

Synthetic biology

Non-paper

The Conference of the Parties,

Recalling the call made by the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety¹ in its decision BS-VII/12 of 3 October 2014 for a coordinated approach on the issue of synthetic biology, taking into account the fact that the provisions of the Protocol may also apply to living organisms resulting from synthetic biology,

Recalling also decisions 14/19 of 29 November 2018 and 15/31 of 19 December 2022,

Reaffirms decision 15/8 on capacity-building and development and technical and scientific cooperation and the guiding principles contained in annex II to that decision,

Re-emphasizes the application of a precautionary approach, in accordance with the objectives of the Convention, for the environmental release of the applications of synthetic biology,

Recognizes the relationship of the field of synthetic biology to Target 17 of the Kunming-Montreal Global Biodiversity Framework established in decision 15/4 of 19 December 2022,

Noting the potential positive and negative impacts of synthetic biology applications in relation to the objectives of the Convention and the goals and targets of the Kunming-Montreal Global Biodiversity Framework,²

Acknowledging that a multidisciplinary and Party-driven approach is essential for assessing the potential impacts of synthetic biology on the objectives of the Convention and its Protocols,

Recognizing the inequity in the participation of developing countries in the research, development, assessment and regulation of synthetic biology and the importance of addressing impacts,

Acknowledging the work of the multidisciplinary Ad Hoc Technical Expert Group on Synthetic Biology and the outcomes of the broad and regular horizon scanning, monitoring and assessment of the most recent technological developments in synthetic biology,

1. *Emphasizes* the urgent need for capacity-building and development, access to and transfer of technology and knowledge-sharing for synthetic biology;

2. *Urges* Parties, and invites relevant organizations, to provide financial and technical support for capacity-building and development and technology transfer initiatives in developing countries, including for research, development and assessment in the field of synthetic biology;

3. *Calls upon* Parties and other stakeholders to facilitate broad international cooperation, technology transfer, knowledge-sharing and capacity-building and development related to synthetic biology, taking the needs of Parties, indigenous peoples and local communities, women and youth into account;

4. *Encourages* Parties to submit their needs and priorities related to synthetic biology in the context of Target 17 of the Kunming-Montreal Global Biodiversity Framework to the regional and/or sub-regional support centres in line with the Technical and Scientific Cooperation mechanism;

¹ United Nations, *Treaty Series*, vol. 2226, No. 30619.

² Decision 15/4, annex.

5. *Decides* to develop a thematic action plan to support capacity-building and development, access to and transfer of technology and knowledge-sharing in the context of synthetic biology, as well as the long-term strategic framework for capacity-building and development³ and while avoiding duplication with existing plans and strategies under the Convention and its Protocols⁴, taking into account:

(a) The specific needs of Parties, as identified in their submissions of information made further to the request in paragraph 6 and the outcomes of the multidisciplinary Ad Hoc Technical Expert Group on Synthetic Biology;⁵

(b) The identification of areas where capacity-building and development is needed for research and development, assessment, and regulation of synthetic biology;

(c) Strategies to facilitate equitable participation of developing countries, indigenous peoples and local communities, women and youth in research, development, assessment and regulation of synthetic biology;

(d) Proposals to promote the fair and equitable sharing of benefits arising from synthetic biology, in line with Articles 16 and 19 of the Convention on Biological Diversity and the Kunming-Montreal Global Biodiversity Framework;

(e) Mechanisms for technology transfer, knowledge-sharing and international cooperation; and

(f) Methodologies for Parties to perform and operationalize national horizon scanning, monitoring and assessment for the most recent technological developments in synthetic biology;

6. *Invites* Parties and indigenous peoples and local communities to submit information on their capacity-building and development, technology transfer and knowledge-sharing needs and experiences related to synthetic biology to support the preparation of the action plan for synthetic biology;

7. *Requests* the Subsidiary Body on Scientific, Technical and Technological Advice at its twenty-eighth meeting to consider the thematic action plan and make recommendations to the Conference of the Parties at its seventeenth meeting;

8. *Establishes* a multidisciplinary ad hoc technical expert group with renewed membership, in accordance with the terms of reference contained in the annex to the present decision;

