

PUBLIC PARTICIPATION AND THE CARTAGENA PROTOCOL ON BIOSAFETY

A REVIEW FOR DFID AND UNEP-GEF

**PART III: A PRACTICAL GUIDE
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Disclaimer: This guide is a summary of the IDS study and does not necessarily reflect the views of DFID and UNEP-GEF

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PREFACE

This Guide aims to assist policy makers identify and assess a range of tools and approaches that help to increase public awareness, education and participation in the use handling and safe transfer of living modified organisms (LMOs).

The Practical Guide is based on the IDS report titled "Public Participation and the Cartagena Protocol on Biosafety". This was completed, with DFID funding, in January 2003 and forms Part I of this series. This report provides an in depth analysis of the content outlined below. Part II consists of 16 comprehensive case studies from round the world. Part III is this Practical Guide, which draws on the challenges and lessons from Part I and the case studies from part II of the report. To understand the context in which a particular tool or strategy was employed, and to learn more about its impact, you will need to refer to the country case studies in Part II when using this Guide.

Using experiences from a range of case studies, this Guide provides a handbook to identify useful lessons in the application of different strategies and tools which encourage popular participation in the design and implementation of NBFs. It is not prescriptive, but uses examples from around the world to guide policy-makers faced with similar challenges in their implementation of Article 23 of the Cartagena Protocol.

1. INTRODUCTION

The overall aim of the Protocol on Biosafety to the Convention on Biological Diversity is to ensure that countries importing, exporting and using LMOs have the opportunity and capability to assess the possible risks to the environment and human health posed by the products and by-products of modern biotechnology. Apart from a regulatory framework, administrative structure & risk assessment systems, **mechanisms of access to information and public participation will form an integral part of most Biosafety frameworks.**

Increasingly, Multilateral Environmental Agreements make provisions for public participation and look to governments to engage in awareness-raising activities and the Cartagena Protocol on Biosafety is no exception (see Box 1 below).

The emphasis on participation and consultation is based on the idea that the **involvement of all stakeholders is critical to the effectiveness of any regulatory framework.** It is also acknowledged that without increasing public consent or approval, decisions by governments to allow the commercial growing of GM crops would create an insecure and uncertain foundation for the successful development of GM produce. At a more fundamental level, people have a right to be informed and consulted about decisions that have a direct impact upon their lives, in this case through the food they eat.

Cartagena Protocol on Biosafety

Public awareness and Participation:

1. Parties (to the Protocol) shall:
 - (a) Promote and facilitate public awareness, education and participation concerning the safe transfer, handling and use of living modified organisms in relation to the conservation and sustainable use of biological diversity, taking also into account risks to human health. In so doing Parties shall cooperate, as appropriate, with other states and international bodies;
 - (b) Endeavour to ensure that public awareness and education encompasses access to information on living modified organisms, identified in accordance with this Protocol, that may be imported.
2. The Parties shall, in accordance with their respective laws and regulations, consult the public in the decision-making process regarding the living modified organisms and shall make the results of such decisions available to the public, while respecting confidential information in accordance with Article 21.

2. INTRODUCTION TO THE GUIDE

Below you will find some answers about participation. *What is it? How does it work? And who is Involved?* This is then followed by a list of key elements important for design, implementation and monitoring with examples of specific tools for raising awareness and increasing the public's knowledge about Biosafety. Finally, the guide takes you through some general challenges to promoting participation and, more specifically, with participation in Biosafety regulation and draws on the two IDS papers mentioned above.

3. WHAT IS PUBLIC PARTICIPATION?

Public Participation is a process of encouraging all interested and affected parties to contribute to solving social problems, setting priorities, designing strategies, increasing ownership and taking on responsibilities for action.

Participation is both a tool for development as a way of reaching development aims, and **a development goal** in its own right. It is central to any definition of development that includes the wider process of social transformation.

