

Pocket Guide

Promoting effective access to information and public participation regarding living modified organisms/
genetically modified organisms



UNECE



Convention on
Biological Diversity



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Pocket guide: Promoting effective access to information and public participation regarding living modified organisms/genetically modified organisms

Summary: "This publication is a joint pocket guide that has been prepared on the basis of experiences shared by Parties to and stakeholders of the Cartagena Protocol and the Aarhus Convention. The pocket guide was developed primarily for countries that are Parties to both the Cartagena Protocol and the Aarhus Convention. Other countries and organizations may also wish to make use of the pocket guide." — Provided by publisher.

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Foreword

The present pocket guide is a practical tool aimed at supporting the implementation of two legally binding instruments:

- *The Cartagena Protocol on Biosafety to the Convention on Biological Diversity*. Under Article 23 of the Protocol, on public awareness and participation, Parties to the Protocol are required to promote and facilitate public awareness, education and participation regarding living modified organisms and to ensure that public awareness and education encompass access to information on living modified organisms. They are also required to consult the public in decision-making, in accordance with their domestic legislation, and to take steps to inform the public about the means of access to information contained in the Biosafety Clearing-House (which is established under Article 20).
- *The Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters* (Aarhus Convention), as amended in 2005 with the inclusion of an article on public participation in decisions on the deliberate release into the environment and placing on the market of genetically modified organisms. The Aarhus Convention links environmental rights and human rights through its focus on interactions between the public and public authorities in a democratic context and by strengthening government accountability with regard to environmental matters, including genetically modified organisms.

The pocket guide has been developed as a resource for Governments and other stakeholders to strengthen their capacities in ensuring effective access to information and fostering meaningful public participation in decision-making related to living modified organisms and genetically modified organisms.

The long-standing and fruitful partnership between the Secretariats of the Aarhus Convention and of the Convention on Biological Diversity, the latter serves as the Secretariat of the Cartagena Protocol, has been instrumental in the creation of the pocket guide. Together we have organized several global round-table meetings, created two e-learning courses and developed checklists of key measures and other resources.

The pocket guide is a product of dialogue and exchange of experiences through these joint activities. It addresses common challenges faced by Parties and stakeholders, such as limited resources and complex procedures, while highlighting the many benefits of access to information and public participation, ranging from a deeper understanding of living modified organisms and genetically modified organisms to improved trust, transparency, accountability, decision quality and relationship with stakeholders. Priority areas are also emphasized in the guide, such as making information easily accessible and promoting effective public participation procedures.

The Secretariats' collaborative efforts to promote the implementation of the two treaties in synergy have furthered the implementation of the Aarhus Convention in the context of genetically modified organisms and also helped to set in action the implementation plan and the capacity-building action plan for the Cartagena Protocol and to promote Article 23 of the Protocol. In addition, the joint work aligns with the objectives of the Kunming-Montreal Global Biodiversity Framework, the world's road map to halting and reversing biodiversity loss by 2030, with important targets on biosafety and biotechnology (Target 17) and on access to justice (Target 22).

The safe use of biotechnology is important for the world to reach a number of Sustainable Development Goals and effective public engagement is critical in this regard. We invite Governments and other stakeholders to take part in this ongoing collaboration and help us move forward.



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Introduction

Access to information and public participation processes regarding living modified organisms (LMOs)/genetically modified organisms (GMOs), if managed ineffectively, may needlessly slow down decision-making processes, or lead to biased outcomes. This guide is an informal tool that seeks to help Governments and stakeholders strengthen their capacities for effective access to information and public participation in decision-making processes regarding LMOs/GMOs. The tool aims to support efforts to implement article 23 of the Cartagena Protocol on Biosafety to the Convention on Biological Diversity (Cartagena Protocol) and the United Nations Economic Commission for Europe (ECE) Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention), including its amendment on public participation in decisions on the deliberate release into the environment and placing on the market of genetically modified organisms (GMO amendment).

This pocket guide has been prepared on the basis of experiences shared by Parties to and stakeholders of the Cartagena Protocol and the Aarhus Convention. It also builds on other capacity-building resources developed under the Aarhus Convention and the Cartagena Protocol related to access to information and public participation regarding LMOs/GMOs,¹ including e-learning materials on access to information and public participation regarding LMOs, developed by the secretariat of the Convention on Biological Diversity, which are available on the Biodiversity E-learning Platform of the Convention on Biological Diversity.²

1 See section 5 of present guide on “Resources”.

2 See <https://scbd.unssc.org/course/index.php?categoryid=3>.

The pocket guide was developed primarily for countries that are Parties to both the Cartagena Protocol and the Aarhus Convention. Other countries and organizations may also wish to make use of the pocket guide.

