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Inter-sessional activities on socio-economic considerations

Notification 2015-007 (SCBD/BS/CG/ps/84239)

Views and comments of the European Commission
on the "Elements of a Framework for Conceptual Clarity on Socio-Economic Considerations"
(Annex to the report of the first meeting of the AHTEG on Socio-Economic Considerations)

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General comments:

The European Commission would like to thank the Secretariat of the Convention on Biological Diversity to be given the opportunity to submit views and comments on the « elements of a framework for Conceptual Clarity on Socio-Economic Considerations » contained in the annex to the report of the first meeting of the Ad Hoc Technical Expert Group on socio-economic considerations.

The European Commission would like to reiterate some of the comments already made by the EU and its Member States at COP-MOP 7 in Korea in September-October 2014:

- The AHTEG on Socio-economic Considerations (SEC) has made progress in the development of conceptual clarity, in line with the terms of reference.
- It is imperative that any future work on SEC remains within the limits of Article 26.1, so that SEC focus on the impact of living organisms on the conservation and sustainable use of biological diversity, especially with regards to the value of biological diversity to indigenous and local communities.
- Any outcome of the future work in which environmental and/or human related aspects of the SEC would be incorporated in risk assessment, and/or where SEC become obligatory elements to consider when reaching a decision of import of LMOs, would be incompatible with article 26.1 of the Cartagena Protocol and the EU legislation.
- It is necessary to consider SEC in a balanced way, taking into account both possible positive and negative impacts.

Furthermore, the European Commission recalls that in the EU a technical working group composed of experts from the Member States – the European Socio-Economic Bureau (ESEB)[1] – is suggesting a framework for carrying out analysis on SEC related to cultivation and use of GMOs in the EU. The reference documents produced by ESEB will allow the EU to actively contribute to the discussions. A first framework document entitled "Framework for the socio-economic analysis of the cultivation of genetically modified crops" is at final drafting stage. Once published, the indicators and methodologies developed in the document, even though targeted for the specific European context, could be a good reference for working on the guidelines. Based on this initial framework document, the ESEB has started developing a reference document on the socio-economic analysis of the cultivation of insect resistant (Bt) Maize in the EU.

The European Commission also stresses that a new Directive has just been adopted[2] and will enter into force in April 2015, which allows EU Member States to restrict or ban the cultivation of EU

authorised GMOs on their territory, for reasons other than risks on health and the environment. Such reasons, which have to be in conformity with EU law, reasoned, proportionate and non-discriminatory, include, amongst others, socio-economic impacts arising from the cultivation of GMOs in the concerned Member State.

Comments on the "Elements of a Framework for Conceptual Clarity on Socio-Economic Considerations"

With respect to "human health related issues arising from impacts of LMOs on the conservation and sustainable use of biological diversity"[3], the European Commission insists on the fact that a clear-cut distinction must be made between risks on human health addressed during the risk assessment phase on the one hand, and human-health related issues being part of the socio-economic considerations on the other hand. Any overlap between the scopes covered by these two dimensions could be detrimental to the foundation of the Cartagena Protocol which is to ensure that a party of import bases its decisions on a risk assessment carried out in a scientifically sound manner, to guarantee the safety of LMOs in relation to the conservation and sustainable use of biological diversity, taking also into account risks to human health.

The same remark applies to the distinction to be made between environment related aspects of socio-economic considerations[4] and environmental risks of LMOs addressed in the risk assessment phase.

In relation to methodological considerations, the Commission supports the suggested scope, methodological approaches and factors affecting the methodological approaches. Based on the experience already acquired by the European Socio-Economic Bureau, the Commission advises that the types of socio-economic impacts selected for consideration by the parties should be supported by the existence of measurable indicators (qualitative or quantitative), plausible impact mechanisms and sound method to assess impact. Furthermore, in line with the general principle 4, the SEC should be carefully selected to be relevant for the specific circumstances of the parties, and to be useful for supporting the decision making process ("good to know" vs. "nice to know"). This recommendation is particularly relevant in situations where resources to be dedicated to socio-economic considerations analysis are limited, and/or where data are scarce or their recollection is complex.

The European Commission is looking forward discussing these remarks and those made by Parties, other governments, relevant organisations and indigenous and local communities at a forthcoming online discussion.

March 2015

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[3] As referred to in General principle 6; 5th bullet of 1) scope; point to consider 5; and dimension (e) of the elements of a framework for Conceptual Clarity on Socio-Economic Considerations
[4] As referred to in 3rd bullet of 1) Scope; point to consider 5; and dimension (c)