



biowatch

SOUTH AFRICA biodiversity | food security | biosafety | social justice

The Biowatch Bulletin

March/April 2005

Diarise This!

Biowatch S.A. Board Chairperson addresses Cape Town Press Club on Thursday 21 April 2005

Dr David Fig, chairperson of Biowatch SA's Board of Trustees and independent Environmental Policy Advisor and Researcher, will address the Cape Town Press Club on 21 April 2005 on:

"The risks of genetically modified organisms".

Cape Town's is the oldest press club in South Africa and draws its membership from Cape Town based professionals who work in the media. If you want to attend, please contact Gloria on 021 683 3990. Members of the public wishing to attend pay R130, which includes lunch.

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1. BIOWATCH SA SEEKS LEAVE TO APPEAL COURT COSTS ORDER – AND GETS SUPPORT FROM CHURCHES

A wide cross-section of South African religious communities, including the Christian, Muslim, traditional African, Hindu, Buddhist and Baha'i faiths have supported Biowatch South Africa's attempt to appeal the costs order granted to Monsanto South Africa (Pty) Ltd.

In a letter to Biowatch, Bishop Geoffrey Davies, convenor of the South African Faith Communities Environmental Institute said Biowatch's appeal should be evaluated to consider the withdrawal and setting aside of the court decision regarding costs.

"We believe there has been a transgression of justice," Davies said, "in the Department of Agriculture's refusal to grant Biowatch access to information (and) in the court then requiring Biowatch to pay the costs of the action undertaken on behalf of the citizens of South Africa."

Davies said the Institute was "alarmed that Biowatch was required to pay the costs of court action for what should be public knowledge."

A national meeting of religious communities in March had called for full public participation in decision-making around genetically modified crops. The meeting noted with dismay the "underhand" promotion of genetically modified organisms (GMOs) and the monopoly of transnational companies in food production and the destruction of biodiversity through monoculture agriculture and forestry.

"We believe that the rights of our people are being seriously compromised by multinational corporations seeking monopolistic control over the essentials of life. We are particularly concerned with access to and control over food and water. "We are most concerned that the Department of Agriculture would not give Biowatch the information they requested. Biowatch had to resort to the courts to obtain information that should have been public knowledge," Davies said.

He added that the Institute was "most disturbed" that GM food was not labeled, whereas organic food, which was not controversial, was licensed and labeled.

In March Biowatch sought leave to appeal against the High Court's order that the organisation pay the legal costs of Monsanto South Africa. We also sought leave to appeal the absence of any costs order in our favour.

The costs order in favour of Monsanto SA arose out of the major victory, which Biowatch South Africa achieved to gain access to information about GM crops in South Africa. The Registrar of Genetic Resources was ordered to release this information by 30 April this year – a development that will at last lift the veil of secrecy, which has shrouded this industry, and enable the public to know how decisions are made about the growing of GM crops in South Africa. Acting Judge Dunn made no other orders about costs. This is extremely disappointing because Biowatch South Africa was

substantially successful in its application and Acting Judge Dunn found the Registrar of Genetic Resources had adopted a passive role. The cost order in favor of Monsanto South Africa is likely to have a deterrent effect on future public interest litigation. It creates the impression that if any part of a request for information is found to be insufficiently specific, even a successful litigant may be heavily penalised. The costs order against Biowatch South Africa will impede the organisation's capacity to gain access to, analyse and disseminate to the public the very information for which the court ordered access because much needed resources would be diverted away from the organisation's core business. There was no order for payment of Biowatch South Africa's costs, even though the organisation was successful in its application to the court.

If the application for leave to appeal is successful the full bench of the Pretoria High Court or, alternatively, the Supreme Court of Appeal will hear the appeal. The South African Freeze Alliance On Genetic Engineering (SAFeAGE), Earthlife Africa and the Wildlife and Environment Society of South Africa (WESSA) have also supported Biowatch seeking leave to appeal the court's costs order.

2. ANTI GM SENTIMENT ON INCREASE IN AFRICA

2.1 Nigeria

Environmental activists from several African countries resolved at a conference in Nigeria to intensify their efforts to create awareness about the problems of GMOs and secure a GM-free Africa. This will include:

- Lobbying African governments to adopt strict laws around GMOs through genuinely democratic public processes;
- Getting African governments to ratify and implement the Cartagena Protocol on Biosafety and to adopt the African Model Law on Biotechnology as the minimum standard to be used;
- Governments guaranteeing the public right of access to information.

Delegates at the conference maintained that indigenous food crops remained the answer to food security in Africa and called on African governments to invest in research to promote indigenous and sustainable food production systems.

The March 2005 meeting in Lagos drew activists from Nigeria, South Africa, Tanzania, Mauritius, Togo, Sierra Leone, Swaziland and Benin among others. Friends of the Earth (FOE) and Third World Network (TWN) hosted the conference.

1.2 Swaziland

The Economic Justice Network of the Fellowship of Christian Councils in Southern Africa held a food security workshop in Manzini, Swaziland, in March where David Fig, Biowatch South Africa's chairperson spoke about GMOs, biosafety and how GMOs undermine food sovereignty.

The conference aimed to increase and develop effective advocacy strategies and interventions; facilitate information gathering, dissemination and exchange with the Network around areas of debt, trade and food security; to inform councils about the key aspects of the debate on GMOs.

The Network is made up Malawi, Botswana, Angola, Namibia, South Africa, Swaziland, Zambia, Zimbabwe, Tanzania and Lesotho.

