

CBD's *de facto* Moratorium on Terminator Technology Under Fire

The Ban Terminator Campaign

The multinational seed industry and a handful of OECD states are attempting to undermine the CBD's *de facto* moratorium on GURTs – genetic use restriction technologies or Terminator – plants that are genetically engineered to render seeds sterile at harvest.

In 2000, the CBD adopted Decision V/5 section III, paragraph 23, which recommends that Parties not approve GURTs for field testing or commercial use, thereby establishing a *de facto* moratorium on GURTs. The CBD's Decision is now in jeopardy.

Recommendations from the Working Group on 8(j) to COP8 could open the door to the field-testing and commercialization of genetically modified sterile-seed technology. If Decision V/5 is weakened, it will allow Terminator's patent-holders to claim tacit approval from the CBD.

At the Working Group on Article 8(j) in January, Australia, with support from Canada and New Zealand, insisted on text that recommends a "case-by case risk assessment" of GURTs, opening the door to regulatory approval for field trials and commercial use of seed sterilization technology. The three countries were closely supported by one non-Party, the United States, which also holds patents on Terminator.

Multinational seed corporations are increasing pressure to win acceptance for Terminator:

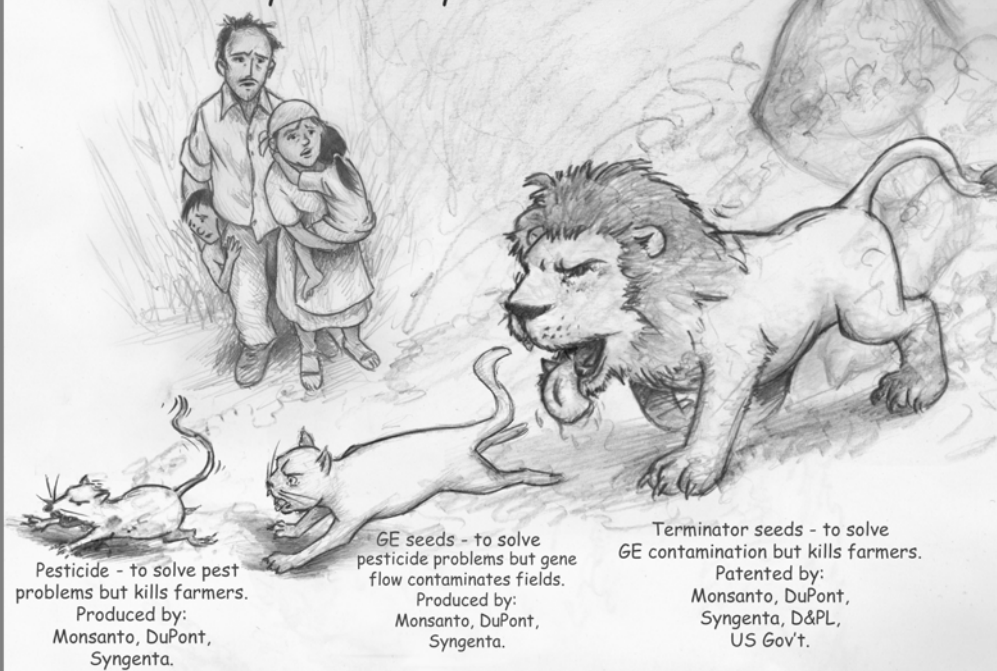
- US-based Delta & Pine Land (D&PL), the world's largest cotton seed company, is now growing Terminator plants in greenhouses in the United States.
- In October 2005, D&PL and the US Department of Agriculture won patents on Terminator at the European Patent Office (EP 775212B) and in Canada (CA 2196410).
- Today, the world's three biggest seed enterprises (Monsanto, DuPont, Syngenta) account for 32% of the world's commercial seed sales and one-third of global pesticide sales. Together with Delta & Pine Land, they hold at least 86% of the patents on Terminator technology.

"Allowing case-by-case approval of Terminator means farmers will be forced off the land coffin-by-coffin."

– P.V. Satheesh, Director, Deccan Development Society, India

"Case-by-case" assessment of GURTs opens the door to regulatory approval of Terminator without consideration of the technology's devastating social and economic impacts. "Case by case assessment" of GURTs must be rejected. Failure to re-affirm and strengthen Decision V/5 —without caveats or exceptions— threatens the lives and livelihoods of 1.4 billion people who depend on farm-saved seed. www.banterminator.org

A Short History of Case-by-Case Risk Assessment



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NGO MEETINGS
9 am
Everyday

NGO room B1.26

Islands of the Deep

Kelly Rigg, Deep Sea Conservation Coalition*



January 2006) shows that it spawns on a single seamount northwest of the Philippines in the Philippine Sea.

