

## DON'T LET INDUSTRY UNDERMINE THE BIOSAFETY PROTOCOL!

*Civil society present at COP-MOP 4 in Bonn strongly condemn an attempt by six major biotech corporations – BASF, Bayer CropScience, Dow AgroSciences, DuPont/Pioneer, Monsanto and Syngenta - to undermine international negotiations on liability and redress regarding the payment of damage resulting from GM crops.*

Civil Society finds it unacceptable that under the so-called “Compact”, the industry would become at the same time defendant and judge of the liability claims for damage. It cannot be up to the polluter to dictate the terms of the compensation for any damages its products may cause. Some of the main problems with the biotech industry proposal are the following:

1. There are so many exclusions from liability coverage that the biotech industry would usually escape from having to pay any compensation.
2. The terms of reference created by the industry are so narrow that they would exclude most types of damages. For instance, the way “damage” is defined means that genetic contamination would not be covered under the Compact’s compensation mechanism.

3. The way the “Compact” proposes to handle claims is not transparent and would prevent the right of the public to know and participate in the claims process when damage occurs.
4. It would deny the right of access to justice to any farmer, consumer, indigenous and local communities that may be affected by the GMOs.

*In conclusion, the “Compact” is nothing more than an empty gesture that will not provide any redress for any actually occurring damage to biodiversity, human health and other impacts on the social and economic livelihoods of affected people. It is extremely unlikely that industry would be obligated to pay for any damage at all.*

*(Continued page 3)*

### Today's ECO

1. Statement against compact
2. PRRI Undressed
3. Message to JAPAN
4. Brazilian movements on the Germany-Brazil deal

### Unsustainable & inequitable:

### The Germany-Brazil agrofuels deal

*Signed today by Angela Merkel in Brazil (see also article p. 4)*

### Demonstration

**Tuesday 13 May 2008, 14.15**

Near the stage in front of BMU (3 min from Maritim)



Corporations are so helpful! What would the UN do without them?!

# Undressing PRRI

## How public are the *public* research lobbyists of PRRI?

*Nina Holland, Corporate Europe Observatory*

The UN Convention on Biological Diversity's (CBD) biosafety negotiations have been the target of biotech industry lobbyists and pro-biotech governments from the outset.

For the past few years, the pro-GM lobby at UN biosafety negotiations have seen a new actor on the stage: the Public Research and Regulation Initiative (PRRI). Apparently independent from industry, this group claims to represent the "public research sector" - but how public is public research when GM is involved?

PRRI stated aims are to inform the public and negotiators about the benefits of public research in modern biotechnology, and to provide scientific information to negotiators on biosafety issues. However, many PRRI members are known to have close industry links.

PRRI's activities are clearly allied with the private sector, and many meetings are jointly organised. The regional meetings for example held ahead of the upcoming CBD meeting in Bonn were organised in collaboration with AfricaBio, a South Africa based biotech stakeholders organisation

in Africa, and with the European Federation of Biotechnology (EFB) in Europe - a body which brings together companies, biotech associations, universities and research institutions.

One of the former Steering Committee members of PRRI, Willie van der Greef, has only just changed his role of promoting public research for a position of Secretary General of EuropaBio, the European biotech lobby association. Steven Strauss, PRRI's GE tree expert is director of the Tree Biosafety and Genomics Research Cooperative (TBGRC - previously known as TGERC) at Oregon State University. TGERC members have included Arborgen, the world's biggest forest biotechnology company - currently running field trials with GM poplar, eucalyptus, pine, sweetgum and cottonwood trees. Clearly, the agenda of PRRI and that of biotech industry are not always that different. However, at Monday's PRRI side event, questions on industry links were rejected as being 'naïve'.

In 2006, at the third Meeting of the Parties to the Cartagena Protocol on Biosafety (MOP 3), in Curitiba

(Brazil), PRRI brought more than 40 representatives.

When parties meet for MOP4 and COP9 in Bonn this month (12-30 May) PRRI lobbying efforts will target any action taken by the CBD against genetic technologies such as "Terminator" seeds and genetically modified trees. They will also be hoping to influence negotiations on issues such as liability, agricultural biodiversity and the consideration of socio-economic concerns in biosafety policy.

Previously, corporations, corporate related "NGO's" (such as the Syngenta Foundation) and governments were the main funders backing PRRI. Now, however, the European Commission has granted 800.000 USD for a 3 year project, including both providing information to politicians and the public; and involvement in international biosafety negotiations.

