

# Implementation of **A**rticle 23 of the Cartagena Protocol on public awareness and participation in the Bolivarian Republic of Venezuela



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Bolivarian Republic of Venezuela



**Third** Joint CBD/Aarhus Convention Roundtable on public awareness, access to information and public participation  
regarding LMOs/GMOs  
Geneva, 16-18 December 2019

# Background

## Partes del CDB



196 Partes/(168 Firmas)

### Legend:

-  CBD Party
-  CBD & CPB Party
-  Non Party
-  Selected country

Convention of Biological Diversity  
Cartagena Protocol on Biosafety

Conventions  
and Protocols

Organic Laws

Ordinary Laws

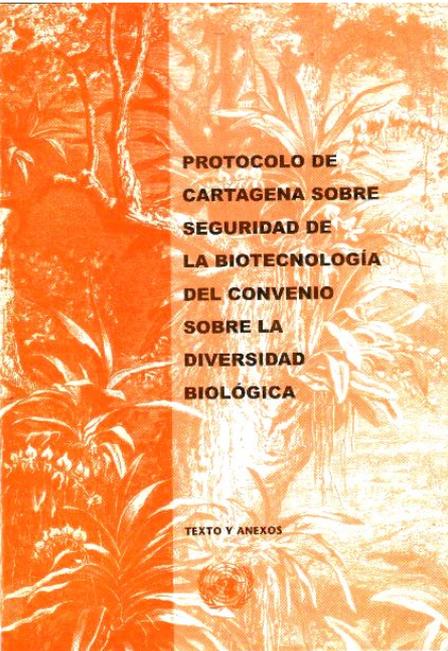
Decrees

Resolutions

## The Convention on Biological Diversity (CBD)

**Date of ratification and entry into force:** Venezuela signs the CBD in 1992 and ratifies it as an Approval Law in Official Gazette No. 4,780 Ext. Of September 12, 1994.

# Background



171 Parties / (103  
Signatures)

Convention of Biological Diversity  
Cartagena Protocol on Biosafety

Conventions  
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Organic Laws

Ordinary Laws

Decrees

Resolutions

- Negotiated under the mandate of the CBD.
- Adopted on January 29, 2000 after 4 years of intense negotiations.

- It entered into force on September 11, 2003.
- Ratified by Venezuela through Law No. 80, Official Gazette No. 37,355 dated 02-01-2002.
- It currently has 171 ratifications / 103 accessions.
- 9 COP-MOP meetings.

# Background

Preamble, Art. 11, Art. 127

Constitución

Environment; Science, Technology and Innovation; Food Safety and Sovereignty; National Security

Organic Laws

Management of Biological Diversity, Seeds, Integral Agricultural Health

Ordinary Laws

Creation of the CNBio, National Public Administration Organization and Functioning Decree, MINEC Organic Regulations

Decrees

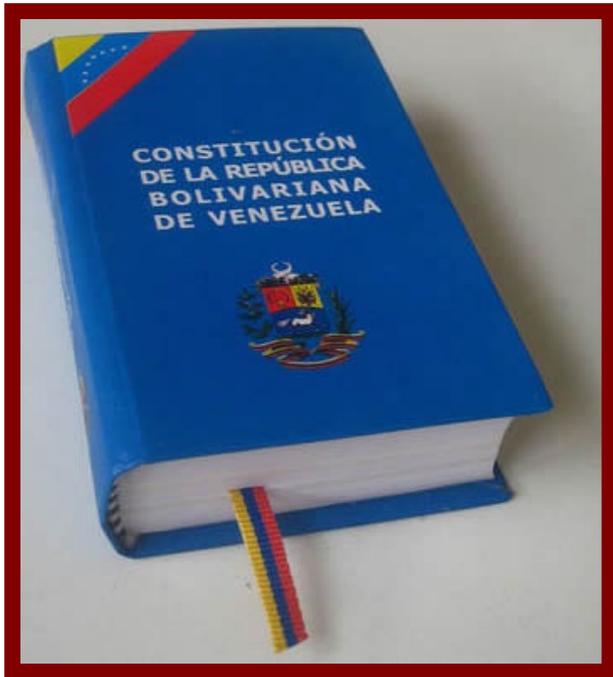
Internal Regulations MINEC, Internal Regulations CNBio, (Agreement with Reason for the International Day of Biological Diversity, Official Gazette No. 38,942 of May 30, 2008), among others.

