



Convention on Biological Diversity

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CONFERENCE OF THE PARTIES TO THE CONVENTION
ON BIOLOGICAL DIVERSITY SERVING AS THE
MEETING OF THE PARTIES TO THE CARTAGENA
PROTOCOL ON BIOSAFETY

Tenth meeting (resumed)
Kunming, China, dates to be determined
Agenda item 16

SOCIO-ECONOMIC CONSIDERATIONS (ARTICLE 26)

Note by the Executive Secretary

I. INTRODUCTION

1. In decision [CP-9/14](#), the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol took note of the voluntary “Guidance on the Assessment of Socio-Economic Considerations in the Context of Article 26 of the Cartagena Protocol on Biosafety” (Guidance) as contained in [CBD/CP/MOP/9/10, annex](#).¹

2. In the same decision, the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol invited the submission of preliminary experiences using the voluntary Guidance, as well as examples of methodologies and applications of socio-economic considerations. It established an online forum on socio-economic considerations and requested the Secretariat to organize moderated online discussions of the forum to comment on and add views to the submissions. It further extended the Ad Hoc Technical Expert Group on Socio-economic Considerations (AHTEG) with a view to allowing it to meet face-to-face to review the submissions and the outcomes of the moderated online discussions and use this information to supplement the voluntary Guidance, by indicating for which stage in the assessment process as outlined in the voluntary Guidance the information might be relevant. It requested that the report on the work of the AHTEG be submitted for consideration by the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol, at its tenth meeting.

3. The present note provides in section II an overview of the intersessional activities pursuant to decision CP-9/14 and in section III information on socio-economic considerations in the national reports, assessment and review and the final evaluation of the Strategic Plan for the Cartagena Protocol on Biosafety. Section IV provides suggestions for a draft decision by the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol.

II. INTERSESSIONAL ACTIVITIES PURSUANT TO DECISION CP-9/14

4. The Executive Secretary invited Parties, other Governments, relevant organizations and indigenous peoples and local communities to submit preliminary experiences using the voluntary Guidance, as well as examples of methodologies and applications of socio-economic considerations in the light of the elements

¹ Reproduced as an information document for the Conference of the Parties serving as the meeting of the Parties at its tenth meeting.

of the voluntary Guidance, preferably in the form of case studies.² A total of 16 submissions were received, of which 14 were from Parties, one from a non-Party, and one from an organization.³

5. Following decision CP-9/14, a dedicated space was created on the Biosafety Clearing-House (BCH) to host the online forum on socio-economic considerations.⁴ A total of 61 participants from Parties, three participants from other Governments, and 11 participants from organizations were nominated and registered to participate in the online discussions.⁵

6. A report on the discussions of the online forum on socio-economic considerations including a summary of the views and comments submitted by participants in the online discussions and the outcomes of the discussions was prepared by the rapporteurs and made available for the AHTEG as an information document ([CBD/CP/SEC/AHTEG/2019/1/INF/1](#)).

7. In its decision CP-9/14, the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol extended the AHTEG to review the outcomes of the online forum in accordance with the terms of reference provided in the annex to the decision and requested the Executive Secretary to convene a face-to-face meeting of the Group, subject to the availability of resources.

8. Following the offer from the Government of Austria to host the meeting, and with the generous financial support from the European Union and the Government of Norway, the meeting of the AHTEG was held in Vienna from 10 to 13 December 2019.

9. Further to its terms of reference, the AHTEG reviewed the submissions received in response to decision CP-9/14 as well as the outcomes of the moderated online discussions. It used the information to supplement the voluntary Guidance by indicating for which stage in the assessment process, as outlined in the voluntary Guidance, the information might be relevant.

10. The main points arising from the substantive deliberations by the AHTEG are provided in annex I. The questions used by the AHTEG for conducting its review are presented in annex II, while the outcomes of the review are contained in annex III.

III. INFORMATION ON SOCIO-ECONOMIC CONSIDERATIONS IN THE NATIONAL REPORTS, ASSESSMENT AND REVIEW, FINAL EVALUATION OF THE STRATEGIC PLAN FOR THE CARTAGENA PROTOCOL ON BIOSAFETY

11. During the inter-sessional period since the ninth meeting of the Parties to the Protocol, the topic of socio-economic considerations under the Cartagena Protocol has also been addressed as part of the assessment and review of the effectiveness of the Protocol and final evaluation of the Strategic Plan for the Protocol for the period 2011-2020.

