



*International Planning Committee (IPC) for Food Sovereignty*

*Working Group on Agricultural Biodiversity*



## **Notes on the positions of the IPC delegation at the 14<sup>th</sup> Conference of the Parties to the Convention of Biological Diversity and to the Nagoya and Cartagena Protocols**

**Sharm El Sheikh, Egypt**

**23<sup>rd</sup> November 2018**

### **Introduction**

The International Planning Committee for Food Sovereignty (IPC) is participating in the Conference of the Parties (COP) to the Convention on Biological Diversity (CBD), held in Sharm El Sheikh (Egypt) from 17<sup>th</sup> to 29<sup>th</sup> November 2018. We have reached the equator of the COP and the IPC has supported presentations on many topics during these days.

The IPC will be present at the COP until the end, but wishes to state some important points for food producers, hoping that the contracting parties will take them into consideration in their final decisions.

### **Nagoya Protocol**

Regarding the Nagoya Protocol on access to genetic resources and the fair and equitable sharing of benefits, we call for the monitoring and evaluation of its application at a national level; this protocol has not been largely disseminated in the territories and therefore we, the indigenous and peasant organizations, question its application without a process to obtain Free, Prior and Informed Consent (FPIC) from indigenous peoples, local and peasant communities.

If left in the hands of the industry, the Nagoya Protocol may be applied in a perverse manner, as was seen with the side event bearing the title “Nitrogen fixation in native Mexican corn, a success story for the implementation of the Nagoya Protocol”, with implications for agriculture. This research was conducted in a field in the State of Oaxaca by the transnational corporation Mars Incorporated and the University of California, Davis, who partnered with the indigenous community to investigate maize. Mars highlighted this research as an important scientific discovery with positive implications on global food systems and the environment under the framework of the Nagoya Protocol.

The lawyer working for MARS declared that all of the legal procedures set in the Nagoya Protocol were followed as well as national legislation. It is worth asking how this process was carried out; if the FPIC was transparent and the communities had prior information before giving consent or if, on the contrary, they took advantage of the community's needs.



What casts doubts on the legitimacy of the way the Nagoya Protocol was followed is the fact that the information obtained is confidential and there is no way of knowing how consent was obtained from the community, generating questions as to whether this opens the door to the patenting of information from native seeds and indigenous knowledge. Benefits for the community will come from the approval of patents on genetic information, and we wonder if the Nagoya Protocol is not serving the genetic material of indigenous peoples and peasants to biopiracy on a silver platter.

It is worth remembering that corn is part of the Milpa system, stretching back millennia, whereby nitrogen is also obtained from beans to feed other wild plants that are part of the food systems of indigenous peoples and local communities in Mesoamerica.

## **Synthetic Biology**

Ongoing negotiations are long and difficult for this point on the agenda. The parties are not agreeing, trapped between the interests of the industry on the one hand, and those of the local communities, peasants and indigenous peoples on the other.

The position of the African group is extremely worrying, as they continue to demand de-regulation of genome editing and the dissemination of organisms containing a gene-drive expression. Nonetheless, Madagascar, a French-speaking country, is resisting its African brothers and sisters. The Bolivian delegation is leading a fierce battle to support the interest of IPLCs and push for restrictive regulations for synthetic biology.

We also observed that the contact groups are not very inclusive and therefore undemocratic. Since they are in English only and no interpretation is provided, delegates who speak another language are excluded from the negotiations, as we saw with the French-speaking African countries, for example.

We would like to see a solid text regarding free and informed consent with the full knowledge of indigenous peoples and local communities in paragraph 10. It seems that some parties are forgetting about their responsibilities with the three goals of the Convention, civil society and the citizens they represent.

It is important to recall that several new biotechnologies that are presented as solutions to the loss of biodiversity and to several other global problems such as famine and disease, in reality are false solutions. We believe it is wrong to believe that the system that has destroyed biodiversity will be able to fix the problems. We actually believe that the industry is pushing for these technologies to be accepted in an attempt to increase its sources of income and its power over local communities and natural and genetic resources.

The peasant movement has developed democratized and disseminated methods to pass on and develop knowledge and know-how, as well as agroecology practices to ensure food sovereignty for



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peasant men and women and to protect land, water and seeds from the commodification of agriculture around the world. It is important to acknowledge the paramount

importance of traditional knowledge for the preservation of biodiversity and to realize that synthetic biology could very well wipe out ancestral knowledge by drawing attention to technical and scientific considerations instead of political, cultural and social ones.

It is vital to actively inform peasant communities about the excesses of synthetic biology, and to step up pressure on our governments with regards to the concerns of our local, peasant and indigenous communities.

### **Biological diversity**

We note that the topic of biological diversity has not been dealt with broadly enough, especially regarding the progress made by the contracting parties to the convention on biological diversity, and with regards to the conservation efforts and the importance of using biological diversity sustainably in agricultural production while meeting the demands in terms of food sovereignty.

