

**Convention on
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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

Seventh meeting

Pyeongchang, Republic of Korea, 29 September-3 October 2014

Item 13 of the provisional agenda*

SOCIO-ECONOMIC CONSIDERATIONS (ARTICLE 26)

I. INTRODUCTION

1. In its decision BS-VI/13, the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety (COP-MOP) established an ad hoc technical expert group charged with examining the outcomes of the activities specified in the same decision, in order to develop conceptual clarity on socio-economic considerations, and to submit its report to the seventh meeting of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety.

2. The meeting of the Ad Hoc Technical Expert Group on Socio-economic Considerations was held in Seoul from 17 to 21 February 2014. The report of the meeting is attached herewith for the consideration of the seventh meeting of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety.

3. The activities specified in decision BS-VI/13 – the outcomes of which were examined by the Expert Group – were: (a) the convening of online discussion groups; (b) the convening of regional online real-time conferences; and (c) the compilation, stocktaking and review of existing information on socio-economic considerations in order to develop a global overview. Detailed information on the outcomes of these activities can be accessed online as follows:

- (a) The summary of the online discussions which was held in March and April 2013;¹
- (b) The transcripts of the different regional online real-time conferences held in June 2013;²

* UNEP/CBD/BS/COP-MOP/7/1.

¹ See <http://www.cbd.int/doc/meetings/bs/bs-ahteg-sec-01/information/bs-ahteg-sec-01-inf-01-en.pdf>

² See https://bch.cbd.int/onlineconferences/portal_art26/about_realtime.shtml

(c) The global overview of information on socio-economic considerations arising from the impact of living modified organisms on the conservation and sustainable use of biological diversity (UNEP/CBD/BS/AHTEG-SEC/1/2).³

II. SUGGESTED ELEMENTS FOR A DRAFT DECISION

4. The Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety at its seventh meeting may wish to review and take note of or welcome the report of the Ad Hoc Technical Expert Group on Socio-economic Considerations, consider the recommendation outlined under paragraph 20 of the report and its annex, and take a decision, as appropriate;

5. In that regard, the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety may wish to:

(a) Take note of the report of the Ad Hoc Technical Expert Group on Socio-economic Considerations attached below;

(b) Decide to extend the Ad Hoc Technical Expert Group on Socio-economic Considerations to work on the guidelines envisaged under operational objective 1.7 of the Strategic Plan in the light of paragraph 4 (c) of decision BS-VI/13, taking into account the annex to the report of the Ad Hoc Technical Expert Group on Socio-economic Considerations, and any information that may be provided through the activities indicated in paragraph (c) (i) and (ii) below;

(c) Request the Executive Secretary:

(i) To convene online discussion groups to facilitate the exchange of views, information and experiences on socio-economic considerations, including concerning: (a) the interface between risk assessment and socio-economic considerations; (b) human health-related aspects of socio-economic considerations; and (c) international obligations that may be relevant to socio-economic considerations;

(ii) To compile information on: (a) policies, laws, regulations and guidelines providing for definitions of socio-economic considerations; and (b) practical applications of socio-economic considerations in decision-making on living modified organisms, including cases where socio-economic impacts have been considered;

(iii) To commission a study on international agreements that may have relevance to socio-economic considerations as provided in Article 26 of the Cartagena Protocol on Biosafety;

(d) Invite the Global Environment Facility and other donors to consider supporting capacity-building activities on socio-economic considerations as specified in paragraph 2 (n) of decision BS-VI/5 (appendix II of decision XI/5 of the Conference of the Parties to the Convention on Biological Diversity).

³ Available online at <http://www.cbd.int/doc/meetings/bs/bs-ahteg-sec-01/official/bs-ahteg-sec-01-02-en.pdf>

REPORT OF THE AD HOC TECHNICAL EXPERT GROUP ON SOCIOECONOMIC CONSIDERATIONS

INTRODUCTION

1. The sixth meeting of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety (COP-MOP) adopted decision BS-VI/13 on socio-economic considerations. The decision includes requests for the Executive Secretary to undertake a series of activities which were ultimately intended to contribute to the development of conceptual clarity on socio-economic considerations.

2. Accordingly, the Executive Secretary convened online discussion groups and regional online real-time conferences to facilitate and synthesize the exchange of views, information and experiences on socio-economic considerations among Parties, other Governments, relevant organizations and indigenous and local communities in the context of paragraph 1 of Article 26 of the Protocol. The Secretariat also commissioned a consultant to compile, take stock of and review information on socio-economic considerations in order to develop a global overview.