The Cartagena Protocol addresses LMOs. An LMO is defined as any living organism that possesses a novel combination of genetic material obtained through the use of modern biotechnology. The Cartagena Protocol also defines “living organism” and “modern biotechnology”.

While the objective of the Cartagena Protocol is to contribute to ensuring an adequate level of protection in the field of the safe transfer, handling and use of LMOs that may have adverse effects on the conservation and sustainable use of biological diversity, also taking into account risks to human health, the Cartagena Protocol specifically focuses on transboundary movements. Article 4 of the Cartagena Protocol provides that the Cartagena Protocol applies to the transboundary movement, transit, handling and use of all LMOs that may have adverse effects on the conservation and sustainable use of biological diversity, also taking into account risks to human health. The Cartagena Protocol does not apply to the transboundary movement of LMOs that are pharmaceuticals for humans that are addressed by other relevant international agreements or organizations.

GMO in the scope of the Aarhus Convention is understood as any organism, with the exception of human beings, that possesses a novel combination of genetic material obtained through the use of modern biotechnology.

The Aarhus Convention’s aim to promote access to information and public participation is closely related to article 23 of the Cartagena Protocol, which requires that Parties promote and facilitate public awareness, education and participation concerning the safe transfer, handling and use of LMOs in relation to the conservation and sustainable use of biological diversity, also taking into account risks to human health. Article 23 of the Cartagena Protocol also requires that Parties endeavour to ensure that public awareness and education encompass access to information on LMOs identified in accordance with the Cartagena Protocol that may be imported.

This pocket guide uses the terms GMO and LMO interchangeably without prejudice to their distinct nature under the respective instruments.

In relation to promoting access to information and public participation in LMO/GMO matters, sections 1, 2 and 3 of this guide describe, respectively, benefits, systemic challenges and priority areas. Section 1 describes the benefits of providing effective access to information and public participation in decision-making. Section 2 highlights systemic challenges countries may come across when seeking to advance on public participation and access to information. Section 3 describes priority areas to improve access to information and public participation to better implement the Aarhus Convention, its GMO amendment and the Cartagena Protocol.

Background

The concept of “public access to information” refers to the notion that the public has a right to access information held by public institutions.

Public participation is a broad concept underpinned by the notion that those who are interested in and might be affected by a decision should participate in the process of making such a decision and have their views, interests or concerns heard and taken into account. The term encompasses the processes, mechanisms and practices through which the public or representatives of the public are engaged and provided with the opportunity to contribute to the decision-making process by expressing their views, opinions, needs or concerns.

Effective public access to information and public participation are key to building public confidence in biosafety matters. They can also help improve the quality of decisions regarding LMOs/GMOs and the measures designed to identify and address potential environmental and human health risks associated with LMOs/GMOs.

The right to freedom of expression, including the freedom to seek, receive and impart information, is enshrined in article 19 of the Universal Declaration of Human Rights and other international instruments. Principle 10 of the Rio Declaration on Environment and Development promotes the importance of access to information and public participation. Furthermore, some of these concepts are reflected in a number of regional instruments and strategies, including the Inter-American Strategy for the Promotion of Public Participation in Decision-making for Sustainable Development and the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean (Escazú Agreement).

The Aarhus Convention addresses public access to information in particular in its articles 4 and 5, and public participation in particular in its articles 6, 7 and 8. The Cartagena Protocol addresses both concepts in its article 23.

1. Benefits

Effective access to information concerning LMO/GMO matters and public participation in related decision-making have a number of benefits for Governments and stakeholders. The following are some of the possible key benefits:

**a) Increased understanding of living modified organisms/
genetically modified organisms and related decision-
making processes**

Promoting access to information makes it possible to increase public awareness and understanding of the complex technical, social and political issues and of the decision-making process regarding LMOs/GMOs. Examples may include the following:

- Increased public access to information through effective and objective awareness-raising and educational activities regarding LMOs/GMOs can lead to improved understanding of and interest in complex technical, social and political issues when Governments and stakeholders make decisions regarding LMOs/GMOs.
- Improved access to information could increase the public's understanding of the decision-making process and of authorities' responsibilities regarding LMOs/GMOs. This can enhance public participation of different target groups.
- Improved awareness through access to information may enable the public to seek clarification about the LMOs/GMOs for which decisions are to be made, as well as other issues relevant for decision-making.