We call for a better inclusion of the direct and indirect impacts of policies and patterns of production and consumption on biological diversity. We, the peasants, insist on the importance of promoting agroecology as a model of production that combines scientific research and local and traditional knowledge, all of which contribute to develop sustainable and improved practices to restore ecosystems, manage land in a sustainable manner and add value to the livelihoods based on respecting biodiversity and adapting to climate change.

We request expanding the use of participatory approaches for the management of biodiversity, especially ensuring an effective participation of indigenous peoples and local communities, and strengthening the capacities of the contracting parties to effectively participate in decision-making processes, and to further recognize the vital role of women in integrating biological diversity into agriculture, forestry and fisheries.

### **Digital Sequence Information (DSI) of Genetic Resources**

The Digital Sequence Information (DSI) on Genetic Resources comes from material genetic resources (biological material) and the use of that information carries to the same results from the use of biological material of genetic resources. The digitalization of genetic resources, together with the fast development of the synthetic biology techniques, can result in new patents on seeds and plants (such as those for pharmaceutical use) that local communities and indigenous peoples use for their food sovereignty and health.



For this reason, the International Planning Committee for Food Sovereignty asks to Contracting Parties to guarantee the application of the rules of the Nagoya Protocol on the use of the digital sequence information on genetic resources. In the same way, it has to be recognised the Free, Prior and Informed Consent (FPIC) when someone access material genetic resources, as well as digital information.

The concept of “open access” of the information cannot justify the absence of rules on the use of the information. Any person or institution that wants to access to the digital information, must clearly declare the final objective of the utilization of the information.

Since it has been agreed by Parties that the information are useful for scientific research and for the conservation of genetic resources, digital information must not be utilized for profit aims. For this reason, the information must not be used to create new genetic resources and to put new patents on them. All the commercial uses deriving from the digital information, must be avoided by appropriate measures.

Contracting Parties shed light the importance of this issue and they declared that there is a need of further discussions within the CBD. For this reason, it is urgent to begin an Open Ended Working Group on digital sequence information on genetic resources and to include this issue in the Biodiversity Strategic Plan post 2020 of the CBD.

Finally, IPC urges the participation of the small-scale food producers in the discussions about digital sequence information on genetic resources. Moreover, it is important to consult other conventions and international treaties – *inter alia* FAO, Commission on Genetic Resources for Food and Agriculture and the International Treaty on Plant Genetic Resources for Food and Agriculture – in order to take coherent decisions in all spaces.

## **Pollinators**

It is important to note that the researches mentioned in the *Draft Decisions* document on pollinators, can be realized only on honey bees. Thus, the Contracting Parties should consider all pollinators that potentially suffer for the application of pesticides and the diffusion of Living Modified Organisms (LMOs) in the environment. We are concerned that, at this point, the *Draft Decision* document infringes the precaution principle.

GMOs in agriculture are designed and developed for their utilization accompanied by agro-toxic or pesticides associated. Thus, the scientific researches must take into account the impact of GMOs on the pollinators. Studying exclusively the impact of transgenic “plants” on pollinators will result inappropriate, since it does not consider the entire system formed by those “plants”.



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The researches demonstrated that glyphosate and the 2,4-D can be clearly identified in the stomach of honey bees. It is urgent to create pesticides-free areas and buffer zones, allowing farmers and Indigenous Peoples to conserve diversity and guarantee the health of domesticated or wild pollinators.

We would like to remark that wind, water and local wildlife spread GMOs and pesticides everywhere, thus it is not possible to limit in the area of utilization. Contracting Parties must implement effective measures to respect the Free, Prior and Informed Consent (FPIC) of peasants, local and indigenous communities.

Finally, the application of pesticides is a key issue in the loss of biodiversity and the agro-industry enslavement of peasants, local and indigenous communities. In Brazil – the country that uses the major quantity of agro-toxics worldwide – pesticides has been used as chemical weapons in those groups, causing genocides of human communities, wildlife, domesticated species, cultures and livelihoods.

### **The participation of small-scale food producers at the CBD**

For its first time, the International Planning Committee for Food Sovereignty officially participated at the COP of the CBD. We noted that CBD discussions include Indigenous Peoples, Local Communities and other Civil Society Organizations and other academic associations. Thus, we see a lack of representation from the side of small-scale producers: the discussions have a clear focus on the access to genetic resources and the loss of biodiversity. However, those peoples who actually conserve and dynamically manage the agricultural, marine and animal biodiversity, are not present.

In these days, FAO and Contracting Parties argued that agriculture is one of the major causes regarding the loss of biodiversity. However, nobody shed light on the role of peasants and Indigenous Peoples in the creation and re-creation of biodiversity and in the utilization of animal, marine or vegetal underutilized species, or those species that have a low economic value on the market.

Therefore, we ask to the Contracting Parties of the CBD to start a process to include small-scale food producers, in order to have a more holistic approach that consider also the vision of those who create and re-create the animal, plant and marine biodiversity. At the same time, Contracting Parties have the responsibility to let Peasants' Organizations raise their voices to defend their rights on biodiversity, which is the basis of our life.