3. The COP-MOP also decided to establish an ad hoc technical expert group on socio-economic considerations (AHTEG on Socio-economic Considerations) to: (i) examine the outcomes of the online discussion group, the regional online real-time conferences, and the global overview of information, in order to develop, drawing upon the outcomes, conceptual clarity on socio-economic considerations; and (ii) submit its report for consideration by the seventh meeting of COP-MOP. The report from the technical expert group is intended to enable COP-MOP to deliberate and decide upon appropriate further steps towards fulfilling operational objective 1.7 and associated outcomes of the Strategic Plan for the Cartagena Protocol on Biosafety.

4. Five experts per region and five experts from among non-Parties and other organizations were selected to participate in the AHTEG in accordance with the terms of reference specified in the annex to decision BS-VI/13 and the applicable rules of procedure for meetings under the Protocol.

5. The meeting of the AHTEG on Socio-economic Considerations was held in Seoul, from 17 to 21 February 2014. It was attended by 22 experts from the following Parties: Austria, Belarus, Bolivia (Plurinational State of), Dominican Republic, Egypt, European Union, France, Honduras, Hungary, India, Liberia, Malaysia, Mexico, Morocco, Niger, Norway, Philippines, Republic of Korea, Republic of Moldova, South Africa, Spain and Thailand. Five experts from the following observers also attended the meeting: the United States of America, the Third World Network, the Global Industry Coalition, GENØK – Centre for Biosafety and the *Universidad Nacional de General Sarmiento*.

ITEM 1. OPENING OF THE MEETING

6. The meeting was opened by Mr. Chung Seokjin, Director for Bio & Nano Technology Division in the Ministry of Trade, Industry and Energy of the Republic of Korea at 9:30 a.m. on Monday, 17 February 2014. Opening remarks were also made by a representative of the Secretariat on behalf of Mr. Bráulio Dias, the Executive Secretary of the Convention on Biological Diversity.

7. In his opening remarks, Mr. Seokjin welcomed the participants to Seoul. He noted that the subject of this AHTEG is important for the Republic of Korea as the country's Act on Transboundary Movement of Living Modified Organisms contains a provision regarding socio-economic considerations that remains to be elaborated. Mr. Seokjin indicated that his Ministry in collaboration with the Ministry of Environment is working hard in preparing for a successful seventh meeting of the Parties to the

Protocol, and the twelfth meeting of the Conference of the Parties to the Convention on Biological Diversity. He wished the experts fruitful deliberations.

8. The representative of the Secretariat expressed his gratitude to the Government of the Republic of Korea for hosting the meeting and providing financial support that enabled the participation of experts from developing countries. He further thanked the Government of Norway for providing additional funds in this regard. He noted that the work of the AHTEG would make a significant contribution to the seventh meeting of the Parties to the Cartagena Protocol on Biosafety.

ITEM 2. ORGANIZATIONAL MATTERS

2.1 Election of officers

9. Members of the AHTEG elected Mr. Andreas Heissenberger from Austria and Ms. Ranjini Warriar from India to serve as Co-Chairs of the meeting. After short introductory remarks, the Co-Chairs invited the participants to introduce themselves.

2.2 Adoption of the agenda

10. The provisional agenda for the meeting (UNEP/CBD/BS/AHTEG-SEC/1/1) was adopted without amendment.

2.3 Organization of work

11. The organization of work as proposed in annex I to the annotations to the provisional agenda of the meeting (UNEP/CBD/BS/AHTEG-SEC/1/1/Add.1) was also adopted without amendment.

ITEM 3. CONCEPTUAL CLARITY ON SOCIOECONOMIC CONSIDERATIONS ARISING FROM THE IMPACT OF LIVING MODIFIED ORGANISMS ON THE CONSERVATION AND SUSTAINABLE USE OF BIOLOGICAL DIVERSITY, ESPECIALLY WITH REGARD TO THE VALUE OF BIOLOGICAL DIVERSITY TO INDIGENOUS AND LOCAL COMMUNITIES

3.1 Examining the outcomes of the activities undertaken in accordance with paragraphs 2 and 3 of decision BS-VI/13 of the sixth meeting of the Parties to the Cartagena Protocol on Biosafety

12. Under this agenda item, the Secretariat gave background information on how the discussions on socio-economic considerations have evolved in the COP-MOP process and an overview of the activities that have taken place since COP-MOP 6. The Secretariat also introduced the documents for the meeting, i.e. the summary of the online discussions of March-April 2013 on the socio-economic considerations (UNEP/CBD/BS/REGCONF-SEC/2/INF/1); and the global overview of information on socio-economic considerations arising from the impact of living modified organisms on the conservation and sustainable use of biological diversity (UNEP/CBD/BS/AHTEG-SEC/1/2).

13. Following the presentation by the Secretariat, members of the AHTEG identified additional information relevant to the global overview. This included information on activities the European Union is undertaking regarding socio-economic considerations (the European GMO Socio-economic Bureau) which may provide useful information to assist countries to perform socio-economic assessments. It was also mentioned that the World Bank had a safeguard policy which included provisions on socio-economic assessment of projects funded by the Bank, which may be a useful reference. A concern was also

expressed regarding the lack of participation in this process by representatives of indigenous and local communities whose experience and expertise could have contributed to the discussions on socio-economic considerations.

