



### **Information from Denmark on CBD Notification 2023-109: Nagoya-Kuala Lumpur Supplementary Protocol on Liability and Redress - measures to provide for financial security for damage from living modified organisms**

In decision CP-10/13 ( <https://www.cbd.int/doc/decisions/cp-mop-10/cp-mop-10-dec-13-en.pdf> ), Parties to the Nagoya-Kuala Lumpur Supplementary Protocol on Liability and Redress were requested and other Governments were invited to submit information to the Executive Secretary on measures they have in place to provide for financial security for damage from living modified organisms, in particular where they have reported having such measures in place in their fourth national reports.

#### Information from Denmark

A key element in the Danish legislation on co-existence between GM-crops and conventional and organic crops are the provisions that provide financial security from damage from genetically modified material. These provisions can be found in "Bekendtgørelse om kompensation for tab på grund af visse forekomster af genetisk modificeret materiale", BEK nr.744 af 30/05/2022 (in English: "Administrative order on compensation of loss caused by certain occurrence of genetically modified material, BEK 744 of 30 May 2022"). The administrative order only exists in a Danish version which can be accessed here: <https://www.retsinformation.dk/eli/lta/2022/744>

This administrative order focuses on the potential unintended spread of GM-material into fields of organic or conventional crops, e.g. through the spread of GM-pollen. It stipulates the conditions that must be fulfilled if such an unintended admixture is to trigger an economic compensation. It also includes provisions on how to apply for compensation, including on the information necessary to invoke such a claim and to determine the size of the compensation.

The financial resources for the compensation scheme come from two sources: growers of GM-crops have to pay 100 DKK annually for each hectare of GM-crops they grow. In addition to that, the state also provides resources through a budget line in the Finance Act.

Finally, it should be noticed that the above-mentioned scheme has never been used. No commercial cultivation of GM-crops has ever taken place in Denmark.

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