

Public Research & Regulation

Foundation with the objective to involve the public research sector in regulations and international agreements relevant to modern biotechnology

Friends of the Earth Europe
Fouad Hamdan, Director
Rue Blanche 15,
B-1050 Brussels, Belgium

26 September 2006

Dear Mr. Hamdan,

With our letter of 28 June, we alerted you that a FOEE press release contained incorrect statements regarding the Public Research and Regulation Initiative (PRRI), as well as some more general misperceptions. In our letter we addressed some of the incorrect statements in detail

We thank you for your reply in your letter of July 3rd, which helped us understand that some of the incorrect statements in your press release may be the result of misperceptions about biosafety and biotechnology in general. I explain this below by following the statements in your letter.

Biosafety legislation

In the first substantive paragraph of your letter, you explain your assumption that PRRI lobbies for 'weak biosafety legislation', because - as you state - PRRI 1) does not support a strict liability scheme under the Biosafety Protocol, 2) does not support the need for stand-alone documentation and 3) even appears to be in favour of the use of "terminator" technologies. This paragraph in your letter contains several serious misperceptions.

1) Strict liability in itself does not enhance biosafety.

Biosafety depends primarily on adequate, scientific risk assessment. Whether liability rules are 'strict' or not has nothing to do with that. As regards the issue of liability itself, PRRI believes that liability is an important mechanism in society. We also believe that while damage to property is in general adequately covered in national systems, damage to biodiversity is not yet covered in many national systems and needs further debate on how to best address this. However, in the debate that has been conducted so far on this question, PRRI has heard several proposals for strict liability regimes that are so disproportionate that they would block important and necessary public research. Logically, PRRI cannot support such proposals.

2) Detailed stand alone transport documentation does not help biosafety.

As we explain in our statement on article 18.2.b. and 18.2.c of the Cartagena Protocol, we believe that there is no need for a detailed stand-alone document to identify the contents of the package containing LMO's intended for contained use and release. Accompanying documentation should not be confused with a risk assessment document. As required by the AIA procedure, providing detailed information relevant to risk assessment is done long before transboundary movement, if it is intended for subsequent introduction into the environment.

Public Research & Regulation

Foundation with the objective to involve the public research sector in regulations and international agreements relevant to modern biotechnology

3) Genetic Use Restriction Technologies (GURTs) per sé are not a biosafety issue.

Your statement that PRRI ‘even appears to be in favour of “terminator” technologies’, shows a misunderstanding of the PRRI position on this issue as well as of the potential risks and benefits of these new technologies. Public researchers throughout the world are exploring naturally occurring gene-switching mechanisms aimed at controlling genes responsible for sexual reproduction in plants. These technologies, which are called “genetic use-restriction technologies” (GURTs), can provide us with the possibility to prevent the transfer of specific, newly introduced genetic traits in plants (e.g., the production of pharmaceuticals, vaccines) to other crops or wild relatives. A particular interest is to develop plants that can efficiently produce environmentally friendly biofuels in co-existence with current food crops. As with any new technological development, it makes perfect sense to conduct a risk/benefit assessment related to this research, so that well informed risk-benefit assessments can be made. In the case of GURTs applications, the potential for risk is generally very low because the resulting genetically modified plants are genetically programmed to not produce viable offspring or viable pollen. PRRI therefore supports the overall thrust of the COP recommendations, which recognize that these technologies are still in early stages of development and therefore call for further research to be undertaken on the potential benefits and risks, which can only be done on a case-by-case basis.

Funding

In the second substantive paragraph of your letter, you explain your statement that PRRI is an ‘industry funded initiative’, because we received also funding from two private sector organisations, and you ask which percentages of our income come from what sources. As I explained, the bulk of the work of PRRI is volunteer work by its members. However, budget is needed to cover costs such as the participation in international meetings. To date, PRRI has received financial support from the governments, national and international organisations and private sector organisations identified on our web site. The financial support we have received from private sector organisations is roughly a quarter from the total of contributions. It is clear from your letters that I doesn’t make any difference which percentage of our funding comes from the private sector, because you believe that there is something intrinsically wrong in accepting contributions from the private sector for capacity building activities. This is a misperception; there is nothing intrinsically wrong with that. If there would be something intrinsically wrong with requesting the private sector to also contribute to capacity building, then the Parties to the Protocol and the UNEP Governing Council would not repeatedly call upon the private sector to also contribute to capacity building. The second misperception is that accepting financial contributions from donors automatically means ‘speaking their word’. This may be a concern with organisations that are not too certain of themselves, but this is certainly not an issue for the PRRI. The PRRI consists of public research scientists for whom maintaining their scientific integrity and independence is a second nature. The PRRI accepts money only under the clear understanding that there are no expectations regarding certain positions we would take. In fact, we would be happy to receive support from FOEE, again under the same conditions we place on our other donations—that is, with no demands to take FOEE positions with which we do not agree. With this explanation, you will probably understand that your suggestion that scientists who work in public institutes worldwide would take certain positions simply to please some of their donors, is unfounded and slanderous.

