

**Economic and Social Council**Distr.: General
20 May 2020

Original: English

Economic Commission for Europe

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

Working Group of the Parties**Twenty-fourth meeting**

Geneva, 1–3 July 2020

Item 3 (d) of the provisional agenda

Substantive issues: genetically modified organisms**Report on the third Joint Round Table on Public Awareness,
Access to Information and Public Participation regarding
Living Modified Organisms/Genetically Modified
Organisms***

**Prepared by the secretariats to the Convention on Access to Information,
Public Participation in Decision-making and Access to Justice in
Environmental Matters and the Convention on Biological Diversity**

Summary

The third Joint Round Table on Public Awareness, Access to Information and Public Participation regarding Living Modified Organisms/Genetically Modified Organisms was organized in Geneva, from 16 to 18 December 2019, under the auspices of the United Nations Economic Commission for Europe Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention) and the secretariat to the Convention on Biological Diversity.

The Joint Round Table was organized pursuant to decisions II/1 and VI/5 of the Meeting of the Parties to the Aarhus Convention, which call for cooperation between the Aarhus Convention and the Cartagena Protocol on Biosafety to the Convention on Biological Diversity with a view to maximizing synergies and avoiding duplication of effort, and in accordance with decisions VIII/6, BS-II/6 and BS-II/13 of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety.

* The present report was scheduled for publication after the standard publication date owing to circumstances beyond the submitter's control.



The present report includes an overview of the proceedings and a description of the substantive discussions of the meeting. Suggestions for a way forward, as summarized by the Chair of the Round Table, are presented in the annex to the present report.

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I. Introduction

1. The third Joint Round Table on Public Awareness, Access to Information and Public Participation regarding Living Modified Organisms/Genetically Modified Organisms was organized in Geneva, from 16 to 18 December 2019, under the auspices of the United Nations Economic Commission for Europe (ECE) Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention) and the secretariat to the Convention on Biological Diversity.¹ The event was organized under the leadership of the Government of Austria.²

2. The aim of the Round Table was to: contribute to strengthening countries' capacities in promoting public awareness, access to information and public participation regarding living modified organisms/genetically modified organisms (LMOs/GMOs) by sharing knowledge, experiences and lessons learned; and develop recommendations for concrete actions in that respect.

A. Attendance

3. Participants from the following Parties to the Aarhus Convention or the Parties to the Cartagena Protocol on Biosafety to the Convention on Biological Diversity attended the Round Table: Albania, Armenia, Austria, Belarus, Bosnia and Herzegovina, Burkina Faso, Croatia, Finland, Georgia, Kazakhstan, Lithuania, Malta, Namibia, North Macedonia, Norway, Philippines, Republic of Moldova, Slovakia, State of Palestine, Tajikistan, Tunisia, Bolivarian Republic of Venezuela and Uzbekistan. A participant from the United States of America also attended the event. In addition, participants from Aarhus Centres, academic organizations and the private sector attended the meeting. Non-governmental organizations (NGOs), many of which coordinated their input within the framework of the European ECO-Forum, also participated.

B. Proceedings

4. The Chair of the Round Table, Mr. Helmut Gaugitsch (Austria), opened the meeting. The Director of the ECE Environment Division and an Associate Information Officer of the secretariat to the Convention on Biological Diversity, speaking on behalf of the Acting Executive Secretary of the Convention, delivered welcoming messages.

5. The Round Table comprised four panel discussions on the following topics: (a) challenges and good practices in ratifying and implementing the Aarhus Convention's Almaty Amendment on genetically modified organisms and in implementing article 23 on public awareness, education and participation under the Cartagena Protocol on Biosafety to the Convention on Biological Diversity; (b) access to information; (c) public awareness; and (d) public participation.

6. The panel discussions were held on Monday, 16 December and Tuesday, 17 December 2019. The Chair designated rapporteurs for the panel discussions on the following topics: access to information; public awareness; and public participation. The rapporteurs were asked to summarize the outcomes of the discussions and report back on Wednesday, 18 December 2019.

7. For each panel discussion, a number of participants were invited to deliver presentations to share knowledge, good practices and lessons learned based on national experience (summarized in section II (B)–(D) below). For the panel discussion on access to information, an introductory session on the provisions on access to information under the

¹ Documents, presentations, a list of participants and other information and material concerning the third Joint Round Table are available at www.unece.org/index.php?id=50759.

² Austria leads the work area on genetically modified organisms under the auspices of the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters.

Aarhus Convention and the Cartagena Protocol was provided by Mr. Sergiy Vykhryst (Associate Professor at KROK University, Ukraine).

