



Convention on Biological Diversity

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JOINT AARHUS CONVENTION/CARTAGENA PROTOCOL ON
BIOSAFETY WORKSHOP ON PUBLIC AWARENESS, ACCESS
TO INFORMATION AND PUBLIC PARTICIPATION
REGARDING LIVING/GENETICALLY MODIFIED ORGANISMS
Nagoya, Japan, 8-9 October 2010

ORGANIZATIONAL MATTERS

Annotations to the provisional agenda

INTRODUCTION

1. At its second meeting, the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety (COP-MOP), requested the Secretariat to intensify cooperation with the Aarhus Convention secretariat in the United Nations Economic Commission for Europe on matters of public awareness and participation (decision BS-II/6, paragraph (d)). In paragraph 11 of decision BS-II/13, Parties, other States and concerned relevant international bodies were also invited to explore and maximize opportunities for cooperation in the promotion of public awareness, education and participation concerning living modified organisms (LMOs) through the frameworks provided by related national and international instruments, in particular the Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters.
2. In 2005, the second meeting of the Parties to the Aarhus Convention adopted, in decision II/1, the Almaty Amendment to the Convention, setting out provisions specifically requiring Parties to provide for early and effective information and public participation in decision-making regarding the deliberate release into the environment and placing on the market of genetically modified organisms (GMOs). In the same decision, the Meeting of the Parties recognized the need to cooperate with other international organizations and fora, in particular the Cartagena Protocol on Biosafety, with a view to maximize synergy and avoid duplication of effort, inter alia through encouraging the exchange of information and further collaboration between the secretariat of the Convention and that of the Cartagena Protocol.
3. Pursuant to the above decisions, the Aarhus Convention secretariat and the CBD Secretariat co-organized an international workshop on good practices regarding access to information, public participation and access to justice regarding GMOs, which was held on 19-20 May 2008 in Cologne, Germany, shortly after the fourth meeting of the Parties to the Protocol.
4. The present joint Aarhus Convention/Cartagena Protocol on Biosafety workshop is being organized to enable participants to share knowledge, experiences and lessons learned in promoting public awareness, access to information and participation in decision-making concerning living modified organisms. The workshop is also expected to produce recommendations which will contribute to the discussions on the programme of work on public awareness, education and participation at the fifth meeting of the Parties, and also facilitate the implementation of the Aarhus Convention's Almaty Amendment on GMOs.

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ITEM 1. OPENING OF THE WORKSHOP

5. The workshop will be opened by Mr. Helmut Gaugitsch, the Chair, at 9:30 a.m. on Friday, 8 October 2010. The Executive Secretary of the Convention on Biological Diversity will also make opening remarks. A representative from the secretariat of the Aarhus Convention will present a review of recommendations of the 2008 Cologne workshop. Participants will undertake a three-minute written exercise on greatest needs and challenges regarding access to information, public awareness and participation.

ITEM 2. ORGANIZATION OF WORK

6. The participants will be invited to consider and adopt the provisional agenda proposed by the Secretariat of the Aarhus Convention and the Secretariat of the Cartagena Protocol on Biosafety as well as the proposed organization of work contained in the annex hereto. The proposed organization of work provides for the workshop to be conducted in plenary session. However, the participants may consider setting up discussion groups, as appropriate.

7. The workshop will be conducted in English only.

ITEM 3. OVERVIEW OF LEGAL FRAMEWORK ON PUBLIC AWARENESS, ACCESS TO INFORMATION AND PARTICIPATION REGARDING LMOs/GMOs

8. Under this agenda item, participants will hear presentations on the overview of the provisions of and decisions taken by the governing bodies of the Cartagena Protocol and the Aarhus Convention regarding public awareness, access to information and participation. Participants will also hear country experiences in outreach and awareness-raising, including the use of the clearing-house mechanisms under the two agreements.

ITEM 4. PUBLIC AWARENESS AND ACCESS TO INFORMATION: GOOD PRACTICES, NEEDS AND CHALLENGES

9. Under this agenda item, presentations will be made on general issues relating to access to information as well as the experiences with developing and implementing national frameworks, systems and mechanisms for public awareness and education and access to information regarding LMOs/GMOs. Participants will be invited to discuss the needs and challenges as well as the emerging good practices and lessons learnt. The participants will also discuss and recommend future actions and modalities for cooperation, and further possibilities for synergy and coordination, between the Aarhus Convention and the Cartagena Protocol, including collaboration among national focal points and key stakeholders in implementing Article 23 of the Cartagena Protocol and Articles 4 and 5 of the Aarhus Convention. In particular, they will be invited to identify and recommend joint activities for implementing the Cartagena programme of work and the Aarhus Convention work plan, including possible timeframes and concrete outcomes.