Participation in a National Biosafety Framework aims to encourage the public and interested stakeholders to be aware of, and contribute to, the research, development, implementation and monitoring of the policy framework.

4. HOW DOES IT WORK?

Participation works through using relevant tools and processes that are designed to **encourage consultation, debate & discussion and elicit contributions from the public around key issues**, such as Biosafety. The results of participation will depend on the participants, the processes and the tools that are used to facilitate the process as well as on each country's political, social and economic circumstances.

Participation will work if the combination of **processes and tools are relevant and appropriate** to the social and cultural pressures and realities in the country in which they are to be used. It is important, therefore, to avoid the common mistake of

assuming that because particular policy stipulators or 'models' of participation work well in one context, they can be easily imported or adopted in another setting.

Participation is impossible without information being shared effectively. **Sharing information and raising awareness invites participation** because it enables citizens to consider issues and form opinions on them.

There are **different levels** of participation initiatives. These can work independently and together:

- 1. Citizen-led Initiatives:** the highest level of participation where citizens instigate or block policy change - e.g. citizens' juries, legal challenges to proposed changes
- 2. Joint Decision Making & Prioritising:** Parties come together to agree a way forward - e.g. prioritising public actions, choosing between alternative resource allocations
- 3. Consultation:** views are collected but without any obligation to act on them - e.g. on draft policy, without any obligation to incorporate views of those consulted
- 4. Information Sharing:** the most simple level of participation where collected information is shared between Parties - e.g. on new or proposed policy, entitlements conferred, how to claim them

One level does not automatically lead to the next, though **information sharing and gathering is key in all the other levels**. It should be noted that all levels do not have to be achieved for participation to be valid. Most activity in the Biosafety area is within the third and fourth (bottom) levels, with a few examples of the first (highest) level.

The following **key considerations** with participation will need to be addressed:

- Expectations may not be achievable and deliverable
- Timing and notice should be given to enable participation
- Information dissemination needs to be accessible and relevant
- Participation and representation needs to be well planned
- Follow up needs to be planned for the longer term

5. WHY USE PARTICIPATION?

Participation leads to **more appropriate, more broadly 'owned' and therefore more effective policy.**

In the Biosafety context, participation can help to **de-mystify biotechnologies**. This sometimes results in a greater acceptance by a sceptical and worried public. However, one should be aware that it is sometimes falsely assumed that public participation or consultation will necessarily create a consensus.

Participation can also bring a number of diverse views and perspectives into the debate on Biosafety. These can highlight key issues of concern to particular groups, such as government, NGO, private sector and civil society.

6. WHO IS INVOLVED IN PARTICIPATION?

There is **no single "public"**, but many "publics" holding different views that need to be included in participatory activities. The range of interests and views incorporated into the process need to be appropriate to the issues in question, with all relevant stakeholders having the opportunity to take part on **equal terms** with other participants.

Public Participation in national policy processes can be **implemented by both formal and informal channels** in both top down government led initiatives and bottom up mechanisms, which are run by non-governmental organizations and individuals.

When developing NBFs the level of public participation considered necessary, and the ways in which this should be pursued, is **a decision for national governments** based on the needs for their country. However a range of stakeholders should be encouraged to contribute.

6.1 Identification of Stakeholders

The identification of stakeholders and analysis of their involvement is an important part of any participatory process¹. This is more complex at the level of policy than in

¹ See, for example, *Overseas Development Administration 1995*

the context of projects, for which most stakeholder analysis techniques have been developed.

Stakeholders in policy development tend to be more numerous and far-flung, more diverse, and their stakes harder to identify or predict than in projects. Groups and individuals are best able to determine for themselves what their stake is rather than have it prescribed from above.

Those initiating a process have to decide at the outset:

- 1. *Who should be involved?***
- 2. *How they are identified?***
- 3. *Who should identify the participants?***
- 4. *At what different stages will the participants want or need to be involved?***

Different stakeholders will be more or less interested in different parts of the process, and the appropriate forms for public engagement will probably differ at each stage.

