



Fourth Joint Aarhus Convention / Convention on Biological Diversity Round Table on Public Awareness, Access to Information and Public Participation regarding Living Modified Organisms/Genetically Modified Organisms

Geneva, 11-12 December 2023



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AARHUS CONVENTION

Brief Facts

- Adopted on 25 June 1998 in Aarhus, Denmark at the 4th 'Environment for Europe' Ministerial Conference
- Entered into force on 30 October 2001
- International treaty linking environment and human rights
- 47 Parties including the EU
- Grants public rights and imposes on Parties and public authorities obligations regarding access to information, public participation and access to justice, reinforced by the compliance review system and reporting mechanism
- Provides procedural requirements
- All provisions of the Conventions are applicable to GMO matters and remain legally binding for all Parties
- Almaty Amendment on public participation in GMO decisions (2005) reinforced provisions on public participation
- Lucca Guidelines on GMOs (2002) and the Almaty Amendment on public participation in GMO decisions (2005) – direct references to CBD and the Cartagena Protocol/national biosafety framework
- Host of practical material to support implementation developed jointly with the secretariat of the Protocol on Biosafety

Status of ratification of the Amendment on GMOs

➤ **32 Parties**

➤ **One more ratification** is required from among the current Parties to the Convention that were Parties at the time the amendment was adopted for the GMO amendment to enter into force:

i.e.; **Armenia, Azerbaijan, Kazakhstan, Kyrgyzstan, North Macedonia, Tajikistan, Turkmenistan and Ukraine**

Aarhus Convention Parties to the GMO Amendment

Albania
Austria
Belgium
Bulgaria
Cyprus
Czech Republic
Denmark
Estonia
European Union
Finland
France
Georgia
Germany
Hungary
Ireland
Italy
Latvia
Lithuania
Luxembourg
Malta
Netherlands
Norway
Poland
Portugal
Republic of Moldova
Romania
Slovakia
Slovenia
Spain
Sweden
Switzerland
United Kingdom of Great Britain and Northern Ireland

General Trends

- Parties that have ratified the amendment are bound to work towards implementation of the new article 6 bis and annex I bis.
- At the same time, these Parties are also bound by article 6, paragraph 11, which remains binding for all Parties and in force until the entry into force of the amendment. By decision IV/4 the revised reporting format was adopted, incorporating the requirement for Parties to report already on the implementation of article 6 bis and annex I bis.

From the European Union, Iceland, Norway, Switzerland and United Kingdom subregion, only Croatia and Iceland have not ratified the amendment yet. Many Parties from the subregion reported that they transposed relevant European Union instruments on GMOs into national legislation, incl. provisions on disclosure of information and notification, and public participation rules and procedures. Parties demonstrated a rather high level of public involvement in decision-making processes on GMOs.

Some Parties in Eastern Europe, the Caucasus and Central Asia reported that their legal frameworks for decision-making on GMOs are still undeveloped (e.g., Armenia, Turkmenistan), while others referred to legislative acts that are in place (e.g., Georgia, Kazakhstan). A couple of Parties whose ratification of the amendment would count towards its entry into force indicated plans to adopt the necessary legislative provisions for public involvement in decision-making related to GMOs (e.g., Armenia, Kazakhstan and North Macedonia). Only Georgia reported on the availability of a set of rules regulating release into the environment, placing on the market, import/re-export of living GMOs and public access to information and participation in respective decision-making. Republic of Moldova and Georgia are the only Parties to the GMO amendment in this subregion.

Albania is the only Party from South-Eastern Europe. The Party reported that its legislation on GMO products remains yet very limited. Serbia, Bosnia and Herzegovina and North Macedonia reported on having a public participation procedure (incl. provisions on public notification, access to information, collection and consideration of comments and informing of the decision etc.) in decisions on the deliberate release of GMOs into the environment.

Challenges encountered by Parties

Among challenges, the following were reported by Parties through latest National Implementation Reports, submitted to the seventh session of the Meeting of the Parties (2021)

- Lack of human and financial resources
- Difficulty of finding independent experts to prepare risk assessments related to GMO decision-making
- Difficulties in differentiating between non-confidential information and data protected by intellectual property rights
- Adverse effect of the long consultation period on the authorization process for clinical trials and scientific studies on GMOs
- Lack of accredited laboratories
- Absence of information on the methodology of GMO risk assessment
- Availability of all the necessary and accurate information on GMOs and expert opinions to participate effectively during GMO decision-making

The way forward

Based on the latest National Implementation Reports, submitted to the seventh session of the Meeting of the Parties (2021)

Promote implementation of the Convention in the context of GMOs, in particular by:

- Ratifying the GMO Amendment, especially those Parties to the Aarhus Convention who were Parties at the time the GMO Amendment was adopted as soon as possible to ensure its entry into force;
- Adapting Parties' national legislative framework to the requirements of the GMO Amendment and ensuring the institutional and technical framework for its implementation at the national level;
- Strengthening the capacity of authorities and relevant institutions to effectively handle access to information and public participation in decision-making on GMO related matters;
- Support specific training sessions and awareness-raising events on the obligations under the Aarhus Convention targeting (those relevant for GMO-related matters) e.g. officials of public authorities, municipalities, members of judiciary, private sector/developers/industry, journalists



Aarhus Convention and its Protocol on PRTRs

Learn more at

<https://www.unece.org/env/pp/welcome.html>

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