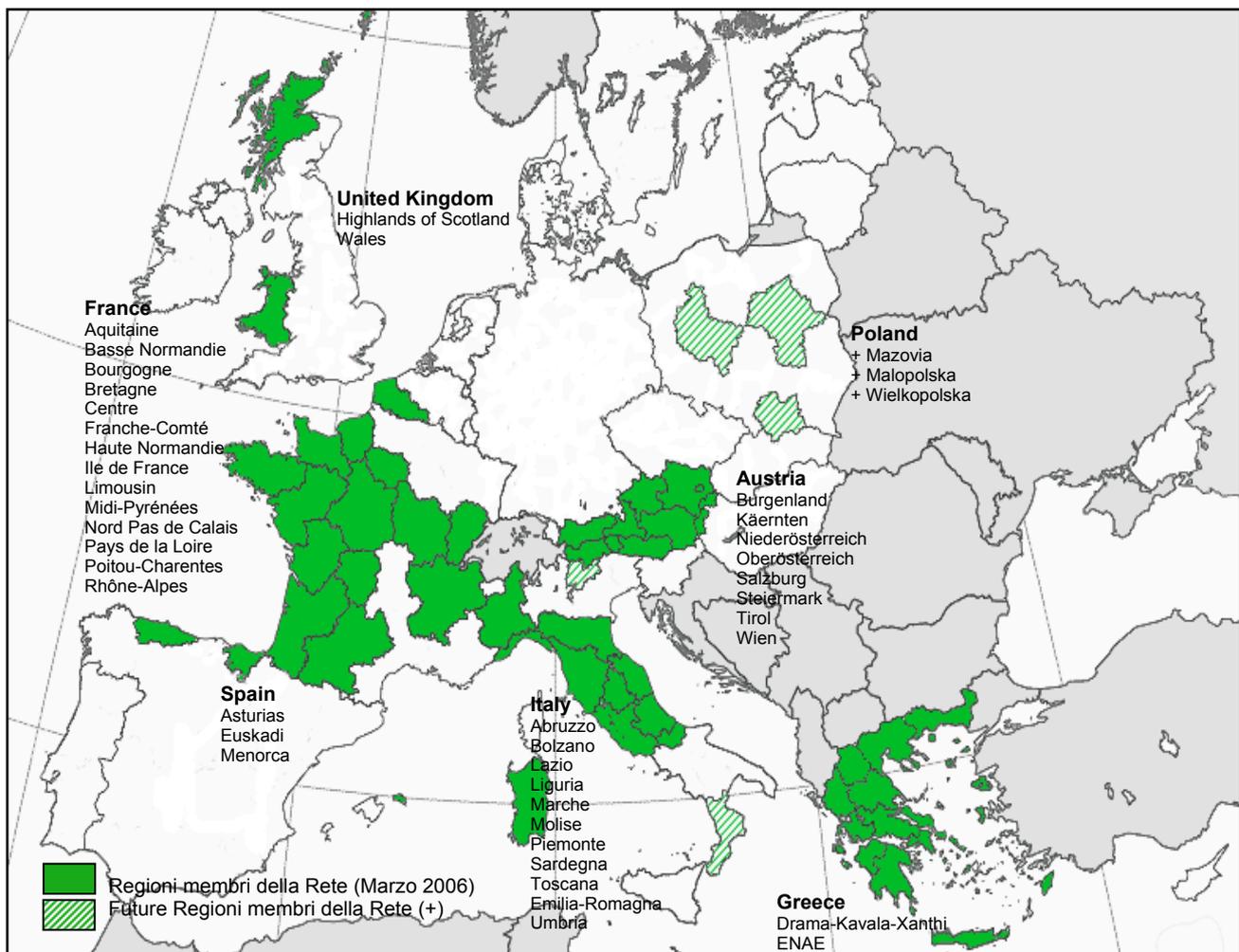


Contribution from  
the Network of “GM-Free” European Regions and Local Authorities  
on the subject  
of co-existence between GMOS and conventional and organic Farming