6.2 Setting The Environment

The environment in which participation is invited must be perceived by the public as open. A government initiating a process of information-provision or public consultation, should be aware of the possibility of other kinds of processes arising beyond those that it has planned and engineered. A wholly government-driven process may result in stakeholders developing their own parallel processes.

The best examples of participatory Poverty Reduction Strategy (PRS) processes (e.g. in Uganda) have included a mixture of environments created by governments, and those created by non-governmental players eager to influence the course of decision-making.

In Thailand for example, issues raised by civil society groups were left out of the synthesis process that followed public consultations. This led many groups to refuse to participate in the National Economic and Social Development Plan and launch their own alternative plan (OECD 2001:26).

7. MAKING SURE PARTICIPATION FITS THE CONTEXT

Appropriate forms of public participation and consultation **need to reflect the different situations, capabilities, and stages of development of each country.**

Governments therefore have to address a range of choices at each stage of the process.

A wide range of different factors can affect the choices a country can make about processes and tools for development, implementation and monitoring of Biosafety frameworks.

These include factors such as:

- available resources
- political culture
- government capacity
- the nature of the legal system
- demand from civil society

The case studies highlighted the following differences:

In **Brazil**, exercising *legal rights* has been a key way in which civil society has attempted to widen participation in Biosafety assessment.

In **China**, attempts to widen reflection on Biosafety issues have occurred more within the bureaucracy than with civil society, and this is generally where tools have been applied.

In **Denmark** there is a *strong tradition* of extensive participation at all levels of society, and critically there are *resources and capacity* to match this. This is reflected in the in-depth consultative activities carried out by the Danish Board of Technology.

In **India** there has been legal engagement, but intense *media activity and NGO demonstrations* have reflected a sense that not enough has been done to deal with the concerns of a wider range of stakeholders.

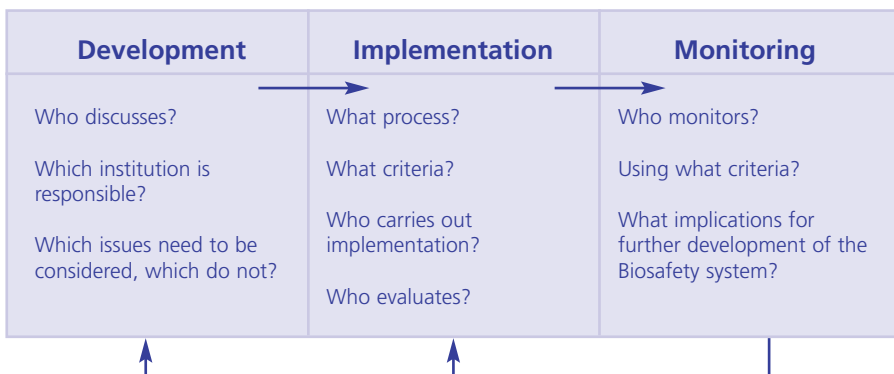
In **Kenya and Zimbabwe**, while there have been concerted attempts to engage civil society in the development of Biosafety frameworks (reflecting traditions of participation in these countries), resource and capacity constraints are serious issues.

In other settings, the **UK** for example, there has been a lack of trust in official science and so it has been important to make plenty of information available to interested parties and to invite reflection on the Farm Scale Evaluations, which assess the performance and environmental impact of GM crops.

8. DEVELOPMENT, IMPLEMENTATION AND MONITORING OF NBFS

Development, implementation and monitoring **overlap in terms of time, practices, players involved and opportunities for influence**. Neatly-divided stages for planning purposes are useful, but in reality the processes will flow one into another.

It is useful to see the policy process for National Biosafety Frameworks as moving through development, implementation and monitoring. Each of these stages presents different challenges for stakeholder participation.



