

Under the auspices of the Aarhus Convention

International meeting on good practices regarding access to information, public participation and access to justice with respect to GMOs

19-20 May 2008, Renaissance Hotel, Cologne, Germany

QUESTIONS FOR PARTICIPANTS

I. Access to information

a) Needs and challenges regarding access to information, including labeling

- i) Is there specific legislation dealing with access to information regarding GMOs in your country/region or is it dealt with by general access to information or access to environmental information legislation? Is the legislation adequate?
- ii) What information must be disclosed upon request? Do you think any further information should be disclosed?
- iii) What information must be actively disseminated (to whom?) or publicized in your country/region? Do you think any further information should be disclosed?
- iv) What bodies/organizations are mainly responsible for providing access to information regarding GMOs?
- v) Is the available information disclosed in a way that is understandable to the general public?
- vi) Is there a problem with misleading, incomplete or inaccurate information?
- vii) Are products consisting of or containing GMOs or produced using GMOs clearly labeled as such?
- viii) What other pressing needs and challenges exist regarding access to information with respect to GMOs in your country/region?

b) Good practices regarding access to information, including labeling

- i) What initiatives have been undertaken in your country/region to tackle any of the needs and challenges you identified above? Would you consider any of these to be good practice?
- ii) Are you aware of any interesting initiatives in other countries/regions to tackle any of these needs and challenges?

II. Public participation with respect to decisions on GMOs (deliberate release, simplified procedures for deliberate release, placing on the market)

a) Needs and challenges regarding public participation

- i) Is there specific legislation dealing with public participation with respect to decisions on GMOs in your country/region? If not, is it dealt with by general legislation on decisions relating to environmental matters or what other type of legislation? Is the legislation adequate?
- ii) What types of GMO decision-making are subject to public participation requirements in your country/region? What types of decisions do you think should be? Which criteria should be considered when deciding if a specific case should be subject to public participation or not?

- iii) Who may participate in GMO decision-making in your country/region? Who do you think should be entitled to participate in such decision-making?
- iv) What bodies/organizations are responsible for GMO decision-making in your country-region?
- v) How do those bodies/organizations reconcile competing interests? How effective is this?
- vi) Is the public given adequate access to information in order to be able to participate effectively in GMO decision-making?
- vii) Do the public participation processes provide for early participation, when all options are open? Are the time-frames under which the public may participate adequate?
- viii) Do you consider that due account is taken of the outcomes of the public participation? Are GMO decisions made available, including reasons and considerations on which the decision is based?
- ix) Are differing capacities of those wishing to participate a challenge?
- x) What other pressing needs and challenges exist regarding public participation in decisions on GMOs in your country/region?

b) Good practices regarding public participation

- i) What initiatives have been undertaken in your country/region to tackle any of the needs and challenges you identified above? Would you consider any of these to be good practice?
- ii) Are you aware of any interesting initiatives in other countries/regions to tackle any of these needs and challenges?

III. Access to justice

a) Needs and challenges regarding access to justice

- i) In your country/region, can a member of the public have access to a review procedure if he or she considers that his or her request for information regarding GMOs has been ignored, wrongfully refused or inadequately answered?
- ii) Could a member of the public challenge the substantive and procedural legality of a GMO decision? If so, what decisions could be challenged and who could challenge them?
- iii) If a GMO causes environmental harm, who if anyone would be entitled to seek redress and how?
- iv) Is information provided to the public on administrative and judicial procedures that could be used in seeking access to justice in each of the three situations above?
- v) What barriers exist in your country to effective access to justice, e.g. administrative delays, cost, a lack of judicial independence, ineffective or inadequate remedies (including injunctive relief)?

b) Good practices regarding access to justice

- i) What initiatives have been undertaken in your country/region to tackle any of the needs and challenges you identified above? Would you consider any of these to be good practice?
- ii) Are you aware of any interesting initiatives in other countries/regions to tackle any of these needs and challenges?