- Increased public awareness through access to information on the rights, risks and benefits related to LMOs/GMOs may enable a transparent discussion between the public, public authorities, businesses and other stakeholders.

b) Enhanced trust, better quality of decisions, accountability and better governance

Promoting access to information and public participation provides opportunities to enhance trust, the quality of decisions and accountability, and improve governance. Examples may include the following:

- Effective public participation in decision-making concerning LMOs/GMOs can lead to increased understanding of the public's concerns, expectations and needs. It can enable Governments to make better decisions that take into account the concerns, expectations and needs of the public.
- Public participation may broaden a given Government's knowledge and expertise required for decision-making processes.
- Public participation allows for contributions to transparency in decision-making and can improve understanding of issues related to LMOs/GMOs and, therefore, increase the public's trust and confidence in Government decision-making processes.
- Public participation can build trust, engender a spirit of cooperation between the Government and the public and increase public confidence in the regulatory and decision-making processes concerning LMOs/GMOs.
- Public participation can enable the public to scrutinize Government institutions and hold them accountable for their decisions and actions.

c) Improved relationships between decision-makers and the public, and among different stakeholders

Public participation can improve relationships between decision-makers, the public, stakeholders and interest groups. Examples may include the following:

- Improved relationships between decision-makers, the public, and stakeholders through public participation can contribute to long-term collaboration regarding LMOs/GMOs.
- Public participation brings together different public representatives and interest groups that can identify and defuse potential future conflicts or opposition to Government decisions or actions. It can also safeguard against misunderstandings and potential risks due to civil disobedience.
- Public participation facilitates the exchange of information and the gaining of a better understanding of and appreciation for stakeholders' points of view, interests, values and concerns. Providing such an opportunity for participants to look at all sides of the issue can reduce the likelihood of conflicts or resistance to decisions after decisions are made.

d) Better implementation and improved legitimacy of decisions

Public participation can ease implementation and increase the legitimacy of decisions, for example:

- Decisions taken with effective public participation can create trust among stakeholders and can ease implementation, which would contribute to improved environmental governance.
- Effective public participation can enable the Government to identify and take into account externalities that might otherwise

be overlooked. It can also help with acceptance of decisions and avoid public unrest. The enhanced legitimacy of the decision-making process may contribute to its better implementation.

e) Economic gains and improved sustainability

From an economic perspective, it can be cheaper and more resource-efficient to engage the public in decision-making and ensure access to information from the outset, rather than resolving issues that could have been avoided had the public been engaged early on and effectively, for example:

- Effective public participation in decisions relating to LMOs/GMOs and access to information can help contribute to decision-making processes in which the views of the population and other stakeholders are heard and lead to decisions that are more acceptable, more sustainable and less harmful to the environment and human health. Consequently, this could lead to cost savings.

2. Systemic challenges

A number of systemic challenges may prevent effective public participation and access to information concerning LMO/GMO matters. The following are some key challenges:

a) General challenges

- Lack of understanding among decision-makers and other stakeholders of procedures and means for accessing information and for public participation in decision-making regarding LMOs/GMOs.
- Governments and other stakeholders may lack hands-on experience in biosafety issues and the role of LMOs/GMOs, which can limit public inputs into decisions on LMOs/GMOs.
- Inadequate governmental, interdepartmental and cross-sectoral cooperation can lead to limited public participation (e.g., involvement of civil society, non-governmental organizations (NGOs), businesses, scientific community and the general public) in the decision-making process regarding LMOs/GMOs.
- Lack of impartial and balanced information regarding the benefits and risks/challenges of introduction of LMOs/GMOs (e.g., through public debates and other methods).
- Limited understanding of scientific and technical issues as they are often not communicated in an informative, effective and understandable manner for the general public, including for indigenous peoples and local communities and specific target groups (e.g., farmers, women and youth).