In some ways these approaches can be considered part of **a cycle of feedback loops**. Questions about the scope and nature of Biosafety regulation are continually revisited in the light of experiences from implementation of procedures and trials, subsequent evaluations of their effectiveness, and popular support for them.

In **Developing a Framework**, it is important to consider the range of relevant issues. For example, who has primary institutional responsibility and what type of regulatory system is to be set up. Below is a chart of useful, relevant processes and tools that

may help. These are relevant to the development, implementation and monitoring of a framework.

Choices	Processes	Tools
<p>General (all 3 stages)</p> <ul style="list-style-type: none"> • Why are you inviting people to participate? • What do citizens know, what are they concerned about? 	<ul style="list-style-type: none"> • Clarifying the purposes of a process and how people's inputs will be used. • Engaging with areas of public concern (rather than assuming what people need to know). 	<ul style="list-style-type: none"> • Information-gathering surveys. • Relevant, targeted information distributed in appropriate media, formats and styles. • Stakeholder forums that are accessible and widely advertised.
<p>Development</p> <ul style="list-style-type: none"> • Who should participate in the design process? • Are people enabled to participate? 	<ul style="list-style-type: none"> • Identify key stakeholders, going beyond groups that identify themselves as stakeholders • Ensuring adequate legal frameworks (rights to information, access to decision-making) are in place. • Ensuring people are sufficiently informed about the issues to engage meaningfully with the process 	<ul style="list-style-type: none"> • Local and regional consultations to discuss issues and solicit views. • Laws enabling public participation and access to information. • Decision trails showing how views will be carried forward, follow-up explanations about how and why inputs have or have not been used

Implementation will relate to the processes by which particular decisions are reached within the framework provided by a given set of regulators i.e.

- Import of LMOs
- National risk assessments
- Biosafety monitoring after commercialisation

Monitoring over the long term will need a process of evaluation as to how well the Biosafety regulations are working. Stakeholder consultation and engagement in these stages will be important.

Choices	Processes	Tools
<p>Implementation</p> <p>How far to include people in decisions about:</p> <ul style="list-style-type: none"> • The roles, duties and powers of responsible agencies • Mechanisms of reporting, public scrutiny and accountability. • The location and design of Biosafety trials. 	<ul style="list-style-type: none"> • Openness about applications for Biosafety review and commercialisation. • Openness about the purpose, location and design of Biosafety trials. • Opportunities for public comment 	<ul style="list-style-type: none"> • Using risk analogies with which people are more familiar. • Public registers of applications under review, with opportunities for public comment and obligations to respond to public comments.
<p>Monitoring</p> <ul style="list-style-type: none"> • How to involve people in reflection and evaluation of the adequacy of the existing NBF framework? 	<ul style="list-style-type: none"> • Sharing and explaining findings of trials, creating feedback mechanisms and procedures for acting upon these 	<ul style="list-style-type: none"> • Non-specialist involvement in advisory and review committees • Local level evaluations with opportunities for public comment. • Constructing mechanisms for ongoing participatory (re) evaluation of the Biosafety system

8.1 What has worked in similar processes?

There are successful participatory approaches in development policy, which can be both formal and informal. Experience from the development of the National Strategies for Sustainable Development (NSSD) and Poverty Reduction Strategies (PRS) have provided good examples of promoting the PRS processes relevant to the NBFs. Broad consultation with relevant and varied stakeholders has proven successful.

Inspiring Ownership through Broad Consultation

- Being people-centred with effective participation
- Having objectives tied to clear budgets
- Being based on comprehensive and reliable analysis
- Incorporating monitoring, learning and improvement
- Being country-led and nationally owned
- Having high-level government commitment to the process
- Building on existing strategies, processes and capacity
- Linking national and local levels

Effective Participation

The OECD guide highlights a number of lessons regarding the key elements of effective participation:

LESSONS FROM NSSDS

- **Appropriate participatory methods** for appraising concerns, suggestions and ranking solutions
- **A proper understanding** of those with a legitimate interest in the framework and a concrete approach to include more disenfranchised groups
- **Catalysts for participation:** NGOs and others to link national processes with the local level
- **Specific activities and events** around which to focus participation
- **A phased approach:** start modestly building on existing systems of participation and then seek to deepen participation, but do not think of design, implementation and monitoring as a linear process.
- **Adequate resources, skills and time:** Effective processes often start slowly to build trust and require early investment of skills and resources. Costs can reduce over time, but a realistic budget and secured financial resources are key.

