

Statement at the High Level Segment by Civil Society Organisations at COP 5

Mr Chairman, this is a joint statement on behalf of civil society organisations that have coordinated their work at COP 5.

May we remind all of us that the disastrous trend of biodiversity destruction has yet to be slowed down and stopped. The loss of components and cohesion of biodiversity shakes the very bedrock of our biosphere, of lives, livelihoods, cultures, values, agricultures, wildlife, forests, waters, communities and our very ability for peaceful cooperation at all levels.

Sufficient capacity to reverse this brutal trend cannot be built by any one level or agent only. It can grow and be cherished at all levels involving all diverse talents necessary. We, therefore, need public participation, political accountability and transparency and forceful efforts at consistency. In this spirit we focus on the following issues:

Biosafety

First of all, we wish to congratulate all Parties for the adoption of the Cartagena Biosafety Protocol. The past five years is testimony to the Parties' efforts and commitment to the process, particularly the African Group/like-Minded Group of countries, whose efforts secured the first international agreement that regulates GMOs. We are very pleased to note that over 60 Parties have put their signature to the Biosafety Protocol. We urge countries to sign it, ratify it and implement it. We are concerned about substantial transboundary movement of genetically modified organisms (GMOs) that is taking place in the interim especially the dumping of GMOs onto developing countries as food aid. This undermines the very spirit of the Protocol.

Just last week, news broke of the large-scale accidental planting over the last two years of GM-contaminated oilseed rape in Europe, a centre of diversity for rape seed and related species. This is a further alarming example of the gaping holes in current GM regulation and implementation. We need stricter segregation and labelling, testing, traceability, monitoring, enforcement, liability and compensation and real adherence to the Precautionary Principle. We commend government decisions to destroy these crops.

In the interim, before the coming into force of the protocol and the applicability of all its provisions, we urge COP 5 to call for a moratorium on the transboundary movement of GMOs. This will allow time for developing countries to build sufficient capacity for biosafety. We urge COP 5 to call for a ban of GMOs in food aid. Further, we call for a cessation on current research and development of all genetic use restriction technologies (GURTs).

Access and benefit sharing

We see COP 5 to ensure that the fundamental objectives of the CBD are not undermined by the TRIPs Agreement of the WTO and also, to ensure complementarity with the negotiations of the International Undertaking on Plant Genetic Resources of the FAO.

In this regard, we urge COP 5 to take action in two areas:

WTO-TRIPs Agreement

We urge COP 5 to send a strong message to the TRIPs Council of the WTO that the provisions of the CBD should take precedence over the TRIPs Agreement specifically Article 27.3(b). We believe that IPRs over biological resources and patents on living organisms are unethical and will have serious and adverse implications for access to genetic resources and the equitable sharing of benefits. Indeed, they undermine the very objectives of the CBD.

The majority of countries in the developing world have already expressed at the WTO their rejection of patents over life forms, and their deep concerns over the incompatibility of the TRIPs Agreement with the CBD. We therefore, also urge COP 5 to send a strong message of support for the position adopted by these countries.

FAO International Undertaking on Plant Genetic Resources

We urge COP 5 to send a strong message of encouragement to the FAO to achieve the speedy conclusion of the on-going negotiations the International Undertaking on Plant Genetic Resources in the FAO. Farmers' and other stakeholders' multilateral access to, and benefit sharing from, genetic resources they have developed and used to maintain food security must be protected. Farmers' rights to save, use, exchange and sell seeds and other propagating material and, in the case of seeds and other materials, the right to sell them in their customary manner and markets must be preserved. These aims could be fulfilled by the adoption of the International Undertaking as a protocol of the CBD.

Mr. Chairman, we assure that we will apply our talents responsibly to fulfil the objectives and aims to empower this small, but very important