VIENNA CONFERENCE  
4, 5 AND 6 APRIL 2006

## I - WHO ARE WE ?

### 4 Novembre 2003

**1<sup>st</sup> Conference of the Network of « GMO-Free » European Regions and Local Authorities held in Brussels** at the initiative of Tuscany and Upper Austria. The 10 regions comprising the network are : Aquitaine (F), Basque Country (Euskadi) (SP), Thrace-Rodopi (Drama-Kavala-Xanthi) (GR), Limousin (F), Marche (I), Upper Austria (A), Salzburg (A), Schleswig-Holstein (G), Tuscany (I) and Wales (UK).

### 28 Avril 2004

**2<sup>nd</sup> Conference of the Network of « GMO-Free » European Regions and Local Authorities held in Linz** at the initiative of Upper Austria. The 10 participating regions are joined by Burgenland (A) and the Highlands and Islands (UK), taking the total number of Member Regions to **12**.

### 4 Février 2005

**3<sup>rd</sup> Conference of the Network of « GMO-Free » European Regions and Local Authorities held in Florence at the initiative of Tuscany**, and the signing of the « Florence Charter » which defines the objectives of the Network of “GMO-Free” European Regions and Local Authorities.

The 12 Network regions are joined by Brittany (F), Steiermark (A), Emilia-romagna (I), Ile-de-France (F), Lazio (I), Poitou-Charentes (F), Bolzano (I) and Sardinia (I), taking the total number of Member Regions to **20**.

### 7 Avril 2005

**First meeting with Mariann Fischer-Boel, European Commissioner with responsibility for Agriculture.**

The 20 regions are joined by Liguria (I), ENAE – Union of Local Prefectures in Greece (GR), Kärnten (A), Midi-Pyrénées (F), Umbria (I), Principality of Asturias (SP), Centre (F) and Burgundy (F), taking the total number of Member regions to **28**.

### 17 Mai 2005

**Conference of the Association of European Regions (ARE) and Friends of the Earth**, in which the Network of « GM-Free » European Regions and Local Authorities also participated.

The 28 regions are joined by : Vienna (A), Upper Normandy (F) and Molise (I), but Schleswig-Holstein (D) leaves the Network, taking the total number of Member States to **30**.

### 28 Septembre 2005

Exchange of views with the Directorate-General for Agriculture at the European Commission on the question of co-existence between GMOs and conventional and organic farming.

### 30 Novembre 2005

**4<sup>th</sup> Conference Network of « GMO-Free » European Regions and Local Authorities held in Rennes** at the initiative of the Brittany Region, during which the Network’s short and medium-term objectives were established.

The 30 regions are joined by Tyrol (A), Abruzzo (I), Lower Normandy (F), Pays-de-la-Loire (F), Nord-Pas-de-Calais (F), Franche-Comté (F), Piedmont (I), Lower Austria (A), Rhône-Alpes (F) and Minorca (SP), taking the total number of Network Members to **40**.

## II - WHAT DO WE WANT ?

The federation of European Regions and Local Authorities that make up the Network of 'GMO-Free' European Regions and Local Authorities, mindful of the economic, social and environmental questions raised by the appearance of technology capable of modifying the genome of living organisms, and in particular plants that have agricultural uses, wishes to draw the attention of the European Commission, of Member States and of public opinion to the rationale for their action, which falls into four parts:



Meeting with Mariann Fischer-Boel

- a) They believe it is imperative to sustainably preserve farming that results in quality produce that at no time resorts to the use of GMOs. Recognising the cultural richness and diversity of Europe, and also as a pledge that socio-economic networking and landscapes will continue to be supported in the countryside, the European Regions and Local Authorities that make up the Network believe it is their duty to ensure consumers will have access to identity-preserved and healthy produce grown using GMO free farming methods.
- b) Given that biodiversity is under threat across the globe, they believe it is essential to avoid the irreversible phenomena that could result from the hasty and unconsidered release of living GMOs that could change the fauna and flora and the life cycle for future generations.
- c) The European Regions and Local Authorities in the Network fervently hope that the principle of precaution will actually be applied, together with independent monitoring paid for by those who use and advocate the use of GMOs. They further believe such users should be made accountable for their decision to use genetic engineering technology.
- d) In order that consumers are able to have a real choice, they are demanding that the 'polluter pays' principle should be rigorously applied in its entirety, both in cases involving the deliberate or accidental release of GMOs, and also so as to ensure the strict containment of 'GM' production systems. The application of this principle means that there must be transparency in the way that GMOs are utilised and in their benefits to the consumer. The Network also favours the introduction of a mechanism whereby the farmer would be compensated in the event of deliberate or accidental pollution.