ITEM 5. PUBLIC PARTICIPATION: GOOD PRACTICES, NEEDS AND CHALLENGES

10. Under this agenda item, the participants will hear presentations on national experiences, good practices and lessons learnt in promoting public participation in LMO/GMO decision making processes at local, national and regional levels; in LMO/GMO risk assessments and in the development and implementation of LMO/GMO-related laws and in decision-making processes regarding LMOs/GMOs. They will also share experiences with the use of different means of public participation in LMO/GMO decisions, including public hearings and the use of electronic tools such as e-conferences, electronic consultations and networks.

11. Small group discussions will be held to discuss the needs and challenges in promoting public participation regarding LMOs/GMOs and to identify possible actions and modalities for improving public participation. The participants will also be invited to take part in a mock “public hearing” exercise regarding an LMO/GMO decision.

ITEM 5. CLOSURE OF THE WORKSHOP: CONCLUDING REMARKS BY THE CHAIR

12. The workshop is expected to end at 5.30 p.m. on Saturday, 9 October 2010.

Annex

**PROPOSED ORGANIZATION OF WORK FOR THE JOINT AARHUS
CONVENTION/CARTAGENA PROTOCOL ON BIOSAFETY WORKSHOP ON PUBLIC
AWARENESS, ACCESS TO INFORMATION AND PUBLIC PARTICIPATION REGARDING
LIVING MODIFIED ORGANISMS/GENETICALLY MODIFIED ORGANISMS**

<i>Friday, 8 October 2010</i>	
9.30–10 a.m.	<p>1. Opening of the workshop</p> <ul style="list-style-type: none"> • Welcome by Chair • Review of recommendations of 2008 Cologne workshop • Three-minute written exercise for participants on greatest needs and challenges regarding access to information, public awareness and participation
10-11 a.m.	<p>2. Overview of legal frame work on public awareness, access to information and participation regarding LMOs/GMOs <i>(15 minute presentation with short discussion after each presentation)</i></p> <ul style="list-style-type: none"> • Overview of Article 23 of the Cartagena Protocol and introduction of the Cartagena Protocol's programme of work on public awareness, education and participation. • Overview of article 6, paragraph 11 and the GMO Amendment to the Aarhus Convention. • Experiences in outreach and awareness-raising, including better/more efficient use of the clearing-house mechanisms under the Cartagena Protocol and the Aarhus Convention
11–11.15 a.m.	Coffee break
11.15 a.m. – 1 p.m.	<p>3(a) Public awareness and access to information: good practices, needs and challenges</p> <p>(i) Presentations: <i>(15 minute presentations followed by short discussions)</i></p> <ul style="list-style-type: none"> • Access to information regarding the use of LMOs/GMOs, including access to scientific information and risk assessment and potential conflicts with intellectual property rights. • Access to information regarding international trade in LMOs/GMOs, including certification and labeling of LMO/GMO products: main challenges and good practices. • Experiences with developing and implementing national mechanisms, frameworks and systems regarding public awareness and education and access to information regarding LMOs/GMOs. <p>(ii) Open discussion on public awareness and access to information regarding LMOs/GMOs, addressing the following:</p> <ul style="list-style-type: none"> • Greatest needs and challenges

	<ul style="list-style-type: none"> • Good practices and lessons learned • Possible activities/modalities for implementation of the Cartagena Protocol's programme of work • Possible points for concrete cooperation between the Aarhus Convention and the Cartagena Protocol with regard to (a) their Parties, (b) secretariats and (c) stakeholders.
1-2 p.m.	Lunch
2-4 p.m.	<p>3(a) Public awareness and access to information: good practices, needs and challenges (cont'd)</p> <p>(iii) Small group discussions to identify concrete recommendations regarding the issues discussed.</p>
4-4.15 p.m.	Coffee break
4.15–5.30 p.m.	<p>3(b) Public awareness and access to information – the way forward</p> <p>(i) Reports back to the plenary by moderators of small groups</p> <p>(ii) Open discussion in plenary aimed at identifying concrete recommendations for future action, regarding:</p> <ul style="list-style-type: none"> • The role of national focal points and key stakeholders in implementing article 23 of the Cartagena Protocol and access to information regarding GMOs under article 4 and 5 of the Aarhus Convention, including the role of: <ul style="list-style-type: none"> ○ Cartagena Protocol on Biosafety national focal points ○ Aarhus Convention national focal points ○ Environmental and other civil society organizations ○ Industry ○ Scientists and academia • Concrete issues of collaboration in the Aarhus Convention workplan and the Cartagena draft programme of work, including envisioned outcomes, activities and timeframes.
	<ul style="list-style-type: none"> • Further possibilities for synergy, coordination and collaboration regarding: <ul style="list-style-type: none"> ○ Actions aimed at improving public awareness, information and education, including through the use of the Aarhus Convention's Almaty Guidelines on Promoting the Principles of the Convention in International Forums ○ Capacity-building activities ○ The Aarhus Convention/Cartagena Protocol strategic plans
5.30 p.m.	End of first day
Saturday, 9 October 2010	
9–10.45 a.m.	4(a) Public participation: good practices, needs and challenges