8. The presentations were followed by question-and-answer sessions and discussions.
9. On 17 December 2019, Mr. Sergiy Vykhryst facilitated a training session on procedures of public participation in decision-making concerning LMOs/GMOs. The training session preceded the panel discussion on public participation (the session and the panel discussion are summarized in section II (D) below).
10. On 18 December 2019, the panel discussion rapporteurs reported on the key outcomes of the discussions on access to information, public awareness and public participation (see section II (F) below for the summaries presented by the rapporteurs, together with other key outcomes, main challenges, benefits as well as suggestions for improvement and future work raised during the panel discussions).
11. On 18 December 2019, participants were invited to provide comments on an advance draft pocket guide on promoting effective access to information and public participation regarding LMOs/GMOs (see section II (E) below for a summary of the comments).
12. On 18 December 2019, the Chair shared his summary of the major outcomes of the Round Table and recommendations for a way forward (see annex to the present document).

II. Sharing knowledge, good practices and lessons learned

A. Ratification and implementation of the Aarhus Convention's Amendment on genetically modified organisms and implementation of article 23 on public awareness and participation under the Cartagena Protocol on Biosafety: challenges and good practices

13. A representative of the Aarhus Convention secretariat updated the participants on the status of ratification of the Almaty Amendment on genetically modified organisms. In order for the Almaty Amendment to enter into force, two more ratifications were needed from among the 10 countries that had been Parties to the Convention at the time of the adoption of the Amendment but that had not to date ratified the Amendment. She urged the 10 countries in question – Albania, Armenia, Azerbaijan, Belarus, Kazakhstan, Kyrgyzstan, North Macedonia, Tajikistan, Turkmenistan and Ukraine – to ratify the Amendment. She stressed that the Convention had been designed to be applied in the context of genetically modified organisms and that the Amendment clarified provisions related to public participation procedures in GMO-related matters. She noted that Parties that had not yet ratified the Amendment still needed to implement provisions of the Convention in the context of GMOs as appropriate. She also noted challenges and needs reported by Parties through the latest National Implementation Reports at the sixth session of the Meeting of the Parties to the Aarhus Convention (Budva, Montenegro, 11–14 September 2017) and the twenty-second and twenty-third meetings of the Working Group of the Parties to the Aarhus Convention (Geneva, 19–21 June 2018 and 26–28 June 2019, respectively). Issues raised included the: (a) need to better understand GMO products and their impact on the environment through capacity-building activities; (b) need to raise awareness of the Almaty Amendment among State bodies and the public; (c) availability of all necessary and accurate information on GMOs; (d) lack of accredited laboratories; (e) absence of information on the methodology of risk assessment of GMOs; (f) difficulties in finding independent experts to prepare risk assessments related to GMO-related decision-making; and (g) availability of expert opinions to enable effective participation during GMO-related decision-making. Lastly, she noted that the vast majority of Parties to the Convention were also Parties to the Cartagena Protocol on Biosafety; thus there was a real need to implement the two treaties in synergy.

14. A representative of the secretariat to the Convention on Biological Diversity introduced article 23 of the Cartagena Protocol. She referred to the Programme of Work on Public Awareness, Education and Participation concerning the Safe Transfer, Handling and Use of Living Modified Organisms (the Programme of Work), which, she explained, had

been adopted to facilitate the implementation of article 23. She explained that: (a) the Programme of Work would come to an end in 2020; (b) an assessment of the implementation of article 23 and the Programme of Work would be carried out as part of the fourth assessment and review of the Protocol and the final evaluation of the Strategic Plan for the Cartagena Protocol on Biosafety; and (c) a survey had been carried out to obtain information on key indicators of the Programme of Work to supplement information made available through the fourth national reports and the Biosafety Clearing-House, which would be used in the assessment and evaluation process.

15. A participant from Kazakhstan gave a presentation on the measures taken by the country to prepare for ratification of the Almaty Amendment. She explained that ratification of the Amendment was included in a general plan for the ratification of international treaties for the period 2020–2021. The presenter also noted that the relevant provisions regulating the deliberate release of GMOs and public participation during decision-making processes regarding GMOs had been prepared in accordance with the Almaty Amendment and included in the new draft Ecological Code that was currently under development. In addition, she indicated that a round table on GMO regulation, with the participation of the national authorities, NGOs and experts, had been organized in the country in support of the legislative reform.

16. A participant from the Bolivarian Republic of Venezuela gave a presentation on the implementation of article 23 of the Cartagena Protocol in her country. She noted that her country had strengthened its institutional and human capacities for biosafety through the promotion of various research projects, improvements in institutional structure and access to reference laboratory equipment. She indicated that those improvements had contributed to better awareness, understanding and access to information regarding LMOs. In addition, she mentioned that public consultations were conducted using a variety of communication and public participation mechanisms at the national and local levels (for example, surveys, media, forms and networks). She explained that the Bolivarian Republic of Venezuela also promoted access to information through, for example, meetings and made use of a consultation manual on public consultations and awareness-raising activities for relevant stakeholders. In terms of lessons learned, she explained that there was a need to have sufficient human and financial resources and a proper coordination mechanism among different stakeholders involved in the public consultation process.