Encouraged by the growing support for the action they have taken with public authorities and the feedback they have received through reported public opinion in the various Member States, the European Regions and Local Authorities that make up the Network are planning to formally shape their efforts into a set of dynamic proposals and to organise exchanges with a wide range of partners, thus bringing together European Institutions, Member States and European citizens through their various non-governmental organisations (NGOs).

### III - WHAT ARE OUR OBJECTIVES ?

Further to the Florence Charter, signed in February 2005, which sets down the main principles of the Network of 'GMO-Free' European Regions and Local Authorities, and to the Rennes Declaration, approved in November 2005 which assigns responsibility to the various members for achieving its objectives, the European Regions and Local Authorities that make up the Network have agreed the application of 4 guiding principles:



Signing of the “Florence Charter”

#### 1. Application of the principle of co-existence at a regional and/or local level

The European Regions and Local Authorities in the Network believe that it is impossible to lay down rules for co-existence at a farm level only, and that the European Regions and/or Local Authorities must instead define an '*appropriate scale*' at which to introduce co-existence between GMOs and conventional and organic farming systems.

So as to ensure a fully-contained separation barrier, the technical recommendations must guarantee there is absolutely no porosity between 'GMO' and 'non-GMO' types of production.

Lastly, in order to continue to uphold the promise of identity preserved and healthy products, the Network of 'GMO Free' European Regions and Local Authorities believes that the specifications for certified types of production (AOC, PGI, TSG, etc)<sup>1</sup> should ban the use of Genetically Modified (GM) crops and animals.

#### 2. Application of the principle of precaution when using GMOs

The principle of precaution must take precedence and the Network is of the opinion that Directive 2001/18<sup>2</sup> needs to be revised.

The provisions should be based on a *principle of preventive action* and take account of the risks to biodiversity, to conventional and organic farming methods and to consumer health from the release of genetic material.

Also, and so as to ensure total safety in the use of GMOs, it believes that independent research programmes need to be undertaken with the aim of achieving full mastery of the potential impact of GMOs, be it environmental, economic or social.

<sup>1</sup> (EEC) Regulation number 2081/92 of 14 July 1992 relating to the protection of geographical indications and *appellations d'origine contrôlée* for agricultural crops and foods and (EEC) Regulation number 2082/92 of 14 July 1992 relating to Traditional Speciality Guaranteed status for agricultural crops and foods

<sup>2</sup> (EC) Directive No. 18/01 of 12 March 2001 relating to the deliberate release of genetically modified organisms into the environment.

### **3. Application of the principle of operators' legal and penal responsibilities**

The European Regions and Local Authorities that make up the Network stress that whilst those operators that use GMOs have certain rights, they also have certain duties relating to the consequences of releasing GM material into the natural environment or into 'non GM' types of production in which their use is prohibited.

From this perspective, and so as to pre-empt this type of risk, the European Regions and Local Authorities that make up the Network are demanding that any release of GMOs into a 'non-GMO' type of production system or into an area be regulated by the 'polluter pays' principle.

It is further demanding that a fund be set up, paid for by 'GMO' farming operations, that will pay compensation for direct and indirect losses so that 'GMO' farming operators are able to fulfil their legal and penal obligations in the event of contamination.

### **4. Application of the principle of co-development with farmers**

The Network of European Regions and Local Authorities fully recognises that for their production needs, European farmers might resort to animal feeds, notably in the form of protein-rich matter, originating from other geographical areas.

