Ratification and implementation of the GMO amendment to the Aarhus Convention: Key challenges and needs

Theodore Koukis
Aarhus Convention Secretariat
UNECE
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Aarhus Convention: Status of ratification of the GMO amendment

Almaty Amendment on GMOs
- 27 Ratifications
- 22 count towards entry into force
- 5 ratifications needed
Aarhus tools for the promotion of ratification and implementation of GMO amendment

- Guidance Documents (e.g. Lucca Guidelines on GMOs)
- Public participation good practices (including online compendium)
- National Implementation Reports
- Aarhus Clearinghouse
- Surveys
- Expert meetings (workshops, roundtables in collaboration with CBD and other partners)
Cologne 2008

Needs

- Cross-sectoral approach to promoting access to GMO information and public participation in GMOs
- Political Will and Financial Resources

Recommendations

- Ratification of Cartagena Protocol
- Ratification of Aarhus Almaty GMO Amendment
- Establishment of appropriate mechanisms and legislation
- Lucca Guidelines should be used by governments in order to develop future legislation
- Call for case studies, round table discussions
Nagoya 2010

Needs

- Cross-sectoral approach
  - International level
  - Outreach to and collaboration with other international organizations
  - Collaboration between the two secretariats (synergies, clearinghouses, work programmes)
  - Guidance on effective, accurate and balanced production and dissemination of information
  - (including instructions on confidentiality, timing of public participation, feedback mechanisms)
- National level
  - Inter and intra-ministerial coordination
  - Capacity-building, including funding for initiatives regarding AI, PP on LMOs/GMOs

Recommendations

- Lucca Guidelines should be used by governments in order to develop future legislation,
- Additional joint Aarhus Convention/CBD workshops and other joint activities with more stakeholders
National Implementation Reports 2011

- **New Legislation in place**
  - Belarus
  - Kazakhstan

- **Legislation is being prepared**
  - Albania
  - Georgia
  - Kyrgyzstan
  - Bosnia and Herzegovina
  - Slovenia

- **Institutional adaptation**
  - Scientific committees (Slovenia)
  - Inter-ministerial council (Spain)
  - Special working group where NGOs also participate (Latvia)
  - Specialized body (to be established in Kazakhstan)

- **Practical Implementation**
  - Online surveys (Latvia)
  - Public Consultations (Italy)
  - Information dissemination through NGOs
Obstacles

- Insufficient information (not easy to understand)
- Objective information on GMO risks
- EU decisions on placing GMOs on the market hamper national implementation (Latvia)
- Information sorting (confidentiality, intellectual property) (Spain)
- Accuracy of cultivation site data (vandalism of field experiments) (Finland)
- Lack of information on risk assessment methodology
- Product Labels (unclear)
National Implementation Reports 2011

- Lack of awareness
- Lack of technical facilities
- Lack of Human Resources
- Financial Constraints
- Poor implementation
Survey 2013 profile

Aim
- addressing key challenges and needs in relation to establishing legal, institutional and financial frameworks to support implementation of the relevant provisions of the Aarhus Convention and its GMO amendment and Article 23 of the Cartagena Protocol on Biosafety;
- identifying key challenges in promoting access to information, public participation and access to justice regarding living modified organisms (LMOs)/genetically modified organisms (GMOs)

Target Group
- National Focal Points to the Aarhus Convention and the Cartagena Protocol on Biosafety

Respondents
- 32 Responses received (as of 15 October 2013)
- 22 Parties to the Aarhus Convention and Cartagena Protocol on Biosafety
- 10 Parties to Cartagena Protocol on Biosafety
Has your country established legal and institutional frameworks to support implementation of the provisions of the Aarhus Convention in the context of GMOs, the Almaty Amendment on GMOs and Article 23 of the Cartagena Protocol on Biosafety?

![Graph showing survey results]

- **Yes**: 59 (Convention and Protocol Parties: 20, Protocol Parties: 39)
- **Yes, to a limited extent**: 30
Has your country established financial frameworks to support implementation of the provisions of the Aarhus Convention in the context of GMOs, the Almaty Amendment on GMOs and Article 23 of the Cartagena Protocol on Biosafety?

![Bar chart showing responses to the survey question. The chart indicates that 37 out of 100 Convention and Protocol Parties responded 'Yes', and 40 out of 100 Protocol Parties responded 'Yes, to a limited extent'.]
Greatest challenges for ensuring public access to information regarding LMOs/GMOs, including raw data

- Lack of data collection system: 47, 70
- Lack of LMOs/GMOs labelling provision: 30, 28
- Confidentiality of information: 20, 12
- Lack of monitoring systems: 50, 47
- Lack of availability of objective information: 60, 47

Survey 2013-Analysis
Has your country established a mechanism to ensure public participation in the decision-making processes regarding LMOs/GMOs?

![Bar chart showing the percentage of Convention and Protocol Parties that have established mechanisms for public participation. The chart shows:
- 47 Convention and Protocol Parties who have established mechanisms.
- 20 Convention and Protocol Parties who have established mechanisms to a limited extent.
- 28 Protocol Parties who have established mechanisms.
- 50 Protocol Parties who have established mechanisms to a limited extent.
]
Public participation initiatives

CONVENTION AND PROTOCOL

- Yes
- Yes, to a limited extent

PROTOCOL

- Public comments, information, analyses or opinions relevant to the deliberate release, including placing on the market of LMOs/GMOs
- Due account is taken of the outcome of the public participation procedure for decisions regarding LMOs/GMOs
- Decisions regarding LMOs/GMOs are made publicly available along with the reasons and considerations upon which it is based
Has your country established a mechanism to ensure Access to Justice?

- Yes: 62
- Yes to a limited extent: 30

Convention and Protocol Parties:
- Yes: 40
- Yes to a limited extent: 19

Protocol Parties:
- Yes: 30
- Yes to a limited extent: 40
Challenges for providing greater access to justice regarding LMOs/GMOs

- Experience of judges
- Standing
- Cost
- Adequate and effective remedies

Survey 2013-Analysis

Protocol Parties
Convention and Protocol Parties
Priorities for future work

- Online database of good practices
- Awareness-raising campaigns
- Capacity-building events at global level
- Capacity-building events at regional and subregional levels
- Country-specific projects

Legend:
- Protocol Parties
- Convention and Protocol Parties
Thank you!

Contact: public.participation@unece.org

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