

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 6 (c):

Promotion of the Convention and relevant developments and interlinkages:

Synergies between the Convention and other relevant multilateral environmental agreement

Statement of the Secretariat of the Convention on Biological Diversity

Thank you, Mr. Chairman,

The Secretariat of the Convention on Biological Diversity is pleased and honoured to participate in this 4th session of the Meeting of the Parties. I would like to thank the Secretariat of the Aarhus Convention for the invitation and also the Government and people of the Republic of Moldova for their warm hospitality.

Mr. Chairman,

The Convention on Biological Diversity as well as its Cartagena Protocol on Biosafety and the recent Nagoya Protocol on Access to Genetic Resources and Equitable Sharing of Benefits arising from their Utilisation share common principles, values and aspirations with the Aarhus Convention with regard to ensuring informed participation of the public in processes related to environmental matters.

Article 23 of the Cartagena Protocol on Biosafety, like paragraph 11 of Article 6 of the Aarhus Convention and the Almaty GMO Amendment, requires Parties to the Protocol to consult the public in the decision-making process regarding living modified organisms and to make the results of such decisions available to the public. The Protocol also urges Parties to endeavour to ensure public access to information on living modified organisms that may be imported into their territories.

The Nagoya Protocol on Access and Benefit Sharing in Articles 6 and 7 also requires Parties to take measures to ensuring that the prior informed consent or approval and involvement of indigenous and local communities is obtained before granting access to their genetic resources and to the traditional knowledge associated those resources.

Distinguished delegates,

At its second meeting, held from 30 May to 3 June 2005 in Montreal, the governing body of the Cartagena Protocol on Biosafety (the Conference of the Parties to the Convention on Biological Diversity serving as the meeting of the Parties to the Cartagena Protocol on Biosafety or COP-MOP), requested the Executive Secretary of the CBD to intensify cooperation with the Secretariat of the Aarhus Convention on issues of public awareness and participation (decision BS-II/6, para. (d)). Furthermore, the COP-MOP invited Parties, other States and concerned relevant international bodies to explore and maximize opportunities for cooperation in the promotion of

public awareness, education and participation concerning living modified organisms (LMOs) through the frameworks provided by related national and international instruments, in particular the Aarhus Convention (decision BS-II/13, paragraph 11).

Around the same time, the second session of the Meeting of the Parties to the Aarhus Convention held in May 2005 in Almaty in its decision II/1 adopting the GMO amendment recognized the need to cooperate with other international organizations and forums, in particular the Cartagena Protocol on Biosafety, with a view to maximizing synergy and avoiding duplication of effort, inter alia through encouraging the exchange of information and called for further collaboration between the secretariat of the Convention and that of the Cartagena Protocol. It also called upon all Parties and Signatories to the Convention to ratify or to accede as appropriate to the Cartagena Protocol, as this provides an opportunity to develop a national biosafety framework.

Distinguished delegates,

I am pleased to inform you that, as requested by the respective governing bodies, the two Secretariats have established a strong collaborative relationship and have taken various joint activities over the last few years. As already mentioned by some delegations, the two Secretariats co-organised an international workshop on good practices on access to information, public participation and access to justice regarding GMOs which was held in May 2008 in Cologne, Germany. They also co-organised a side event during the last meeting of the Parties to the Protocol that was held in May 2008 in Bonn.

Furthermore, the two Secretariats organized a joint workshop in Nagoya, Japan, on 8 and 9 October 2010 prior to the 5th meeting of the Parties to the Cartagena Protocol. The workshop produced a number of recommendations, including proposals to facilitate implementation of the Cartagena Protocol's programme of work on public awareness, education and participation and the future implementation of Aarhus Convention's GMO amendment. The report of the workshop has been made available to this session of the MOP.

This afternoon, the two Secretariats organized a lively joint side event which focused on "practical ways to maximize synergies in the implementation of Article 23 of the Cartagena Protocol (including its programme of work on public awareness, education and participation), and the Aarhus Convention's provisions on genetically modified organisms (GMOs). The participants made a number of practical suggestions for enhancing synergistic implementation of the two treaties. Among other things, the participants recommended that the two treaties should:

- Establish closer linkages between their clearing-house mechanisms
- Prepare joint guidance and training materials on various relevant topics of mutual interest
- Continue to organize activities including: (i) workshops and trainings for specific target groups, (ii) joint information sessions at other relevant international processes, e.g. WIPO discussions on patenting of life forms, Rio+10, etc
- Organize online fora (e.g. e-discussion groups and real-time online conferences on various topics

These recommendations will be made available on the websites of the two Secretariats for the benefit of all parties.

Distinguished delegates,

44 Parties to the Cartagena Protocol on Biosafety are currently also Parties to the Aarhus

Convention. This provides a unique opportunity for joint implementation and mutual supportiveness of the two instruments at the national, regional and international levels. The tools developed under the Aarhus Convention, such as the Lucca Guidelines on Access to Information, Public Participation and Access to Justice with respect to Genetically Modified Organisms, include useful elements for facilitating the development and implementation of provisions on access to information and public participation in national biosafety legislation.

At its last meeting held last October in Nagoya, the COP-MOP adopted a five-year programme of work on public awareness, education and participation concerning living modified organisms. The programme of work includes 4 elements on capacity-building, public awareness and education, public access to information and public participation. The programme of work contains a number of activities that are closely related to the activities proposed in the Work Programme of the Aarhus Convention which is going to be discussed this afternoon.

We look forward to continue working closely with the Secretariat of the Aarhus Convention in organizing joint workshops and other activities. We also look forward to exchanging information and experience through our respective Clearing-House mechanisms and to participating in the planned activities of the relevant taskforces under the Aarhus Convention, in particular, the taskforce on public participation in decision-making and the Task Force on Electronic Information Tools.

Thank you Mr. Chairman.