While working to reduce such dependence, the European Regions and Local Authorities in the Network are seeking solutions so that a co-development dynamic can be implemented between production belts and other areas in which conventional protein-rich matter is consumed, in the desire that the farmer should receive fair remuneration.

***The application of these 4 principles is based on analyses carried out by the different Working Groups with the support of the Regions and Local Authorities that make up the Network.***

*Within the framework of the Vienna Conference to be held on the 4th, 5th and 6th of April 2006, the Network of European Regions and Local Authorities has compiled detailed recommendations regarding co-existence. It will also, albeit more briefly, draw the participants' attention to their recommendations regarding seeds, research and external co-operation.*

*These conclusions bring together the range of views held by Member Regions of the Network, acting within their respective competencies, in accordance with their legal obligations and in the light of their own particular policy considerations. The diversity of the Member Regions means that the statements expressed in publications are not necessarily wholly appropriate for each Member Region*

## IV - THE NETWORK'S RECOMMENDATIONS ON CO-EXISTENCE

In order to ensure co-existence between GMOs and conventional and organic farming, both at the Local and/or Regional Level and at a National, European and International level, the Network of European Regions and Local Authorities that have signed the Florence Charter<sup>3</sup> :

### *Believes that:*

1. Conventional and organic farming, including certified production systems (*appellation d'origine contrôlée*, Protected Geographical Indication, Traditional Speciality Guaranteed, etc.) requires a guarantee at Local and/or Regional level that it is free from contamination with GMOs;
2. By virtue of the principles confirmed in the Convention on Biological Diversity (CDB) adopted in Rio de Janeiro in June 1992 and confirmed by the Cartagena Protocol on the Prevention of Biotechnological Risks (PBR) adopted in Montreal in January 2000, the sustainable development of farming requires that natural and farming biodiversity be preserved at a Local and/or Regional level;
3. Co-existence between GMOs and conventional and organic farming methods, which is only practicable at a Local and/or Regional level, requires the introduction of rules that, in the event of accidental or technically unavoidable contamination, impose a threshold tolerance equivalent to 'technical zero'.

### *It claims the right to:*

1. Define zones in which the cultivation of Genetically Modified (GM) crops and the raising of GM animals will be prohibited;
2. Amend, in accordance with the European Commission and in collaboration with the Member States, the technical specifications of any agro-alimentary product that is protected and given added value by a quality symbol (AOC, PGI, TSG, etc.) by excluding GM crops and animals from their processes of production;
3. Institute at a Local and/or Regional level, and with the support of the European Commission, monitoring and inspection systems for GM crops and animals that are based on the technology available (satellite images, forecast software, etc.);
4. Define the preventive measures (isolation strips, safety distances, etc.) needed to prevent conventional and organic farming being contaminated with GMOs;

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<sup>3</sup> Florence Charter on co-existence between OGMs, conventional and biological farming

<sup>4</sup> (EC) Directive no. 18/01 of 12 March 2001 relating to the deliberate release of genetically modified organisms into the environment.

5. Compel farmers who cultivate GM crops or raise GM animals to inform their Local and/or Regional Authorities and their neighbours of this, and to prove they have done so (by whatever means at their disposal);
6. Using specific tools (satellite images, forecast software, etc), determine at a Local and/or Regional level any areas subject to particular and/or exceptional climatic conditions of a cyclical and/or periodic nature, and in any areas so identified implement specific standards to prevent the uncontrolled release of GMOs;
7. In order to protect non-GM areas from contamination, compile a crop-sowing timetable at Local and/or Regional level;
8. In order to protect non-GM areas from contamination, set up specific training programmes for farmers wishing to cultivate GM crops and/or to raise GM animals and for staff involved throughout the whole 'GM' production chain.;
9. Use Local and/or Regional measures to keep the 'GM' production chain completely separate from the 'non-GM' production chain;
10. Compel 'GM' farmers to compile and keep up-to-date registers of their farming operations that can be made available to the competent authorities, together with a list of workers involved in, and an inventory of all machinery and equipment used in, the 'GM' production chain;
11. Working with the European Commission, help implement a traceability mechanism for GM crops and animals to ensure the transparency of 'GM' types of production and thereby protect 'non-GM' types;
12. In the event of non-GM areas and/or crops being contaminated with GMOs, introduce an appropriate system of sanctions and compensation based on the 'polluter pays' principle;
13. Instil in anyone buying a 'GM' farm or part of a farm that they must continue to uphold the same obligations as were incumbent on the vendor;
14. Any direct and indirect costs incurred by the need to ensure co-existence between GM farms and conventional and organic farms will be borne by those structures engaged in GM type production.

