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ECONOMIC COMMISSION FOR EUROPE

Meeting of the Parties to the
Convention on Access to Information,
Public Participation in Decision-making and
Access to Justice in Environmental Matters

Working Group on Genetically Modified Organisms
(Third meeting, Geneva, 24-26 March 2004)

PROVISIONAL AGENDA FOR THE MEETING

to be held at the Palais des Nations, Geneva, Switzerland,
starting at 10 a.m. on Wednesday, 24 March 2004

1. Adoption of the agenda.
2. Legally binding options for further developing the application of the Convention to genetically modified organisms.
3. Any other business.

EXPLANATORY NOTES

The main task of the Working Group on Genetically Modified Organisms (GMOs) is to explore options for a legally binding approach to further developing the application of the Convention to GMOs, including through possible instruments, to select the most appropriate options and to develop these for consideration and possible decision or adoption by the Parties at their second meeting (decision I/4 of the Meeting of the Parties). At its first meeting (Geneva, 23-24 October 2003), the Working Group of the Parties reviewed the results of the meetings of the Working Group on GMOs and urged it to work towards timely fulfilment of its mandate by developing the most appropriate options for a legally binding approach, for submission to the Parties and possible adoption at their second meeting (MP.PP/WG.1/2003/2, paras. 14-20).

Item 1 Adoption of the agenda

The Working Group is invited to adopt the agenda as set out in the present document.

Item 2 Legally binding options for further developing the application of the Convention to GMOs

At its third meeting, the Working Group is expected to continue its work to explore, select and develop options for a legally binding approach to further developing the application of the Convention to GMOs.

At its second meeting, the Working Group invited delegations to submit comments on the reasons for and possible procedures for a differentiated approach (i.e. between different groups of Parties), in particular taking into account the time frames and added value. Delegations were also invited to submit comments on possible elements of legally binding public participation procedures (taking different GMO decision-making categories into account) and to submit proposals for elements of preferred legally binding options (MP.PP/AC.2/2003/4, para. 36). The Working Group is expected to use this input as a basis for considering and selecting the most appropriate option(s) for a legally binding approach and for further developing these options.

The discussions on the idea of a differentiated approach that took place at the second meeting of the Working Group on GMOs were brought to the attention of the Working Group of the Parties at its first meeting, as had been requested (MP.PP/AC.2/2003/4, para. 36). While it was generally recognized that there were precedents in international law for having differentiated obligations under a single legal instrument, some concern was expressed in that Working Group about the implications of a precedent that would be created should the differentiation be exclusively on the basis of some countries' membership in a particular regional economic integration organization (MP.PP/WG.1/2003/2, para. 19).

Item 3 Any other business

Delegates wishing to propose points under this item are requested to inform the secretariat as soon as possible.