered:
Lithuania has not entered into any bilateral, regional or multilateral agreements or arrangements as per Article 14. As Lithuania has joined the European Union on May 1, 2004, thus the general sector policy for GMOs management system is common to that of the European Union.

Articles 15 and 16 – Risk assessment and risk management

16. 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	**X**
17. If yes, 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	**X**
18. 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	**X**
19. 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	**X**
b) no	
20. Has your country adopted appropriate measures to prevent unintentional transboundary movements of living modified organisms? (Article 16.3)	
a) yes	**X**
b) no	
21. 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)	

22. 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)	

23. 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:

Lithuania has put in place a comprehensive system of risk assessment and risk management dealing with releases into the environment or placing on the market of GMOs.

A specific risk assessment is carried out under the ***Order on Regulation of Risk Assessment on GMOs*** (adopted by agreement: the Minister of Environment, the Minister of Health, the Minister of Agriculture and the Director of State Food and Veterinary Service; came into force on 31/12/2002) which has transposed the requirements laid down in the European Union Directive 2001/18/EC on the deliberate release into the environment of genetically modified organisms, and supporting documents (Commission Decision 2002/623/EC; Council Decision 2002/811/EC; Council Decision 2002/812/EC) and approximated according to the requirements of the Cartagena Protocol on Biosafety.

The order establishes the main principles, methods and performance procedures for the activities related to the risk assessment of GMOs and GMPs, consisted of GMOs, posed to the human and animal health, environment and agriculture. Environmental risk assessment in Lithuania is to be carried out in accordance with the precautionary principle. The order applies to all natural and legal persons, releasing into the environment or placing on the market GMOs or GMPs in the territory of the Republic of Lithuania.

The Ministry of Environment, upon receipt of the application and request for the deliberate release into the environment or placing on the market GMOs or GMPs, without delay, but no later than 10 days forwards it to the GMOs Steering Committee and the GMOs Experts Committee requesting them to submit possible risk assessment posed by GMOs and GMPs to human health, environment and agriculture, and preliminary findings. The GMOs Experts Committee is a consultative advisory body with a clear task to act as an advisor to the competent authority in carrying out risk assessment, thus advising the GMOs Steering Committee in relation to risk assessment and risk management posed to the environment, agriculture and human health by GMOs and GMPs.

The Order on Regulation for Preparation of Monitoring Plan of GMOs after the Placing on the Market adopted by the order of the Minister of Environment in December 2003. The order was drafted according the requirements of the European Union Directive 2001/18/EC on the deliberate release into the environment, and the provisions of the European Union Decision 2002/811/EC. The general aim of the order is to lay down and regulate the process for preparation of general monitoring strategy, program, data analysis, and subsequent reporting. Notifier before preparation of the monitoring plan has to develop general surveillance strategy. During the preparatory process, notifier has to evaluate several factors, among others: probability of direct, indirect, immediate or delayed impact by GMOs, possible unintended effects, GMPs characteristics according to the intended usage and receiving environment. The main goal of the monitoring is to protect biological diversity, soil functionality, surface and ground waters, sustainable/organic farming, the quality of agriculture products, plant and animals, human health from possible negative influence. The specific aim is focused on defining

whether assumptions and findings during the conduction of risk assessment for human health and environment have proven; to determine unintended negative impacts for environment and human health, not evaluated during the environmental risk assessment.

Lithuania plans to establish the national mechanisms for monitoring of environmental effects and enforcement control and inspection (by 2007). The Ministry of Environment has prepared draft of National Environmental Monitoring Program (NEMP) of plant, animals, soil and water GMOs monitoring since 2007. In new NEMP the main responsibility should fall to Nature Protection Department of the Ministry of Environment, as it is established to deal with nature conservation issues – wildlife and natural flora conservation, designated areas strategy management.

Lithuania, as the European Union Member State, considers common European Union criteria concerning GMOs and GMPs risk assessment and risk management. (See Report of the Commission on Implementation of the Cartagena Protocol on Biosafety by the European Community).

No obstacles and impediments have been encountered.

Article 17 – Unintentional transboundary movements and emergency measures

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

24. 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) partially (please clarify below)	
c) no (please clarify below)	**X**

25. 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:

There were no known occurrences of an unintentional transboundary movement of GMOs that had, or could have had, significant adverse effects on the conservation and sustainable use of biological diversity, taking into account risks to human health, during the reporting period.

Article 18 – Handling, transport, packaging and identification

26. 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) no	
c) not applicable (please clarify below)	
27. 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) no	
28. 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) no	
29. 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) no	
30. 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 18, including any obstacles or impediments encountered:	
Lithuania, as the European Union Member State, considers common European Union criteria concerning handling, transport, packaging and identification of GMOs and GMPs. Lithuanian legislation has been harmonized with legislation of the European Union. (See Report of the Commission on Implementation of the Cartagena Protocol on Biosafety by the European Community). No obstacles and impediments have been encountered.	