***It is demanding from European Institutions that:***

- A. Regions and/or Local Authorities be defined by amending in this respect point 2.1.5. of Recommendation CE 556/2003 as being 'the appropriate level' at which to implement coexistence, bearing in mind that:
  - a) Considering the size of the average European farm, the rules for coexistence cannot be applied at farm level;

- b) Bearing in mind its proximity, the most appropriate level at which to implement coexistence between GM and conventional and organic farming in accordance with point 2.1.1. of EC Recommendation CE 556/2003 is at the Local and/or Regional level. Implementation must be fully transparent and be carried out in agreement with all the parties involved throughout the region.
- B. Guidelines be prepared at a European level defining the introduction of 'sustainable coexistence' at a Local and/or Regional level, which will also take account of the following:
1. Technical parameters vital for the preservation of biodiversity;
  2. The tolerance threshold in the event of non-GM farming (seeds, etc) being contaminated with GMOs is equivalent to '*technical zero*';
  3. Transparency and traceability in the production chain and in 'GM' types of production;
  4. Liabilities, sanctions and compensation based on the '*polluter pays principle*' if non-GM zones are contaminated by GMOs;
  5. Appropriate scheme of sanctions if contamination occurs;
  6. Need to support studies into the impact of coexistence between GM farms and conventional and organic farms and the financial, technical and/or scientific monitoring of such coexistence;

## V - THE NETWORK'S RECOMMENDATIONS REGARDING RESEARCH

Thanks to its broad diversity, the Network of 'GMO Free' European Regions and Local Authorities is able to take advantage of the operational knowledge that has been gained from research into GMOs. For the European Regions and Local Authorities that make up the Network, two scenarios can be considered, depending on whether the experiments are conducted in a closed setting (green houses, laboratories, etc) or in an open setting (fields, etc).

The Network firstly deplores the fact that experiments conducted in a closed setting are only partially subject to regulation, thus leaving it solely to researchers to determine how to manage the risk of material used in gene technology leaking out or escaping. Further, with regards experiments conducted in an open setting, it also deplores the fact that the European Regions and Local Authorities should be excluded from the flow of information and more often than not are presented with a *fait accompli*.

### 1. Recommendations regarding research in a closed setting

Within the framework of Directive 2001/18/EC<sup>4</sup>, the European Regions and Local Authorities believe that GMOs should only be released into the environment providing that the principle of precaution is respected, that it is done on a step by step basis and that containment measures are only gradually relaxed in those circumstances or in the light of those assessments that indicate that it is totally safe to move on to the next step.

European Community legislation should demand transparency as to whether GMOs have been cultivated in a laboratory or in a greenhouse. The European Regions and Local Authorities must be advised and, if GMOs are being cultured in a laboratory or a greenhouse, notification must be made mandatory. They must verify the containment conditions and be able to request an assessment of the risks linked to the gradual release of GMOs into the environment.



### 2. Recommendations regarding research in an open setting

The Network's recommendations seek to ensure maximum safety during experiments. Isolation must be total and only experimental crops grown in contained areas must be allowed. The Network must encourage the drawing up of standard security protocols by independent experts.

Also, and so as to prevent risks being taken in connection with GMOs being commercialised too soon by private operators, experiments must be carried out in confined settings and only then, following agreement with the European Regions and Local Authorities in question, in an open setting on land belonging to international, European, national, regional and/or local public research institutes.

