



**Fourth Joint Aarhus Convention and Convention on Biological Diversity
Roundtable on Public Awareness, Education, Access to Information, Public Participation
and Access to Justice regarding Living Modified Organisms/Genetically Modified
Organisms**

11-12 December 2023, Geneva, Switzerland
(Palais des Nations)

THE WAY FORWARD – CHAIR’S SUMMARY¹

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 education, public participation in decision-making and access to justice regarding LMOs/GMOs, including:

General observations

- The cooperation between government institutions and civil society is the fundamental value of democratic societies, and it should be promoted also on LMOs/GMOs matters;
- Promote important role that environmental defenders/environmental human rights defenders play in the LMOs/GMOs-related matters, and ensure their protection in line with the Aarhus Convention and Target 22 of the Global Biodiversity Framework;
- It is important to have in place and implement robust legal, regulatory, policy and institutional frameworks supportive to access to information, education, public participation in decision-making, access to justice and protection of environmental defenders/environmental human rights defenders in the context of LMOs/GMOs;
- Due to complex nature of LMOs/GMOs issue, cooperation between relevant public authorities, such as those responsible for food safety, plant protection, veterinary, health, trade, economy and environment, and law enforcement institutions should be promoted;
- Efforts shall be made to further the use of citizen science, crowdsourcing and local and indigenous knowledge in the field of LMOs/GMOs, and to promote exchange of experiences between academia and researchers and strengthen capacity of Aarhus Centres to assist in promoting LMOs/GMOs activities;
- Allocate required human and financial resources for LMOs/GMOs related work, including establishing detection and identification laboratories as appropriate;

¹ This Chair’s summary was not formally edited.

-
- It is important to continue:

a) strengthening capacity of:

- (i) public authorities to effectively handle access to information, public participation in decision-making and access to justice on LMOs/GMOs; and
- (ii) courts and other independent review bodies to handle LMOs/GMOs-related cases.

b) supporting specific training sessions and awareness-raising events on the obligations under the Aarhus Convention and Protocol on Biosafety targeting those relevant for LMO/GMO-related matters, including officials of public authorities, municipalities, members of judiciary, private sector, /industry, journalists and non-governmental organizations (NGOs).

Access to information

- Effective provision of information is a precondition for meaningful public participation and successful access to justice;
- It is essential to provide access to correct, complete and objective information, proactively and early, and tailor it to the needs of different target groups; raw data should be made available along with data visualization as the latter could make complex data easier understandable but not over simplified;
- Only limited grounds to refuse information shall be applied, they shall be interpreted in a restrictive way and public interest served by disclosure should be always taken into account;
- Efforts should be made to encourage operators to inform the public regularly of environmental impact of their activities and products; e.g. through online databases;
- It is important to make information on traceability of LMOs/GMOs publicly available;
- It is also important to continue providing information with regard to new genomic techniques ("new LMOs/GMOs") as it becomes more available;
- Such formats as brief brochures with visualizations, and coverage of interviews with media/journalists are attractive ways to share information, they therefore need to be promoted more;
- Considering the current trend of digitalization, several areas should receive particular attention, such as:
 - a) Update regulatory and institutional frameworks and develop technical means supportive to the dissemination of information through electronic means, including through the Biosafety Clearing House
 - b) Develop capacity of different experts required to promote such dissemination;

-
- c) make more information accessible online through websites, in social media and modern communication tools (e.g., webinars) as to reach a wider public, in particular in remote locations;
 - d) Information should be shared in machine-readable, user-friendly and open formats as the use of open licenses promotes use, sharing and reuse of information;
 - e) Promote integration of LMOs/GMOs related websites/databases into a nationwide digital information system;
 - f) Translate in national and local languages and apply for LMO/GMO-related matters [Recommendations on Electronic Information Tools](#) developed under the Aarhus Convention.