14. Mr. Heissenberger invited the chairs of the regional online real-time conferences present at the meeting to give a brief assessment of the discussions in their respective conferences for the benefit of the experts from the other regions. Ms. Warriar, Mr. Heissenberger and Mr. Abdelkawy provided an overview of the discussions in the online real-time conferences for Asia-Pacific, Western Europe and Others Group and Central and Eastern Europe, and Africa, respectively. Noting that the chair of the GRULAC conference was not present at the meeting, Mr. Heissenberger invited any other expert from the region who had participated in the conference to make some remarks. Mr. Carlos Almendares of Honduras presented an overview of the GRULAC conference.

3.2 Developing conceptual clarity

15. Under this item, Co-Chair Warriar invited participants to share their views and propose elements which they believed would contribute to achieving conceptual clarity on socio-economic considerations. Accordingly, each participant made suggestions of elements. The Co-Chair indicated that the suggested elements would be compiled and made available for discussion by the group.

16. The compilation that was prepared included sections on general principles, methodologies and points to consider. The group reviewed the compilation and agreed to also include an introductory paragraph and an objective. The Co-Chairs proposed the creation of small groups to consider and refine the suggested elements under the three sections, i.e. general principles, methodologies and points to consider. The small groups reviewed their respective sections and reported the outcomes to the meeting. The Co-Chairs also created two small groups to review text for introduction and objective sections of the compilation.

17. During the discussions, some participants expressed the need for clarifying the relationship between risk assessment and socio-economic considerations and the extent to which human health-related issues could be addressed as socio-economic considerations.

18. Some participants emphasized the importance of identifying provisions from international agreements that were relevant to socio-economic considerations in decision-making on living modified organisms. In this regard, some examples were provided including the Covenant on Economic, Social and Cultural Rights, the International Convention Concerning Indigenous and Tribal Peoples and the International Treaty on Plant Genetic Resources for Food and Agriculture. It was also suggested that taking socio-economic considerations into account in the context of Article 26 of the Cartagena Protocol on Biosafety may not conflict with the rules of trade agreements such as those under the World Trade Organization so long as they were formulated with the appropriate justifications, defensible under available information, consistent with national regulations and did not lead to arbitrary or unjustifiable distinctions. However, the AHTEG felt that this was an issue that would benefit from further examination.

19. Following extensive deliberations, the group agreed to elements of a framework for conceptual clarity on socio-economic considerations as contained in the annex to this report. The AHTEG then discussed follow-up activities and recommendations to COP-MOP.

20. Accordingly, the Ad Hoc Technical Expert Group on Socio-Economic Considerations recommends that the seventh meeting of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety:

- (a) Review the report of this meeting;
- (b) Decide to extend the Ad Hoc Technical Expert Group on Socio-Economic Considerations to work on the guidelines envisaged under operational objective 1.7 of the Strategic Plan in light of paragraph 4 (c) of decision BS-VI/13, taking into account the annex to this report and any information that may be provided through the activities indicated in paragraphs (b) and (c) below;
- (c) Request the Executive Secretary to convene online discussion groups to facilitate the exchange of views, information and experiences on socio-economic considerations, including concerning: (i) the interface between risk assessment and socio-economic considerations; (ii) human health-related aspects of socio-economic considerations; and (iii) international obligations that may be relevant to socio-economic considerations;
- (d) Request the Executive Secretary to compile information on: (i) policies, laws, regulations and guidelines providing for definitions of socio-economic considerations; and (ii) practical applications of socio-economic considerations in decision-making on living modified organisms, including cases where socio-economic impacts have been considered;
- (e) Request the Executive Secretary to commission a study on international agreements that may have relevance to socio-economic considerations as provided in Article 26 of the Cartagena Protocol on Biosafety; and
- (f) Invite the Global Environment Facility and other donors to consider supporting capacity-building activities on socio-economic considerations as specified in paragraph 2 (n) of decision BS-VI/5 (appendix II of decision XI/5 of the Conference of the Parties to the Convention on Biological Diversity).

ITEM 4. OTHER MATTERS

21. The Co-Chair asked the participants if they had any other matters they wished to raise that were relevant to the agenda of the meeting. No other matter was raised.

ITEM 5. ADOPTION OF THE REPORT

22. The participants adopted the draft report of the meeting as orally amended.

ITEM 6. CLOSURE OF THE MEETING

23. Following brief closing remarks by the representative of the Government of the Republic of Korea and by Mr. Braulio Dias, Executive Secretary of the Convention on Biological Diversity, Co-Chair Heissenberger declared the meeting closed at 1:30 p.m. on Friday, 21 February 2014.