- Other socioeconomic factors, including: public literacy levels; the languages spoken; the number of marginalized groups; and the level of civil society engagement.

b) Limited financial, technical and human capacity and resources

Limited financial, technical and human capacity and resources may be obstacles to ensuring effective public participation in decision-making and access to information. Some examples are provided below:

- Insufficient expertise and experiences in implementing the provisions of the Cartagena Protocol and the Aarhus Convention and its GMO amendment.
- Technological factors, such as limited Internet access and connectivity, negatively affect the effectiveness of public access to information processes.
- Limited capacity and resources to make available information in local languages or through traditional methods (e.g., local meetings), especially for indigenous peoples and local communities (e.g., farmers) and involvement of vulnerable and marginalized groups.

c) Low-quality and insufficient publicly accessible information

- Low-quality, misleading and insufficient publicly accessible information may prevent efficient access to information.
- The available data on LMOs/GMOs may sometimes be incomplete, lack appropriate context, may not be timely, may be difficult to find or not presented in an easily understandable way; there may also be lack of indicators for quality of information.

- Information is not broadly shared with the general public, stakeholders and decision-makers.
- Governments may not be committed to managing active disclosure of information and/or addressing public requests for information in a timely and adequate format that matches international recommendations such as those included in the Aarhus Convention's Guidelines on Access to Information, Public Participation and Access to Justice with Respect to Genetically Modified Organisms (Lucca Guidelines)³ and national frameworks and agreements such as those related to freedom of information laws.

d) Confidentiality of information

Confidentiality rules may limit access to information. There are a number of possible issues that arise in this context:

- Potential lack of established rules on confidentiality of information or exceptions to disclosure.
- Due to confidentiality rules, information may not be accessible.
- Possibly ineffective policies regarding confidentiality of information and their incorrect application could negatively affect access to information.

e) Lack of procedural clarity concerning access to information and public participation

Due to the lack of clarity on legal and administrative procedures, provisions on access to information and public participation may not be implemented effectively. A number of related issues are listed below:

³ See section 5 of present guide on "Resources".

- Lack of detailed procedures on giving effect to public participation provisions (e.g. concerning: identification of the public that may participate; early, adequate and effective notification; reasonable time frames; access to all relevant information; commenting on proposals; consideration of importance and value of public participation; prompt notice of decisions).
- Biased selection of stakeholders or insufficient participation of some stakeholders in decision-making processes, including women, vulnerable and/or marginalized groups (possibly including indigenous peoples and local communities with limited Internet access), the private sector, farmers' unions, NGOs and academia.
- The opportunity to participate in the decision-making process might be incorrectly perceived as a right to veto, when it is actually meant to assist public authorities in making an informed, good-quality decision.
- In some cases, lack of procedural clarity may make it difficult to discern how outcomes of public participation are incorporated into decisions regarding imports, deliberate release, placing on the market or contained use of LMOs/GMOs.

f) Burdensome information-sharing requirements

- Information sharing may be discouraged if requirements are overly burdensome or difficult to implement.
- Information requests may be too difficult to implement or to be understood in a timely manner, reducing public awareness.

3. Priority areas

Public awareness and access to information are prerequisites for effective public participation. For this reason, in addition to having frameworks in place for effective public participation in the decision-making process, it is useful to establish enabling frameworks and procedures on access to information regarding LMOs/GMOs in order to facilitate access to information in a timely and effective manner. Awareness-raising and education are intrinsically linked with and benefit access to information and public participation. Increasing financial resources and strengthening human capacities among Governments, researchers and other stakeholders (e.g., local, national and international networks, commissions and associations) is important for supporting the above-mentioned frameworks and procedures.

In developing enabling frameworks for access to information and public participation, the priority areas listed below may be considered:

a) Make information easily accessible

Making information easily accessible makes it possible to support proactive steps to disseminate all relevant information in a timely and effective manner. The following priorities may help achieve this:

- Authorities provide the public with clear and objective information to improve understanding of decision-making processes, as well as with the factual basis for the decisions proposed by the Government regarding LMOs/GMOs.
- Authorities actively collect information and disseminate it to the public, including:

