

## Canadian Government to Unleash Terminator Bombshell

### **all-out push for commercialisation of Sterile Seed Technology.**

A confidential document leaked today to ETC Group reveals that the Canadian Government, will attempt to overturn the de facto moratorium on GURTS. Even worse, the Canadian government has instructed its negotiators to 'block consensus' on any other option.

"Canada is about to launch a devastating kick in the stomach to the world's most vulnerable farmers - the 1.4 billion people who depend on farm saved seed," said ETC Group Executive Director Pat Mooney speaking from Ottawa. "The Canadian government is doing the dirty work for the multinational gene giants and the US government. Even Monsanto wasn't prepared to be this upfront and nasty. Canada is betraying Farmers' Rights and food sovereignty everywhere."

According to the leaked instructions to Canadian negotiators at SBSTTA, Canada will insist on Wednesday that governments accept the field testing and commercialization of GURTS. Canada will also attack the AHTEG report, which is critical of the potential impacts of Terminator seeds on small farmers and Indigenous Peoples. In stark contrast to Canada's position, the expert report recommends that governments seek prohibitions on the technology.

Civil society and Indigenous Peoples are calling on the Canadian government to abandon its endorsement of Terminator and to join with other governments to ban the technology once and for all.

*Taken from a press release by the ETC Group*

ETC Group have a side event at lunch time today on GURTS on level one.

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ECO has been published by the NGO (non-governmental organisation) community at most Conferences of Parties of the International Environmental Conventions. It is currently being published at the 10<sup>th</sup> SBSTTA to the Convention on Biological Diversity in Bangkok, Thailand coordinated by the NGO 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 Rosario Ortiz at the morning NGO meetings (9 am), or email to [rosa.ortiz@sympatico.ca](mailto:rosa.ortiz@sympatico.ca)

## Yet another International Environmental Conference?

### "Biodiversity: Science and Governance"

wally menne – timberwatch coalition

It should be safe to assume that international conferences around the environment are usually held with noble intentions and with clear objectives and desirable outcomes. Or is this always the case? Have conferences not perhaps become an end in themselves, held so frequently that it is virtually impossible to keep up with the action, but still patronised by governments, NGOs and assorted media reps.

Within this uncertain scenario government representatives and conference 'junkies' of various persuasions, must work to achieve something of value; something that will make sense to the world, but as importantly it seems, their deliberations must lay the foundation for another meeting or three. Like in a television soap opera series, there can be no finality. Always there will be new issues to debate, and sometimes old issues revived for another round of discussion and debate when governments change, and different policies dictate.

When viewing the statements of the last few days at the "BIODIVERSITY: SCIENCE AND GOVERNANCE" scientific meeting organised by the French

Ministry of Research, it seems that there is a common deficiency permeating the thinking of most scientific and governmental institutions; a fear of taking decisive action in the moment; an obsession with the need to indulge in the scrutiny of minor detail while the 'big picture' stares us in the face.

Accumulating vast knowledge of threatened or near-extinct species is the modern-day equivalent of 'fiddling while Rome burns', helping to delay the action that is needed. Here the 'burning' involves the obliteration of natural habitat that results from the spread of alien industrial plantations of timber, sugar, soya, cotton and other crops of mass consumption that are emerging from the machinations of the genetic engineering industry.

A new colonial imperative lies behind the spread of corporate ownership and control of natural resources. It goes beyond the traditional boundaries of lines on a map to take up knowledge and peoples' minds, water and air, the genes in our food, and even space. If it is not halted soon, the future of biodiverse systems on Earth will remain bleak, and coming generations will have little of Nature left to study bar shriveled museum specimens.

On-Line coverage of **"BIODIVERSITY: SCIENCE AND GOVERNANCE"** by IISD (International Institute for Sustainable Development) Reporting Services at: <http://www.iisd.ca/sd/icb/>

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## Jellyfish and Chips? The case for marine reserves

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n a t h a l i e   r e y   -   g r e e n p e a c e

The Planet's seas and oceans are in deep, deep trouble. The effects of climate change, over-fishing, overcapacity and the impacts of illegal, unregulated and unreported fishing are mainly impacting on ocean ecosystems. Our appetite for fish is exceeding the oceans' limits with devastating impacts on marine ecosystems. Scientists are warning that overfishing results in profound changes in our oceans, perhaps changing them forever. Not to mention our dinner plates, which in future may only feature fish and chips as a rare and expensive delicacy!