3. BIOWATCH SA MEETS PICK 'N PAY ON LABELING OF GENETICALLY MODIFIED ORGANISMS

Biowatch is embarking on a series of meetings with major retailers to persuade them to either label any genetically modified (GM) ingredients sold in their stores or to eliminate GM food altogether.

Woolworths is the only major food retailer that has so far undertaken to eliminate genetically modified ingredients where possible and to label all food containing GM ingredients where it hasn't been possible to eliminate them from the stores.

We met Pick n Pay's deputy chairman David Robins on 14 April who said the company would support initiatives to get stricter government controls on identifying GM ingredients, but could not commit itself to carrying out labelling or elimination of GM food from its stores at this stage. Further interactions between Biowatch South Africa and other Pick n Pay representatives are being arranged.

4. MAJOR CONFERENCE IN INDIA ON GENETICALLY MODIFIED COTTON

Lawrence Mkhaliqhe, Biowatch South Africa's outreach facilitator in KwaZulu-Natal is attending a major conference of scientists, farmers, environmentalists and activists in Hyderabad, India. Anti-GM activists from South Africa, Indonesia, Malaysia, Thailand, China and Canada attended the *April Event*, which focused on Bt cotton. GRAIN sponsored Mkhaliqhe's trip to the conference in India.

5. FRANCE CALLS FOR PAUSE ON NEW GMO TESTS

France should continue to test genetically modified (GM) crops carefully but there should be a pause on authorising new test in 2005 to assess progress so far, a Parliamentary report released in April said. The principles of parsimony, precaution and transparency should apply before any new approvals and clearance for new field trials should only be given after consumers and environmental groups have evaluated experiments already underway. However the report also stressed the importance of GM crops to France's economy and said that ignoring them could have serious consequences.

The report is designed to contribute to planned legislation on GMOs. In February Biowatch South Africa met the MPs who have now drawn up the report.

The six French MPs – including the president of the French Genetically Modified Organism (GMO) Commission Jean-Yves Le Dandéaut – came to gain first-hand information about South Africa's experience with GMOs. They studied the South African system of trials, the use of GMOs and their effect on the economy and environment and met members of South Africa's Parliamentary Committee on Agriculture; government officials from the Departments of Agriculture, Environmental Affairs and Tourism and Trade and Industry; the crop and chemical giant Monsanto; scientists and the National African Farmers Union. At their meeting with Biowatch in Cape Town the French MPs said Biowatch was asking the correct questions about the environmental and socio-economic impacts of GM crops. The MPs said they believed the South African government was aware that new GM regulations needed to be stricter

6. FIRST SUCCESSFUL BIOPIRACY CHALLENGE

In March the European Patent Office upheld a decision to revoke in its entirety a patent on a fungicidal product derived from seeds of the Neem, a tree indigenous to the Indian subcontinent. The historic action resulted from a legal challenge mounted ten years ago by renowned Indian environmentalist Vandana Shiva, Magda Aelvoet, then MEP and President of the Greens in the European Parliament, and the International Federation of Organic Agriculture Movements. Their joint legal opposition claimed that the fungicidal properties of the Neem tree had been public knowledge in India for many centuries and that this patent exemplified how international law was being misused to transfer biological wealth from the South into the hands of a few corporations, scientists, and countries in the North.

7. CALLS FOR TOUGHER CONTROL OVER GMOs IN RUSSIA

Russian scientists have called for tougher control over the use of transgenic organisms, emphasising that the effect of such organisms on the human system remains unclear. Most of the GMOs found in Russia are of foreign origin. Among the most widespread genetically modified crops are soybeans, potatoes, maize, beetroots and colza. One million tons of genetically modified maize and half a million tons of soybeans are shipped in every year. Genetically modified tomatoes, zucchinis, and melons find their way in as well. Overall, the amount of GM foods imported by Russia has grown 100-fold in the past three years.

Last October, Russia's National Association of Genetic Security and representatives of over 30 public, political and scientific organisations signed an open letter to President Vladimir Putin, calling his attention to the mounting threat.

On June 1, 2004, Russia officially adopted European standards for marking foods with genetically modified ingredients. Products where such ingredients account for more than 0.9 percent shall now be marked as GMOs, against the previous bottom limit of 5 percent.

Sociological surveys indicate that 75 percent of the Russians would not want transgenic foods in their diets. (Russian News and Information Agency)

8. COMING UP

8.1 Biowatch S.A. Chairperson Dr David Fig to address Cape Town Press Club

Biowatch chairperson David Fig to address Cape Town Press Club on Thursday 21 April 2005 (see above for more details).

8.2 Meeting with Minister of Environmental Affairs & Tourism, Marthinus van Schalkwyk

Biowatch will meet with Minister of Environmental Affairs and Tourism Marthinus van Schalkwyk in May to discuss our concerns about how GMOs are managed and regulated and pending amendments to the GMO Act and Environmental Impact Assessment regulations. The regulations are in terms of the National Environmental Management Act, which itself was amended in 2004. We'll also be raising ideas about how South Africa could develop a policy on GMOs which draws in the majority of our people. This was never done, although South Africa's first GM crops were introduced in 1998 (two years before the GMO Act came into operation).

In his budget vote speech to Parliament this year, van Schalkwyk said the appropriate use of GMOs was an important issue to debate broadly, not just between small interest groups behind closed doors.

FOR ANY MORE INFORMATION OR SUGGESTIONS FOR INCLUSIONS PLEASE CONTACT:

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