Resolutions

# Background

## Constitution of the Bolivarian Republic of Venezuela

Official Extraordinary Gazette No. 5,453 of March 24, 2000



Consolidation of the ecological balance and environmental legal assets as "common and inalienable heritage of humanity" (Preamble)

Full sovereignty over genetic resources and their intangible components (Article 11)

**They are means of participation and protagonism of the people: the popular consultation (Articles 70)**

**Prior consultation of indigenous communities (Articles 120).**

Protection of genetic resources and biodiversity by the Venezuelan State. (Article 127)

Co-responsibility between the State and the Society in the preservation of the Environment (Article 127)

The Environmental Impact Study as an indispensable requirement for any activity that could cause damage to the environment (Article 129)

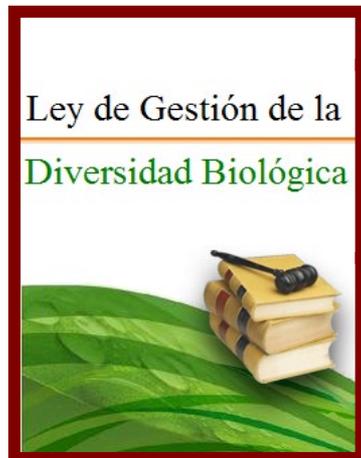
Science and Technology as fundamental tools for development and for security and sovereignty (Article 110)

Environmental Conservation as a principle of National Security (Article 328)

# Background

## Biological Diversity Management Law

Official Gazette 39.070 dated December 1, 2008.



Guiding Principles

- Management and exploitation of biodiversity under principles of ecological and bioethical sustainability.
- Development of environmentally safe technologies.
- Caution Criteria.
- Adoption of biosecurity actions and measures concerning GMOs to prevent adverse effects on biological diversity.

Title II

**Citizen Participation (Article 34)**

**Consultation with communities (Article 35)**

**Prior consultation of indigenous communities (Article 36)**

Title V

Poverty reduction, respect for human rights, well-being of humanity

Establishment of measures to prevent and avoid any threat to Biodiversity derived from the use of Biotechnology

Regulation of activities involving GMOs

Development of technical standards on the management of GMOs

Prohibition of the release of GMOs until there is scientific certainty of their safety

