



News Bulletin

International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations

Patenting Life, Destroying Lives

"Your sheep, which are naturally mild and easily kept in order, may be said to devour men..."

Thomas More, Utopia (1516)

The enclosure movement in sixteenth-century England was a turning point in the commercialization of agriculture. The open fields and common lands on which the peasant had traditionally grown crops, grazed animals, and foraged for wood were "enclosed" by Acts of Parliament and appropriated as private property by wealthy landowners raising sheep for the burgeoning wool trade. The result was increased rural impoverishment and depopulation. The enclosures were experienced as a social catastrophe by the communities affected. In the language of the times, sheep devoured men.

The cycle has come full circle today with the enclosure of life forms. Through the commercial development of genetically modified seeds, the genetic code of life is being appropriated and imprinted with the logic of the marketplace. The most sinister and potentially far-reaching expression of this process is the development of what the UN calls "GURTs" (Genetic Use Restriction Technologies), popularly known as terminator technology, by the giant "life-science" companies such as Monsanto, AstraZeneca, and Novartis which now dominate the international seed trade.

Terminator seeds are seeds which have been genetically modified to commit suicide. They are sterile, and will thus compel the millions of farmers around the world who traditionally save their seed for replanting to turn to the transnationals for the seed and other inputs they require to plant their crops. GURTs are also being developed as T-GURTs (T for "trait"), which are not necessarily sterile but require proprietary chemical "inducers" (i.e. patented fertilizers and pesticides) to germinate, sprout and ripen. Rather than killing seeds outright, they addict them to

agrochemicals before they are planted. Unlike the children born to drug-addicted mothers, they cannot be weaned from chemical dependency.

For the companies involved, the stakes are enormous. The global seed market is valued at over USD 45 billion annually. In developing countries, farm-saved seed accounts for some 80 percent of the total seed requirement, with an estimated 1.4 billion people worldwide dependent on their cultivation. Suicide seeds and related technologies aim to force open these potentially huge markets for the transnational producers of seeds and chemical inputs, while at the same time giving them major entry to markets for self-pollinating seeds like wheat, oat and rice whose reproduction has previously resisted commercial control.

The International Seed Trade Federation estimates that global sales of genetically engineered seeds will rise to USD 2 billion by the year 2000, increase to 6 billion in 2005, and

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hit 20 billion in 2010. No estimates have yet been offered for the anticipated rise in sales of related chemical toxins.

The threat to biodiversity, food safety and security and the wider social and natural environment posed by these developments is self-evident. Public opposition to suicide seeds is growing; the government of India, two states in Brazil and the US state of New Hampshire have moved to ban them. But as scientific evidence pointing to the biological risks from genetically modified seeds increasingly calls into question the mantra of safety intoned by the companies, many governments are hurrying to put into place a protective layer of international commercial law designed to insulate the transnationals from effective regulation and even public criticism.

The most serious development in this regard is the pressure to revive the Multilateral Agreement on Investment (MAI), blocked by public opposition last year from being installed at the OECD, and implement it through the World Trade Organization (WTO). The MAI-like charter of global investors' rights now proposed for the WTO would be modeled on key clauses in the North American Free Trade Agreement (NAFTA), specifically those concerning "expropriation" and guarantees against loss of earnings, both actual and future, as well as "protection against strife".

A taste of how these provisions can be used against national governments seeking to defend the health of their citizens was shown in the 1997 lawsuit brought by a US-based chemical company, Ethyl Corporation, against the government of Canada after it banned the toxic gasoline additive MMT. The company claimed that the ban "expropriated" its Canadian assets and that parliamentary debate on the health issues involved was itself tantamount to expropriation because public criticism of MMT damaged the company's reputation. Canada was compelled to rescind the ban and pay USD 13 million in damages to the company.

If enshrined at the WTO, such provisions would not only render attempts to restrict the diffusion of terminator technologies liable to punitive trade sanctions; they would effectively silence public debate on the impact of corporate gene manipulation on farmers, workers, consumers, and the environment.

It is now an urgent imperative to combat, as a matter of social and biological self-defense, the growing corporate enclosure of both the

gene pool which is our common heritage and the ability of governments to defend food safety and security.

In the short run, unions nationally and internationally should give full support to the campaigns to ban terminator and GURT technologies. Under the "precautionary principle" established in international law, states have the right to take measures to protect their citizens from risks to health, safety and the environment even if the precise extent of the risk cannot be scientifically established. Insufficient use of this principle has been made in the struggle for global food safety. The European Union, for example, in its WTO dispute with the US over hormone-treated beef, has refused to invoke the precautionary principle despite the fact that the growth hormones in question have been banned in the EU. Preemptive surrender has left the EU with no option but to haggle over the amount of the punitive fines it is willing to pay to protect public health.

The Codex Alimentarius Commission, the joint FAO-WHO body which serves as the international standard-setting reference on food safety issues, needs to be rescued from corporate hijacking and returned to its original mandate. Unions should join with consumer and food safety groups in exposing the practices of an international body on which corporate representatives now outnumber governments. We should also campaign to reverse the growing corporate encroachment on the UN Convention on Biological Diversity, whose scientific body SBSTTA recently brandished the threat of trade sanctions should governments act to restrict the sale of terminator seeds or even seek to limit field tests.

In December, the WTO will engage in a mid-term "review" of its Agreement on Agriculture. Unions should seek to bring these proceedings into the light of day and fight for the creation of a "food security box" which would exclude from WTO jurisdiction all issues pertaining to biodiversity and food security.

Attempts to resuscitate the failed MAI through the WTO must be resisted at all costs, for no conceivable "social clause" in world trade agreements could cushion the impact of such a charter of corporate immunity. The issue is not whether restrictions on terminator seeds constitute a "technical barrier to trade". It is how best to ensure for ourselves and our children a future in which seeds do not devour men. ☉