17. A participant from Lithuania shared the country's experience in governmental, inter-departmental and cross-sectoral cooperation regarding GMOs/LMOs. In Lithuania, she indicated, the decision-making process for field trials of LMOs took 90–120 days. The participant explained that the national GMO Steering Committee submitted proposals to government institutions regarding the preparation and implementation of legal documents and programmes related to GMOs/LMOs. The Steering Committee was composed of representatives from different ministries, the State Food and Veterinary Service, the State Consumer Rights Protection Authority and different agricultural and biotechnology associations and institutions. She also explained the role of the GMO Experts Committee: a consultative body composed of scientists from different backgrounds that examined environmental risk assessments related to GMOs/LMOs and prepared proposals and scientific conclusions for the Steering Committee and the Ministry of Environment.

B. Access to information

18. Mr. Sergiy Vykhryst provided an introductory overview of relevant provisions of the Aarhus Convention and the Cartagena Protocol on access to information, drawing attention to their similarities and differences.

19. A participant from the European Union gave a presentation on the legislative framework of the European Union for GMOs and access to information and public participation in the decision-making process. He outlined the European Union's commitment to the principle of transparency in the decision-making process and noted that the European Union had become party to the Cartagena Protocol in 2003 and to the Aarhus Convention in 2005. He explained how those two instruments were reflected in the European Union's

legislative framework and how the European Union handled access to information on GMO-related matters. His presentation further focused on the European Union rules on confidentiality of information. He explained that certain information could not be deemed confidential (for example, descriptions of the GMO, their effects on health and the environment and detection methods). He drew attention to the adoption, on 20 June 2019, of a new regulation on the transparency and sustainability of European Union risk assessment in the food chain,³ which would apply from March 2021 onwards.

20. A participant from Norway gave a presentation on the national legal and institutional framework for providing access to information on issues related to LMOs/GMOs. The participant explained that: the Norwegian Environment Agency was responsible for providing access to information and conducting public consultations; in Norway, public consultations for GMO assessments were mandatory; access to the relevant information was provided to the public; and the public had the possibility to submit comments, which were then considered during the decision-making process. He indicated, however, that there was a need to strengthen regulations on confidential business information.

21. A participant from the Global Industry Coalition shared private sector perspectives on access to information and good practices regarding LMO-related information-sharing. The participant explained that the Global Industry Coalition represented partners from over 25 countries, engaged in plant science, seed production, agricultural biotechnology, food production and animal agriculture. She explained that the agricultural biotechnology industry maintained and provided up-to-date information on commercial GMO crops through databases on different websites that addressed the information needs of various stakeholders at the global, regional and national levels. She indicated that the biotechnology industry also proactively responded to GMO information requests via the GMO Answers website,⁴ where company representatives, academics and others could address questions submitted online related to GMOs. The participant indicated that the biotechnology industry strongly supported transparent governmental decision-making and believed that provision of access to information promoted public trust in decisions taken. She also explained that raising awareness and understanding of biotechnology could facilitate public participation in the decision-making process regarding LMOs/GMOs.

22. A participant from the NGO Ecoropa, also speaking on behalf of the European ECO-Forum, offered a perspective on promoting access to information. She was of the view that the provisions of the Aarhus Convention and the Cartagena Protocol on Biosafety complemented each other. She drew attention to the practices of various regions and organizations of providing access to information through different databases. One of the key challenges, the participant noted, was the lack of complete and accessible information, including information on synthetic biology and gene drives. She mentioned a case in which the public had been granted access to, but not allowed to share or reuse, information. The participant explained that some NGOs had created websites, including databases and request forms though which information that had already been requested from public authorities was made publicly available.

C. Public awareness

23. A participant from Burkina Faso shared the country's efforts to raise public awareness of biosafety issues. He gave a presentation on institutional arrangements, including the role of the National Biosafety Agency in public information and awareness in Burkina Faso, and on some information campaigns. He explained that a communication strategy had been developed to improve public understanding of biotechnology and biosafety issues and to facilitate active public participation in decision-making regarding LMOs. However, he

³ Regulation (EU) 2019/1381 of the European Parliament and of the Council of 20 June 2019 on the transparency and sustainability of the EU risk assessment in the food chain and amending Regulations (EC) No 178/2002, (EC) No 1829/2003, (EC) No 1831/2003, (EC) No 2065/2003, (EC) No 1935/2004, (EC) No 1331/2008, (EC) No 1107/2009, (EU) 2015/2283 and Directive 2001/18/EC, *Official Journal of the European Union*, L 231 (2019), pp. 1–28.