Article 19 – Competent national authorities and national focal points

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

Lithuanian Ministry of Environment is a national competent authority responsible for implementation of the Cartagena Protocol on Biosafety. The Ministry of Environment nominated:

- Dr. Danius Lygis, Head of GMOs division, Nature Protection Department, Ministry of Evironment, as Cartagena Protocol on Biosafety National Focal Point;
- Mrs. Gintare Blažauskiene, Chief Desk Officer of GMOs division, Nature Protection Department, Ministry of Environment as Biosafety Clearing-House Focal Point;
- Ms. Lina Kucinskaite, Chief Desk Officer of GMOs division, Nature Protection Department, Ministry of Environment, as Emergency Measures Contact Point.

All information about competent national authority and national focal points has been provided 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.

31. 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:
Lithuanian Ministry of Environment is responsible for the implementation of the Cartagena Protocol on Biosafety and for submitting information to the Biosafety Clearing-House. The Ministry of Environment appointed the focal point responsible for keeping the BCH up-to-date and responsible for managing communication between the Secretariat and respective governments, and the public, validating and registering information to the BCH central portal through the Management Center. No obstacles and impediments have been encountered in implementing the Cartagena Protocol on Biosafety.

Article 21 – Confidential information

32. 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) no	
33. 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	**X**

34. If you answered yes to the previous question, please provide information on your experience including description of any impediments or difficulties encountered:

Lithuania has procedures to protect confidential information received under the Protocol in accordance with ***the Law on State and Public Service Confidence*** (Official Gazette 1999, No. 105-3019). The Ministry of Environment is responsible for confidential information protection and for administrative, technical and other measures, which enable to protect the information from illegal destroy, alteration and usage. The confidential information cannot be disclosed and used for a commercial purpose.

Lithuanian legislation on GMOs contains confidentiality provisions that apply equally to domestic and foreign producers of GMOs. Decisions, on which information will be kept confidential are taken by the Ministry of Environment, as the competent authority, after consultation with the notifier.

According to ***the Order on Regulation on Public Information and Participation in Issuing of Consents for the Use of GMOs*** the public has full right to receive freely announced information about the usage of GMOs and GMPs enquiring what information would like to be given. The information cannot be given in case the disclosure of it would offend its confidentiality and intellectual property rights.

The Ministry of Environment nominated responsible person, who has the permission to receive and work with confidential information. The confidential information is holded in the safe-deposit.

Lithuania, as the European Union Member State, considers common European Union criteria concerning confidential information. (See Report of the Commission on Implementation of the Cartagena Protocol on Biosafety by the European Community).

No impediments and difficulties have been encountered.

35. 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:
Lithuania was not a Party of export during this report period.

Article 22 – Capacity-building

36. 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)	
b) no	
c) not applicable – not a developed country Party	**X**
37. If yes, how has such cooperation taken place:	
38. 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)	**X**
c) no – capacity-building needs remain unmet (please give details below)	
b) 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	
39. 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)	**X**
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	

40. 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)	**X**
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	

41. 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:

Lithuania, as a country with an economy in transition, had 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, training in the use of risk assessment and risk management for biosafety, and training for enhancement of technological and institutional capacities in biosafety. Lithuania received benefit from the following projects:

- During the implementation of the UNEP-GEF project on the Development of National Biosafety Framework for Lithuania (project No. GFL/2716-02-4546), there were envisaged and implemented nationally several means for promotion and facilitation of public awareness, education and participation: organization of GMOs related seminars/workshops; National public awareness Conference (with press-conference, press-release, interviews (radio and TV, local and national mass media); development of testing phase of national GMOs database (at local website); publications of relevant material (booklet for CPB, guide-book for GMOs safe application, etc.).
- The GMOs laboratory has been established at the beginning of 2004 within the premises of the National Veterinary Laboratory to the National Food and Veterinary Service, introducing relevant modern methods of laboratory practices. The samples for laboratory analysis (GM food products, GM plants, grains, seeds, etc.) are being carried out employing the best laboratory practices of the European Union and Lithuania, using the approved methodology and standard work procedures. The main supplies of the equipment and standartization of the required procedures was completed efficiently using the European Union PHARE funds of the project (No. LI 01.06.01) "Strengthening of Institutional capacity to implement European Union Requirements on Chemicals and Genetically Modified Organisms' management, IPPC and Climate Change".
- BEF (Baltic Environmental Forum) Team had been involved in the implementation of the following cooperation projects: "Baltic Biosafety", lead by the Swedish Environmental Protection Agency (2003-2004); and "Implementation of biosafety frameworks in pres-accession countries of Central and Eastern Europe", funded by the Ministry of Environment of the Netherlands (2000-2002). The organized

	workshops/seminars are following: Workshop on "Traceability and labelling of genetically modified organisms" (in cooperation with Swedish EPA); 3rd Baltic biosafety workshop on "Genetically modified plants and their products"; 2nd Baltic biosafety workshop on "Biosafety Protocol"; 1st Baltic biosafety workshop on "Contained use of genetically modified microorganisms"; Training workshop "Implementation of biosafety regulations"; Workshop on "Implementation and Enforcement of EC GMOs Legislation – Handling Request and Enforcement Mechanisms"; Meeting on "Laws on Genetically Modified Organisms and the necessary regulations under the laws"; Seminar on GMOs and Biosafety; Environmental and Health Concern regarding Genetically Modified Organisms; EU approximation: Genetically Modified Organisms.

