

Workshop, Maastricht 11-12 February 2005

Uncertain Risks Regulated:

National, EU and International Regulatory Models Compared

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Aim of the Workshop

The workshop aims to bring together national, EU and international experts on risk regulation. In this way, an analysis will be offered of how national, the EU and international systems deal with uncertain risks. This comparative analysis aims to provide for knowledge about how these systems shape the relationship between law and science and how they attempt to overcome public distrust in science-based decision-making, which should serve as learning processes.

This workshop will focus on regulatory frameworks on foodstuffs and biotechnology. The study of the regulatory framework of foodstuffs will particularly deal with food safety, whilst the study of biotechnology will serve to discuss the non-food issues, in particular the framework regulating the environmental aspects and the commercialisation of GMOs. It will systematically examine the different schemes on their institutional organisations, decision-making process and the role of the expert herein, the role (and weight) of scientific advice, the precautionary principle, the role of the judge in defining the limits of science, role of private standards, participation of interested parties/public and political accountability.

The workshop starts by analysing the difficulties in dealing with uncertain risks and will discuss the validity of the precautionary principle as general principle of risk regulation. Subsequently, the national models on food and gmo's will be analysed. This is followed by an analysis of the EU and international (WTO) models in both fields. The workshop will conclude by discussing several crosscutting issues of risk regulation, i.e., transnational governance, the role of agencies, the role of scientists and scientific experts, transparency and accountability, standardisation and the participation of stakeholders and the general public.

Friday 11 February 2005

- 09.00-09.20 Registration and coffee
09.20-09.30 *Introduction* Ellen Vos, Maastricht University

Section 1: Regulating Uncertain Risks

Chair: Joanne Scott, Cambridge University

- 09.30-09.50 *The Precautionary Principle as a Legal Principle to Regulate Uncertain Risks:*
Liz Fisher, Oxford University
- 09.50-10.10 Discussion
10.10-10.40 Coffee break

Section 2: National Systems on Food and Biotechnology

Chair: Joanne Scott, Cambridge University

France:

- 10.40-11.00 *The French Regulatory System on Food:* Olivier Borraz/Julien Besançon, CNRS Paris
11.00-11.20 *The French Regulatory System on GMOs:* Christine Noiville, CNRS Paris
11.20-11.40 Discussion

The Netherlands

- 11.40-12.00 *The Dutch Regulatory System on Food:* Bernd van der Meulen, Wageningen University
12.00-12.20 *The Dutch Regulatory System on GMOs:* Han Somsen, University of Amsterdam
12.20-12.40 Discussion
12.45-14.15 Lunch (Salon)

Section 2 continued

Chair: Michelle Everson, University of London

UK

14.15-14.35 *The UK Regulatory System on Food:* Henry Rothstein, CARR, London School of Economics

14.35-14.55 *The UK Regulatory System on GMOs:* Maria Lee, King's College London

14.55-15.15 Discussion

Poland

15.15-15.35 *The Polish Regulatory System on Food:* Alexander Surdej, Krakow University

15.35-15.55 *The Polish Regulatory System on GMOs:* Patrycja Dabrowska, Florence

15.55-16.15 Discussion

16.15-17.00 Tea break

USA

17.00-17.20 *The US Regulatory System on Food:* Vern Walker, Hofstra University School of Law

17.20-17.40 *The US Regulatory System on GMOs:* Michael Rodemeyer, The Pew Initiative on Food and Biotechnology, Washington

17.40-18.00 Discussion

18.30 Dinner (Au Petit Bonheur, Achter de Molens 2)

Saturday 12 February 2005

Section 3: EU and International Models

Chair: Peter Van den Bossche, Maastricht University

EU models

- 09.00-09.20 *The EU Regulatory System on Food*: Ellen Vos, Maastricht University
09.20-09.40 *The EU Regulatory System on GMOs*: Greg Shaffer, Wisconsin University
- 09.40-10.00 Discussion
10.00-10.30 Coffee break

International Models

- 10.30-10.50 *WTO, Impact on Food and GMOs*: Joanne Scott, Cambridge University
10.50-11.10 *Non-binding standards: Codex Alimentarius*: Mariëlle Mathee, Ministry of Agriculture, Nature and Food Quality, The Hague
- 11.10-11.30 Discussion

Section 4. Improving the Legitimacy and Credibility of Risk Regulation; Lessons

Chair: Christian Joerges, European University Institute Florence

- 11.30-11.50 *Regulatory Agencies as Risk Regulators: the case of the FSA*, Claire Baynton, UK Food Standards Agency, London
11.50-12.10 *The Role of Scientific Experts in Risk Regulation*, Harry Kuiper, RIKILT, Wageningen
12.10-12.30 *Rethinking the Role of Scientific Advice in Uncertain Risk Regulation*: Marjolein van Asselt/ Ellen Vos, Maastricht University
- 12.30-13.00 Discussion
13.00-14.30 Lunch (De Cuyp, Tongersestraat 30)

Section 4 continued:

Chair: Christian Joerges, European University Institute Florence

14.30-14.50 *Transparency and Accountability of Risk Regulation:* Michelle Everson, University of London

14.50-15.10 *Risk Regulation through Standardisation:* Harm Schepel, Kent Law School

15.10-15.30 Discussion

15.30-16.00 Tea Break

16.00-16.20 *Innovative Models for Inclusive Risk Governance:* Andreas Klinke, King's College, London

16.20-16.40 *How to Deal with Uncertain Risks?* Brian Wynne, University of Lancaster

16.40-17.00 Discussion

17.00 Closing