⁴ See <https://gmoanswers.com/>.

mentioned that challenges remained, in particular related to the lack of financial and technical resources, as well as to limited partnerships between institutions.

24. A participant from Tajikistan gave a presentation in which he provided an overview of the measures taken in Tajikistan to promote public awareness of GMOs and of the related national legislative framework. He mentioned that capacity-building activities were undertaken to raise the awareness of relevant national authorities and the public about GMOs, including in the form of workshops and booklets. He noted the important role of Aarhus Centres in providing access to information and raising awareness of GMOs in Tajikistan.

25. A participant from the NGO Greenwomen, also speaking on behalf of the European ECO-Forum, provided an overview of public awareness efforts concerning GMOs in Kazakhstan. She noted that, as of December 2018, GMO products containing more than 0.9 per cent of modified organisms or products thereof must be specially labelled. She explained that the competent authorities monitored the implementation of the measures on a monthly basis. She also noted that the country faced challenges and that enhanced legislative frameworks and modern communication tools could be instrumental in raising public awareness of GMO environmental health and safety matters.

D. Public participation

26. Mr. Sergiy Vykhryst conducted a training session on public participation procedures regarding LMOs/GMOs, using fictional case studies. During the training session, he explained the provisions of the Aarhus Convention and the Cartagena Protocol related to public participation. He requested participants to identify concerns that might arise from the public based on different cases related to deliberate release, contained use and placing on the market of LMOs/GMOs. Participants reviewed the case studies, assessing the extent to which access to information prior to public consultations had been provided (for example, information related to risk assessment). They also defined “the public” and identified how the public could be notified of the final decision and of the extent to which the views of the public had been considered. Participants highlighted the importance of having access to information at an early stage, prior to public consultations. The participants also discussed the fact that “the public” encompassed those individuals who were affected and those with an interest in the decision. The participants considered various means of notifying the public (for example, media, information materials, articles, posters, websites).

27. The training session also focused on how to apply a step-by-step approach for effective public participation in the decision-making process regarding LMOs/GMOs. Mr. Vykhryst described the main steps and procedures involved and shared case studies on best practices for promoting access to information and public participation. He explained that a better understanding among the public of the decision-making processes and enhanced quality of and public trust in decisions taken by Governments were among the key benefits of facilitating public participation.

28. A participant from the Republic of Moldova gave a presentation in which she shared experience of national practices in her country for ensuring public participation as part of the decision-making process concerning LMOs. She provided an overview of the national legislative framework to facilitate access to information and public participation and explained that, under the national Law on Biosafety, there was a 30-day time limit for public opinions to be submitted before final decisions were taken. She noted that the process enhanced trust in the decisions taken. She explained that there was special guidance on public participation outlining standards for what constituted confidential information. She highlighted practices that would facilitate public participation, including: promoting access to information and public awareness prior to public participation; raising awareness of the Aarhus Convention through publications; organizing training courses for relevant stakeholders; making available information on websites to enhance inputs from different sectors; building capacity for detection laboratories to provide better information on LMOs/GMOs; and initiating local and regional efforts (for example, the Central and Eastern European Biosafety Clearing-House Network, Caravana BIO). She mentioned that challenges in that regard included: a lack of sufficient cross-sectoral cooperation; a lack of

training for the media, NGOs, academia and business; and limited financial, technical and human capacity. She explained that lessons drawn from those experiences included: the need for active collaboration between government authorities, the private sector, academia and the public in the decision-making process; and the importance of effective legal frameworks and practical mechanisms for ensuring access to information and participation in the decision-making process.

29. A participant from Slovakia shared national practices and lessons learned on ensuring effective public participation in decision-making concerning GMOs. He reported on the national legal framework of Slovakia and noted that, under Act No. 151/2002 on the Use of Genetic Technologies and Genetically Modified Organisms, the public could make use of their right to submit comments. He stressed the importance of notifying the public in a timely manner and of making all relevant information regarding public participation procedures available online. In the case of Slovakia, that included advice to the public on how to best prepare comments and participate in public consultations based on experience of previous interactions with the public.

30. A participant from Tunisia presented national practices and tools for promoting public participation regarding LMOs. He explained that Tunisia had ratified the Cartagena Protocol in 2003. Since then, the country had developed legislative and institutional frameworks and facilitated initiatives to undertake capacity-building activities to effectively promote public participation in the decision-making process regarding LMOs. To support those government-led efforts, many NGOs had been created and were directly involved in implementing article 23 of the Cartagena Protocol. Furthermore, Tunisia had developed and put in place a National Action Plan for Communication on Biosafety, under which a number of initiatives had been developed to promote public participation. Those initiatives had resulted in civil society and local universities promoting public education and participation. The key challenges he mentioned included: putting in place an operational national legal biosafety system to implement the Cartagena Protocol; a lack of financial and technical capacities; and a lack of mainstreaming of biosafety issues into other sectors' development policies (for example, agriculture and health).

