WGP 25
Agenda point 13: Thematic session on genetically modified organisms

*Tuesday, 8 June, 3–4.15 pm*
*Allocated time: 7 min*

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**Access to information and Public Participation in decision making on GMOs - Achievements and Systemic Challenges**

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We currently encounter 3 systemic challenges with regard to access to information and public participation in decision making on GMOs.

- GMOs are not in *one* place: research, field trials, production and the use of products happens in different places and at different times.
- Expertise about GMOs varies between countries.
- New genetic engineering techniques aim not only for crops but also for wild organisms, and the spread of new GMOs in the natural environment can be intended.

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**1. GMOs are not in one place.**
GMOs are not like a building project, they don't have *one* location.

- First, they get developed in a research facility.
- Then they are released in larger field trials.
- GM crops are then often cultivated in a number of countries around the world.
- And in the end the harvested products are transported and used somewhere else again.
- In addition: accidental releases, contaminations and unintended transboundary movements do happen.

Some examples:

- A GM crop might be developed in the US, cultivated in South America, and the harvested grains transported to Europe.
- GM salmon is developed in Canada. The fish eggs are to be brought to fish farms in Panama. The GM fish is then intended for consumption in the US. Escaped GM salmon could be in international waters.
- GM mosquitoes are developed in the UK, but released in African and South American countries.

For some of these steps, we have procedures for access to information and public participation in place – and this is certainly an achievement - but not for all.

Access to information and public participation therefore can be fragmented. So we have to ask:

- How is the public informed about field trials? Are there participatory hearings? How detailed is the register of field trials?
- How are transboundary effects controlled?
- Is there a legal obligation to label products?

- If information is not accessible or if there is no public participation: Is there any way that the public can enforce that right under the Aarhus Convention?

These questions are also international questions:
Take for the example of GM salmon: Where and when could the concerns of Irish or Norwegian fishers about the possible cross-breeding of GM and wild salmon be heard?

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**2. Expertise varies**

The second systemic challenge I would like to mention here is connected to the first challenge: the differences in expertise.
National regulators have to take the decision on whether to allow the release or use of a GMO, but they might lack the expertise to do so – especially when the research and development is done in other countries and/or private organisations.
But at the same time they need to inform and educate the public about them, and they need to include the public in the decision making. Access to information and public participation suffers when a national authority itself struggles with the issue, and when capacity building is lacking.

The Biosafety Clearing House Mechanism of the Biodiversity Convention is a good source of information: both for national regulators and the public.
Internationally this is one of the great achievements with regard to GMOs, and many countries do provide the required information there.
But still is not widely known and not easy to navigate – even though an upgrade is in progress.

Another achievement is be the *Ad hoc Expert Group on Risk Assessment and Risk Management* of the Biodiversity Convention that developed guidance on certain types of GMOs. However, the Conference of the Parties did not adopt the guidance.
At this very moment, CBD parties are negotiating on whether or not do develop guidance for risk assessment of GM fish and GM mosquitoes.

Public participation is rather good in the Biodiversity Convention, but it is currently seriously hampered due to the Covid pandemic.
Decisions that are taken now – with reduced effective participation in decision making - these decisions will have an effect for years.

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**3. New GMO techniques**

The third systematic challenge are new genetic engineering techniques called CRISPR-CAS. They are more widely available, faster and cheaper.

But risk assessment has not become any faster or cheaper – in fact it has even become more complex. Risk assessment requires interdisciplinary scientific expertise – and that still lacks training and infrastructure.

The “old” genetic engineering techniques were mostly applied to crops: plants cultivated on a field, harvested after the season and not supposed to spread.

But the new techniques are also meant to be applied to wild species: to plants, animals and microorganisms.

One specific application is the production of so-called “gene drive organisms”.
Their goal is to force the new genetic constructs into domestic and wild species, and they are *meant* to spread in the wild.
Unlike GM crop plants, they are meant to reproduce and to have environmental effects. They will not stop at a border.
GM mosquitoes are an example for this.

How can the public of other countries participate in the decision making?
And what happens if one country says “no” while others say “yes”?

Gene-drive organisms pose a challenge – not only to public participation, but to the Aarhus Convention.

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Note for interpreters:

- Biosafety Clearing House = Centre d’échange pour la prévention des risques biotechnologiques
- Ad-hoc technical Expert Group on Risk Assessment = Groupe spécial d'experts techniques sur l'évaluation des risques et la gestion des risques a les fonctions suivantes
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