



FEDERAL REPUBLIC OF NIGERIA

PRELIMINARY EXPERIENCE ON SOCIOECONOMIC CONSIDERATION VOLUNTARY GUIDANCE NATIONAL BIOSAFETY MANAGEMENT AGENCY, NIGERIA'S EXPERIENCE

Nigeria is Party to the Cartagena Protocol on Biosafety (CPB). In line with the Protocol, Parties take into account Socio economic consideration (SEC) in their decision making process regarding the use of living modified organisms (LMOs), Nigeria has fully incorporated SEC into its decision making process, consistent with its national legislation, the National Biosafety Management Agency Act 2015.

In line with decision CP-9/14 of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety (COP-MOP), inviting Parties and other Governments to make use, if applicable, of the “Guidance on the assessment of socio-economic considerations in the context of Article 26 of the Cartagena Protocol on Biosafety”, the Guidance has been subjected to testing in Nigeria’s regulatory system. Though some of the guidance may not be applicable at the moment since Nigeria has so far given approval permits for only few LMOs, they would be useful and would be tested in subsequent decisions.

Below are the preliminary experiences using the voluntary guidance as well as the examples of methodologies in the application of the SEC so far.

	GUIDANCE	STATUS OF IMPLEMENTATION
1	Taking socio-economic considerations into account in decision-making on the import of living modified organisms must be consistent with relevant international obligations, which include, inter alia, trade agreements, environmental agreements and human rights agreements.	Nigeria through the National Biosafety Management Agency (NBMA) has granted several approvals (authorization) for the importation of genetically modified maize and soy bean for Food and Feed processing to Nigeria. Prior to this, the Agency has constituted the National Biosafety Committee (NBC) to review the applications for authorization. The review process also took into account the socioeconomic

		<p>consideration, as to whether the importation could impact negatively on the local production, marketing and local farmers of maize and soy bean. The decision is consistent with the Cartagena Protocol on Biosafety, Article 5.3 of the World Trade Organizations (WTO)'s Sanitary and Phytosanitary Agreement (SPS), etc (Article 5.3 of the SPS Agreement states:</p> <p>In assessing the risk to animal or plant health and determining the measure to be applied for achieving the appropriate level of sanitary or phytosanitary protection from such risk, Members take into account as relevant economic factors: the potential damage in terms of loss of production or sales in the event of the entry, establishment or spread of a pest or disease; the costs of control or eradication in the territory of the importing Member; and the relative cost-effectiveness of alternative approaches).</p>
2	<p>Taking socio-economic considerations into account in decision-making on the import of living modified organisms should be consistent with existing national regulatory frameworks and policies.</p>	<p>Nigeria through the National Biosafety Management Agency (NBMA) has granted several approvals (authorization) for the importation of genetically modified maize and soy bean to Nigeria for FFP. Prior to this, the Agency has constituted the National Biosafety Committee (NBC) to review the applications for authorization. The review process also takes into account the socioeconomic consideration, as to whether the importation could affect the marketing of local production of maize and soy beans or could it affect the faith and beliefs of the people. This is consistent with section 2 sub-section (f), section 24(3) and Part E of NBMA Act 2015.</p> <p>By so doing, data on local production of maize are gathered before importation of GM maize and after importation.</p>
3	<p>In taking into account socio-economic considerations, Parties should consider their local and national circumstances, priorities and needs as well as, if applicable, regional circumstances, priorities and needs. Such circumstances, priorities and needs could include different cultural practices and religious beliefs and practices as well as indigenous, traditional and local knowledge and practices, in particular those related to the value of biological diversity to indigenous peoples and local communities.</p>	<p>In reaching a decision on release or importation of LMOs, Nigeria takes into account local and national circumstances. Prior to authorisation, NBMA usually makes public display notice of application to get views of the public as to whether the release of LMOs infringes on their faith, human rights, or ethnic believes, consistent with the national regulatory framework. Farmers and consumer organizations are usually carried along in the application review process to express their interest. This was done in the case of the recently commercialized bt cowpea in which farmers gave full support to the commercialization, knowing that the Bt. Cowpea would minimize economic loss due to maruca infestation while minimizing the use of pesticides, especially as the Bt. Cowpea does not pose harm to their faith and the local knowledge on the planting of the Bt. cowpea.</p>
4	<p>The assessment process of socio-economic considerations should be science-based and evidence-based and lead to defendable results.</p>	<p>While not all aspects of socioeconomics are science-based or science-related, more consideration is given to those with science-base and evidence base.</p>

5	Lack of knowledge, scientific consensus or information on socio-economic effects should not necessarily be interpreted as indicating a particular positive or negative effect, or an absence of an effect.	While available information on socioeconomic consideration in Nigeria so far does not indicate any particular negative effect, the Agency is constantly alert on the side of caution on all socio economic parameters to identify any potential risk of socio economics on the use of LMOs.
6	The assessment of socio-economic considerations and the risk assessment may be conducted concurrently, consecutively or in an integrated manner, as applicable. Planning and conducting a risk assessment and an assessment of socio-economic considerations may be complementary and both may contribute to the decision-making process.	In Nigeria, Socioeconomic consideration is an integral part of the risk assessment review of biosafety application. While some socioeconomic consideration decisions are taken separately or consecutively, decisions on risk assessment are usually taken concurrently with that of socioeconomic consideration before approval is granted. This is in the case of the recent authorisation for importation of 90,000 tons of GM grains, where the NBMA found out that the grain is unlikely to pose harm to human and animal health but suspected that it could affect the local production. After a thorough finding, it was found out that there is low production locally not enough to use as food and for animal feed, which led to the approval.
7	Article 23 of the Protocol creates obligations regarding public awareness, education and participation. Public participation and consultation, and access to information, may form part of the process of taking socio-economic considerations into account.	Section 2(e) of NBMA Act 2015 emphasizes on the need for the Agency to provide measures for effective public awareness, education and participation. This is aimed at enabling the public to make input that would contribute to decision making on biosafety application especially on socioeconomic consideration. Though Nigeria has only given few approvals for LMOs, in each of the approvals, the public is consulted through public display notice of application to have access to information, invited to make submission on the application before review, and are also invited to participate in the review process before decisions are taken.
8	Where required by national regulatory frameworks, the assessment of socio-economic considerations should involve indigenous peoples and local communities, including obtaining their free, prior and informed consent for participation in the assessment, and their views on any potential introduction of the living modified organism into their territories, taking into account customary laws and community protocols.	During the commencement of CFT of Bt cowpea in the Institute for Agricultural Research (IAR), Zaria, the communities in which the CFTs were to be undertaken were sensitized about the CFT and the benefit thereof so as not to see it as an unusual activity. The consent of the local people was obtained before the commencement. All through from the CFT to the recent commercialization of the Bt. Cowpea, the local communities and others were carried along. And it was fully participatory.
9	The results of any assessment of socio-economic considerations (SEC) associated with a decision on the import of living modified organisms may be subject to a review in the light of new relevant information or knowledge or a change in national policy or protection goals.	SEC is broad and dynamic in nature, every result of SEC associated with a decision on the import of living modified organisms in Nigeria may be subject to a review in the light of new relevant information or knowledge or a change in national policy or protection goal. It was agreed during one of the decisions on import of GM grains that if there is policy on the ban of

		importation of grains to Nigeria due to improvement in the local production or any related socioeconomic factor, it will also affects importation of GM grains.
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