- National policies, legislation and guidelines related to LMOs/GMOs.
- Factual, comprehensive, sufficient, understandable, non-technical explanation of the types of LMO/GMO-related activities regulated and covered by the national regulatory framework, e.g., via registers and databases.
- User-friendly, non-technical summaries of the notifications/applications for import of LMOs/GMOs into the country, their deliberate release/intentional introduction into the environment, placing on the market or contained use and the decisions made by the public authorities.
- A list of LMOs/GMOs approved for placing on the market/use in the country, including for deliberate release/intentional introduction into the environment, for direct use as food or feed, or for processing, or for contained use.
- Information on the effects of deliberate releases/intentional introduction of LMOs/GMOs into the environment, including information on the results of monitoring their effects on the environment.
- Information on methods of protection if any risk arises for the environment and/or human health regarding LMOs/GMOs.
- Information in cases of unintentional releases or transboundary movements regarding LMOs/GMOs likely to have significant adverse effects and appropriate response measures, including emergency measures, to be taken.
- Understandable information on products consisting of, or containing, LMOs/GMOs, including through labelling of products.
- In the event of any imminent threat to the environment and/or human health of activities with LMOs/GMOs, all information that

could enable the public to take measures to prevent or mitigate harm arising from the threat and that is held by a public authority is disseminated immediately and without delay to members of the public who may be affected.

- Contact points to obtain further information on LMOs/GMOs matter.

b) Provide information upon request

Providing information upfront or upon public request in an appropriate and timely manner allows for the enhancement of access to information. Authorities could, for example:

- Set up and maintain a help desk, information centre or other facility to handle information requests related to LMOs/GMOs.
- Designate a staff member (or staff members) to be responsible for receiving and responding to requests for information access — facilitating request forms, providing advice on effectively making requests for information, transferring requests to other public institutions, creating files for requests and reviewing information prior to its release.
- Set timelines for providing information upon request, including reasonable time frames for acknowledging requests, for gathering information, for extensions under certain circumstances, for applicants to appeal to an information commission, and for informing the public of any delays (e.g., due to extensions or appeal procedures).
- Set criteria for charging a reasonable amount for the costs associated with processing the information requested (e.g., costs of reproducing and sending the information).

- Establish national policies for confidential information and exceptions to disclosure in line with article 4 of the Aarhus Convention, the Lucca Guidelines, decision II/1 adopted by the Aarhus Convention's Meeting of the Parties and article 21 of the Cartagena Protocol.
- Maintain a list of criteria for confidential information and a list of information that should not be confidential in line with article 4 of the Aarhus Convention, the Lucca Guidelines, decision II/1 adopted by the Aarhus Convention's Meeting of the Parties and article 21 (6) of the Cartagena Protocol.
- In case a member of the public considers his or her request for information was improperly or unjustifiably denied, make an effective appeal process available that:
 - Protects those seeking to appeal from being penalized, persecuted or harassed (in line with article 3 (8) of the Aarhus Convention).
 - Protects those appealing from unfair consequences (in line with article 9 of the Aarhus Convention).

c) Use media and various communication tools to reach target audiences

Making use of media and a combination of available communication means to reach a variety of target audiences is essential because awareness is interlinked with access to information. Authorities could, for example:

- Base communication plans on surveys to ascertain the exact needs for certain communication channels and to enhance the engagement of target groups (e.g., politicians, policymakers, scientists, academics and members of the media).
- Set up a system for disseminating information online that effectively promotes awareness and access to information (e.g., e-learning tools,

file hosting services, online public service announcements, mobile phone features, social media, e-governance tools, e-mail, websites, audio-visual materials, electronic mailing lists and text messages (SMS) for mobile telephone notifications).

- Set up offline dissemination systems to target groups that have no or limited internet access (e.g., guides, information through NGOs, information events, newspapers, television, radio, field visits, marketplaces, local information centres, universities, schools, libraries, help desks, reports and publications).
- Use events and celebrations, such as the International Day for Biodiversity on 22 May, for campaigns to raise awareness, provide education and improve access to information.
- Use slogans or comprehensive outreach materials, including audiovisual materials, that can make it easier for the public to understand issues.

d) Promote public participation in decision-making processes regarding living modified organisms/ genetically modified organisms

Promoting public participation in decision-making processes regarding LMOs/GMOs may include the following elements: collecting information; identifying key interested parties and the public concerned; identifying timelines for activities; allocating resources; establishing a team with clearly defined roles and responsibilities; preparing a detailed plan for each participation activity; and developing a framework for monitoring and evaluating the process.