12. Fourth national reports on the implementation of the Protocol were due on 1 October 2019. Questions 162 to 166 of the reporting format addressed Article 26 of the Protocol. Information from the fourth national reports was used in the analysis of information prepared for the assessment and review of the effectiveness of the Protocol and final evaluation of the Strategic Plan. Detailed information can be found in the analysis document prepared for the third meeting of the Subsidiary Body on Implementation (CBD/SBI/3/3/Add.1) (see in particular section III.G) as well as in the online national report analyzer tool (<https://bch.cbd.int/en/reports>).

² [Notification 2019-031](#), issued on 6 March 2019.

³ The submissions can be consulted at: http://bch.cbd.int/onlineconferences/portal_art26/Submissions2019.shtml.

⁴ The online forum on socio-economic considerations is hosted on the BCH at: https://bch.cbd.int/onlineconferences/portal_art26/Forum2019.shtml.

⁵ [Notification 2019-031](#), issued on 6 March 2019. The list of participants can be consulted at: http://bch.cbd.int/onlineconferences/portal_art26/participants.shtml.

13. The analysis was considered by the Subsidiary Body on Implementation at its third meeting and a draft decision was developed, which will be considered by the Conference of the Parties serving as the meeting of the Parties to the Protocol at its tenth meeting (see compilation of draft decisions, document CBD/CP/MOP/10/1/Add.5).

IV. SUGGESTED ELEMENTS FOR A DRAFT DECISION

14. The Conference of the Parties serving as the meeting of the Parties to the Protocol may wish to consider the outcomes of the meeting of the AHTEG and adopt a decision along the following lines:

The Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety,

Recalling the “Guidance on the Assessment of Socio-Economic Considerations in the Context of Article 26 of the Cartagena Protocol on Biosafety” noted in decision CP-9/14,

Recognizing the limited time available for Parties, other Governments, relevant organizations and other stakeholders to make use of the voluntary Guidance,

Acknowledging the need to gather and share further information on methodologies and approaches,

Noting the information provided by Parties in their fourth national reports relating to Article 26 of the Cartagena Protocol on Biosafety, and *acknowledging* the findings on socio-economic considerations in the fourth assessment and review of the effectiveness of the Protocol and the final evaluation of the Strategic Plan for the Cartagena Protocol for the period 2011-2020, as presented in decision CP-10/--;

Noting the Goal and related capacity-building activities in the implementation plan and capacity-building action plan for the Cartagena Protocol on Biosafety relating to Article 26 of the Cartagena Protocol, and *acknowledging* the importance of capacity-building and regional and subregional cooperation in the field of socio-economic considerations,

1. *Welcomes* the outcomes of the work by the Ad Hoc Technical Expert Group on Socio-economic Considerations;⁶

2. *Encourages* Parties, other Governments, relevant organizations and other stakeholders to cooperate and share relevant experiences on taking socio-economic considerations into account in decision-taking on living modified organisms in accordance with Article 26 of the Protocol, including at the regional and subregional levels;

3. *Invites* Parties, other Governments, relevant organizations and other stakeholders, as appropriate, to use and submit experiences using the voluntary Guidance, as well as examples of methodologies and applications of socio-economic considerations in the light of the elements of the voluntary Guidance;

4. *Requests* the Executive Secretary to contact those Parties that indicated, in their fourth national report, having specific approaches or requirements that facilitate how socio-economic considerations should be taken into account in decision-making on living modified organisms, or having taken into account socio-economic considerations arising from the impact of living modified organisms, and invite them to share these approaches, requirements and descriptions of these applications;

5. *Requests* the Executive Secretary to compile the information gathered in response to paragraphs 3 and 4 and submit the overview for consideration by the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol, at its eleventh meeting, with a view to determining the need for further work.

⁶ As contained in CBD/CP/MOP/10/11, annexes II and III.

