



CropLife International A.I.S.B.L.
Avenue Louise 326, box 35 · B-1050 · Brussels – Belgium
TEL +32 2 542 04 10 FAX +32 2 542 04 19 www.croplife.org

Howard Minigh
President & CEO

Ms. Ella Behlyarova
Secretary to the Aarhus Convention
United Nations Economic Commission for Europe
Environment, Housing and Land Management Division
Bureau 332
Palais des Nations
CH-1211 Geneva 10

Re: Comments on the Proposal on Elements for the 2012-2014 Workplan

24 September 2010

Dear Mr. Behlyarova:

We thank you for this opportunity to comment on the above referenced proposal.

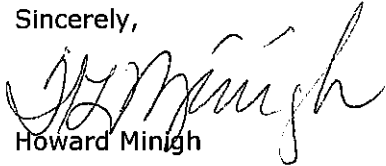
We find ourselves in agreement with other representatives of civil society who expressed concerns at the 12th meeting of the Working Group of the Parties about the new proposal to create an assistance mechanism operating at the national level. While we can see the value of creating structures to ensure that countries that are Parties to the Convention are carrying out their obligations, we believe that the Compliance Committee largely serves that function. If additional support were requested by Parties, however, reviews of national legislation or draft legislation could be conducted. This work must be undertaken by appropriately qualified lawyers with experience in international law and its domestic implementation, taking into account the differences in national legal systems. Further, any such process should be created and carried out in a transparent manner including, for example, the publication of an annual report about reviews undertaken and the results of the reviews.

Turning to other proposals, we frankly are surprised to find the Secretariat to the Aarhus Convention once again advocating yet more work on genetically modified organisms (GMOs). Much of the past decade has been spent creating guidelines, negotiating, and putting in place a more prescriptive approach to public participation in decision making on GMOs. As we have previously stated to you, the Aarhus Convention's focus on GMOs far exceeds any legal or scientific justification and negatively impacts the credibility of the Convention as an instrument to promote democracy with respect to environmental protection. We oppose any Aarhus-led "GMO dialogues at country level" and note that no other activity – including those activities that are listed on Annex I to the Convention because they are deemed to be inherently detrimental to the environment – have been the subject of any discussion much less the ongoing activity perpetuated under Aarhus concerning GMOs.

Finally, we note that while there will undoubtedly be calls from certain Parties and nongovernmental organizations for the newly established Task Force on Public Participation to include GMOs among its priorities for its intersessional work, for the same reasons stated above, additional work on GMOs should not be undertaken by the Task Force.

We appreciate your consideration of our comments and inclusion of them in the background information provided for upcoming meetings related to the Task Force on Public Participation and any further deliberations concerning the proposed Workplan for 2012-2014.

Sincerely,

A handwritten signature in cursive script, appearing to read "H. Minigh".

Howard Minigh