

Meeting of the Parties to the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters

Fourth session

Chisinau, 29 June - 1 July 2011

General Segment

Item 4 (a):

Substantive issues: genetically modified organisms

Statement by Austria

Introduction

Austria had the honour of chairing a joint workshop of the Aarhus Convention and the Cartagena Protocol on Biosafety in Nagoya on 8-9 October 2010 as well as the preceding event in Cologne in May 2008. These activities in combination with Austria's role in chairing the GMO Task Force and the Working Group on GMOs which developed the Lucca Guidelines between 2000 and 2004 as well as the Almaty Amendment on GMOs to the Aarhus Convention shows our long-standing interest in the Convention particularly in the GMO area. The guidelines and legally binding provisions on GMOs in the framework of the Aarhus Convention as well as the successful interplay with the Cartagena Protocol on Biosafety are a remarkable achievement in this particularly relevant area of biosafety and public involvement.

The background document (ECE/MP.PP/2011/L.1) to this agenda item summarises the findings of the Nagoya Workshop on public awareness, access to information and public participation regarding living/genetically modified organisms. A large part of the workshop was devoted to an exchange of best practise examples on GMO-related public participation processes. This led to the main conclusion calling for increased efforts from all stakeholders to raise public awareness and to promote public participation concerning LMOs /GMOs.

GMOs in Austria

GMOs are a very sensitive topic in Austria, although there were no applications for the release of GMOs until now. This is why we only have very limited experience with GMO consultations in our country.

The scepticism of the Austrian public towards GMOs has a long history. In 1997 1.225.790 persons (21,23%) signed the so called "Gentechnik-Volksbegehren" which is a national instrument of public expression. The claims at the time were precise: No food from GMOs! No use of GMOs in Austrian agriculture! No patents on living organisms! This strong public signal was supported by various unanimous resolutions from the national Parliament pointing in the same direction. In 2011 the public opinion is still the same!

GMOs at European level

GMOs are regulated at the EU level. Provided with a scientific opinion from the European Food Safety Authority (EFSA), Member States vote on the authorisation of GMOs. There are often doubts about the quality of these scientific risk assessments. This is why Austria and many other Member States usually vote against the authorization of GMOs. Given the divergent views on GMOs within the EU, there are never qualified majorities in favour or against the use of GMOs. In such a situation, the final decision on whether or not to authorize GMOs goes back to the European Commission which until now always decided in favour of the applicant. Consequently some Member States, including Austria, went for national bans which were contested by the European Commission, however unsuccessfully. This means that Austria has to accept that certain GMOs are authorized within the EU but we do not allow for the cultivation of GMOs on our territory.

Given this stalemate, Austria took an initiative and presented the paper “GMOs – A Way Forward” at the Environment Council in June 2009 which was co-signed by 11 Member States. There, the Commission was asked to come up with proposals allowing for the self determination of Member States to cultivate GMOs. The Commission complied with this request on 13 July 2010 and presented a proposal. According to this proposal Member States will be allowed in the future to restrict or prohibit the cultivation of GMOs on their territory [opt-out]. Members States justifications have to be in line with the EU treaties. The Commission’s proposal is currently discussed among Member States in the Council. The Environment Committee of the European Parliament amended the proposal, by specifying reasons for the opt-out. The plenary vote in the European Parliament is scheduled for early July and on this basis the Council will take the appropriate steps in the course of 2011.