*Annex***ELEMENTS OF A FRAMEWORK FOR CONCEPTUAL CLARITY ON SOCIO-ECONOMIC CONSIDERATIONS**

The Ad Hoc Technical Expert Group recalled operational objective 1.7 of the Strategic Plan for the Cartagena Protocol on Biosafety for the Period 2011-2020: “To, on the basis of research and information exchange, provide relevant guidance on socio-economic considerations that may be taken into account in reaching decisions on the import of living modified organisms” as well as the outcomes for this objective, including the development of guidelines regarding socio-economic considerations of living modified organisms. The Group noted the mandate it had been given in decision BS-VI/13, i.e. to review the outcomes of the online discussion forum, the regional online real-time conferences and the global overview of information on socio-economic considerations, and, on this basis, to develop conceptual clarity in the context of paragraph 1 of Article 26.

The Ad Hoc Technical Expert Group examined these outcomes as reported by the Secretariat and as contained in the documents prepared for the meeting, and recognized the challenges involved in the development of conceptual clarity on socio-economic considerations. Recognizing that there is no single agreed definition of what is meant by “socio-economic considerations”, the group decided to adopt a descriptive approach to reach conceptual clarity. In this regard, the group suggested the following elements of a framework, adapted as appropriate to national and regional specificities and consistent with international obligations, for addressing socio-economic considerations.

Objective

To assist Parties to achieve clarity in taking into account socio-economic considerations in the decision-making process on living modified organisms, by identifying and evaluating their potential socio-economic impacts, in accordance with the objective and scope of the Protocol.

General principles

1. Paragraph 1 of Article 26 provides that Parties may take socio-economic considerations into account in decision-making on living modified organisms.
2. Taking socio-economic considerations into account in decision-making on living modified organisms should be consistent with relevant international obligations, which include trade agreements, environmental agreements and human rights agreements.
3. Taking socio-economic considerations into account in decision-making on living modified organisms should be consistent with existing national regulatory frameworks and policies.
4. In taking socio-economic considerations into account, Parties should consider their local, national and regional circumstances, cultural practices, priorities and needs, in particular those related to the value of biological diversity to indigenous and local communities.
5. Taking socio-economic considerations into account in decision-making on living modified organisms should be clear, transparent, and non-discriminatory.
6. Human health-related issues arising from impacts of living modified organisms on the conservation and sustainable use of biological diversity should also form part of socio-economic considerations, provided that they are not already addressed in the risk assessment.

7. A situation of uncertainty or insufficient information on socio-economic impacts should not prevent socio-economic considerations from being taken into account in reaching a decision.
8. Conservation and sustainable use of biological diversity relies on a wide range of elements, including socio-economic ones, which supports the application of sustainability principles.
9. Planning and conducting risk assessments and taking socio-economic considerations into account may be complementary in the decision-making process.
10. Public participation and consultation form part of the process of taking socio-economic considerations into account.

Methodological considerations

1) Scope

The scope of methodologies could include the following issues:

- Economic
- Social
- Ecological
- Cultural / traditional / religious / ethical
- Human health-related

2) Methodological approaches

A wide array of methodological approaches is available to address the complexity of socio-economic considerations, which could include the following:

- Situational analysis and baseline information
- Scenario planning
- Ex-ante and/or Ex-post studies
- Quantitative and/or qualitative studies
- Public consultation and participation modalities
- Multi-criteria analysis
- Socio-economic impact assessments
- Valuation of biological diversity

Any methodology selected should be based on, *inter alia*, the information needs of decision makers.

3) Factors affecting methodological approaches

- Macro-, micro- or market structure levels of analysis, depending on the organism, trait and intended use
- Context and/or case specific at the level of the organism, trait and intended use
- The different stakeholders involved in the design of the socio-economic assessment
- The variation of socio-economic considerations among States and at the subnational level.

Points to consider

1. Any list of elements of socio-economic considerations would be indicative and non-exhaustive.

2. Listing elements of socio-economic considerations based on existing experiences and as contained in the document that summarized the online discussions (document UNEP/CBD/BS/REGCONF-SEC/2/INF/1) would contribute to the future development of guidelines on socio-economic considerations.
3. Elements of socio-economic considerations may be classified using the dimensions below.
4. Elements of socio-economic considerations could fall into more than one dimension.
5. Human health-related and ecological dimensions that are not addressed in risk assessment may be addressed when taking socio-economic considerations into account.

Dimensions:

- (a) Economic: e.g. impact on income;
- (b) Social: e.g. impact on food security;
- (c) Ecological: e.g. impact on ecosystem functions;
- (d) Cultural/traditional/religious/ethical: e.g. impact on seed saving and exchange practices;
- (e) Human health-related: e.g. impact on nutritional status.