# Background



Based on the legal status

International



National

And in the participatory consultation of all sectors



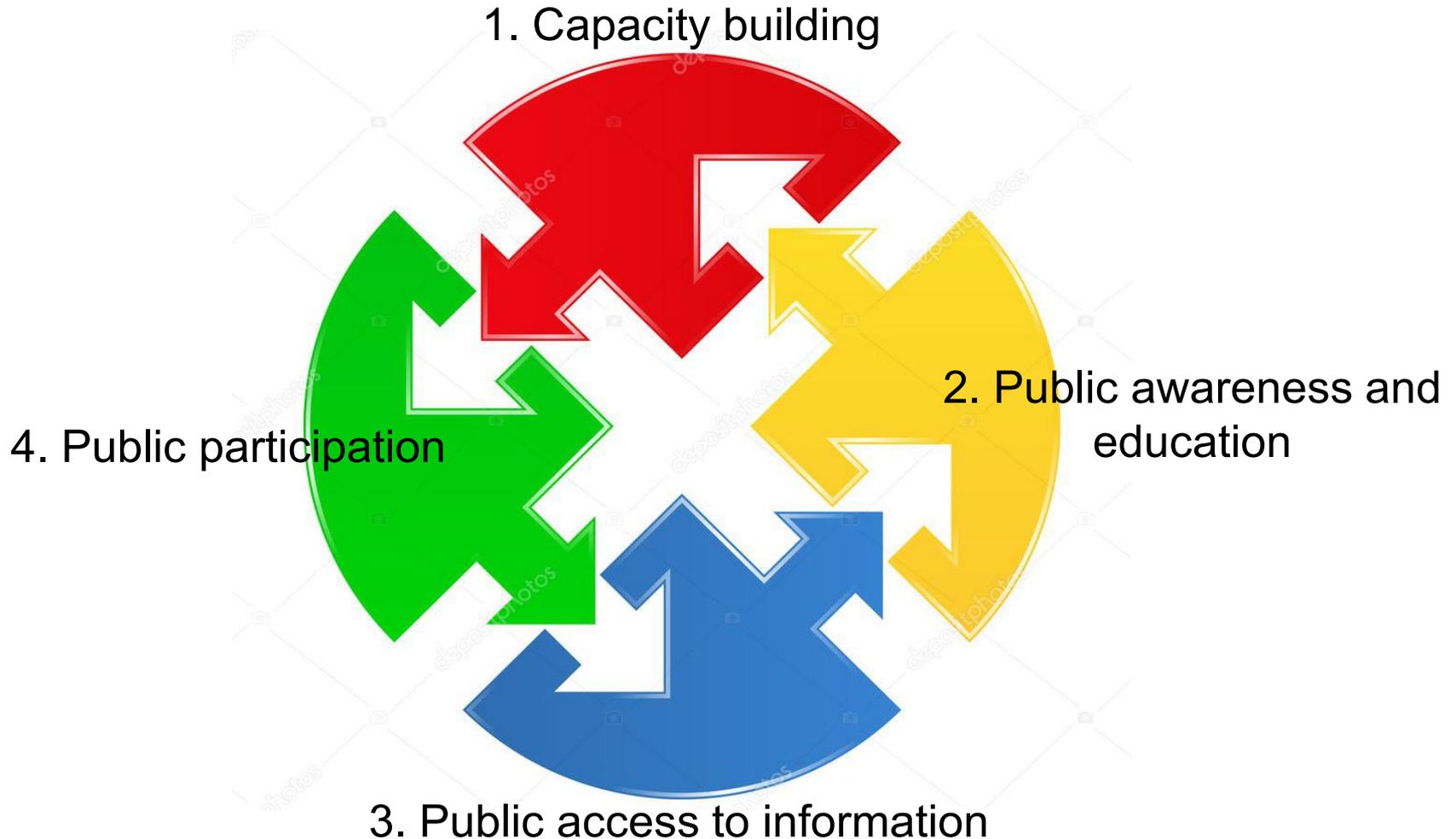
- **The National Strategy for the Conservation of Biological Diversity 2010-2020 and its national action plan were built:**
- More than 10 Workshops; with the participation of more than 5,000 people.
- He moved forward in responding to Country's commitment to the Global Strategic Plan (PEM) 2011-2020, Aichi Goals of the CBD.
- Line 6. Control and control of GMOs.

## Protocol provisions related to public awareness and participation (CPP)

Article 23 establishes that the Parties:

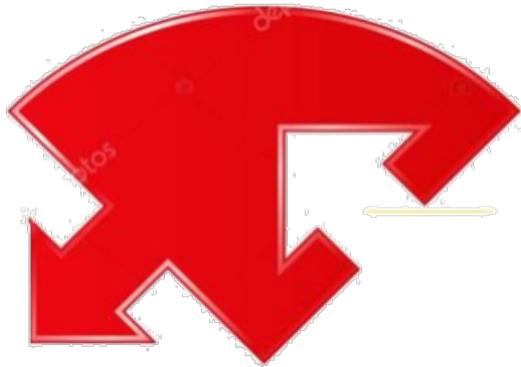
- Promote and facilitate the CCP regarding the safe transfer, management and use of LMOs;
- Strive to ensure that CCP encompasses access to information on imported LMOs.
- Hold public consultations in the decision-making process regarding LMOs.
- Strive to inform the public about the means of public access to the Biosafety Clearing-House.