Consider the findings just released by the MAR-ECO (the Mid-Atlantic Ridge Ecosystems Program, a component of the Census of Marine Life project (www.mar-eco.no/)). The Mid-Atlantic Ridge is a range of seamounts along the entire North-South length of the Atlantic Ocean. It turns out that deep-sea pelagic fish are apparently aggregating around seamounts to spawn. According to Tracey Sutton, one of the scientists involved in the project, "The Mid-Atlantic Ridge is proving to be an oasis in the desert, so to speak." However, according to Sutton, "There is far more growth and coral than we have imagined. It looks like a natural coral reef down there in the deep." As noted in the project's advisory: "Though trawling on the Mid-Atlantic ridge is currently rare, as deep-sea species such as orange roughy become fished out in other areas, trawlers are wandering to new regions. If there are pelagic spawning aggregations at the ridge or other prominent features, they are likely to be critical to the preservation of the species involved, but also likely to become primary trawling targets, which could lead to devastating effects on spawning aggregations."

OK, so they don't have the white sandy beaches of Mauritius, and their inhabitants have faces only a mother could love. Nevertheless, the islands of the deep may one day be crucial to the economies of their sunny above-sea-level counterparts.

CBD COP 7 (Decision VII/5) called for short-, medium-, and long term action to protect "seamounts, hydrothermal vents, and cold-water corals, other vulnerable ecosystems and certain other underwater features in marine areas beyond the limits of national jurisdiction." One such action was an interim prohibition on destructive practices - the most destructive of which is bottom trawling. Two years and countless additional calls for 'urgent action' later, bottom trawlers continue dragging the life out of seamount ecosystems on the high seas.

In the meantime, new evidence continues to surface showing that seamounts are not only ecologically important, but economically as well. Take the Japanese eel for example (a commercially important species in the Asian market). An article in Nature

MAR-ECO has collected samples of more than 300 fish species, 10% of which were not known to inhabit the Mid-Atlantic Ridge. Of these, six appear to be new discoveries - unsurprising considering seamounts often exhibit high rates of species endemism.

Studies such as these beg a number of important questions:

- How many new species of potential commercial, medical or other importance are yet to be discovered on

the islands of the deep?

- If they are mowed down by bottom trawlers first, will we ever even know?
- What impact does the devastation of seamount habitat have on commercially important pelagic species like tuna?
- Will the high seas bottom trawling fleets of the world's richest countries wipe out all of the deep sea fisheries before a sustainable legal regime can be put into place for the benefit of all humankind?

ECO calls on delegates to COP 8 to strengthen its call to the UN General Assembly to declare a moratorium on high seas bottom trawling, while there is still some biodiversity left to save.

On Wednesday a side event will explore the Islands of the Deep further.

"Islands Of The Deep - Global Resource, Global Challenge" will include a presentation by leading scientist Dr Callum Roberts, on the biodiversity of the deep oceans and the threats posed to it.

* *The Deep Sea Conservation Coalition is an alliance of over 50 international organisations, representing millions of people in countries around the world, which is calling for a moratorium on high seas bottom trawling. Please visit www.savethehighseas.org for more information*



Statement to CBD on behalf of Women's Caucus

Although a speaking spot was requested in plenary yesterday, the Women's Caucus was not given a chance to read their statement. The full statement is printed in ECO below.

In its preamble, the Convention on Biodiversity has clearly recognized women's vital role in biodiversity conservation. There is a clear right, and need, for women's full participation in all aspects of decision-making related to biodiversity.

Biodiversity, and free access to biodiversity, is also of vital importance to women. Women tend to have lower incomes than men, and are thus more dependent on free access to biological resources like fuelwood, freshwater and medicinal plants. It is essential that the Convention safeguard access to biodiversity for traditional forms of use by women, which seldom or never impacts biodiversity, and often nurtures and develops it.

We particularly insist that any regime on access and benefit sharing respects the rights of women, especially Indigenous women, regarding their traditional knowledge, and their need to have access to seeds and medicinal plants. We reject any regime that legitimizes patents or other individual intellectual property rights on life, or the commodification of biodiversity in general. Life is not for sale.

We fully support the call for a permanent ban on terminator technology, which will primarily

impact upon women, who have a primary role in the conservation and development of agrobiodiversity.

We are deeply frustrated by the model of biodiversity conservation – currently promoted by many governments – which uses the establishment of protected areas as compensation for the rapid expansion of monocultures of agro-industrial crops like soy and eucalypt. Since most protected areas are off limits to rural communities, and since soy and eucalypt provide extremely little employment per hectare of land used, this model leads to the rapid destruction of small-scale, biodiversity-based agriculture, rural depopulation, unemployment and poverty. Malnutrition is another disturbing result – especially among pregnant women and small children. Malnutrition diminishes children's learning capacity thus trapping them in poverty and compromising the future of their countries.

When protected areas are established, we insist that women, particularly local women from the area concerned, participate fully and effectively in all aspects of decision-making and management of these areas.

Genetically modified trees, which are both a symptom and symbol of the

replacement of biologically diverse ecosystems by monocultures like large-scale monoculture tree plantations, will also have specifically grave impacts upon women. Many of these trees are modified to become resistant to glyphosate-based herbicides like Round-up. The increased use of these herbicides leads to, among other ailments, late term spontaneous abortions among women. We thus fully support the call for an in-depth assessment of the risks of these GM trees, and a moratorium on their development.