The following eight steps provide a possible model for public participation in decision-making that can help in designing effective procedures. It is based on the *Maastricht Recommendations on Promoting Effective Public Participation in Decision-making in Environmental Matters prepared under the Aarhus Convention* (Maastricht Recommendations):⁴

1. Identify key interested parties and the public concerned



2. Prepare and ensure timely, adequate and effective notice

(includes the proposed activity; the nature of possible decisions; the public authority responsible for making the decision; the public participation procedure envisaged (including time frames and opportunities to participate)).



3. Set and ensure reasonable time frames when all options are open

(early public participation, when all options are open, is a precondition for effective public participation. "Reasonable time frames" means allowing sufficient time for informing the public to prepare for and participate effectively in decision-making).



4. Ensure effective access to all necessary information

(access to all information relevant to the decision-making process, free of charge and as soon as it becomes available).



5. Ensure procedures to enable those interested and concerned to provide comments and be heard

(to submit any comments, information, analyses or opinions the public consider relevant to the proposed activity, in writing or, as appropriate, at a public hearing or inquiry).



6. Ensure that the importance and value of public participation is fully considered

(the competent public authority must ensure that the importance and value of the outcome of the public participation are taken into account).



4 Available at www.unece.org/fileadmin/DAM/env/pp/Publications/2015/1514364_E_web.pdf.

7. Ensure prompt notice of decision

(those interested and concerned must be promptly informed of the decision. The text of the decision must be made accessible, along with the reasons and considerations on which it is based).



8. If conditions are revised, repeat as appropriate

(If the public authority reconsiders or updates the conditions for the activity, the above steps with requirements should be applied again as appropriate).

Public participation tools and procedures may include:

- Public meetings held in public spaces, including government buildings (e.g. town/city hall meetings) to hear the public’s opinions on different issues.
- Advisory bodies (e.g., advisory committees, commissions or councils), consisting of public representatives, to offer advice to assist the Government in making informed decisions;
- Public hearings required by law to exchange views, find solutions and incorporate the outcomes of the hearings into final decisions on LMOs/GMOs.
- “Training-of-trainers” workshops for relevant stakeholders, such as local public representatives and NGOs.
- Citizens’ juries for citizens’ groups to make non-binding, legal recommendations on different issues.
- Online meetings and other online events.

e) Make use of or develop guidance materials

A number of materials have been developed under the Cartagena Protocol and the Aarhus Convention that could be useful for strengthening national processes for accessing information and public participation:

- The Aarhus Convention's Maastricht Recommendations and Lucca Guidelines to use as a practical tools for strengthening and conducting effective public participation and access to information processes, such as promoting an early notification system regarding imports, deliberate release/intentional introduction into the environment, placing on the market and contained use of LMOs/GMOs, sufficient time frames for public inputs, and taking into account the importance and value of the outcome of the public participation.
- The Convention on Biological Diversity secretariat Biodiversity E-learning Platform modules on access to information and public participation regarding LMOs/GMOs. The modules include practical suggestions for accessing biosafety information and public participation (www.cbd.int/cb/E-learning/).
- The joint Checklist of Key Measures for the Ratification and Implementation of the Aarhus Convention and the Cartagena Protocol in the context of LMOs/GMOs and the note on Tools and Resources to Support Implementation of the Aarhus Convention and the Cartagena Protocol in the context of LMOs/GMOs.
- The Convention on Biological Diversity secretariat communication plan template, including media advice, for raising awareness and promoting access to information.
- The Convention on Biological Diversity secretariat video on education to build capacity among government officials, academic institutions and other stakeholders regarding the importance of biosafety education and setting up systems to establish biosafety education (<http://bch.cbd.int/protocol/education.shtml>).

- The resources, good practices and media clippings available on the web page of the Aarhus Clearinghouse for Environmental Democracy related to LMOs/GMOs.

f) Collaborate with different stakeholders to help overcome lack of resources and capacities

Collaborating with different stakeholders may help overcome a lack of resources and capacities, as well as contribute to coordinating approaches on the development of access to information and public participation procedures. Collaboration can, for example, be achieved by:

- Strengthening cooperation and good communication between public authorities, NGOs, the private sector and academia on LMO/GMO issues through appropriate mechanisms (e.g., advisory bodies, national gene banks).
- Strengthening coordination and cooperation between national focal points of the Aarhus Convention and the Cartagena Protocol.
- Making use of Aarhus Centres, if available, or other relevant organizations, to strengthen capacities of authorities to effectively promote access to information on and public participation in LMO/GMO issues, thereby assisting Parties to ratify the GMO amendment and implement the Aarhus Convention and the Cartagena Protocol in the context of LMOs/GMOs.
- Encouraging countries outside the ECE region to accede to the Aarhus Convention and/or to make use of the Lucca Guidelines and the Maastricht Recommendations as tools for developing legislation and procedures for effective access to information and public participation in the context of LMOs/GMOs.

