



Genetic Engineering in Canada and the Right to Food Internationally

*Canada and the Right to Food Internationally:
Development Cooperation, Trade and Investment
with Olivier De Schutter, UN Special Rapporteur on
the Right to Food,*

Remarks made by Lucy Sharratt, Coordinator, May 8, 2012

The Canadian Biotechnology Action Network (CBAN) is a national coalition of 18 groups including farmer, environmental and social justice organizations.¹ Our mission is to promote food sovereignty and democratic decision-making on science and technology issues in order to protect the integrity of the environment, health, food, and the livelihoods of people in Canada.

We work in partnership with farmer networks in the Global South including with La Via Campesina, the global peasants movement. CBAN maintains a partnership with the West African farmer coalition called COPAGEN (Coalition pour la protection du patrimoine génétique africain). CBAN is part of the Canadian Working Group on Science and Technology Policy that has organized numerous exchanges and Canadian speaking tours of farm leaders from the Global South on agricultural policy questions including the role of genetic engineering.

Thank you for this opportunity to discuss the role of genetic engineering as it relates to Canada and the Right to Food Internationally. I will use the term genetic engineering which of course refers to rDNA technology. In international fora this is named genetic modification. In Canada, genetically engineered products are regulated as Plants with Novel Traits and Novel Foods.

Canada was the first country in the world to approve a GE crop. We approved a GE herbicide tolerant canola in 1995 and now grow herbicide tolerant and insect resistant GE canola, corn, soy and sugarbeet. Canada grows 6 percent of the world's GE crops – we are 6th in the world after the U.S. which grows 43 percent of all the GE crops in the world, Brazil and Argentina which grow 19 and 15 percent respectively - mostly GM soy – and India and China, due to their adoption of GM cotton.

Support for genetic engineering is an important aspect of our domestic agriculture policy but also our foreign policy. The Canadian government made an early commitment to genetic engineering as an economic driver and created a policy environment and regulatory structure that supports the development of the biotechnology industry and facilitates the introduction of genetically engineered crops and other GE organisms. Canada has played a global role in promoting this model as well as promoting the products of genetic engineering themselves. This role is often at odds with civil society goals, for example goals of promoting and protecting ecological agriculture, both in Canada and in other countries.

Regulation (Promotion of our Model Internationally)

As an early adopter of GE crops and one of the first countries to develop biosafety and food safety regulations for products of GE, Canada assumed a global position as expert in biotechnology regulation and took on a leadership role in many international fora. While the regulatory regime was heavily criticized domestically, Canada was, for example, running regulation training workshops for government officials from other countries through the OECD.

Canada's regulatory system is not transparent. All the science behind decisions to approve GE products is classified as Confidential Business Information and is not available to the public nor to independent scientists. There are no consultations with the public or affected stakeholders, field trial locations are kept secret from farmers and the wider public, and there is no mandatory labeling of GE foods. Canada has no national, publicly accountable advisory body or other mechanism to manage a national dialogue on biotechnology. There are no public policy or regulatory tools for incorporating socio-ethical or economic considerations into decision making.

Canada adopted the concepts of familiarity and substantial equivalence in regulation that are based on the notion that organisms developed through rDNA techniques are **not** inherently different from organisms developed through other methods of genetic alteration, and thus GM organisms do not pose unique hazards and do not require new, distinctive risk assessment procedures. Canada regulates GE crops under the category we call Plants with Novel Traits (Novel Foods) which includes products of conventional plant breeding and mutagenesis.

The concept of "substantial equivalence" was established a few years later by the OECD, the FAO and the WHO.ⁱⁱ Canada worked closely to develop its regulatory framework in line with that of the United States and other trading partners. Canadian, US and OECD regulators met frequently to harmonize policy approaches. According to the OECD, this harmonization aimed not only to protect health and the environment but also to promote "international commerce and the reduction of national barriers to trade" in the products of biotechnology. Consequently, "any approach to implementing guidelines should not impede future developments in rDNA techniques".ⁱⁱⁱ This is Canada's approach to GE regulation.

Other Activities Promoting GE in Global South

The Canadian government has been and continues to be engaged in activities that support and promote the use of, and research in, agricultural biotechnology in developing countries. This technological-fix approach to agricultural productivity has come into direct conflict with the goals and work of many of our colleagues in the Global South. There is widespread concern that financial, technical and ideological commitments to agricultural biotechnology overlook the promise of, and divert funding away from, other technologies and knowledge systems that already support food sovereignty in those communities.