# Work program on public awareness, education and participation



# 1. Capacity building

Information based on the achievements made in relation to the application of Article 23



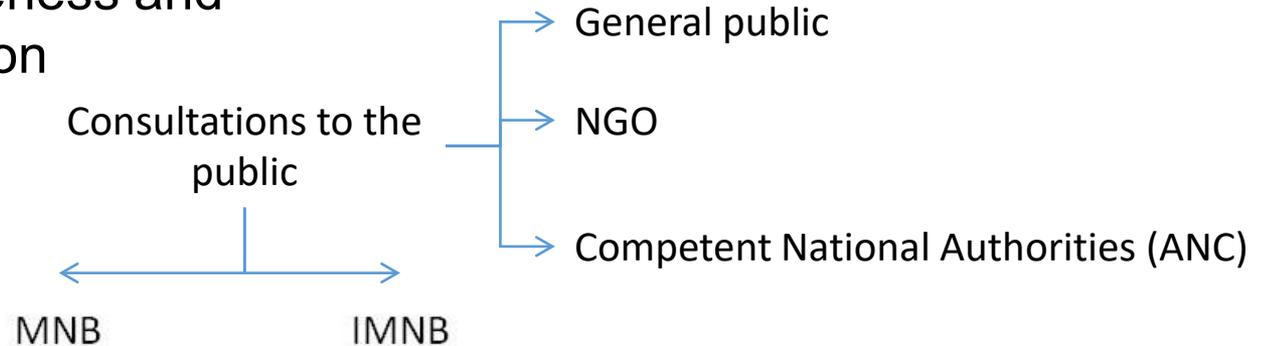
Development and / or strengthening of human resources and institutional capacity in biosafety.

- Various research projects that respond to national needs are executed.
- Work is being done to improve the inter-institutional structure.
- Work is being done on the reference laboratory equipment for GMO detection and on the possibility of establishing a network of laboratories nationwide.
- Training workshops are held.

Information based on the achievements made in relation to the application of Article 23



## 2. Public awareness and education



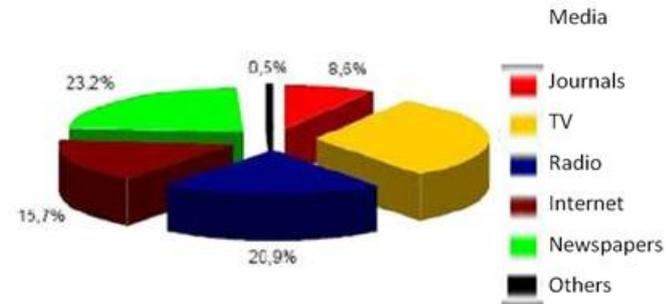
### Vision of the public



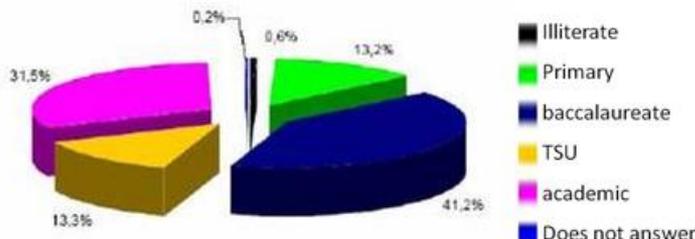
Consult through surveys to 835 people between 15 and 81 years in Supermarkets located in the east side of Caracas and Municipal Market of Quinta Crespo (West)



