

CARTAGENA PROTOCOL: SOCIO-ECONOMIC CONSIDERATIONS
NEW ZEALAND COMMENTS
March 2015

New Zealand would like to thank the CBD Secretariat for their early work on the tasks under decision BS-VII/13. In our view, the proposed framework is a good basis for discussion, but more work is required to ensure it is useful and meaningful for all Parties to the Cartagena Protocol. We note that 'achieving clarity' may be possible at the domestic level and based on national circumstances, but such clarity is likely to vary considerably across the international spectrum.

Regarding the overall framework, the proposed framework appears to focus mainly on social aspects, as opposed to socio-economic considerations. In addition, some of the principles, methodological considerations, and points to consider go beyond such considerations "arising from the impact of living modified organisms on the conservation and sustainable use of biological diversity". This language ensures the focus of the article is targeted and linked to the mandate of the Convention and the Protocol. While there may be socio-economic considerations arising from the import of LMOs, these are outside the scope of Article 26 if they do not arise from the impact on conservation and sustainable use of biological diversity.

In a similar vein, it is also essential that elements of risk assessment are distinct from activities that might be undertaken if taking into account socio-economic considerations. For example, the conservation, biodiversity, human health and economic impact of an LMO can be measured in physical quantities and these underpin a risk assessment. It is then a social consideration to ascribe a value to these physical quantities, and such valuation will differ amongst social groups and individuals. Furthermore, it is the socio-economic considerations *arising from the impact* of LMOs on the conservation and sustainable use of biological diversity that are the focus of this article.

It is also important that the framework acknowledge that socio-economic considerations arising from the impact of LMOs on the conservation and sustainable use of biological diversity can be positive or negative in nature.

In terms of specific comments, terminology is used in the framework that is either unclear or outside the scope of Article 26. For example, in general principle 5, it is not clear what "non-discriminatory" means in the context used. Does it mean in a trade context? This needs to be clarified. Also, principle 8 uses the phrase "application of sustainable principles", but these are not clear or defined. There are a range of sustainability principles that can be 'read' into this principle, which obfuscates the meaning. Another example is in the "Methodological Approaches section", which includes "baseline information" as an approach. Baseline information is useful in all methodologies, but is not a methodology itself.