Public Research & Regulation

Foundation with the objective to involve the public research sector in regulations and international agreements relevant to modern biotechnology

Public Information

In the third paragraph, you explain your claim that PRRI is against public access to information by referring to the position that PRRI took with regard to a proposed amendment of the Aarhus convention. You end that paragraph with the sentence: “Once again the same position taken by industry!”. PRRI considers public awareness as very important to ensure that the public is provided with a balanced view of both the potential benefits and the potential risks of the development and use of LMOs. Article 6.11 of the Aarhus Convention states that “*Each Party shall, within the framework of its national law, apply, to the extent feasible and appropriate, provisions of this article to decisions on whether to permit the deliberate release of genetically modified organisms into the environment*”. We believe that this is a useful provision, bearing in mind that different countries have different traditions and approaches in the ways to inform and involve the public. The proposed amendments, however, would only result in forcing countries into a ‘one size fits all’ straight jacket approach, which in our view is not helpful. I hope that you will recognise the logical error in your conclusion that if a group takes a position different from FOEE, it is against public access to information. The statement “Once again the same position taken by industry!” shows the false assumption that taking a position that is taken by the private sector is by definition suspicious and must mean being against public access to information. As members of the ‘regulated community’, the public sector and the private sector are stakeholders who in general will have similar views regarding regulations in that they should be transparent, proportionate, workable, and predictable. It is therefore not at all surprising that the public and the private sector often have similar views on specific topics. Moreover, the statement “Once again the same position taken by industry!” misleads the public by not mentioning that the position of PRRI on this issue was also shared by many Governments.

While I speak on the topic of public information, I need to convey that the PRRI has a very serious concern about the way in which FOEE informs the public:

- Statements are often based on the false assumption that whoever does not share the claims of your organisation, must therefore be against biosafety or public access of information. This is an erroneous notion. No group in this field has a monopoly on good intentions regarding biosafety or public access to information. Intolerance of other approaches to achieving these goals does not encourage the public to make thoughtful, informed decisions.
- Statements are often based on the false assumption that positions that are also shared by the private sector must by definition be wrong and suspicious. Consequently your statements are more aimed at showing some link of individuals or organisations with the private sector, rather than reacting on the substance of statements made by those individuals or organisations. This kind of ‘Orwell’s 1984’ suspicion mongering is not helpful in helping the public to understand the issues surrounding about modern biotechnology.
- Statements are often a mixture of pseudoscience and partial facts, and ignore the fact that during the last decades, over a billion acres have been planted with genetically modified crops by millions of farmers and many thousands of field trials have been carried out,

Public Research & Regulation

Foundation with the objective to involve the public research sector in regulations and international agreements relevant to modern biotechnology

without one single verifiable report of adverse effects to either human health or biodiversity.

- Statements typically focus on potential risks of GM crops and seem entirely unaware of the potential benefits, such as the reduction of pesticides in the case of pest or disease resistant crop plants, with all the associated benefits for farmers, consumers and the environment.

In summary, PRRI urges organisations such as yours to steer away from this unhelpful approach, and turn to a serious debate about modern biotechnology in which we discuss in a mature and scientifically correct manner how biotechnology can help address some of the very pressing problems of sustainable food supply, health care and environmental protection, problems which cannot be solved by conventional techniques alone.

The challenges we face in food production, health care and environment are far too important and too complex to be dealt with in a black and white 'good or bad guys' fashion. To name just one example, the generally praised shift to biofuels will pose new challenges to our society if we want to avoid the higher pesticide use and increased demand for land that the production of these fuels will require. The task ahead of us is that we all work together in finding and discussing solutions to this and other problems, rather than simply tarnishing people who do not share your views on what may be appropriate solutions.

Yours sincerely,



Em. Prof. Marc van Montagu
Chairman of the Steering Committee of the Public Research and Regulation Initiative