



International Planning Committee (IPC) for Food Sovereignty

Working Group on Agricultural Biodiversity



19th February 2021

International Planning Committee (IPC) for Food Sovereignty

Informal session of the Twenty-fourth meeting of the Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA-24)

IPC Declaration

Item 4, Synthetic Biology

The International Planning Committee for Food Sovereignty (IPC) is an articulated space representing 6000 grassroots organizations and social movements of Indigenous Peoples and small-scale food producers.

It has been almost a decade since the CBD began tracking developments in synthetic biology. However, today the significant development of Artificial Intelligence (AI) and automation have serious implications for the dynamic conservation and sustainable use of biodiversity. Therefore, there is an urgent need for governments to intervene on the potential disruptive effect it may have on millions of peasants, farmers and harvesters, as well as on the biodiversity they manage, and the consumers. Three issues must be taken into accounts by governments:

The **potential socio-economic damage** from the substitution of natural products by products generated from synthetic biology should be a priority of the CBD and the Parties, as they should guarantee the rights of farmers to protect the biodiversity they manage. A production based on synthetic biology techniques will transform peasants into users of services, without the possibility of conserve, preserve and growing biodiversity in an accessible way: the production will be guided by companies that own the technologies.

The **safety, traceability, requisition ability and liability** must be ensured in order to protect the small-scale food producers and the custodians of agricultural biodiversity from the contamination of biosynthesized ingredients. The experiments of synthetic biology technologies must ensure to avoid any contamination of farmers' fields and genetic diversity. It is unacceptable for them to be conducted in the fields; they must be conducted in accredited laboratories according to the highest biological safety protocols.



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The **synthetic biology products must not be presented as natural products**, explicitly rejecting the "natural" labelling of synthetic biology products. They must be labelled as 'GMO products'. This would keep the consumers informed and will leave freedom to the small-scale food producers to sell their products.

The governments have to take responsibility in the framework of the CBD and clear any discussion about the false claim of “natural” in synthetic biology products.

This should be the approach that this forum should have in tackle synthetic biology.

We are here for safeguard the conservation of nature and its biodiversity, the one on which small-scale food producers count for their subsistence and to feed the people. We are not here for create a new “nature”.

As can also be seen by reading the AHTEG document (CBD/SBSTTA/24/4/Rev.1), we are facing an unprecedented expansion in the use and study of gene editing. There is a steady increase in field trials and the development of technologies applied directly in the field, as well as an increase in biotechnologies with uses in agriculture, health and environmental conservation. Despite the 2018 ban by the European Court of Justice¹, “NBTs” are still being attempted to be introduced into individual European legal systems and are already being used in other parts of the world.

In view of the strong impact that biotechnology can have on the three objectives of the Convention, and in view of the fact that several factors combine to create a non-negligible uncertainty about all the risks that can occur to biodiversity, in particular, we support the call for a global moratorium on the release of gene drive organisms into the environment, including experimental releases.

The importance of ensuring that indigenous peoples and local communities give any consent in a free, prior and informed manner is too weakly stated in the document. In point 11 of the document it was recalled that the “*free, prior informed consent of potentially affected indigenous peoples and local communities should be sought or obtained*” and then in point 33 “*The AHTEG recognised that the state of knowledge on potential impacts of current and near future*

¹CURIA–Documents

curia.europa.eu/juris/document/document_print.jsf?docid=204387&text=&dir=&doclang=EN&part=1&occ=first&mode=lst&pageIndex=0&cid=159679 1/15 - JUDGMENT OF THE COURT (Grand Chamber) 25 July 2018 (*)

(Reference for a preliminary ruling — Deliberate release of genetically modified organisms into the environment — Mutagenesis — Directive 2001/18/EC — Articles 2 and 3 — Annexes I A and I B — Concept of ‘genetically modified organism’ — Techniques/methods of genetic modification conventionally used and deemed to be safe — New techniques/methods of mutagenesis — Risks for human health and the environment — Discretion of the Member States when transposing the directive — Directive 2002/53/EC — Common catalogue of varieties of agricultural plant species — Herbicide-tolerant plant varieties — Article 4 — Acceptability of genetically modified varieties obtained by mutagenesis for inclusion in the common catalogue — Human health and environmental protection requirement — Exemption)



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applications of synthetic biology should consider that, for indigenous peoples and local communities, those applications that may impact their traditional knowledge, innovation, practices, livelihoods and use of land, resources and water should seek their free, prior and informed consent...”.

It is necessary to ensure that Indigenous Peoples, local communities and those who may be particularly aggrieved by any harmful application of synthetic biology, such as small-scale food producers, always release FPIC following a full and collective understanding of the implications that may result from the use of modern biotechnology. Moreover, the FPIC have to be ensured by a clear and effective participation of communities, with the right of rejecting the request.

AHTEG experts suggest doubts about whether some synthetic biology organisms fall under the definition of Living Modify Organisms as per the Cartagena Protocol but the experts concluded that *"that most living organisms already developed or currently under research and development through techniques of synthetic biology, including organisms containing engineered gene drives, fell under the definition of LMOs as per the Cartagena Protocol..."*. There is a need to strictly apply the Precautionary Principle set out in the Cartagena Protocol and prevent the release of LMOs into the environment. The resulting impact is not foreseeable as the document shows, the damage caused to biodiversity cannot be corrected or reversed.

In point 38 of the document, the AHTEG experts suggest the formation of a Multidisciplinary Technical Expert Group (MTEG) as a procedure for analysing information and reporting results. The creation of this group is positive, but it is important that this group of experts fairly represents all the actors involved in the process, including and giving full and effective participation to Indigenous Peoples and local communities, women and youth.

AHTEG experts expressed doubts about the possibility of considering synthetic biology as a new and emerging issue in view of the suitability and wording of the criteria for identifying such issues. It will be up to the SBSTTA, at its official meeting, to decide on this issue. In view of the points made above and the urgency of adopting instruments to guide the issue, it is evident that synthetic biology should be considered as a “new and emerging issue”.

We hope that the results of the AHTEG will be welcomed by this forum and we claim that starting from the following AHTEG, **small-scale food producers, meaning those that conserve, preserve, manage and reproduce the largest part of agricultural biodiversity together with Indigenous Peoples, will be included** in the discussions and that the Horizon Scanning procedures could include this group in assessing the technology and the introduction in the fields.