	<p>(i) Presentations: <i>(15 minute- presentations followed by short discussions)</i></p> <ul style="list-style-type: none"> • National experiences in implementing the Aarhus Convention's GMO amendment and public participation under the Cartagena Protocol on Biosafety, including public participation in LMO/GMO decision making at local, national and EU (or other similar organization) level. • Public participation in LMO/GMO risk assessment procedures, including the public's role (including environmental NGOs and other civil society organizations) in evaluating (i) LMO/GMO related socio-economic risks and (ii) other characteristics which might be different from environmental impact assessment procedures regarding non-LMO/GMO decisions. • Implementation of LMO/GMO-related laws, in particular the main challenges and the role of the public with regard to these. <p>(ii) Open discussion on public participation regarding LMOs/GMOs, addressing the following:*</p> <ul style="list-style-type: none"> • Greatest needs and challenges • Good practices and lessons learnt • Possible activities/modalities for implementation of the Cartagena Protocol's programme of work • Possible points for concrete cooperation between the Aarhus Convention and the Cartagena Protocol with regard to (a) their Parties, (b) secretariats and (c) stakeholders.
<p>10.45–11a.m.</p>	<p>Coffee break</p>
<p>11 a.m. – 1 p.m.</p>	<p>4(a) Public participation: good practices, needs and challenges (continued)</p> <p>(iii) Presentation: <i>(15 minute-presentations followed by short discussions, addressing:</i></p> <ul style="list-style-type: none"> • Different types of public participation in LMO/GMO decisions, e.g. <ul style="list-style-type: none"> (a) Public hearings (b) Electronic information tools, e.g. e-conferences, electronic consultations and networks. <p>(iv) Mock “public hearing” regarding an LMO/GMO decision.</p>

* Participants will also have an opportunity to make short statements from the floor (maximum 5 minutes).

1– 2 p.m.	Lunch
2 –3.30 p.m.	4(a) Public participation: good practices, needs and challenges (cont'd) (v) Small group discussions to identify concrete recommendations regarding the issues discussed.
3.30-3.45 p.m.	Coffee break
3.45– 5.10 p.m.	4(b) Public participation – the way forward (i) Reports back to the plenary by the moderators of the small groups (ii) Open discussion in plenary aimed at identifying concrete recommendations for future action, regarding: <ul style="list-style-type: none"> • The role of national focal points and key stakeholders in implementing Article 23 of the Cartagena Protocol and article 6, paragraph 11 or the GMO Amendment to the Aarhus Convention, including the role of: <ul style="list-style-type: none"> ○ Cartagena Protocol on Biosafety national focal points ○ Aarhus Convention national focal points ○ Environmental and other civil society organizations ○ Industry, scientists and academia • The practical meaning of article 6 <i>bis</i>, paragraph 2, of the Aarhus Convention Almaty amendment. • Concrete issues of collaboration in the future Aarhus work programmes and the Cartagena draft programme of work, including envisioned outcomes, activities and timeframes.
	<ul style="list-style-type: none"> • Further possibilities for synergy, coordination and collaboration regarding: <ul style="list-style-type: none"> ○ Actions aimed at improving public participation, including through the use of the Aarhus Convention's Almaty Guidelines on Promoting the Principles of the Convention in International Forums ○ Capacity-building activities ○ The Aarhus Convention/Cartagena Protocol strategic plans
5.10– 5.30 p.m.	5. Closure of the workshop: concluding remarks by the Chair
5.30 p.m.	<i>Closure of the workshop</i>