This oceans crisis has been recognised on the international level and a number of agreements have been made to address this, including the CBD's Programmes of Work on "Marine and Coastal Biodiversity" and "Protected Areas", the UN Fish Stocks Agreement, and in 2002 at the World Summit on Sustainable Development in Johannesburg, commitment by the worlds' governments to try to reduce and halt the loss of biodiversity by 2010. This is now only 5 years off and little seems to have changed in terms of how human activities in our oceans are managed. Increasingly, short-term profit-oriented exploitation of the world's oceans prevails over efforts to comprehensively address the crisis facing the oceans. Regional Fisheries Management Organisations have been largely unsuccessful in managing the exploitation of marine resources that they have been vested responsibility with. Current marine management regimes are failing. Piecemeal changes and token efforts are insufficient. A fundamental change is now required. Global governance of the oceans must be reassessed and overhauled.

Countries have an opportunity to effect these changes by agreeing to strong action-oriented goals and targets within the CBD Programme of Work on Marine and Coastal Biodiversity, and to then move quickly to put these words into action. Recognising the urgency and the fact that marine areas are severely under-represented in the global system of protected areas, it is key that the goals and targets that countries agree upon at COP8 are ambitious and far-reaching.

A key tool to reaching these targets will be the role of marine protected areas, in particular, marine reserves (areas where extractive uses are excluded). A compelling body of scientific evidence shows that the establishment of a global network of large-scale marine reserves is absolutely vital in order to promote fisheries sustainability and healthy seas and oceans, as well as to bring about the recovery of damaged areas. Healthy and diverse marine environments will not only benefit the marine ecosystem but also contribute to improving the livelihoods and food security of the large number of people across the globe whose welfare directly depends on the oceans.

At the moment not even 0.5% of the world's oceans are currently protected, compared to the overall figure of just under 9.5% for the planet's land area. This imbalance needs to be addressed urgently. Countries should only view the 10% target that is being discussed this week at SBSTTA, in relation to the Programme of Work on Marine and Coastal Biodiversity, as an interim goal in order to reach the 2010 target. Greenpeace recommends that in line with a number of scientific studies that optimally at least 40% of the world's marine and coastal ecological regions must be effectively conserved through marine protected areas and marine reserves.

Speaking to the Small Island Developing States in January of this year, Kofi Annan, the UN Secretary General said, "nations must do more to realise the agreement they made in 2002 at the WSSD to set up a global network of marine protected areas by 2012." He warned, however, that in doing so, nations must not "... simply create token havens with no effective enforcement, while exploitation goes on elsewhere." This is the challenge currently facing CBD Parties. States need to recognise that this is a big problem that requires big action. They need to ensure that bold targets are agreed and implemented in order to avoid the further setting up of paper tigers.

New reports show that fish stocks are collapsing, more than 25 Million tonnes of "bycatch" are annually being chucked over

the side of boats, bottom-trawlers are destroying thousand year old corals in one foul swoop, and jelly-fish are becoming the predominant species in certain ecosystems as everything else is fished out. Scientists now have hard data to show how European fishing policies are driving some of the bushmeat trade in Africa. Some sea creatures may soon just be legends and memories, and if the current fishery management regime continues it could well be that the only time you get to see a North Sea cod will be in an aquarium, while fried jellyfish is all that is left to buy at the local fish and chip shop!