Annex I

**EXCERPT FROM THE REPORT OF THE AD HOC TECHNICAL EXPERT GROUP ON
SOCIO-ECONOMIC CONSIDERATIONS, VIENNA, 10-13 DECEMBER 2019**

The full report is available as document [CBD/CP/SEC/AHTEG/2019/1/3](#).

[...]

14. The AHTEG recognized that Parties had had limited time to gain preliminary experience using the Guidance and that, as a result, the submissions made related to experiences predating the Guidance. The Group noted that only 16 submissions had been received and they were not based on experience using the Guidance. The Group discussed whether a more structured approach might have facilitated additional submissions based on the Guidance. The Group was of the view that the submissions made were not representative of the body of experience and methodologies available. Nevertheless, the Group noted that the submissions and outcomes of the online discussions provided useful information on experiences with socio-economic considerations that were relevant to different stages and steps of the assessment process as outlined in the Guidance. The Group was of the view that additional time would be needed for Parties and other relevant stakeholders to gain experience using the Guidance, which would facilitate supplementing the Guidance further. Some experts were of the view that limited capacities might also have affected the number of submissions received.

15. The Group reviewed the submissions and the outcomes of the online discussions in the light of the stages of the assessment process, as outlined in the Guidance, using the questions provided in annex II.⁷ It used the information for supplementing the Guidance by indicating for which stage of the assessment process the information might be relevant. The findings are provided in annex III.⁸

16. In reviewing the information, the Group noted that the submissions provided examples of different approaches to carrying out socio-economic considerations that had not necessarily been developed in the context of Article 26, paragraph 1, but reflected national practices.

17. In indicating for which stage in the assessment process the information provided in the submissions and the online discussions was relevant, and in addition to the information reflected in annex III,⁹ experts also discussed: assessing the values of biological diversity to indigenous peoples and local communities; and the use of a variety of methods for assessing social, cultural, ethical, monetary and non-monetary aspects and values, given the limitations in different methodologies. The experts also discussed the issue of the availability of relevant data and the need for more information on review and monitoring processes.

18. Some experts noted that the work on socio-economic considerations had contributed to achieving operational objective 1.7 of the Strategic Plan for the Cartagena Protocol and that the Guidance would facilitate implementation of Article 26 of the Protocol. The Group acknowledged that the issue of socio-economic considerations was addressed in the draft post-2020 implementation plan for the Cartagena Protocol and the Capacity-Building Action Plan.

19. The Group discussed next steps for work on socio-economic considerations under the Protocol and identified a number of possible options. The Group was of the view that Parties needed more time to use the Guidance. To facilitate the gathering of relevant experiences and information, the Group discussed the usefulness of a structured process, for example through a questionnaire based on the Guidance in the context of Article 26. This information could be made available through a submission process, a survey or through the online portal on socio-economic considerations in the Biosafety Clearing-House. It was also suggested that more information on a variety of methodologies should be gathered and shared, as identified in

⁷ Reproduced in annex II to this note.

⁸ Reproduced in annex III to this note.

⁹ Reproduced in annex III to this note.

paragraph 17 above. It was also suggested that regional and subregional cooperation on socio-economic considerations may be useful.

20. Some experts identified the need for capacity-building to support Parties in carrying out socio-economic assessments using the Guidance and for reporting the outcomes.

21. Some experts noted the linkages between socio-economic considerations under Article 26 of the Cartagena Protocol and areas of work under the Convention on Biological Diversity, as well as related work on socio-economic considerations under the auspices of the Food and Agriculture Organization of the United Nations and the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services.

[...]

Annex II

QUESTIONS USED BY THE AD HOC TECHNICAL EXPERT GROUP FOR REVIEWING THE SUBMISSIONS AND OUTCOMES OF THE ONLINE DISCUSSIONS

Stage A: Preparation for assessment

Do the submissions and the outcomes of the online discussions provide information on the preparatory process, or refer to documentation where this information is provided?

Do they provide information on any of the following activities?

- Identifying relevant national legal and policy instruments, as well as responsibilities, protection goals and socio-economic objectives?
- Deriving nationally relevant protection goals from regional and international instruments;
- Identifying how national protection goals relate to socio-economic objectives;
- Determining what information is needed for the assessment as a basis for identifying what information is available and what information is missing;
- Identifying relevant actors to be involved in the assessment, including outlining information flows between different actors and determining mechanisms for public participation.