Source: OECD (2001)

8.2 Methodologies of the Participatory Process

Below are methodologies which have encouraged public participation and awareness raising. These examples provide a quick reference to successful uses of participation from around the world and further details are outlined in Part II: The Case Studies.

- Identify what aspects of the NBF require public participation in the policy development and have a clear idea of why it is required

Case Study:

In China, to support the drafting of regulations, government officials went on fact finding trips to Europe, the US and elsewhere and examined different regulatory models. To understand the divergence of perspectives within OECD countries, consultations were held with government agencies and also in some instances with representatives of civil society organizations such as Greenpeace.

- Ensure that a wide range of different approaches to gathering information and participation are incorporated in the design and development of participatory processes.

Case Study:

In India, in order to capture a spectrum of groups that would be affected by the introduction of LMOs, a Citizens' jury was organized by Action Aid India in the state of Karnataka on the issue of GM crops.

The jury was composed of 14 small and marginal farmers representing a variety of farming traditions, income levels and social groupings. They jury spent 3-4 days hearing information from 'witnesses' on the merits and limitation of LMOs from Biosafety and other perspectives. The witnesses presented evidence for and against LMOs along with other participants and observers. Scientific institutes, biotech companies, development NGOs, farmers unions and NGOs were among those represented. All the deliberations were filmed and subsequently made publicly available to ensure transparency.

- Identify stakeholders to be involved in the process.

Case Study:

In Estonia, workshops were coordinated by REC-Estonia on behalf of the government with a 'stakeholders' workshop' targeted at individuals and organisations. Stakeholders were identified by a steering group, which included representatives from the Ministries of Environment and Agriculture, the science community and NGOs. In addition a 'workshop for the general public' included journalists and consumer protection groups.

In China, SEPA plans to continue to build Biosafety awareness in schools through its environmental education activities in primary and middle schools.

- Analyse their diverse stakes and ensure balance between urban and rural participants, civil society and government participants etc.
- Creating an environment that encourages participation at public, private and government levels.
- Clear objectives should be defined.
- Ensure that participatory activities will incorporate the needs and interests of different stakeholders throughout the process.
- Ensure that information sharing is a minimum level of participation with the public. Information gathering and information sharing is a prerequisite to participation and is relevant at all levels of the process.

Case Study:

In China, SEPA facilitated internet discussions between senior officials and the public on biodiversity and Biosafety.

In Estonia, a recently commissioned opinion poll survey on public attitudes and awareness of biotechnology and LMOs was used to help prepare workshops for the general public to participate.

- Ensure level of participation is catered for through relevant stakeholders and objective setting.
- Establish links to institutions to broaden the policy process including representation and intermediation with appropriate organisations to reach out to broader groups

Case Study:

The UK based NGO, ITDG developed a participatory methodology designed to assess potential impacts of Biotechnology on poor people. The exercise linked national scoping studies, which gained initial understanding of potential risks, associated with Biotechnologies and linked these to national stakeholder workshops. Discussions at the workshops were incorporated into communication packages for use in community level studies.

- Ensure a wide range of different approaches and formats are used for consultation and discussion with the public.
- Think about ways of involving participation without being resource intensive. Coordinate with others and be flexible with time scales.
- Ensure that all processes are open and transparent and that the participation and conclusions are legitimate and legal.
- Ensure strategies for disseminating information to the public sector incorporate different groups of civil society and promote public interest/ raise awareness of Biosafety issues.