31. A participant from the NGO Journalists for Human Rights in North Macedonia, also speaking on behalf of the European ECO-Forum, provided an overview of obstacles and challenges encountered in implementing the Aarhus Convention, the Almaty Amendment and the Cartagena Protocol in North Macedonia, including a lack of: information about treaties in media outlets; and public debates and effective communication between State authorities and the public. To address those challenges, she noted that a number of steps needed to be taken, including: developing effective communication tools to ensure public participation; conducting public participation processes in local languages; organizing media training sessions; and ensuring gender balance in the decision-making process. The participant also noted that public access to information would build public confidence and trust in the biosafety regulatory system and would improve the quality of decisions taken regarding LMOs/GMOs.

E. Pocket guide

32. Participants were invited to provide comments on the advance draft pocket guide on promoting effective access to information and public participation regarding LMOs/GMOs, which had been made available to the participants. The advance draft pocket guide had been developed jointly by the secretariats to the Aarhus Convention and the Convention on Biological Diversity following the recommendation contained in the Chair's summary⁵ for the second Joint Round Table on Public Awareness, Access to Information and Public Participation regarding Living Modified Organisms/Genetically Modified Organisms (Geneva, 15–17 November 2016).

33. Representatives of the secretariats to the Aarhus Convention and the Convention on Biological Diversity explained that the pocket guide had been prepared on the basis of

⁵ Available at www.unece.org/index.php?id=42179.

existing materials developed under the Aarhus Convention or the Cartagena Protocol and making use of tools that had been developed jointly by the secretariats. They explained that the pocket guide was intended as a training and learning tool to further efforts on access to information and public participation regarding LMOs/GMOs serving primarily those countries that were Parties to both the Cartagena Protocol and the Aarhus Convention, but that it would also be a tool that could be used by other interested countries and stakeholders. The representatives explained that the advance draft was to be further developed taking into consideration comments provided by the participants in the Round Table and that a further review process was planned.

34. Participants provided inputs to different sections and generally welcomed the advance draft pocket guide. They noted that the draft pocket guide was a beneficial document as a resource in support of capacity-building for implementing access to information and public participation procedures regarding LMOs/GMOs. Participants recommended that references to capacity-building be included in a number of sections. They also highlighted the importance of making the final pocket guide available in different languages.

F. Outcomes of the discussions

35. In the present section, the outcomes of the panel discussions and the training session are summarized. This section builds on the summaries of the panel discussions presented by the rapporteurs, together with other key outcomes, main challenges, benefits and suggestions for improvement and future work raised during the panel discussions.

36. The discussion on access to information highlighted the following key issues, main challenges, needs, benefits and suggestions for improvements and future work:

- (a) The following key issues were raised:
 - (i) It is essential to provide access to information proactively as soon as the information becomes available, while also considering the needs of different target groups;
 - (ii) Exchange of information among relevant authorities, NGOs and other stakeholders is important, as well as making information actively available through websites and other sources;
 - (iii) It is essential to provide information upon requests (for example, through providing forms) prior to the decision-making process regarding LMOs/GMOs;
 - (iv) Raw data should be made available along with data visualization, as the latter could make complex data easier to understand;
 - (v) Providing access to correct and complete information is important;
 - (vi) Available information should also be reusable and sharable by the public;
- (b) The following main challenges and needs were raised:
 - (i) There is a need for capacity-building in the area of new and emerging technologies, as public authorities and the public have limited information about new technologies (for example, synthetic biology and other technologies);
 - (ii) Some data and information are being classified as confidential (for example, personal data, information related to national security or if to do otherwise might significantly harm the competitive position of the LMO/GMO applicant);
 - (iii) Provision of information on LMOs/GMOs could be insufficient and/or too technical. Although LMO/GMO applicants are usually required to provide a summary of the applications, providing simplified information to the general public to understand issues regarding LMOs/GMOs remains a challenge, in particular due to technical and scientific terms;
 - (iv) Lack of resources, in particular dedicated human resources to ensure the timely and accurate provision of information;

- (c) The following benefits were raised:
 - (i) Transparency of government processes and decisions could build trust and confidence in the biosafety regulatory system;
 - (ii) Public acceptance of government decisions could be enhanced if the decision-making process were transparent and all pertinent information could effectively be accessed by the public;
 - (iii) Making information available could lead to increased levels of awareness and understanding of modern biotechnology, as well as potential risks and mitigating measures to prevent such risks of the technology;
- (d) The following suggestions for improvement were made:
 - (i) Make available resources for continuous capacity-building activities related to access to information to effectively and efficiently implement relevant provisions of the Aarhus Convention and the Cartagena Protocol on Biosafety;
 - (ii) Strengthen synergies among Parties and among relevant authorities within Parties to effectively implement the Aarhus Convention and the Cartagena Protocol on Biosafety;
 - (iii) Information should be available in different formats, including scientific and non-scientific formats (for example, raw data, visual representation);
 - (iv) Proactive and timely provision of access to information on issues related to LMOs/GMOs to support the decision-making process regarding such organisms;
 - (v) Strengthen and promote collaboration among Governments and stakeholders to facilitate the provision of information to the public.