Mandatory instructions given by European Regions and Local Authorities concerned with GMO experiments must include an evaluation of the risks posed to regional and/or local farming on the basis of shared principles of evaluation. European legislation must guarantee that research into and the monitoring of GMOs released during experiments on GMOs by public research institutes will be made compulsory.

## VI - THE NETWORK'S RECOMMENDATIONS ON SEEDS

The Network of 'GM-Free' European Regions and Local Authorities attaches particular importance to seed protection since these are liable to contaminate in an irreversible way not only conventional and organic crops, but also wild plants.

Risk management requires maximum vigilance so far as seeds are concerned, because if accidental contamination is repeated, and if there is a cumulative effect, the end result could be a level of contamination that is unacceptable for conventional and organic crops.

The Network therefore believes that seed protection represents a strategic goal of primary importance. It estimates that rigorous measures should be promoted to ensure sustainable coexistence guaranteeing that GM farming methods and non-GM farming methods are kept strictly separate.



**To this end, it is demanding that seed protection be guaranteed by five measures:**

1. Using a sustainable method, make GMO-free seeds available that have a detection threshold corresponding to 'technical zero' and, taking that threshold as the basis, define technically unavoidable contamination levels.
2. Establish that the cost of inspecting and certifying non-GM seeds be shouldered by producers engaged in 'GMO' type production.
3. Define those critical points in the 'GMO' and 'non GMO' production chains at which accidental or technically unavoidable contamination are liable to occur.
4. Establish 'GMO free zones' protected by 'buffer zones' that exclude any co-existence between GMOs and conventional and organic farming so as to eliminate any risk of contamination in the non-GM seed manufacturing process.
5. Prohibit coexistence between GMOs and wild plants of the same species.

## VII - THE NETWORK'S RECOMMENDATIONS ON EXTERNAL CO-OPERATION

Lastly, the Network of 'GMO-Free' European Regions and Local Authorities is fully aware that the topic of GMOs is not limited to a strictly European dimension.

Over the past 40 years, European farming has been gradually integrated into an ever-increasingly complex world trading network. Most of the potential production of beef, pork, lamb, goat meat or poultry, as well as the major part of milk production, whether or not it is designed to be processed, form part of the flow of imports of animal feed, particularly soya beans, from countries outside the EU.

The new Common Agricultural Policy (CAP) is leading more Member States to concentrate on the European market and to turn towards producing goods that are identified by quality symbols, whether these indicate a particular method of production, a place of origin or a provenance, or even a respect for traditional know-how. These crops and products cannot be disassociated from the place in which they are produced and offer the consumer an undoubted advantage compared with crops or produce that have an uncertain origin.

The credibility of these quality symbols, their capacity to appeal to the loyalty of buyers, as well as their capacity to lend an added value that upholds farming that provides employment in rural areas in a balanced way, all depend on the capacity of the type of production in question to offer identity-preserved, healthy products.



Thus the Network of 'GMO-Free European Regions and Local Authorities that visited Brazil to see for themselves the economic, social and environmental conditions for the perpetuation of a farming system for growing 'non-GM' soya beans, believes that it is essential to address the question of types of animal feed.

### To this end, it is demanding that European institutions:

1. Promote transparency by advising the consumer of the type of animal feed used in the process of producing the meat or dairy produce they are purchasing.
2. Launch a policy of collaboration, under the auspices of the development aid programme or as part of the policy on economic, technical or scientific exchanges between Europe and countries outside the EU, with a view to securing a long term supply of non-GM animal feed.
3. Give growers the opportunity of introducing eco-labels on animal feed showing that the means of production have complied with environmental, social and economic provisions that guarantee that the social balance in rural areas is being sustainably upheld in countries outside the EU.

## VIII - HOW TO JOIN US

The Network of 'GM Free' European Regions and Local Authorities currently covers six countries: Austria, Spain, France, Greece, Italy and the United Kingdom.

The Secretariat is run by the Presidency and the Vice-Presidency of the Network, which also has responsibility for ensuring that its various tasks are co-ordinated.

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