Case Study:

In Denmark, the Danish Board of Technology is an independent advisory body, which is responsible for disseminating knowledge and promoting ongoing discussions about technology issues. The Board employs a wide range of methods for assessment and consultation. These are not necessarily Biotechnology, but are examples of mechanisms and tools that could be useful:

- A 'consensus conference' – a three day participatory dialogue between experts and lay people, open to the public.
 - A formal hearing in which politicians are able to hear and question a range of experts identified by an initial working group of experts
 - An 'interdisciplinary work group'
-
- Use national and state level media to relay information about biotechnology and Biosafety issues.

NOTE:

The family of methods discussed here should be viewed as a toolbox where different approaches may be combined or used separately to meet a specified objective. Often more than one consultation method will be necessary, depending on the policy goal and the context within which the dialogue is taking place. Methods cannot be used effectively in isolation but need to be deployed alongside other channels of political engagement, consultation and participation.

9. TOOLS FOR PUBLIC PARTICIPATION

Tools that are used for both participation and consultation and for education and awareness-raising are intrinsically linked. There will be a mix of tools that you will need to choose from to best suit your needs. Examples of tools and activities that work towards achieving specific goals i.e.: Participation and Consultation or Information and Education, are outlined below.

9.1 Tools for Participation and Consultation

Enabling legal frameworks: Laws on public participation, such as in Bolivia, or on rights to information, as in Norway, facilitate meaningful public involvement in Biosafety decision-making.

Routine opportunities for public comment: In many countries, applications for regulatory approval are published in a register with opportunities for public comment as a matter of routine. Examples include Canada, the Netherlands, the United Kingdom and the United States. In Canada, public comments on aspects of the Biosafety regulations were compiled and presented at a multi-stakeholder consultation.

Multi-level consultations: In some countries, public consultations on different aspects of the Biosafety framework have taken place at local, state/regional and federal/national level. In Denmark, public hearings may be organised by local authorities for all regulatory approvals, and consultations have also been organised at neighbourhood and workplace level. In the United Kingdom, the locations of farm-scale evaluations were selected following local consultations.

On-going oversight and evaluation: Stakeholder bodies, such as the African Biotechnology Stakeholders Forum, can be set up to review Biosafety procedures on an ongoing basis.

Independent advisory committees: Examples include the UK's Advisory Committee on Releases to the Environment (ACRE) and the Independent Scientific Steering Committee. The authority and credibility of such bodies depends heavily on their independence from government and industry, as well as the extent to which they include the perspectives of non-scientists and their ability to represent a broad range of stakeholders. In the United States, the Advisory Committee on Agricultural Biotechnology was effectively disbanded following the transition from the Clinton to the Bush Administrations.

Independent public enquiries: These can be independent bodies with broad mandates that produce recommendations. In New Zealand, a Royal Commission looked at the risks and benefits of the technology, broad public interest issues including human health, and the adequacy of regulatory processes. It was also able to target the particular needs of indigenous groups such as the Maori through workshops as well as convening 'youth forums' to hear the views of young people.

Workshops and seminars, targeted at particular stakeholders. For example, National and sub-national *awareness-raising workshops* involving groups such as local councils, residents, consumers, farmers, industry representatives, journalists, teachers and so on.

Training workshops on Biosafety and Biosafety regulation, to inform regulators, inspectors, laboratory workers and company officials about risk assessment, risk management and their legal responsibilities.

Bottom-up participatory processes: Participatory processes facilitated by credible and experienced NGOs can help to include stakeholders who risk being left out of government-led consultation processes. Examples include citizens' juries facilitated by NGOs such as ActionAid and ITDG in Zimbabwe, Brazil and India.

9.2 Tools for Information and Education

Surveys of communication needs: In Estonia and New Zealand, benchmark surveys of a representative cross-section of the population were undertaken to assist the government in the development of a public information campaign.