A new article is available for MOP4/COP9 in Bonn giving examples of PRRI members' industry links, and highlight their agenda at MOP4/COP9.

The full article can be found on [www.corporateeurope.org](http://www.corporateeurope.org)



### **Canadian squirrel in Bonn?**

*What is this Canadian squirrel doing in Germany? And why is it against Genetically Modified Trees? Find out in coming editions of ECO, with exclusive interviews with the furry creature.*

# JAPAN: Don't Let Consumers Down Make Liability a Reality!

*Friends of the Earth International welcomes all delegations attending the 4<sup>th</sup> COP-MOP in Bonn and wishes to every delegate a fruitful negotiation that advances the cause for a planet Earth better protected from any damage arising from the release of Genetically Modified Organisms (GMOs).*

Citizens around the world want to be ensured that GMOs will not cause any damage to our biodiversity, environment, health and our social and economic livelihoods. A comprehensive liability mechanism is a key mechanism ensuring that any damage caused by the release of GMOs into the environment will have to be covered by the polluter who will have to assume full responsibility for the restoration costs and the compensation to the victims.

**Japan will be hosting COP-MOP 5. At COP-MOP 4 in Bonn it has not yet demonstrated the qualities of a future host.**

Japan is the next host of the Meeting of the Parties in 2010 in the city of Nagoya, and therefore should demonstrate in the Bonn negotiations to be a model of high moral ground behaviour. Unfortunately, until now the Japanese delegation has been blocking negotiations regarding almost every element of the liability negotiations, so far. It has adopted the most extreme deregulating positions, which are usually only voiced by non-Parties such as the United States.

We hope for political will in Japan to change this and take into account the perspectives of most of the parties of the Cartagena Protocol. Japan should stop playing the lonely samurai in these negotiations and should respect the positions of the majority of the developing countries delegations who express their need for a strong and legally-binding liability regime.

**The authorization exemption: why does Japan want to weaken the regime?**

The liability mechanism will be triggered in cases where there is damage to biodiversity and human health. An exporter, i.e. potential polluter may not like the polluter-pays-principle to be applied. It is very puzzling, however, that a country like

Japan, which is a major importer, i.e. a potential victim, is so adamantly opposed to a solid liability regime.

The Japanese delegation has fiercely advocated an exemption from liability in all cases where a GMO has been officially authorized in a country. This contradicts precedence in other technologies where authorizations do not put an end to all liability. Such an exemption would severely weaken the function of a liability regime. Liability is a mechanism especially designed to cover damage that is *unexpected*. The unexpected damage can happen even if an authorization was granted.

Take for instance the case of StarLink, which was authorized for release into the environment only for animal feed in the United States, but in 2000 was found to be contaminating a large part of the food and seed supply. It was supposed to be only in yellow corn seed, but it ended up in white corn seed. It was supposed to be in just one seed variety and it contaminated up to 80 different seed varieties of corn. It was released in the United States, but it was detected in Japan, South Korea, Guatemala and Bolivia in 2001, 2002 and 2005.<sup>1</sup>

*Liability should not be restricted to unauthorized events, as its essence would be emptied of content. All consumers need to have a protective mechanism in case any damage arises, be a GMO authorized or not authorized.* If Japan is completely sure that there will be no damage ever arising from GMOs, they do not need exemptions. If they are not so sure and go for such exemptions they consciously risk the interests of

Japanese and other countries' biodiversity and citizens.

## **-SIDE EVENT-**

*Who is liable for the socio-economic and environmental damage caused by GM monocultures in Latin America and Europe?*

**TODAY**

**13:15 - 14:45**

**Saal Schumann, Maritim**

## ***Compact continued from p 1***

International negotiations to fulfil the commitment in article 27 of the Protocol are almost complete after four years. This last-minute industry proposal should not be allowed to distract the government delegates from the task of developing the liability and redress regime within the Convention on Biodiversity framework. Privatization instead of international protection must not be allowed to create a bad precedent within the whole United Nations system.

