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No GMOs in our fields or on our tables !

But WTO ruling opens floodgates for the Monsantos of the world

According to the WTO ruling, the practice of the European Commission between 1998 and 2004 of not proceeding to licence requests for GM crop and food imports into the EU until further scientific evidence of their environmental and health safety was available (the de facto moratorium) violated international trade rules. On similar procedural grounds, the WTO decision also ruled against specific national bans established by Austria, France, Germany, Greece, Italy and Luxembourg, which have refused to allow even those GM varieties approved by Brussels.

However, the ruling confirms the stance of the Commission that all this amounted to was an "unduly delay" in the processing of licensing requests that in any case ended in 2004 with the new EU legislation on GM labelling and traceability. It states that for the most part the problems have been resolved under the new labelling and traceability regulations, which are not called into question.

This victory for the European GMO policy against the export interests of Monsanto and other GMO producers comes, however, at a high price.

First, the WTO ruling rejects the position that the "precautionary principle" - enshrined in the 1992 Convention on Biological Diversity (CBD) and the 2000 Cartagena Protocol on Biosafety (which has been ratified by 132 states and signed by an additional 62 states - most of which are also members of the WTO) - is of any importance in GMO trade disputes, as long as one of the claimants (in this case, the USA) has not yet ratified but only signed the Biosafety Protocol.

The ruling further rejects the fundamental basis of the Precautionary Principle, that all CBD member states - including the member states of the EU which are all signatories of the CBD and some of whom have already enacted GMO bans as national precautionary measures - have the right to take precautionary measures, if scientific evidence in establishing the safeness of a product is doubtful or insufficient.

Yet it is precisely on this basis that the European Commission had defended its GMO policy and the legitimacy of specific national GMO bans in EU member states.

For Green MEP Caroline Lucas, the GMO ruling of the WTO signals a worrying trend to challenge the supremacy of multilateral environmental agreements (MEAs) over WTO trade rules, which the European Commission should clearly reject.

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