### Media

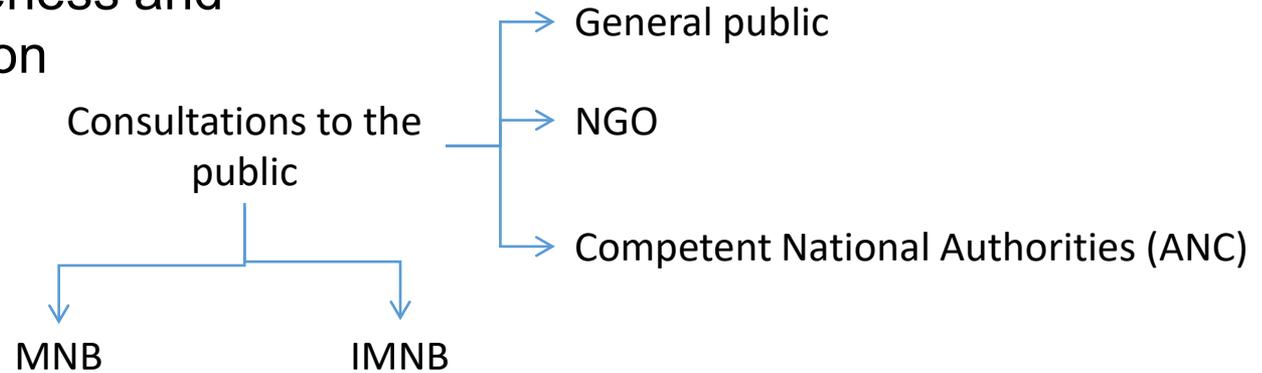


Degree of instruction:



U.E: 2/3 of respondents prefer to see science TV shows to read articles about it (Eurobarometer)  
 Vzla: other studies indicate the same trend (Lugo and Dacosta, 2003; Díaz, 2004)

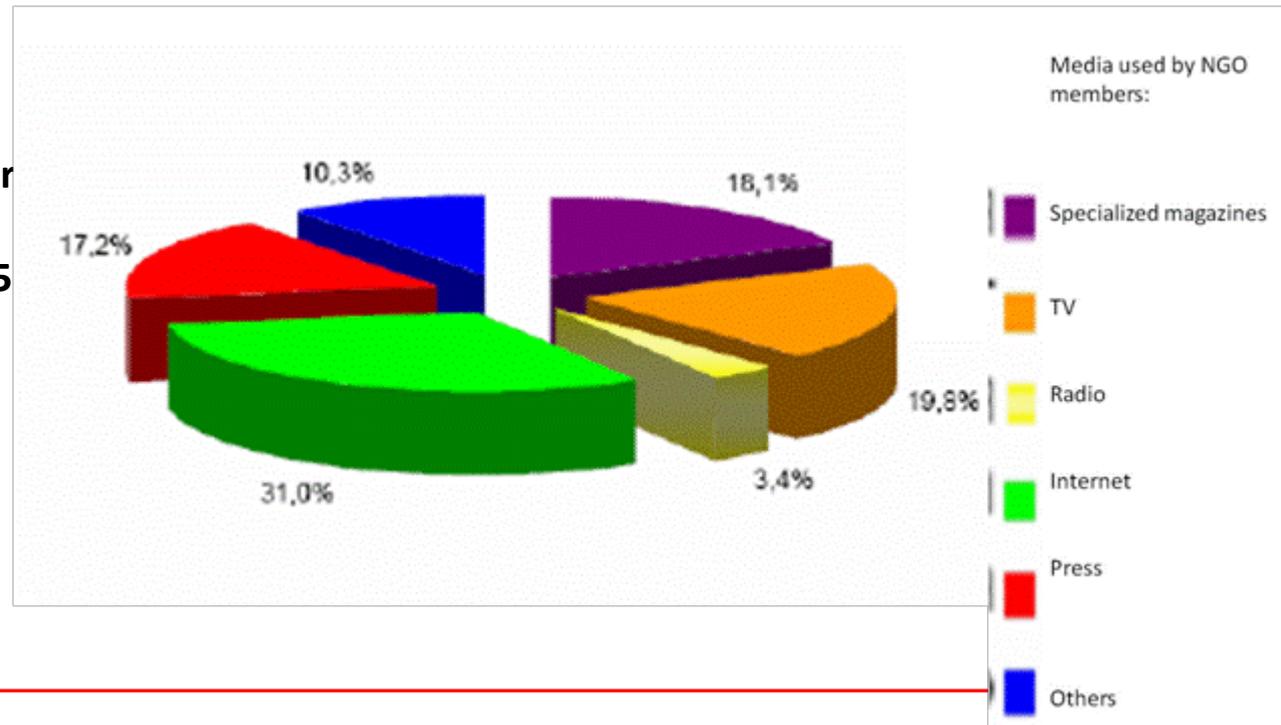
## 2. Public awareness and education



### The BM seen by NGOs:

Of the five invited NGOs, only four participated.