Article 23 – Public awareness and participation

42. 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	
43. If yes, do you cooperate with other States and international bodies?	
a) yes – significant extent	
b) yes – limited extent	**X**
c) no	
44. 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	
45. 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	
46. Has your country informed its public about the means of public access to the Biosafety Clearing-House? (Article 23.3)	
a) yes – fully	

b) yes – limited extent	**X**
c) no	

47. 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:

Lithuanian legislation on GMOs promotes public awareness and participation as an integral part of its regulatory framework. ***The Order on Regulation on Public Information and Participation in Issuing of Consents for Use of GMOs*** adopted by the Minister of Environment on June 11, 2003, was drafted by taking into consideration Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters, the European Union Directive 2001/18/EC on the deliberate release into the environment of genetically modified organisms, and the European Union Directive 90/219/EEC on the contained use of GMOs in conjunction with the Directive 98/81/EC amending the Directive 90/219/EEC. The order applies for the parties (natural and legal persons, public institutions) involved in the process of information and participation during the notification and permitting to use the GMOs and GMPs.

According to this order the notifier has an obligation to inform public during the period of 10 days via different mass media about the fact of submission notification to the Ministry of Environment, the main scrutinized findings and about the fact of granted consent for the experimental release into the environment or placing on the market of GMOs in Lithuania.

According to Article 4 of the ***Order on Regulation on Public Information and Participation in Issuing of Consents for Use of GMOs*** the Ministry of Environment has to organize the use, storage and availability of information about the GMOs and GMPs to the public through the internet database, undamaged the rights of confidential and intellectual information. The public has right to make reasoned suggestions and comments, and submit to the Ministry of Environment within 40 days from the information submission about intention to use the GMOs or GMPs.

Lithuanian Ministry of Environment, supported by UNEP-GEF project, established the national GMOs database. The main tasks of the national GMOs database are to transfer data into the system, store these data, process and present them, guarantee access to the data, but also restrict access to confidential information. The GMOs database (it could be found via Internet address: http://gmo.am.lt) contains the public available information on the following categories: National laws and regulations; European Union legislation; Regional and international agreements; National Competent Authorities and Contact Points; Decisions taken on import, export and transit of GMOs and GMPs in Lithuania; Notifications and Information on contained use of GMMs; Notifications and Information on consents issued for the deliberate release of GMOs into the environment or for the placing on the market of GMOs; Roster of Experts; Other related information. In the GMOs database there is the section for the direct public opinion presentation.

According to the ***Law on GMOs*** the Ministry of Environment is the main data holder and public information provider in the GMOs sector. Under the Resolution of the Government of the Republic of Lithuania the State Food and Veterinary Service, the Ministry of Agriculture, the Ministry of Health and their subordinated organizations provide relevant information to the Ministry of Environment.

Above-mentioned GMOs database facilitates the implementation of better conditions for

public awareness raising, consultation and participation, facilitates the exchange of scientific, technical, environmental and legal information among national institutions and the public.

Information on GMOs regulation provided through the publication of leaflets, posters, articles in local and national press, and other informative materials ensure effective public awareness raising and consultation during the process of decision-making.

Lithuania, as the European Union Member State, considers common European Union criteria concerning public awareness and participation. (See Report of the Commission on Implementation of the Cartagena Protocol on Biosafety by the European Community).

Article 24 – Non-Parties

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

48. 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:
There have not been transboundary movements of LMOs between Lithuania and a non-Party.

Article 25 – Illegal transboundary movements

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

49. 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	

50. 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:
Lithuania has adopted appropriate domestic measures to prevent and penalize illegal transboundary movements of GMOs. The applicable penalties for infringements of the requirements of national legislation are effective, proportionate and dissuasive. ***Code on Administrative Right's Violation*** adopted by the Parliament (Seimas) of the Republic of Lithuania in 2004 (Official Gazette 2004, No. 25-763). Currently Lithuania is preparing draft amendment. No obstacles and impediments have been encountered.

Article 26 – Socio-economic considerations

51. 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**
52. 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**
53. 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:	

Article 28 – Financial mechanism and resources

54. 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	
b) yes – received financial resources from other Parties or financial institutions	**X**
c) both	
d) neither	

55. 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:

Lithuania received financial resources from the following projects:

– The UNEP-GEF project "Development of the national Biosafety Framework for Lithuania" (project No. GFL/2716-02-4546) commenced in November 2002 and completed in August 2004;

– PHARE 2001 Project (No. LI 01.06.01) "Strengthening of Institutional capacity to implement European Union Requirements on Chemicals and Genetically Modified Organisms' management, IPPC and Climate Change".

Other information

56. 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 comments.

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 have been encountered.