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GMOs - AARHUS: NGOs POINT OF VIEW

Introduction:

- Despite its apparent simplicity, the issue of biosafety is difficult to understand for the unprepared public due to the specifics of obtaining GMOs and the existing risks that depend on the nature of each GMO. This issue is difficult for decision makers to understand and often evokes emotions. Therefore, it is important at both the governmental and public levels to ensure that the public is informed and educated in a way that does not simplify the subject, and at the same time does not distort the information, allowing the public to objectively understand the issue and the solutions that are proposed.
- The Fourth Joint Round Table on Public Awareness, Education, Access to Information, Public Participation and Access to Justice regarding Living Modified Organisms/Genetically Modified Organisms in 2023 permitted to discuss in detales the Aarhus application to GMOs issue.
- I willl try to highlight the role, attitude, participation, and recommendations of the public on this issue, based on their experience, including that presented at the Round Table in December 2023.

Public awareness, education and access to information (1)

- The Parties should raise attention to the public awareness, education, and access to information on LMO/GMO issues independently from the existence of the international projects.
- In this respect, it raises the role of NGOs specializing in biosafety in explaining to the public the importance of access to information and participation in decision-making. NGOs' role in monitoring governmental bodies in this sphere looks crucial because, in some cases, the information procedures are either not established in the legislation or not executed in practice.
- In many cases, governments do not monitor and collect practical information on the situation in the country due to weaknesses in the analytical laboratories or a lack of prepared staff. This is characteristic of some EECCA and South East European countries.
- The cooperation between national agencies is sometimes inefficient enough to prevent the agricultural fields and the market from entering and spreading unpermitted LMOs/GMOs.

Public awareness, education and access to information (2)

- The capacity building of the State agencies in biosafety issues is a key also for the provision of the public with verified information.
- The legislation provisions to inform the public on biosafety issues are not enough. Thus, In the Republic of Moldova the new biosafety law (2022) obliges the Environment Agency publish on its website all coming GMO notifications with supporting documents so that public could express the views. But in fact it is not done.
- The evident necessary measures to improve awareness and information are:
  - The acting Biosafety Clearing House or similar national mechanism, acting in close cooperation with the profile agencies and NGOs;
  - Use of electronic tools sharing information among interesting public;
  - Attraction of scientific community and NGOs to share the information, as well as the development and support of citizen science.

Public participation

- The spectrum of the interesting public in case of LMOs/GMOs issues is extremely large.
- The interesting public could be consumers, food producers, scientists from a range of disciplines, and NGOs. They all could contribute to risk assessment, monitoring and capacity-building on LMO/GMO-related matters from their own perspective. The systemic challenges in GMO are approval, contrasting the broad scope of a decision to allow GMO cultivation with centralized decision-making.
- In our opinion, a special attention should be given to farmers and rural communities, especially in relation to Almaty Amendment implementation. Being not organized and not having expertise in biosafety, but potentially seriously suffered by social-economic risks, dealing with LMOs/GMOs, they especially need support of NGOs in case of potential GMO impact.
- Coexistence and traceability issues should be introduced to national legisations and respected.
- Because the financial support of NGO activities on biosafety issues in practice does not exist, it is difficult to say on how the rights of numerous stakeholders could be protected.
- EU legislation and Almaty amendment provide minimal standards, obliging AC Parties to ensure public participation, but procedures should be established by national legislation. We invite the Parties to establish such procedures both in the legislation and in practice. GMO/ALMATY ECO-FORUM BROCHURE!

Public participation and New Genomic Techniques as a new Challenge

- There is concern among NGOs about attempts to exclude new types of GMOs, such as products of "synthetic biology", from approval, other decision-making, risk assessment, and labelling, and the recent European Commission proposal to deregulate many GMOs as "new genomic techniques". In our view, public participation in development and regulating of new genomic techniques (NGTs) is crucial for ensuring public acceptance and addressing ethical concerns. New genomic techniques (NGTs) are breeding techniques that alter the genetic material of plants, animals or microorganisms.
- While NGTs offer potential benefits in agriculture and medicine, their use raises questions about safety, environmental impact, especially to biodiversity, and societal implications. Open dialogue and public engagement are essential for navigating these complex issues and shaping responsible governance frameworks. So we should refuse any intention to exclude the public participation in case of the NGTs decision-making and the corresponding deregulation.

Access to justice, regarding LMOs/GMOs - What challenges are?

- People are weakly acknowledged to the topic, not a regular topic. It is not usual topic in their daily lives. Judges are also are usually weak in understanding of the biosafety issues.
- Inadequate or ambiguous regulatory frameworks related to LMOs/GMOs in non-EU countries are usually imperfect and can lead to legal uncertainties and challenges in ensuring proper oversight and control.
- Weak enforcement mechanisms and a lack of capacity in monitoring and enforcing regulations in non-EU Parties can contribute to violations and challenges in ensuring compliance with GMO-related laws.
- Meanwhile, the conflicts between consumers and traders, between conventional and organic food producers and those who produces GMO agricultural production will be more frequent, as well as between the State structures responsible for biosafety and NGOs due to inaction.

Access to justice, regarding LMOs/GMOs (2)

- Investments in building institutional capacity for monitoring, assessing, and enforcing GMO regulations can improve access to justice by ensuring fair and consistent application of the law. NGOs, specializing in biosafety, could organize the initial training for judges and lawyers on protecting the rights of consumers, farmers, and other stakeholders.
- The best way for non-EU countries to harmonize their biosafety legislation with the Aarhus Convention is to take EU positive examples and approach. On the other hand, stakeholders, such as farmers' and consumers' associations, could hire lawyers specialized in biosafety issues to protect their right to information, participation, and justice. Such lawyers have to be trained.
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