

Fischer Boel delays GM-crop co-existence law

■ EU-wide approach must wait for examination of national measures

By Emily Smith

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THE European Commission has again pulled back from legislating on the best way to grow biotech and conventional crops side-by-side, according to a report the EU executive is to issue on Friday (10 March).

Mariann Fischer Boel, the agriculture commissioner, said early last year that she was considering "framework legislation" on the problem, known as co-existence, signalling a shift from the hands-off position of her predecessor Franz Fischler.

But a new Commission report on national co-existence measures says Europe will have to wait at least another couple of years.

"The limited experience and the need to conclude the process of implementing national co-existence measures do not seem to justify the development of a dedicated harmonised legislative approach at the present time," the report concludes.

Instead, the Commission now suggests publishing a second report on national co-existence measures in 2008.

Opponents of genetically modified (GM) crops say conventional crops are at risk of contamination without tough EU-level laws preventing accidental crossover with gene-

altered seeds. GM advocates are also unhappy with the current patchwork of - frequently anti-biotech - national rules.

The Commission will also this year start putting together "best practice" guidelines for different types of GM crop and a study of the various liability rules currently used in member states.

A spokesman said there was "no deadline" for concrete action. "There is nothing hard or fast. We think the member states should [introduce co-existence rules] and should do it sooner rather than later, but there is no carrot or stick," he said.

Although commissioner Fischer Boel "came into

The Commission will have to legislate at some moment - Friends of the Earth

office talking about a legislative framework", the spokesman admitted this was no longer the case.

Europe remains wary of GM cultivation, unlike the US and several developing countries.

Only two GM crops have so far been authorised for growing in the EU and only Spain has so far started to grow them on any

significant scale (12% of maize cultivation).

Germany, Denmark, Portugal and Austria are the only four member states to have adopted laws on co-existence.

And Austria's legislation is currently being challenged in the EU courts for effectively banning GM cultivation.

Adrian Bebb of Friends of the Earth Europe, a conservation group, said Brussels was putting industry interests before consumer demands. "The report clearly shows the Commission has decided to first contaminate and then legislate," he added.

Bebb said he was convinced however the Commission would have to legislate on co-existence in the end: "It is quite clear from the report analysis that things are not working at the moment - half the co-existence proposals put forward so far were rejected for breaking internal trade rules. [The Commission] will have to legislate at some moment."

But Darren Abrahams, a lawyer at the Brussels office of US firm Steptoe & Johnson, warned against seeing co-existence as a one-size-fits-all issue. "Co-existence is a local issue - by definition - so using the hammer of EU-wide legislation to crack the co-existence nut would offer little comfort to the industry," he said.

■ Fisheries

MEPs call ghost-busters

GHOST fishing will next week become the latest supernatural phenomenon to merit the European Parliament's attention.

The term applies to the problem of nets that have been discarded or lost at sea but continue to catch and kill sealife.

It will be one of many environmentally threatening fishing problems condemned in a report from Irish MEP Seán Ó Neachtain which will be put to the vote on Wednesday (15 March) at a plenary session in Strasbourg.

The report "expresses particular concern over the issue of ghost fishing

and urges the Commission to take all appropriate short and long-term action" to put an end to it.

Environmental group Greenpeace estimates that in the Baltic Sea alone almost four nets per fishing boat are lost each year.

The report follows a 2004 European Commission communication on "environmentally friendly fishing practices" - an attempt to make the EU Common Fisheries Policy greener.

Two years down the road, Parliament is asking the EU executive

"without further delay" to propose ways of rescuing dwindling fish stocks.

As well as ghost fishing, the EU needs to find a way of cutting the number of unwanted dead fish thrown away at sea, according to Ó Neachtain.

Ways suggested to reduce the size of these "discards" include making it compulsory to use nets with a larger mesh and creating no-go zones for fishing-boats.

The report also says that "economically and socially vital fishing operations" must not be sacrificed to "ecological considerations".

■ Biodiversity

Bio-pirates grab planet's genetic treasure

INTERNATIONAL environment ministers will travel to Brazil this month and discuss ways of stopping "bio-pirates" plundering the third world of its supplies of natural genes.

The 188 governments meeting to discuss the 1992 UN convention on biodiversity have various environmental problems to discuss, but prominent among them is who should benefit from discoveries derived from genetic resources.

The convention itself

defines genetic resources as living material containing genes "with actual or potential use or value for humanity".

Modern, industrialised parts of the world tend to have scarcer genetic resources than undeveloped areas.

Environmentalists claim that the failure to agree rules for corporations using the resources amounts to exploitation of poor regions and people.

But conclusions to be adopted by EU environment ministers

tomorrow (9 March) ahead of the Brazil conference will not commit the Union to tough action.

A convention agreement "to negotiate an international regime" on access to and sharing benefits of genetic resources could, say the conclusions, be made of "binding or non-legally binding instruments".

The common EU position also holds back from suggesting a timetable for the regime, despite pressure from Spain.



Fischer Boel: changed her mind on GM-crop law/EC

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