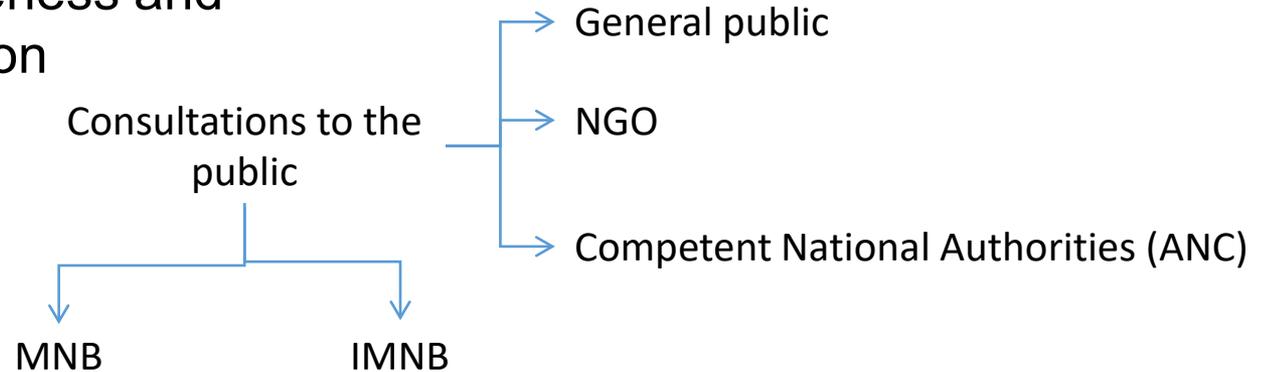
Of the participating NGOs, only 45 people answered the questionnaire between the ages of 20 and 60



Information based on the achievements made in relation to the application of Article 23