There are some examples which may provide some context:

- The Canadian International Development Agency financially supported a project in China that promoted use of Monsanto's GE corn and cotton.^{iv} The project, launched in 1998, was partially funded by CIDA's Industrial Cooperation Program known as CIDA-INC which is the branch that supports Canadian companies setting up businesses in developing countries.
- In 2003, Canada filed a complaint, in tandem with complaints filed by Argentina and the US, to the World Trade Organization Dispute Settlement Body regarding European Commission delays in approving GMOs. In their disputes, Canada, US and Argentina alleged that the EU had put in place a de facto moratorium on GM approvals and that they had: refused to give the approval to a number of new GM foods; stopped processing applications for new GMOs; and not taken action to stop EU member states banning GM products. The European Community denied the existence of a de facto moratorium. The EU complained that Canada, US and Argentina did not like the EU authorization regime because it was too stringent. The dispute was viewed by civil society organizations around the world as a tactic to pressure Europe as well as threaten governments in the Global South.
- In 2005, the Canadian government attempted to overturn the 2000 UN moratorium on genetic seed sterilisation technology (known as Terminator technology) at the Convention on Biological Diversity (CBD). Terminator is widely understood as a threat to food security.
- The Canadian International Development Agency contributed \$25 million (2007-2010) to establish the Biosciences in Eastern and Central Africa in Nairobi as part of the new scientific Centres of Excellence in Africa.^v We remain concerned that Canada's emphasis on genetic engineering is incorporated into our support for building science capacity in the Global South.
- Canada routinely obstructed the development of labeling guidelines at the Codex Alimentarius the final consensus guidance in 2011. The new Codex agreement means that any country wishing to adopt GM food labelling will no longer face the threat of a legal challenge from the World Trade Organization (WTO).

Consequences of GE Contamination

Contamination is a predictable and predicted outcome of releasing GE crops. This contamination can have serious impacts on the Right to Food. Contamination has environmental, human health, food security and economic consequences.

- GE contamination has had major consequences for farmers in Canada, particularly organic farmers. Organic grain farmers in Saskatchewan lost the production of organic canola due to widespread and uncontrollable GE contamination, and lost the use of canola in their crop rotations. Farmers have

been unable to, as yet, find a mechanism to seek compensation from companies for this loss.^{vi}

- Contamination from GE alfalfa, an insect pollinated perennial, threatens the organic certification of dairy farmers and livestock farmers and would remove the tool of alfalfa from organic grain crop rotations. Canada has not yet allowed GE alfalfa onto the market but GE alfalfa plantings were allowed in the US in 2011 which poses a contamination threat into Canada. GE alfalfa contamination threatens the entire organic food and farming system because of the wide and varied use of alfalfa by small family and organic farmers. Alfalfa provides important environmental service, as a soil builder.
- In September 2009, GE flax from Canada was found contaminating food in 36 countries, none of which had approved GE flax for safe human consumption.^{vii} The GE flax was never grown commercially in Canada due to farmer opposition, anticipating these economic consequences of contamination.
- The EU is dependent on imports of animal feed from North and South America where the predominant crops are GE soy and corn. In 2011, the EU decided to allow trace amounts of unauthorized GE material in animal-feed imports, up to 0.1 percent. This was due to the continued problem of contaminated exports.

Governments and people in the Global South increasingly have to confront the question of whether to buy imported basic staples that are contaminated with GMOs. Canada is a critical supplier of wheat, one of the most important staple crops, to a number of countries in the South who depend on imports of wheat for their food security. In a world where supply and demand are increasingly tight, if Canada allows GE wheat to be introduced, countries may have little choice but to accept GE wheat or contaminated wheat exports.

Future Right to Food

Canada may soon approve a GE Atlantic salmon. A small US company called AquaBounty may have asked the Canadian government to approve commercial production of GE salmon eggs, for shipment to Panama for grow out and processing for the US consumer market (this is AquaBounty's specific production plan). We do not know if this request for approval has been made as our regulatory agencies will not disclose this information. We do not know how far our regulatory agencies will consider this global contamination risk. The future of wild Atlantic salmon populations, already endangered, would be at risk if Canada approves the commercial production of GE fish eggs and/or fish. An approval of GE salmon could open the door to other GE fish such as trout, carp and tilapia, for use across the world as fish farming expands. GE fish threatens the future of wild fish populations and the Right to Food of communities of people that rely on these stocks.

Canadians are confronted with a pipeline of corporate products that are not responsive to farmer or consumer demand and are approved without consideration of their social and economic consequences.

Canadians are told by our government to accept GE as safe but we are also told that we have a moral imperative to support the development of GE in order to “feed the world”. Canadians care about the Right to Food for all peoples and are not convinced that GE is required for this purpose. On the contrary, we are concerned that GE already is undermining the Right to Food in Canada and elsewhere.

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ⁱⁱ Putting the cart before the horse: A review of biotechnology policy in Canada
Elisabeth Abergel, Katherine Barrett. Journal of Canadian Studies. Peterborough: Fall 2002. Vol. 37, Iss. 3; pg. 135

ⁱⁱⁱ OECD website, quoted in Putting the cart before the horse: A review of biotechnology policy in Canada
Elisabeth Abergel, Katherine Barrett. Journal of Canadian Studies. Peterborough: Fall 2002. Vol. 37, Iss. 3; pg. 135

^{iv} Taxpayers Fund Biotech Food Giant CIDA funds project in China promoting Monsanto GM Crops, Peter Gorrie, Toronto Star, 2001

^v <http://www.acdi-cida.gc.ca/cidaweb%5Ccpo.nsf/projEn/A032229002>

^{vi} <http://oapf.saskorganic.com/legal.html>

^{vii} www.cban.ca/flax