#### **Potential benefits of marine reserves**

##### *General:*

- Increase habitat quality, species diversity and community stability
- Provide undisturbed control sites for monitoring and assessing human impacts in other areas
- Create or enhance non-extractive, non-destructive uses, including tourism
- Reduce user conflicts

- Provide opportunities to improve public awareness, education and understanding
- Create areas with intrinsic value

##### *Fishery related:*

- Increase abundance, average size of target organisms, reproductive output and genetic diversity
- Enhance fishery yield in adjacent grounds
- Provide simple and effective management regime which is readily understood and enforced
- Guard against uncertainty and reduce probability of overfishing and fishery collapse
- Protect rare and valuable species
- Provide opportunities for increased understanding of exploited marine systems
- Provide basis for ecosystem management

## **Defending Peoples' Biodiversity against the WTO**

simone lovera - friends of the earth international

### **Assuring and defending the Earth and peoples' common goods –**

#### **An alternative to commodification and transnational control.**

This bold statement was the title of thematic axis 1 of the fifth World Social Forum, which took place from 26 to 31 January 2005 in Porto Alegre, Brazil. Obviously, concern about the corporate take-over of nature's wealth is wide-spread amongst social movements. New trends like water privatization, carbon trading, biopiracy and the establishment of public-private partnerships that lead to the privatization of protected areas, are causing more and more resistance amongst the world's social movements. This was also reflected by the Manifest published at the end of the Forum by 19 intellectuals including Eduardo Galeano and Jose Saramago. This Manifest called, amongst others, for the prohibition of patents on life and other forms of privatization of the common goods of mankind, in particular water.

The "Nature for Sale" seminars that were organized by Friends of the Earth International, the Global Forest Coalition, Corporate Observatory Europe and the Council of Canadians, were just a few of the occasions on which social movements came together to exchange views and information on these trends. The associated report<sup>1</sup> that was launched on the 28<sup>th</sup> of January includes no less than 34 different experiences of community resistance against the privatization of water and biodiversity. "Life as Commerce", a report by CENSAT AGUA VIVA-Colombia and the Global Forest Coalition that was pre-launched the same day, includes a further 8 cases<sup>2</sup> of the negative impacts of biodiversity privatization and trade liberalization on local communities and Indigenous Peoples.

Many of these privatization trends have been imposed upon governments by the World Bank and other International Financial Institutions through loan conditionalities. Trade agreements, such as the World Trade Organization's current negotiations on services (within the General Agreement on the Trade in Services, known as GATS) and the Central American Free Trade Agreement will also further the trend to privatize and commodify nature. Through the GATS negotiations, the European Union and other trading blocks are trying to liberalize so-called "landscape and biodiversity protection services". Tourism is another service sector targeted under the GATS. As a result, so-called "eco-tourism" companies and large conservation organizations are rapidly moving into the emerging biodiversity management "market", leading to the take-over of Indigenous Peoples' lands in places as remote as the Mulu national park in Malaysia and the Mbaracayu forest reserve in Paraguay.

Furthermore, the extent to which such trade agreements are able to hamper the implementation of multilateral environmental agreements (MEAs) like the Convention on Biodiversity is often underestimated. If completed, WTO negotiations on services (as above) and Non-Agricultural Market Access (NAMA) might make it virtually impossible for governments to give priority rights to Indigenous Peoples and local communities in the area of biodiversity management. This could undermine attempts by countries such as Brazil to "effectively protect....and guarantee... the rights of

<sup>1</sup> "Nature for Sale" can be downloaded in English, Spanish and French from <http://www.foei.org>

<sup>2</sup> "Life as Commerce" can be downloaded in Spanish and, as of March 1st, English from <http://www.wrm.org.uy/gfc>

...indigenous and local communities in relation to their traditional knowledge”<sup>3</sup>. It might sound very idealistic of Brazil to state that “Where traditional knowledge associated with genetic resources is being accessed, the rights of indigenous and local communities over their traditional knowledge, including their right to fair and equitable sharing of benefits arising out of the utilization of that knowledge, should be respected and safeguarded.”<sup>4</sup> But if Brazil<sup>5</sup> and other countries accept the current GATS proposals of the EU, large bioprospecting industries will be able to challenge such priority rights as being “discriminatory”. The WTO Trade Related Intellectual Property Rights agreement, which forces governments to respect the “rights” of large biotechnology corporations but trample the rights of farmers and Indigenous Peoples, provides the final “kiss of death” in the corporate take-over of people’s knowledge and biodiversity.