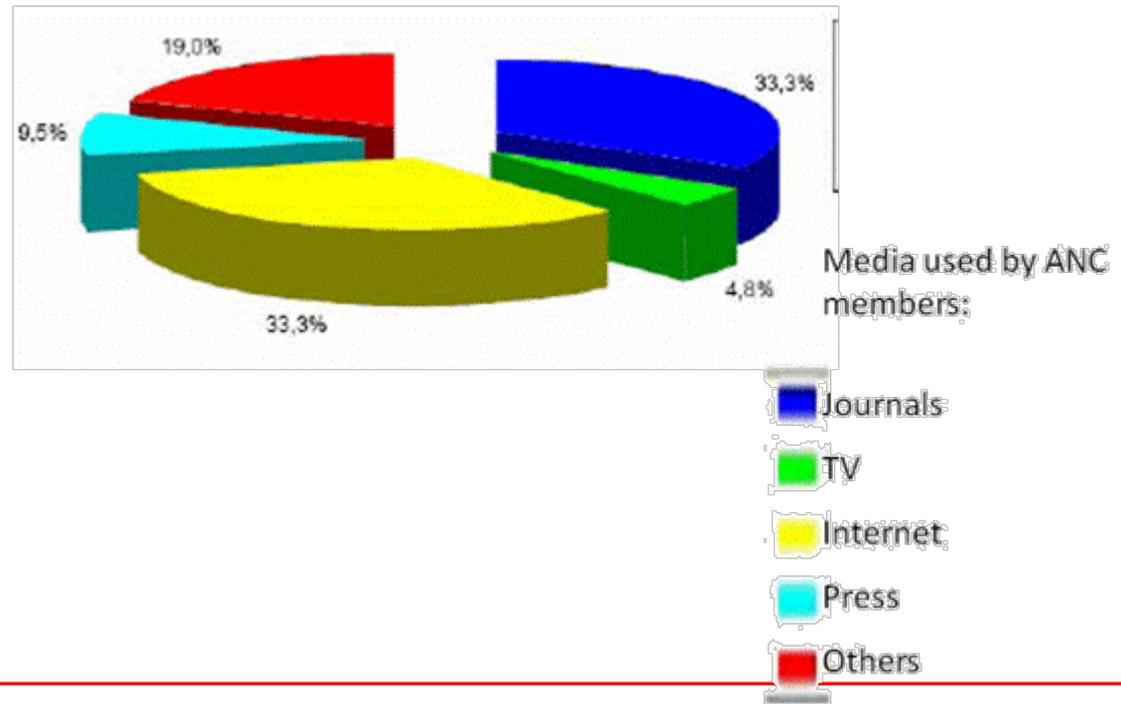


## 2. Public awareness and education

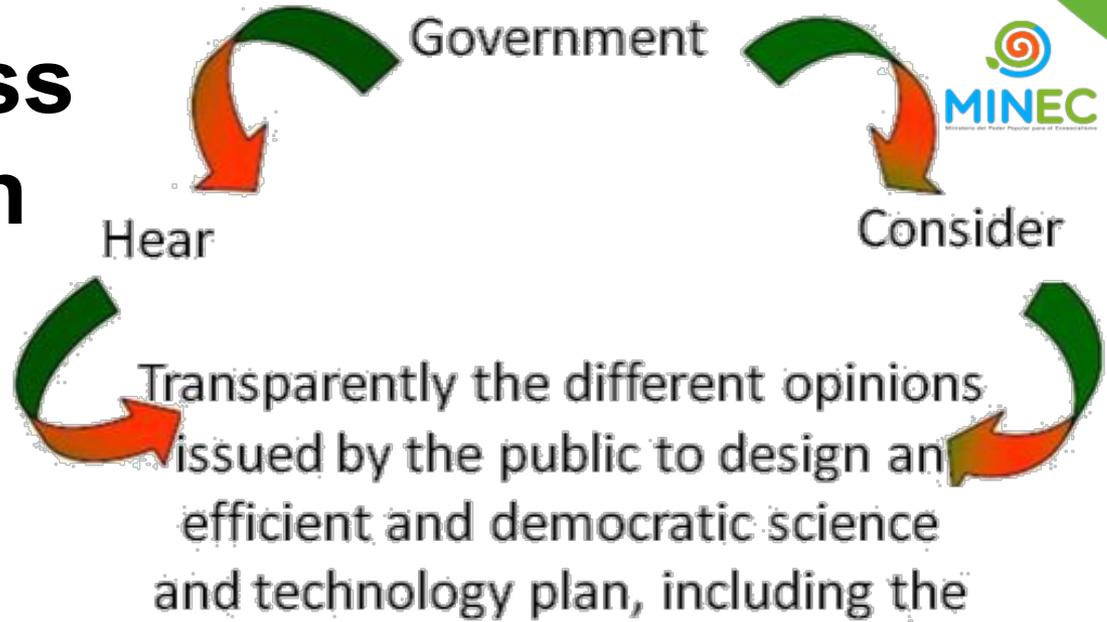


### BM and the ANC

All the Ministries mentioned as ANC were invited to participate: MARN, MCT, MAT, MSDS and MPC. Only MARN members related to BM Biosafety answered the questionnaire. All respondents were professionals associated in some way with the biological sciences.