Communicating about science and risk: Using analogies to risks people are already familiar with provides one way of addressing this. Communicating risk is also improved by asking groups what they want to know rather than presuming what they need to know. Science communication is also enhanced by being honest about areas of uncertainty. The UK government has taken a lead in seeking to address some of these challenges.

Information dissemination: Leaflets, websites, advertising and telephone help lines can be used to explain the regulatory process and how people can be involved in decisions. Information can be disseminated more widely and effectively if it is translated into local languages, distributed widely and free of charge. Establishing councils, bureaus and networks to communicate with the public, as in Brazil, Poland and Canada, can be effective, but to be credible these bodies need to be independent. Kenya's Interlink Rural Information Service and The Biotechnology Trust of Zimbabwe also play important roles in disseminating Biosafety information to rural areas, raising awareness and facilitating debate.

Public databases or inventories of information on GM products, government notifications and permits or current research and development projects, that are open to public scrutiny. For countries with good ICT (Information Communications and Technology) infrastructure, it may be practicable to make these available over the internet. Known examples include:

- A 'Gene Technology Book' which documents the state of science and technology [Austria].
- A publicly accessible Gene Technology Register with information on products approved for market in the EU [Austria].
- The annual release of key information from government bodies to the public. In Germany, for example, yearly reports from the Central Commission for Biological Safety are published and statements of the Bureau for Technology Assessment are made accessible to the public.

There have also been initiatives by various international bodies and private organisations to create publicly accessible databases and information gateways using the internet and other media. These are described in more detail in below.

Using the media: Newspapers, radio and TV provide useful routes for informing the public about biotechnology, Biosafety regulations, applications for regulatory approval, and opportunities for public comment and participation. Journalists may benefit from support and training on Biosafety issues, as has taken place in Kenya and elsewhere.

- **Printed information**, including technical fact-sheets on biotechnology or GMOs; leaflets targeted at the general public, consumers etc.; 'use awareness' materials on Biosafety precautions and risk management for biotechnology practitioners, farmers etc.; newsletters and magazines targeted in an accessible style and format.
- **Modern information and communication technologies** (ICTs) such as internet discussion forums and email news-groups. Where internet access is not a problem, such platforms can provide a channel for two-way communication.
- **National and local media** including newspapers, radio and television, which can be used to inform people about biotechnology and Biosafety issues as well as to publicise new developments, meetings and events. Strategies for using the media are described in the box below.

Using the media to disseminate Biosafety information

- Improving the quality and accessibility of the information released to the media is important. Workshops with journalists, to identify problems and potential solutions, may help in this regard.
 - Relationships with journalists may be improved if officials are helpful and cooperative with the media rather than secretive and defensive.
 - Information overload does not help to get messages across. Technical information presented in tables, charts and figures may have less impact than a clear example or anecdote.
 - It is more helpful to engage with public concerns and fears rather than dismiss them as ignorant or irrational.
-
- **Theatre** or other creative and performance methods may help to raise awareness and convey information in an accessible and engaging way.
 - **Informal interest groups or 'learning communities'** may help to spread understanding of biotechnology and Biosafety issues.

Supporting NGOs or civil society groups to promote public awareness or mobilise public engagement and participation can be an effective way for governments to reach out to groups and stakeholders which they may not easily reach by themselves. NGOs often have substantial networks, including contacts at grassroots level, and in some circumstances are more trusted than government organisations.

Public open days and demonstration projects: Allowing public access to research stations and field trials may help to familiarise people with the science behind biotechnology and enable them to see for themselves what risk assessment has been conducted and what precautions are in place. With a more promotional aim in view, some companies in the private sector have organised tours for journalists and other interested parties, 'farmer field days', as well as made use of video and internet channels to make people aware of their products (IRMA 2001).