It is essential that governments prioritize their commitments under MEAs like the CBD and defend these instruments against the WTO-led commodification of biodiversity. At the World Social Forum, environmental movements pledged to work together with other social movements like the Our World Is Not for Sale network<sup>6</sup> to resist attempts by Northern trading blocks to make the Hong Kong WTO Ministerial in December 2005 yet another feast for corporate interests. WTO: Hands Off our Natural Resources!! And we mean it.

## **Monsanto Assault on U.S. Farmers Detailed in New Report**

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On January 13, 2005, the Center for Food Safety released an extensive review of Monsanto’s use and abuse of U.S. patent law to control the usage of staple crop seeds by U.S. farmers. The Center (CFS) launched its investigation to determine the extent to which American farmers have been impacted by litigation arising from the use of patented genetically engineered crops. Monsanto vs. U.S. Farmers details the results of this research, discusses the ramifications for the future of farming in the U.S. and outlines policy options for ending the persecution of America’s farmers.

“These law suits and settlements are nothing less than corporate extortion of American farmers,” said Andrew Kimbrell executive Director of CFS. “Monsanto is polluting American farms with its genetically engineered crops, not properly informing farmers about these altered seeds, and then profiting from its own irresponsibility and negligence by suing innocent farmers. We are committed to stopping this corporate persecution of our farmers in its tracks.”

The report finds that, in general, Monsanto’s efforts to prosecute farmers can be divided into three stages: investigations of farmers; out-of-court settlements; and litigation against farmers Monsanto believes are in breach of contract or engaged in patent infringement. CFS notes in the report that, to date, Monsanto has filed 90 lawsuits against American farmers in 25 states that involve 147 farmers and 39 small businesses or farm companies. Monsanto has set aside an annual budget of \$10 million dollars and a staff of 75 devoted solely to investigating and prosecuting farmers.

“Monsanto would like nothing more than to be the sole source for staple crop seeds in this country and around the world,” said Joseph Mendelson, CFS legal director. “And it will aggressively overturn centuries-old farming practices and drive its own clients out of business through lawsuits to achieve this goal.”

The largest recorded judgment CFS has found thus far in favor of Monsanto as a result of a farmer lawsuit is \$3,052,800.00. Total recorded judgments granted to Monsanto for lawsuits amount to \$15,253,602.82. Farmers have paid a mean of \$412,259.54 for cases with recorded judgments. Many farmers have to pay additional court and attorney fees and are sometimes even forced to pay the costs Monsanto incurs while investigating them.

“Monsanto is taking advantage of farmers with their marketing and their threats and lawsuits,” said Rodney Nelson, a North Dakota farmer sued by Monsanto. “It’s hard enough to farm as it is. You don’t need a big seed supplier trying to trip you up and chase you down with lawyers.” Farmers even have been sued after their fields were contaminated by pollen or seed from a previous year’s crop has sprouted, or “volunteered,” in fields planted with non-genetically engineered varieties the following year; and when they never signed Monsanto’s Technology Agreement but still planted the patented crop seed. In all of these cases, because of the way patent law has been applied, farmers are technically liable. It does not appear to matter if the use was unwitting or if a contract was never signed.

Various policy options supported by CFS include passing local and state-wide bans or moratoriums on plantings of genetically engineered crops; amending the Patent Act so that genetically engineered plants will no longer be patentable subject matter and so that seed saving is not considered patent infringement; and legislating to prevent farmers from being liable for patent infringement through biological pollution.

A PDF of the report Monsanto vs. U.S. Farmers is available to download at [www.centerforfoodsafety.org](http://www.centerforfoodsafety.org).

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<sup>3</sup> See UNEP/CBD/WG-ABS/3/3

<sup>4</sup> Ibid.

<sup>5</sup> The European Union originally requested Brazil to liberalize their entire biodiversity and landscape protection sector, although it is currently reconsidering this request. See also <http://www.gatswatch.org/docs/offreq/EUrequests/Brazil.pdf>

<sup>6</sup> For more information: <http://www.ourworldisnotforsale.org>