Lastly, this year we are commemorating the twentieth anniversary of the tragic accident at Chernobyl, which caused death and disease among women and men in Eastern Europe and a significant loss of forest biodiversity. As the Commission on Sustainable Development will discuss energy this year we would once again like to draw attention to the severe risks nuclear energy poses for biodiversity.

We very much hope delegates will take these, and other gender issues, into account during their deliberations during the coming two weeks.

When the document says *this* it really means *that*...

A guide to intergovernmental language, letters A to C. (excerpted from "How to Lobby at Intergovernmental Meetings", Felix Dodds and Michael Strauss, 2004)

Affirms	We are quite serious about this
Calls for	We are asking governments what they might consider doing
Calls upon	This is for someone else to do something
Concurs	We don't have to decide anything because some other body already did
Considers	We are not at all serious about this
Consults	We don't want to do anything about this at the moment
Cooperates	The more people we involve, the less will happen

Notes from the C O P

Islands POW completed without Indigenous Participation

Islands across the world are home to thousands of Indigenous peoples who are the rightful owners and caretakers of island biodiversity. Island Indigenous peoples are very concerned that the biodiversity that has supported our unique and diverse cultures for millennia is under serious threat. The three meetings that developed the new programme of work on island biodiversity occurred with almost no participation from Indigenous peoples independent from government delegations.

It is, therefore, our demand that COP 8 ensure our full and effective participation, and for the Parties to recognize our rights as Indigenous peoples and local communities in the programme of work. The first step forward in this regard, is to request the Working Group on Article 8(j) to provide recommendations for the implementation on this new programme of work with full and effective participation of Indigenous peoples and local communities, especially from islands.

Applause for Mr. Requicuiiao

In his opening address to the MOP 3 the governor of the state of Parana Mr. Roberto Requicuiiao resolutely stated that Parana remains a zone free of genetically modified organisms. As a consequence of maintaining this strict anti-transgenic policy, particularly where genetically modified soy is concerned, a sordid pro-Monsanto media campaign has been conducted against the state targeting particularly the port of Paranagua, which handles only non-LMO products.

Yesterday in Plenary Mr. Requicuiiao rightfully noted the progress made at MOP 3, but also his disappointment that the actual decision to identify and document LMOs will only be put in place by 2012.

However, he also stated his intention to implement the decisions of MOP 3 within the state of Parana, which may be the first jurisdiction to have a legal requirement for labelling LMOs.

This is the kind of leadership we hope other politicians will bring to the ministerial segment next week.

Meanwhile, enjoy the local produce in Parana!

Failing 2010

Royal Society for the Protection of Birds

In 2002, ten years after the Rio Conference, the CBD adopted the 2010 target to achieve a significant reduction in the rate of biodiversity loss. This target was subsequently endorsed by the world Summit on Sustainable Development, which gave it wider recognition. At the same time, the international political recognition of biodiversity was growing; it was recognised as essential to achieving the Millennium Development Goals (MDGs) -- a major step.

This was back when the CBD had an exceptional - perhaps 'now-or-never' - window of opportunity to achieve wider political support and become a treaty that counts. Instead, the CBD has carried on business-as-usual. There have been small steps forward, but they are overshadowed by the absence of real progress towards a reduction in the trend of biodiversity loss, as for example the Millennium Ecosystem Assessment tells us.

The CBD has not succeeded

in establishing a global role for itself - one enabling it to challenge biodiversity loss. It may make the news every now and then as yet another international conference, but the CBD risks condemning itself to obscurity as a specialist convention of little relevance to decision-makers or the general public.

The CBD has structural problems. These include a proliferation of work programmes, targets and activities, which affect its external credibility. But the main problem is that it has not succeeded in engaging governments at a high level.

The RSPB believes that the failure of developed countries to honour commitments to provide financial resources to developing countries, as required by Articles 20 and 8(m), is one of the main reflections of the lack of recognition of biodiversity and consequent lack of political support. It is essential that COP 8 confirms that the in-depth review of financial resources, to take place at COP 9, will be given high priority.

At COP 8, delegates need to make an honest assessment of progress since 2002, and consider what they can do now. Of course every effort should be made to achieve the 2010 target, but failure to reach it looks unavoidable. The COP needs to consider how to deal with this, including what the implications of a failure will be for the future of the CBD.

Our Condolences

ECO sends all its deepest sympathies to one of our own, Mr. Patrick Mulvany of ITDG, whose son passed away suddenly early this week. Our thoughts and love are with you, Patrick!

About ECO

ECO has been published by the NGO (non-governmental organisation) community at most Conferences of Parties to International Environmental Conventions. It is currently being published at the 8th Conference of the Parties to the Convention on Biological Diversity in Curitiba, Brazil coordinated by the CBD Alliance. The opinions, commentaries, and articles printed in ECO are the sole opinion of the individual authors or organisations, unless otherwise expressed.

SUBMISSIONS: Welcome from all civil society groups. Please give to Jessica Dempsey or James Rowe at morning NGO meetings or submit to jdempsey@interchange.ubc.ca

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