Independent information bureaus on LMOs may serve as a contact point for questions from members of the public. One such Bureau has been set up in Poland and aims to respond to information requests received by telephone or e-mail by providing accurate scientific information on biotechnology for the public and media. In this case the organisation was set up by European Federation of Biotechnology's Task Group on Public Perceptions of Biotechnology and is run by biotechnology students on a voluntary basis. The office also publishes a bulletin containing information on national as well as international developments in the area of modern biotechnology and food.

Raising awareness about opportunities to participate: Advertising events and meetings in local media is key to this. Making the public aware of forthcoming government meetings is also important to encourage people to submit comments. In Brazil, for example, although meetings of the National Technical Commission for Biosafety (CTNBIO) take place behind closed doors, agendas for the meetings are posted on the web site before the meetings, so that groups can raise issues before the meeting.

NOTE:

To help you understand whether these tools could help in the design of your NBF, it will help to refer to the Case Studies in Part II. Here you can see the context in which they were used, and for what purpose.

9.3 Key Challenges of Participation in Biosafety

Besides the general challenges associated with public participation and consultation, some features associated with Biosafety regulation present unique challenges for participation. The idea of public participation in environmental decision-making to ensure policy success has been outlined in numerous international policy instruments. However there are many barriers to effective public engagement on Biosafety issues.

These include:

- **Legal literacy**

Participation assumes not only a broad understanding of what forms of regulation are possible, but also an understanding of legal and policy issues. The language is complex and potential participants may not understand their potential role in the decision making process. Under educated and poorer groups may find it difficult to use the legal process to their advantage due to financial barriers and a lack of familiarity and trust in the legal system.

It is therefore necessary to ensure that methods are developed to ensure information is easily accessible for more marginalized groups.

- **High science**

Experience shows that citizens are certainly capable of discussing scientific issues using ordinary language and concepts. However, scientific information is often made to seem complex to the general public.

Promoting public participation therefore means finding ways to make the scientific knowledge accessible and useful to 'non-scientists'.

- **Polarized views**

Controversy over the safety and ethical implications of LMOs has tended to make the debate seem polarised. Openly talking with different opinions and values helps to reveal a more complex and diverse picture of public attitudes and interests. This allows policy-makers to see ways forward more clearly.

- **Commercial confidentiality**

Because of the costs associated with the development of LMOs, biotechnology firms feel they need to keep much of the information they provide to regulators away from public scrutiny. However this secrecy about risk assessment and safety testing can breed suspicion and distrust of the regulatory system.

- **International obligations**

The influence of WTO obligations means that the range of issues that can be considered in the design and implementation of a Biosafety regulation system may be limited to scientific and technical evaluations.

Participatory exercises on Biosafety have inevitably raised much wider socio-economic, ethical and moral issues regarding LMOs. This highlights the social values implicit in science-based risk assessment. Processes that are unresponsive to such public demands for a more broadly defined approach to regulation are likely to lack credibility and legitimacy.

The Challenges above have been addressed in a variety of ways to develop NBFs which can be described as an 'infrastructure of participation'. The different levels of participation and the different expected outcomes would result in a greater or lesser cross-section of society building public trust in a regulatory system. Levels of involvement either driven from the government or from citizens adopt the appropriate exercises and approaches of participation that are most relevant. These approaches have been outlined for you in the above tools and processes for enabling participation.

FURTHER READING AND CONTACTS:

In the Guide above there are a series of practical tools and processes that you can use to adapt and choose from for your own needs. Should you require additional information on any of the ideas or practical skills, do access Part I and Part II of this pack where you will find full and extensive explanations and case studies from IDS work.

A list of contacts and websites:

- ~ IDS Environment Group biotech website www.ids.ac.uk/biotech
- ~ IDS Participation Resource Centre website
<http://www.ids.ac.uk/ids/particip/information/index.html>
- ~ IIED Participatory Learning and Action Notes (PLA Notes) site
http://www.iied.org/sarl/pla_notes

A full list of references are listed in the Report I and II

- ~ Hemmati, M. (2002) Multi-stakeholder processes for governance and accountability. London: Earthscan
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