Public awareness and education

- Efforts to raise awareness and conduct educational activities on issues concerning the implementation of the Aarhus Convention and the Protocol on Biosafety, including its Implementation Plan and its Capacity-building Action Plan, should continue through e.g.:
 - a) Increase awareness and knowledge on the topic of LMO/GMO through target group-specific education, training programmes and surveys, including the general public, staff of the relevant authorities, the judiciary, farmers, manufacturers, teachers, journalists, NGOs, children, youth and students;
 - b) Promote inclusion of LMO/GMO-related matters in curriculum of different professionals, including environment-, agriculture-, law-, international relations-, health, economy, and trade-related;
 - c) Promote informational tools and approaches, such as labelling (ecolabelling, food labelling);
 - d) Support development and implementation of communication strategies, including raising awareness and public dialogue on the topic through social networks, thematic workshops/trainings; awareness raising through online means; developing brochures; organization of dedicated events (e.g., on the occasion of international thematic days);
 - e) Support raising awareness in educational institutions;
 - f) Develop correct, complete and objective material for online and offline training, animations/cartoons and websites to be used as stand alone or to complement training;
 - g) Prepare toolkits that can be customized for different social-cultural backgrounds;
 - h) Develop material that is particularly targeted at the children and youth to engage them in this topic while avoiding information overload;

-
- i) Efforts should be made to improve understanding of scientific and technical issues, including new technological developments, by indigenous peoples and local communities, farmers, consumer associations, women and youth.

Public participation in decision-making

- Develop and implement effective mechanisms to ensure meaningful and inclusive public participation in decision-making regarding LMOs/GMOs, in particular aimed at involving children, youth, elderly people, women, indigenous peoples and local communities, persons with disabilities, environmental defenders/environmental human rights defenders and other groups in vulnerable situations;
- Promote inclusion of a wide range of interested stakeholders, including environmental NGOs, producers and representatives of the academic, scientific, technological and social sectors in the work of national advisory bodies (e.g. biosafety committees, councils) dealing with LMOs/GMOs and the issue of potential conflict of interest shall be considered in this context;
- Different formats of public participation shall be promoted depend on the legal requirements and practical circumstances, such as public hearings, working sessions within bodies established to deal with LMOs/GMOs; consultations; and information sessions. Considering complexity of the issue, public participation through only submission of written comments shall be avoided;
- Efforts should be made to reach out and engage in decision-making children, youth, elderly people, women, indigenous people and local communities, persons with disabilities, environmental defenders/environmental human rights defenders and other groups in vulnerable situations, including through providing the required materials in local languages and holding events at the local territories;
- Labelling and Cultivation Registers should be promoted as they allow for informed decision-making and meaningful public participation;
- It will be important not to exclude new types of LMOs/GMOs from the definition of GMO; from approval and other decision-making processes; and from labelling and registers; as these limits opportunities for public to participate in decision-making on such new types of GMOs. This applies, for example to such issues as “synthetic biology”;
- Efforts needs to be made to promote meaningful involvement of the public in decision-making processes especially in the regions where a LMO/GMO will be cultivated;
- Along with face-to-face traditional methods of public participation, also promote modern and user-friendly online tools as to:
 - a) allow to involve a wider audience to strengthen the cooperation of government institutions with civil society;
 - b) enable the active participation of all interested parties in the processes on equal footing;
 - c) Facilitate the exchange of proposals among interested parties that are subject of decision-making, including a wider public.

Access to justice

- Increase awareness of LMO/GMO-related matters among legal professionals;
- Continue strengthening specialization of judiciary, other independent review bodies and other legal professionals in environmental law, including in subjects related to LMOs/GMOs;
- Promote environmental law curriculum, including LMO/GMO-related matter, in law faculties, judicial training institutions and other relevant institutions;
- Ensuring that assistance mechanisms are provided and are available by law and in practice for members of the public, including NGOs;
- Promote to the public opportunities with regard to access to justice in relation to LMOs/GMOs matter and access to assistance mechanisms;
- Ensure the clarity of legislation on access to justice and the enforcement measures;
- Build institutional capacity for monitoring, assessment and enforcement of LMO/GMO-related regulations as to improve access to justice;
- Implement enforcement mechanisms and monitor enforcement of regulations to ensure compliance with LMO/GMO-related laws;
- Adopt the relevant amendments to national legislation to promote access to justice, when needed;
- Support trend in increasing admissibility of public interest litigation and collective redress;
- Improve capacities of courts and other relevant bodies in using knowledge about environmental risks and independent environmental expertise, including related to LMO/GMO matter;
- Continue developing e-justice initiatives and modern digital tools to improve access to legal- and justice-related information, data and statistics, including with regard to LMO/GMO-related cases;
- Promote multi-stakeholder national dialogue to remove financial and other barriers to access to justice, involving NGOs, academia and other interested stakeholders dealing with LMOs/GMOs;
- Promote international cooperation on access to justice in environmental matters, involving NGOs, academia and other interested stakeholders dealing with LMOs/GMOs;
- Implement requirements of access to justice in line with the Aarhus Convention, the Nagoya – Kuala Lumpur Supplementary Protocol on Liability and Redress to the Cartagena Protocol on Biosafety and Target 22 of the Kunming-Montreal Global Biodiversity Framework;
- Make particular efforts to ensure that groups in vulnerable situations have effective access to justice.