37. The discussion on public awareness highlighted the following key issues, main challenges, needs, benefits and suggestions for improvements and future work:

- (a) The following key issues were raised:
 - (i) Public authorities should develop communication strategies for different target groups and communication channels (for example, newspapers, social media, television, posters in public places, stickers and press materials);
 - (ii) Aarhus Centres could be key in organizing public awareness events and training, and in the preparation of outreach materials;
 - (iii) Labelling GMO/LMO products is an important way of raising public awareness;
 - (iv) Surveys may help identify the public's needs for awareness-raising initiatives;
 - (v) Advisory committees may be useful in planning and implementing awareness-raising activities;
- (b) The following main challenges and needs were raised:
 - (i) A lack of dedicated personnel, funding and resources for communication activities renders communication strategies unsuccessful;
 - (ii) The difficulty of translating and explaining scientific and technical terms in local languages;
 - (iii) The high costs of communication activities;
 - (iv) The limited awareness of the potential imports of GMOs/LMOs among journalists and hence the public in some countries. Many countries have never heard of GMOs/LMOs;
- (c) The following benefits of public awareness were raised:
 - (i) A communication strategy could promote improved public awareness of biotechnology/biosafety issues and thus encourage public participation in decision-making processes regarding LMO/GMO-related matters;

(ii) Communication strategies could contribute to ongoing awareness among political decision makers of the role of biosafety for its integration into other sectors;

(d) The following suggestions for improvement were made:

(i) Raising awareness of LMO/GMO-related issues during international days such as the International Day for Biological Diversity (22 May);

(ii) Using different platforms to exchange information, as well as interactive communication tools and methods for awareness-raising regarding LMOs/GMOs (for example, public discussions and discussions in national assemblies);

(iii) Making use of regional and global cooperative efforts to promote public awareness regarding LMOs/GMOs (for example, through the New Partnership for Africa's Development).

38. The discussion on public participation highlighted the following key issues, main challenges, needs, benefits and suggestions for improvements and future work:

(a) The following key issue was raised: The unequal financial means of different interest groups may limit the involvement of some groups in public participation, such as local communities, while others may have the financial capacity for involvement in public participation, such as academic researchers or corporate scientists;

(b) The following main challenges and needs were raised:

(i) Implementation of effective public participation processes in a given country may be insufficient and slow;

(ii) Resource constraints result in limited public participation regarding LMOs/GMOs;

(iii) Effective public participation may be difficult to undertake without labelling of GMO products;

(c) The following benefits of public participation were raised:

(i) Effective public participation could improve the outcomes of decision-making processes regarding LMOs/GMOs and make the processes more inclusive;

(ii) Marginalized groups could be involved in the decision-making processes regarding LMOs/GMOs, such as smallholders, women, indigenous peoples and local communities;

(d) The following suggestions for improvement were made:

(i) Wider use of the *Maastricht Recommendations on Promoting Effective Public Participation in Decision-making in Environmental Matters*,⁶ prepared under the Aarhus Convention, could be useful as they provide a step-by-step guide on how to effectively organize public participation process;

(ii) Involving marginalized communities and drawing on indigenous as well as scientific knowledge;

(iii) Better public participation requires relevant training of journalists and indigenous peoples and local communities, including promoting gender equality, so they are knowledgeable about the topic;

(iv) Building the capacity of public authorities through continuous training on public participation regarding LMOs/GMOs is critical;

(v) Setting up advisory bodies (for example, commissions and committees) with representatives from the public to participate in the decision-making process regarding LMOs/GMOs could be useful in the corresponding decision-making process;

⁶ United Nations publication, Sales No. E.15.II.E.7.

- (vi) Sharing of information among countries and other stakeholders on procedures of public participation should continue;
- (vii) International days for biodiversity could be used to engage stakeholders on a local level for public participation in the decision-making process regarding LMOs/GMOs;
- (viii) The Aarhus Convention is a global treaty. Any State Member of the United Nations can join. It could be beneficial for countries, including non-ECE countries, to ratify the Aarhus Convention to better promote public participation regarding LMOs/GMOs.