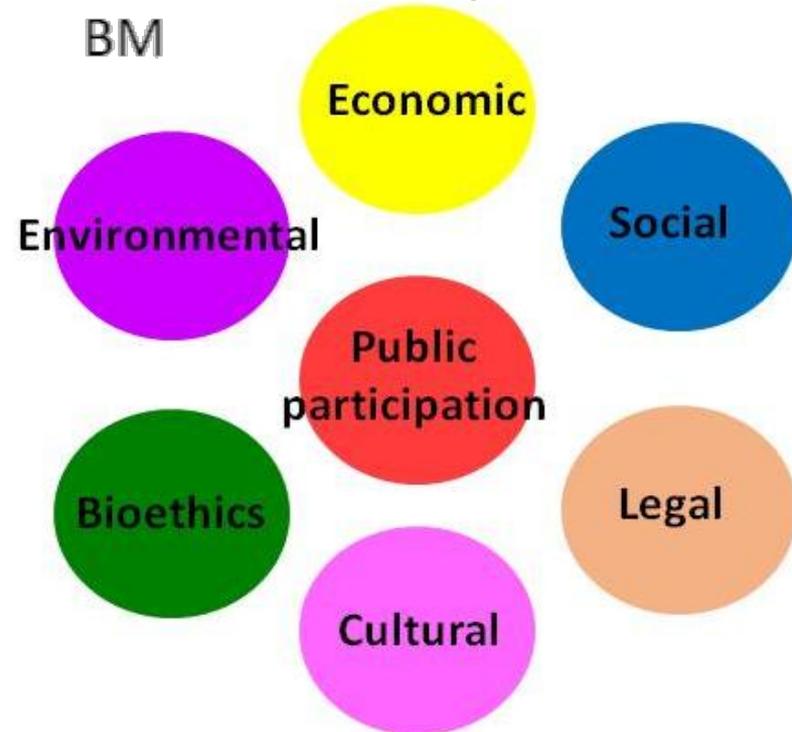


# 3. Public access to information



Divulgation → BM

- Conferences
  - Triptychs
    - Training workshops
    - Online forums
    - Q&A system





**Vision to support the decision making**

**Scientific knowledge**

**Human values**

**Bioethical principles**

**Consensus**

## 4. Public participation



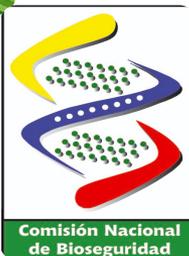
- ✓ The existing mechanisms for participation and discussion include a wide range of forms, public surveys.
- ✓ Generation of information for national and international networks in Biosafety, which include public, private sector institutions and universities.

# Learned lessons

## Implementation of article 23 of the Cartagena Protocol on public awareness and participation in the Bolivarian Republic of Venezuela



Ley de Gestión de la  
Diversidad Biológica



The Bolivarian Republic of Venezuela has established mechanisms for participation and consultation in the Constitution of the Republic.

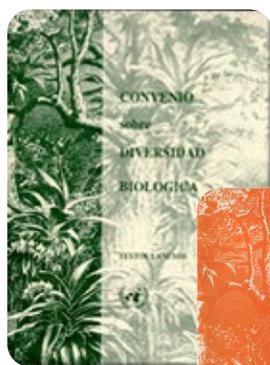
Regarding Biosafety, it is governed by article 35 of the Law on Biological Diversity Management, in addition to the associated regulations, it is also established as a public policy in the strategic objectives of the Homeland Plan.

# Learned lessons

| # | Lesson  | How does it apply  |
|---|---|--|
| 1 | A consultation manual is required for public consultation mechanisms.   | A consultation manual was developed (varies if it is a local or indigenous community). |
| 2 | It is essential to have human, material and financial resources to effectively and efficiently implement public consultation. | There are trained personnel.   |
| 3 | Inter-institutional coordination is essential during the consultation process.  | It has the National Biosafety Commission.  |
| 4 | The development of materials is required for the dissemination of consultation activities.                                    | Communication materials have been generated and tested.                                |

# Learned lessons

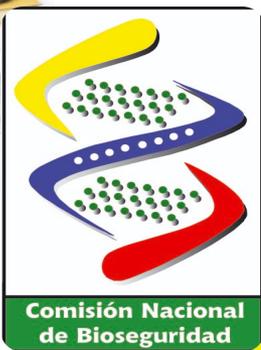
| # | Lesson   | How does it apply  |
|---|--|--|
| 5 | It is convenient to consider the differences between the communities subject to consultation, in order to respect their right to self-determination. | The development of consultation processes at the community / local level has been prioritized.                     |
| 6 | It is necessary to respect the decision-making mechanisms of the community.  | The own regulatory spaces and systems for collective decision making are respected.                                |
| 7 | It is mandatory to clearly document the sense of collective opinion regarding the issue of consultation.   | The decisions are recorded in minutes and are justified when necessary, also supported by the photographic record. |



Ley de Gestión de la Diversidad Biológica

*Thank you very much...*

*Muchas gracias...*



Comisión Nacional de Bioseguridad



Public awareness workshop, June 2018