## **Signed by,**

Friends of the Earth International; Washington Biotechnology Action Council (United States); Evangelischer Entwicklungsdienst (Germany); Ecoropa; Fundacion Sociedades Sustentables (Chile); Greenpeace International; Genethical Network (Germany); Third World Network; Econexus; No! GMO Campaign (Japan); Institute for Sustainable Development (Ethiopia); Canadian Biotechnology Action Network; Grupo de Reflexion Rural (Argentina); Red por una America Latina libre de transgenicos (RALLT); Pesticide Action Network (PAN); Red de Accion en Plaguicidas y sus alternativas para America Latina (RAPAL); 49th Parallelum

<sup>1</sup> Friends of the Earth International. 2002. GMO Contamination around the world. <http://www.foei.org/en/publications/pdfs/contamination2eng.pdf>

# Unsustainable & inequitable: The Germany-Brazil agrofuels deal

*Social movements and organisations in Brazil are protesting against the bilateral energy cooperation agreement that is to be signed today between Brazil and Germany. Several organisations have produced a statement setting out their objections to the agreement. Several German NGOs - Rettet den Regenwald / ROBIN WOOD / FDCL / KoBra / BLUE 21 - have sent an open letter to Chancellor Angela Merkel on 9 May asking her to stop the deal. Another letter with the similar content was sent by large German development and environment organisations, also on 9 May.*

**“social movements and organisations do not accept the export of ethanol and other agrofuels (from Brazil) and say that the production of ethanol in Brazil is not sustainable”**

*(The following is an excerpt from a letter written by Brazilian social movements and organizations, it is a translation from Portuguese compliments of Helena Paul of Econexus)*

**Brasília, 06/05/2008**

On the eve of the signing of a bilateral energy cooperation agreement between Germany and Brazil, Minister Marina assured the German Minister of the Environment that criteria exist for guaranteeing that ethanol production in Brazil is sustainable.

But Brazilian Civil Society is unaware of the existence of any such criteria supposedly adopted by Brazil for the production of agrofuels, and does not know in what form they have been adopted or implemented by the government. In addition, according to the declaration produced by the national conference on agroenergy (Curitiba, Oct 2007) social movements and organisations from all over the country reject the production for export and the worldwide expansion of agrofuels and repeated their denunciation of the violations of human rights throughout

the chain of production of ethanol in Brazil, as well as the impacts on biodiversity. Recently a group of German organisations (FIAN, Misereor, EED, and Bread for the World) carried out an international investigation in Brazil to verify the denunciations, and alert the governments and people of Europe.

The government of President Lula is trying to exclude sugar cane ethanol from the world debate on the price of food and the impacts of competition between food and energy. We believe that the Brazilian government should at the present time – instead of supporting the sugarcane sector – undertake the essential democratic debate on the serious impacts of the expansion of agribusiness for energy on peasant populations and biodiversity.

We, the movements and organisations of Brazilian civil society named below, say that the root of the problem should be addressed – the model of production and the unsustainable consumption of energy – and that the agrofuels are a false solution to climate change. We uphold food and energy sovereignty

for the people, agrarian reform, local and agroecological peasant production as the true solution to the global food, environmental and energy crisis.

**Signatories to the final document of the national conference on agroenergy:**

*Via Campesina Brasil: Movimento dos Trabalhadores Rurais Sem Terra (MST), Movimento dos Pequenos Produtores (MPA), Movimento das Mulheres Camponesas (MMC) e Movimentos dos Atingidos Por Barragens (MAB), Pastoral da Juventude Rural (PJR), Comissão Pastoral da Terra (CPT), a Federação dos Estudantes Agronomia do Brasil (FEAB); Conselho Indigenista Missionário (CIMI); CUT, REBRIP, FBOMS, GT Energia do FBOMS, Terra de Direitos, Amigos da Terra- Nat Brasil, FASE, Plataforma DHESCA Brasil, IEEP, REPAS, Cooperbio, Rede Ecosocialista, Fetrasp, Feraesp, SindPetro.*

**Signatories to this declaration:**

*FIAN Brasil – Rede de Informação e Ação pelo Direita a Se Alimentar, Centro Ecológico, Inesc – Instituto de Estudos Socioeconômicos de Rede Social de Justiça e Direitos Humanos.*

ECO is published by the civil society community at many International Environmental Convention negotiations. It is currently being published at fourth meeting of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety (COP-MOP 4) in Bonn, Germany 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. Email to [gura@dinse.net](mailto:gura@dinse.net) and [jdempsey@interchange.ubc.ca](mailto:jdempsey@interchange.ubc.ca)

ECO thanks Project “COP 9 preparation” supported by the German Federal Agency for Nature Conservation with funds of the Federal Ministry for the Environment, Nature Conservation and Nuclear Safety, Swedbio, and Hivos-Oxfam Novib Biodiversity Fund.



The Federal Ministry  
for the Environment,  
Nature Conservation  
and Nuclear Safety