



Brussels, 9th June 2022

Open letter: ECVC refuses to respond to the European Commission's biased consultation on new genomic techniques

Mr Frans Timmermans, Executive Vice-President of the European Commission,
Ms Stella Kyriakides, European Commissioner for Health and Food Safety,
Mr Virginijus Sinkevičius, European Commissioner for the Environment,
Mr Janusz Wojciechowski, European Commissioner for Agriculture,
Mr Thierry Breton, European Commissioner for Internal Market,

The European Coordination Via Campesina (ECVC), which represents small and medium farmers from more than 31 European organisations, hereby wishes to draw your attention to **the decision of our organisation not to take part in the public consultation on plants produced by certain new genomic techniques¹** which is currently being carried out by the Directorate General Health and Food Safety (DG SANTE). This decision is motivated by both the form and the substance of the questionnaire that has been proposed to stakeholders in the framework of this public consultation concerning the status of *new genomic techniques*, i.e. new techniques of genetic modification, if we refer to the legal terms used in the current regulation on genetically modified organisms² (GMOs).

Firstly, ECVC denounces the fact that the wording of the vast majority of the questions and answers proposed in **this consultation does not allow to refuse the possibility of abandoning the current GMO regulation**. However, in the previous impact assessment consultation on the same subject, published on 24th September 2021, we categorically rejected any abandonment of this regulation, along with a majority of other stakeholders and more than 60,000 citizens. It appears that the European Commission has not taken into account this diversity of opinions, since in this new consultation, it is clearly stated that a modification of this regulation is planned. This raises concerns about the usefulness of this type of consultation, if opinions expressing an opposition are systematically ignored.

Secondly, only the first two questions of the questionnaire allow us to express our refusal to change the current GMO legislation. In all the other questions, the only options are to indicate the best way to weaken or abolish the current legislation, or to declare having no opinion. ECVC and the small and medium farmers it represents have an opinion: **any weakening of the rules on risk assessment, traceability and labelling of GMOs derived from these new techniques is a direct threat to peasants' rights and small-scale agriculture, which represents the majority of the agricultural sector in Europe**. It is also a threat to food security and sovereignty, to the rights to produce and consume with or without GMOs, and to the GMO-free agricultural economies that are guaranteed in many Member States. In consequence, this is simply unacceptable.

We therefore refuse to suggest that we could agree to such a weakening by taking part in this biased consultation process, where the expression of divergent views is made impossible. In this regard, we would like to remind you that this is the second consultation of the European Commission

1 https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13119-Legislation-for-plants-produced-by-certain-new-genomic-techniques/F_en

2 Directive 2001/18/EC as amended by 2018/350.

to which ECVC has decided not to respond this year, considering the fallacious nature of the proposed questionnaire³. More broadly, ECVC thus denounces the lack of genuine inclusive and democratic processes in this type of consultation.

Thirdly, ECVC would like to denounce the presence in this consultation of a lot of inaccurate, biased information or unfounded allegations, which we detail in the document available in the annex⁴, but which we would like to briefly expose in this letter:

- The introduction to the consultation includes incorrect or inaccurate information and definitions relating to the current legal context and the findings of the Court of Justice of the European Union (CJEU) in its 2018 judgment (Case C-528/16);
- Claims are made about the potential of these new genomic techniques to contribute to sustainable food systems, without any factual data to support these claims;
- The issue of intellectual property rights (patents) is mentioned as not being part of the scope of investigation of the impacts of this initiative: yet, for the agricultural sector and particularly for small and medium-sized farmers, this issue is central and constitutes our primary concern about the consequences of a potential deregulation of GMOs derived from these techniques. It is unacceptable that the impact of intellectual property rights associated with these GMOs, especially the impact on farmers' rights and income, and on the economic concentration of the agricultural sector, is excluded from of the considerations of this consultation, without any justification from DG SANTE.

These elements clearly point out **an attempt to manipulate the opinion of the participants in this consultation, forcing them to validate a deregulation of GMOs. Considering that this consultation does not allow for a substantive debate on the relevance of this political initiative, ECVC has no choice but to refuse to take part in this consultation.** ECVC denounces a process influenced from the start by the interests of the seed and biotech industries, leaving no possibility to express a real opposition to this initiative, and deliberately refusing to evaluate the socio-economic impacts of deregulation on the agricultural sector, especially the impact of intellectual property rights on this sector, which is so crucial in these times of food insecurity.

Alessandra Turco,

Member of the ECVC Coordination Committee

³ See ECVC's open letter (May 2022) denouncing a misleading and biased consultation on 'Certification of carbon removals' : <https://www.eurovia.org/open-letter-the-consultation-on-certification-of-carbon-removals-is-disingenuous/>

⁴ <https://www.eurovia.org/wp-content/uploads/2022/06/Additional-document-Consultation-NGT-EN.pdf>