Stage B, Step 1: Scoping

Do the submissions and the outcomes of the online discussions provide information on the scoping step, or refer to documentation where this information is provided?

Is information provided on scoping, addressing any of the following areas of assessment:

- Economic: e.g. effects on income;
- Social: e.g. effects on food security;
- Ecological: e.g. effects on ecosystem functions;
- Cultural/traditional/religious/ethical: e.g. effects on seed saving and exchange practices;
- Human health-related: e.g. effects on nutritional status.

Do the submissions and the outcomes of the online discussions provide information on the boundaries of the assessment? Do they provide information on any of the following aspects:

- Uses of the living modified organism (e.g. intended, expected);
- Alternatives to address the stated problem;
- Time scale;
- Geographical scale;
- Level of assessment (e.g. macro- or microeconomic, farm-scale, whole supply chain);
- Direct and/or indirect effects;
- Relevant stakeholders.

Stage B, Step 2: Assessment

Do the submissions and the outcomes of the online discussions provide information on the assessment step?

Is information provided on methodology and data? Were any of the following aspects addressed:

- Was an assessment carried out?
- Who carried out the assessment?
- Were stakeholders involved?
- Does the description provide whether the assessment was carried out on an ex ante or ex post basis?
- Were the assessment methods used science and evidence based, or based on other accepted approaches where scientific methods are not applicable?

Do the submissions and the outcomes of the online discussions provide information on any of the following aspects:

- Relation between the impact of the living modified organism and the socio-economic effects;
- Beneficial or adverse nature of the effects;
- Likelihood of effects to occur;
- Intensity or magnitude of the effects;
- Possible downstream and cumulative effects;
- Reversibility of the effects;
- Mitigation of the effects;
- Effects on different communities and groups, in particular vulnerable or marginalized groups and indigenous peoples and local communities;
- Anticipated onset and duration of the effects (e.g. sustainability and persistence).

Stage B, Step 3: Evaluation of results and drawing conclusions

Do the submissions and the outcomes of the online discussions provide information on the evaluation of the assessment results and drawing conclusions?

Is information provided on any of the following aspects:

- Significance of evaluated effects;
- Distribution of effects among stakeholders;
- Limitations of the applied methods;
- Uncertainties;
- Comparison with available alternatives to the living modified organism;
- Validity of claimed benefits and harms.

Do the submissions and the outcomes of the online discussions provide information on whether the evaluation results were presented to stakeholders for feedback or whether feedback from stakeholders was included in the final result?

Stage C: Review and monitoring

Do the submissions provide information on re-evaluation of the assessment outcomes or on the monitoring of socio-economic effects of the living modified organism over time, or do they refer to documentation where this information is provided?

Annex III

**REVIEW BY THE AD HOC TECHNICAL EXPERT GROUP ON SOCIO-ECONOMIC
CONSIDERATIONS PURSUANT TO DECISION CP-9/14**

1. This review has been prepared by the Ad Hoc Technical Expert Group (AHTEG) on Socio-economic Considerations, during its meeting, held in Vienna, from 10 to 13 December 2019. The AHTEG conducted its work pursuant to decision CP-9/14 of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety.
2. The AHTEG worked on the basis of the submissions¹⁰ made in response to decision CP-9/14, in which Parties, other Governments, relevant organizations and other stakeholders were invited to use and submit preliminary experiences using the voluntary Guidance,¹¹ as well as examples of methodologies and applications of socio-economic considerations in the light of the elements of the voluntary Guidance, preferably in the form of case studies. The AHTEG also worked on the basis of the outcomes of the moderated discussions of the online forum on socio-economic considerations (online discussions), which had been requested to comment on and add views to review the compilation of submissions.¹²
3. This review is presented with the understanding that the number of submissions received was limited.