- Promoting regional (e.g., the Asian Biosafety Clearing House Family and the European Network of GMO Laboratories) and international networks to share benefits and good practices.
- Develop and make commitments and actions to the Sharm El-Sheikh to Kunming Action Agenda for Nature and People in joint collaboration with various non-State actors for the target on biosafety for the Global Biodiversity Framework and the Implementation Plan for the Cartagena Protocol on Biosafety (see, respectively, www.cbd.int/action-agenda/, <http://bch.cbd.int/protocol/post2020/framework.shtml> and <http://bch.cbd.int/protocol/post2020/Plan.shtml>).
- Inviting the Global Environment Facility and other donors to provide eligible Parties with dedicated financial resources to facilitate effective implementation of article 23 of the Cartagena Protocol and the Aarhus Convention in the context of LMOs/GMOs.

4. Resources

A number of resources have been developed under the Aarhus Convention and the Convention on Biological Diversity, including:

- **UNECE Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters** (Aarhus Convention) and its amendment on GMOs, <https://unece.org/environment-policy/public-participation>
- **Cartagena Protocol on Biosafety**, <http://bch.cbd.int/protocol/>
- **Nagoya – Kuala Lumpur Supplementary Protocol on Liability and Redress to the Cartagena Protocol on Biosafety**: <http://bch.cbd.int/protocol/supplementary/>
- **Lucca Guidelines** on Access to Information, Public Participation and Access to Justice with Respect to Genetically Modified Organisms, <https://unece.org/environment-policy/public-participation/gmos>
- **Maastricht Recommendations** on Promoting Effective Public Participation in Decision-making in Environmental Matters, <https://unece.org/environment-policy/publications/maastricht-recommendations-public-participation-decision-making>
- **Checklist of Key Measures** for the Ratification and Implementation of the Aarhus Convention and the Cartagena Protocol on Biosafety in the context of LMOs/GMOs, <https://unece.org/environment-policy/public-participation/gmos>

- **Tools and Resources to Support Implementation** of the Aarhus Convention and the Cartagena Protocol on Biosafety in the context of LMOs/GMOs, <https://unece.org/environment-policy/public-participation/gmos>
- **Modules on Access to Information and Public Participation regarding LMOs**, <https://scbd.unssc.org/course/index.php?categoryid=9>
- **Video on education regarding LMOs**, <http://bch.cbd.int/protocol/education.shtml>
- **Reports from the joint Convention on Biological Diversity/ Aarhus Convention round tables on access to information and public participation regarding LMOs/GMOs**, <https://unece.org/environment-policy/public-participation/gmos>
- **Aarhus Clearinghouse for Environmental Democracy**, <https://aarhusclearinghouse.unece.org/>
- **Aarhus Convention National Implementation Reports** by Parties, <https://aarhusclearinghouse.unece.org/national-reports/reports>
- **Biosafety Clearing-House**, <https://bch.cbd.int>
- **Biosafety Information Resource Centre**, <http://bch.cbd.int/database/resources/>
- **Cartagena Protocol on Biosafety National Reports**, <http://bch.cbd.int/database/reports/>
- **Programme of work on public awareness, education and participation** concerning the safe transfer, handling and use of LMOs, 2011-2015, http://bch.cbd.int/protocol/cpb_art23.shtml

- **Online discussions on access to information**, https://bch.cbd.int/onlineconferences/portal_art23/pa_forum2012.shtml
- **Online discussions on public participation**, http://bch.cbd.int/onlineconferences/portal_art23/pp_forum.shtml
- **Implementation Plan for the Cartagena Protocol on Biosafety**, <http://bch.cbd.int/protocol/post2020/Plan.shtml>
- **Global Biodiversity Framework**, <http://bch.cbd.int/protocol/post2020/framework.shtml>
- **Sharm El-Sheikh to Kunming Action Agenda for Nature and People**, <https://http://www.cbd.int/action-agenda/>



JUSTICE

AARHUS CONVENTION
for our environment

**Aarhus Convention and its Protocol
on Pollutant Release and Transfer Registers**

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