2. The Chair further observed that the round table called for several actions **at the national level** to:

- Continue strengthening coordination and cooperation between national focal points of the Aarhus Convention and the Cartagena Protocol on Biosafety at national level;
- Develop cooperation through establishing and/or participating in regional initiatives related to LMO/GMO work, similar to the Asia BCH Family, regional training workshops and other cooperation through North-South and South-South collaboration;
- Encourage interested UN Member States:
 - a) to accede to the Aarhus Convention and its GMO Amendment and/or to make use of the Lucca Guidelines², the Maastricht Recommendations³ and Recommendations on Electronic Information Tools⁴ as tools for developing legislation and procedures for effective access to information and public participation in the context of LMOs/GMOs;
 - b) to ratify or accede to the Cartagena Protocol on Biosafety and its Nagoya – Kuala Lumpur Supplementary Protocol on Liability and Redress;
- For Parties to the Aarhus Convention, to implement the Aarhus Convention in the context of GMOs and ratify and implement the GMO Amendment to the Aarhus Convention;
- For Parties to the Cartagena Protocol on Biosafety, to encourage countries to set in practice the Implementation Plan and Capacity-Building Action Plan adopted at the tenth meeting of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety (COP-MOP 10), and implement the Cartagena Protocol on Biosafety and its Nagoya – Kuala Lumpur Supplementary Protocol on Liability and Redress, as well as Targets 17 and 22 of Kunming-Montreal Global Biodiversity Framework;
- Make use of guidance materials⁵, developed jointly under the auspices of the two treaties.

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 assisting countries in ratifying and implementing the two instruments in the context of LMOs/GMOs through:

- Developing user-friendly formats for the guiding material, such as presenting them as brochures; toolkits with visuals and easy-to-search online versions;
- Organising events and advisory assistance to countries as to promote ratification of the GMO Amendment, and support the implementation of Article 23 of the Protocol and the Aarhus Convention in the context of LMOs/GMOs;

² Available at <http://www.unece.org/env/pp/gmos.html>

³ Available at <https://www.unece.org/index.php?id=49142&L=0>

⁴ Available at [Recommendations on the more effective use of electronic information tools | UNECE](#)

⁵ Available at <http://www.unece.org/env/pp/gmos.html> and https://bch.cbd.int/onlineconferences/portal_art23/resources.shtml

-
- Organising a similar round table in the next intersessional period of the two treaties after 2025 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, also considering possibility of engaging other relevant international treaties (for example, the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean (Escazú Agreement) and other programmes and instruments (e.g., dealing with LMOs/GMOs and food/feed safety);
 - Calling on Parties to the Aarhus Convention and the Cartagena Protocol and other interested Member States and organisations to provide funds required for the organization of the next round table, in particular with regard to ensuring a wide geographic representation of different regions.

3. The joint round table also assisted Parties to both treaties and interested Member States to further their other international commitments related to transparency, rule of law and public participation in GMO/LMO matters such as tackling triple planetary crisis⁶ with regard biodiversity loss, and achieving Sustainable Development Goals (SDGs), in particular: SDG 2 (zero hunger); SDG 15 (life on land), and SDG 16 (responsive, inclusive, participatory and representative decision-making) which, due to its cross-cutting nature, applicable for the implementation of all SDGs.

4. The key outcomes of the joint round table will be reported to the twenty-eighth meeting of the Working Group of the Parties to the Aarhus Convention (Geneva, July 2024) and the eighth session of the Meeting of the Parties to the Aarhus Convention (2025) and shared with the eleventh meeting of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety (21 October 2024–1 November 2024, tentative). A thematic session on the topic is also planned at the twenty-ninth meeting of the Working Group of the Parties to the Aarhus Convention (in 2025).

⁶ Triple Planetary Crisis is a term and framework adopted by the United Nations system to describe the three intersecting global environmental crises of pollution, climate crisis, biodiversity loss and/or ecological crises, see <https://www.unep.org/news-and-stories/speech/action-tackle-triple-planetary-crisis>