Stage A – Preparation for assessment

4. Some submissions indicated that relevant national and international legal and policy instruments had been identified, as well as responsibilities, protection goals and socio-economic objectives. Some submissions indicated that nationally relevant protection goals had been derived from regional and international instruments.
5. Some submissions described a broad approach to the relation between national protection goals and socio-economic objectives. For example, in one approach, sustainability was considered in terms of social, cultural, ethical, environmental, health, territorial and agronomical dimensions. In this case, the assessment process also considered alternative solutions and possible innovation trajectories to solve the problem that the living modified organism (LMO) is intended to address. The need to preserve the livelihood of indigenous peoples and local communities was also highlighted in a submission and in the online discussions as a national protection goal.
6. With regard to determining what information is needed for the assessment, one submission used the results of research activities, while another submission explained that information needs were identified in their national legislation. In a submission and the online discussions, it was suggested that different approaches were available for gathering information needed in order to carry out a comparative assessment, including with regard to different baselines (compare the current situation/compare alternative solutions). Some submissions noted the difficulty of determining data needs as well as the scarcity of data, particularly in countries where LMOs are not cultivated or imported.
7. With regard to identifying relevant actors to be involved in the assessment, some submissions underlined the importance of public participation during and after the decision-making process, including the participation of advisory bodies, indigenous peoples and local communities, consumer organizations, civil society organizations, private sector and others with expertise in relevant fields, including legal, social, cultural and economic areas.

¹⁰ http://bch.cbd.int/onlineconferences/portal_art26/Submissions2019.shtml.

¹¹ “Guidance on the Assessment of Socio-economic Considerations in the Context of Article 26 of the Cartagena Protocol on Biosafety” (CBD/CP/MOP/9/10, annex).

¹² The report on the online discussions is available as document CBD/CP/SEC/AHTEG/2019/1/INF/1.

Stage B - Assessment and evaluation

Step 1: Scoping

8. The submissions and online discussions provided additional examples for the assessment of economic, social, ecological, cultural and human health-related effects, as follows:

- (a) Economic: assessment of cost of health-related effects on biological diversity;
- (b) Social: assessment of sustainable development;
- (c) Ecological: assessment in changes of secondary pests;
- (d) Cultural/traditional/religious/ethical: assessment of ethnic beliefs, ethical aspects, human rights, the value of ecosystems for indigenous peoples and local communities, relevance for centres of origin and genetic diversity to indigenous peoples and local communities;
- (e) Human health-related: e.g. public health-related effects.

9. The submissions and online discussions also provided additional examples that may be considered in determining the boundaries of an assessment, as follows:

- (a) Alternatives to address the stated problem: use versus non-use of an LMO;
- (b) Time scale: assessment of the trajectory of the LMO and its innovation;
- (c) Level of assessment: field trials, sectoral, national-level, and global;
- (d) Direct and/or indirect effects: impacts on pollinators;
- (e) Relevant stakeholders: e.g. adopters and non-adopters of LMOs, consumers, indigenous peoples and local communities.

Step 2: Assessment

10. Submissions provided examples of ex ante socio-economic assessments. There was also a submission providing research results based on ex post socio-economic assessments.

11. The submissions showed that a variety of actors had been involved in carrying out the socio-economic assessments, including advisory committees, groups of experts and regulators. The submissions also showed that a variety of stakeholders had been involved, including the private sector, farmers' organizations and non-governmental organizations. The involvement varied from consultation to involvement in the decision-making process. Some submissions showed that mechanisms are in place to consider the interests of indigenous peoples and local communities.

12. With regard to the methods chosen for the assessment, the submissions provided examples of using science- and evidence-based methods that were complemented by other approaches, such as deliberations or consultations on social and ethical aspects.

13. Some submissions addressed the following aspects of the assessment:

- (a) The relation between the impact of the LMO and the socio-economic effects;
- (b) Beneficial and adverse nature of the effects;
- (c) Possible upstream, downstream and cumulative effects.

14. The submissions also addressed the reversibility and mitigation of the effects, in particular through such approaches as scenario planning and ethical considerations.

Step 3: Evaluation of results

15. Several submissions and the outcomes of the online discussions indicated that the evaluation of assessment outcomes was based on the following:

- (a) Significance of evaluated effects;
- (b) Distribution of effects among stakeholders;
- (c) Comparison with available alternatives to the LMO;
- (d) Limitations of the applied methods.

Stage C: Review and monitoring

16. Some submissions indicated that mechanisms are in place for reviewing socio-economic assessments if new information becomes available, or if there are further developments, for example changes in national policy or protection goals.