Annex

The way forward: Chair's summary

1. In a closing statement, the Chair summarized a number of key issues derived from the discussions that need to be considered in the future work on access to information, public awareness and public participation in decision-making regarding LMOs/GMOs, including:¹

- (a) Regarding access to information:
 - (i) Effective access to information is key for effective public participation;
 - (ii) It is essential to provide access to information proactively as soon as the information becomes available, also considering the needs of different target groups; raw data should be made available along with data visualization, as the latter could make complex data more easily understandable;
 - (iii) It is essential to provide access to correct and complete information and to ensure that publicly available information can be reused and shared;
 - (iv) Certain information should not be considered confidential, such as: the name and address of the notifier; a general description of LMOs/GMOs; a summary of the risk assessment of the effects on biodiversity, taking into consideration human health; any methods and plans for emergency measures; and all final decisions. A verifiable justification is needed if data should be kept confidential;
 - (v) It is important to ensure identification of LMOs/GMOs through labelling, not only for biosafety purposes but also for reasons of consumer information, such as ethical and religious concerns;
 - (vi) There is a need for access to information on synthetic biology and new technologies;
- (b) Regarding public awareness:
 - (i) It is important for authorities to develop communication strategies that will include key target groups, communication channels (for example, newspapers, social media, television, posters in public places, stickers and press materials) and responsible personnel, and to allocate the required costs and other resources for communication activities;
 - (ii) Efforts should be made to translate scientific information into local languages;
 - (iii) NGOs play an important role in raising the awareness of the general public on the topic of LMO/GMO.
- (c) Regarding public participation in decision-making:
 - (i) Public participation in decision-making should be seen as a tool for the improvement, rather than the vetoing, of decisions;
 - (ii) A trustful, sustainable and transparent decision-making process can be achieved in collaboration with civil society;
 - (iii) Decision-making on LMO/GMO-related matters needs to take into account scientific knowledge (related to biosafety) as much as human values, ethical principles and religious concerns, and should take into account the right to self-determination of local communities;
 - (iv) It is important to strengthen inter-institutional and interdepartmental coordination, in particular during public participation processes, and also through the setting up of public advisory bodies for supporting these processes;

¹ The annex to the present report contains the Chair's summary of the Round Table and is complementary to the secretariats' report.

(v) It is important to ensure gender equality and promote inclusive public participation, with particular attention to women and indigenous peoples, local communities and other marginalized groups, and to use local languages in public participation processes;

(vi) Involvement of various population groups, from urban to rural, with different levels of education as well as different ages, genders and professional occupations in open discussion; considering their perception; and raising their understanding of the problem are critically important;

(vii) It is critical to ensure a step-by-step implementation of the key elements of effective public participation in decision-making, namely:

- Identify the public and the public concerned;
- Issue timely, adequate and effective notice;
- Set reasonable time frames when all options are open;
- Ensure access to all necessary information;
- Ensure procedures that enable the public to comment and be heard;
- Ensure that due account is taken of public participation;
- Notify promptly about the decision;
- Make sure that, if commitments/conditions are revised, the procedure is repeated as appropriate.

2. The Chair further observed that the Round Table called for several actions at the national level to:

(a) Establish or enhance the implementation of effective procedures and mechanisms for effective access to information, public awareness and for enabling effective and inclusive public participation in decision-making with regard to LMOs/GMOs;

(b) Continue strengthening coordination and cooperation between national focal points of the Aarhus Convention and the Cartagena Protocol on Biosafety at the national level;

(c) Continue promoting effective interministerial/interdepartmental mechanisms to handle GMO/LMO-related issues that are open to NGOs, academia and other stakeholders, for example, through the setting up of inter-institutional commissions;

(d) Mainstream biosafety, including public awareness, education and participation regarding LMO/GMO matters, into different sectors and policies;

(e) Strengthen the capacity of authorities to effectively handle access to information and public participation in decision-making on LMO/GMO matters through targeted training;

(f) Allocate sufficient human, technical and financial resources in particular, in authorities, to effectively handle access to information and public participation procedures, and awareness-raising activities;

(g) Enforce implementation of domestic legislation related or applicable to LMOs/GMOs;

(h) Develop and/or strengthen the expertise and institutional capacity of authorities dealing with biosafety matters through, for example, capacity-building activities as needed, including on new developments in the field of LMOs/GMO, such as gene drive techniques or synthetic biology;

(i) Consider establishing a consultative body consisting of scientists who examine environmental risk assessments, in order to overcome insufficient expertise and limited technical and human capacity in authorities;

(j) In order to ensure good quality information, develop or strengthen the reference laboratory equipment for monitoring and detection of LMOs/GMOs and the possibility of establishing a network of laboratories nationwide;