9. *Invites* Parties, other Governments, indigenous peoples and local communities, women, youth, academia and relevant organizations to submit information on their priorities related to the most recent technological developments in synthetic biology;

10. *Requests* the Executive Secretary, subject to the availability of resources, to:

(a) Prepare a thematic action plan to support capacity-building and development, access to and transfer of technology and knowledge-sharing in the context of synthetic biology referred to in paragraph 5;

(b) Synthesize the submissions of information pursuant to paragraph 6, 9 and 10(e);

(c) Submit a draft of the thematic action plan for a peer review process prior to the twenty-eighth meeting of the Subsidiary Body on Scientific, Technical and Technological Advice; and

(d) Create a dedicated webpage to promote the thematic action plan and facilitate knowledge-sharing in the context of synthetic biology;

³ As established in decision 15/8

⁴ Particularly the Capacity-building action plan for the Cartagena Protocol on Biosafety and the Nagoya-Kuala Lumpur Supplementary Protocol on Liability and Redress established in decision CP-10/4 of 19 December 2022

⁵ CBD/SBSTTA/26/4, annex II.

(e) Convene online discussions of the Open-ended Online Forum on Synthetic Biology in order to support the work of the multidisciplinary Ad Hoc Technical Expert Group on Synthetic Biology;

(f) Convene at least one in-person meeting of the multidisciplinary Ad Hoc Technical Expert Group on Synthetic Biology;

(g) Support the full and effective participation of indigenous peoples and local communities in the work relevant to synthetic biology undertaken under the Convention, in accordance with decision X/40 of 29 October 2010;

(h) Support further the participation of the women and youth, as well academia, in the work relevant to synthetic biology undertaken under the Convention; and

(i) Facilitate capacity-building on horizon scanning, monitoring and assessment of the most recent technological developments in synthetic biology;

11. *Requests* the Subsidiary Body on Scientific, Technical and Technological Advice to consider the outcomes of the multidisciplinary Ad Hoc Technical Expert Group on Synthetic Biology and make recommendations to the Conference of the Parties to the Convention at its seventeenth meeting and, as appropriate, to the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety at its twelfth meeting and the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from Their Utilization at its sixth meeting.

Annex

Terms of reference for the multidisciplinary Ad Hoc Technical Expert Group on Synthetic Biology

1. The multidisciplinary Ad Hoc Technical Expert Group on Synthetic Biology will be convened in compliance with section H of the consolidated modus operandi of the Subsidiary Body on Scientific, Technical and Technological Advice,⁶ including with regard to scientific and technical expertise related to synthetic biology, as well as interdisciplinary and intercultural expertise, including from academia, indigenous peoples and local communities, women and youth.

2. The procedure for avoiding or managing conflicts of interest in expert groups set out in the annex to decision 14/33 of 29 November 2018 shall apply to the multidisciplinary Ad Hoc Technical Expert Group on Synthetic Biology.

3. The multidisciplinary Ad Hoc Technical Expert Group on Synthetic Biology, building on previous relevant work undertaken under the Convention and its Protocols, including the broad and regular horizon scanning, monitoring and assessment process as well as the work of previous ad hoc technical expert groups, shall:

(a) Identify and review potential benefits of the most recent technological developments in synthetic biology on the three objectives of the Convention and related to the implementation of the Kunming-Montreal Global Biodiversity Framework⁷;

(b) Identify and review the potential risks of the most recent technological developments in synthetic biology in relation to the three objectives of the Convention and the implementation of the Kunming-Montreal Global Biodiversity Framework; and

(c) Provide advice on how future developments in synthetic biology can be taken into account with respect to the thematic action plan;

⁶ Decision VIII/10, annex III.

⁷ Decision 15/4, annex.

(d) Identify applications of synthetic biology that would be covered under the Cartagena Protocol on Biosafety;

(e) Prepare a report of the outcomes of its work and make recommendations to the Subsidiary Body on Scientific, Technical and Technological Advice.

4. In undertaking its work, the multidisciplinary Ad Hoc Technical Expert Group on Synthetic Biology shall consider the information gathered from synthesis of the submissions, the discussions in the Open-ended Online Forum on Synthetic Biology, other existing relevant technical information and the preliminary elements of the thematic action plan prepared by the Secretariat.