(k) Widely promote the benefits of effective access to information and public participation in decision-making related to LMOs/GMOs. Such benefits include: enhanced trust; better quality of decisions; accountability and better governance; improved relationships between decision makers and the public and among different stakeholders; smoother implementation and improved legitimacy of decisions; economic gains; and improved sustainability of projects;

(l) Promote greater political support for transparency, accountability and effective and inclusive public participation in decision-making in relation to LMO/GMO matters;

(m) Engage broad target audiences and strengthen the capacity of the public, media, NGOs, academia, business, women, indigenous peoples and local communities through targeted training sessions on, for example: knowledge, awareness of LMOs/GMOs; and how to participate, so as to ensure meaningful input from the public;

(n) Make use of the Aarhus Centres, where available, to assist authorities in effectively promoting access to information and public participation in decision-making related to LMO/GMO issues;

(o) Encourage to reflect the synergy with the Aarhus Convention and its Almaty Amendment on genetically modified organisms in the goal of the new implementation plan for the Cartagena Protocol on Biosafety on article 23 of the Protocol; and make the Programme of Work on Public Awareness, Education and Participation regarding LMOs/GMOs a reference guide to implementing the goal in the implementation plan;

(p) For Parties to the Aarhus Convention – ratify and implement the Almaty Amendment on genetically modified organisms to the Aarhus Convention;

(q) Encourage countries in and outside the ECE region to accede to the Aarhus Convention and its Almaty Amendment on genetically modified organisms and/or to make use of the Guidelines on access to information, public participation and access to justice with respect to genetically modified organisms (Lucca Guidelines) (MP.PP/2003/3–KIEV.CONF/2003/INF/7) and the *Maastricht Recommendations on Promoting Effective Public Participation in Decision-making in Environmental Matters*² as tools for developing legislation and procedures for effective access to information and public participation in the context of LMOs/GMOs;

(r) Make use of guidance materials, developed jointly under the auspices of the two treaties;

(s) Promote complete and accurate access to information and public participation through the Biosafety Clearing-House and share case studies on promoting access to information and public participation through the Aarhus Clearinghouse;

(t) Make use of the communication plan template from the secretariat to the Convention on Biological Diversity or develop a new communication plan to promote improved public understanding of biotechnology/biosafety issues for active participation in decision-making processes and to take socioeconomic considerations into account.

3. At the multilateral level, the secretariats and subsidiary bodies of the Aarhus Convention and the Cartagena Protocol on Biosafety to the Convention on Biological Diversity should, as appropriate, continue to assist countries in ratifying and implementing the two instruments in the context of LMOs/GMOs through:

(a) Providing information material, organizing events and advisory assistance to countries to promote the ratification of the Almaty Amendment on genetically modified organisms and the implementation of article 23 of the Protocol and the Aarhus Convention in the context of GMOs/LMOs;

² United Nations publication, Sales No. E.15.II.E.7.

(b) Finalizing the “GMO/LMO pocket guide” describing benefits, systemic challenges, priority areas and good practices in relation to promoting transparency and public participation in GMO/LMO matters; and developing a video to promote the materials and tools developed jointly under the auspices of the two treaties;

(c) Organizing a similar round table in the next intersessional period of the two treaties, so as to allow Parties to both instruments from different regions to: exchange experiences, thereby supporting implementation of the Aarhus Convention and the Cartagena Protocol in the context of LMOs/GMOs in synergy; and explore opportunities to allocate funds for participation of non-ECE countries. The round table would include training sessions on, for example, specific case studies.

4. In the light of the Sustainable Development Goals, transparency and effective public participation have acquired increased significance for work on GMO/LMO matters, with particular relevance for:

(a) Sustainable Development Goal 2 (zero hunger), especially targets related to food security, improved nutrition and sustainable agriculture – access to information and public participation in the development and implementation of agriculture-related policies, plans, programmes and projects;

(b) Sustainable Development Goal 15 (life on land) – access to information and public participation in decisions on LMOs/GMOs is crucial for raising public awareness and improving the quality of decisions regarding the use of genetic resources, sustainable use of ecosystems and biodiversity;

(c) Sustainable Development Goal 16 (responsive, inclusive, participatory and representative decision-making) – the principles of accountability, transparency, inclusivity and the rule of law contained within Sustainable Development Goal 16 are key for the implementation of all Sustainable Development Goals, whether referred to directly or otherwise.

5. The joint efforts by the two secretariats and the treaties’ bodies thereby also support countries’ efforts to achieve the above-mentioned Sustainable Development Goals.

6. The key outcomes of the joint round table will be reported to the twenty-fourth meeting of the Working Group of the Parties to the Aarhus Convention (Geneva, 1–3 July 2020) and to the seventh session of the Meeting of the Parties to the Aarhus Convention (October 2021), and shared with the tenth meeting of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety.
