

Calcutta Notebook

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VOLUNTARY ORGANISATIONS, farmers' groups and legal experts have launched a campaign against the Biotechnology Regulatory Authority of India (BRAI) Bill 2011. They say that by centralising decision making and making it less transparent and participative, the chances for introduction of GM crops have been increased.

Ever since the Environment Minister placed a moratorium on Bt brinjal last year, several efforts have been made to take away decision making on GM crops from the Environment Ministry and concentrate it at places where the GM lobby has a stronger reach. Efforts were also made to bring in draconian legal provisions to threaten those who are opposed to GM crops from voicing their dissent. Very well-thought plans were made to penetrate some state governments, departments, agricultural universities and other critical official and semi-official places in such a way that it is possible to spread GM crops rapidly once sanction has been obtained. More and more research projects and field trials on GM crops were introduced often in gross violation of rules and norms. At last count, field trials are being held on about 14 crops, while other pre field-trial research is being conducted on as many as 74 crops, making India perhaps the biggest open laboratory for the potentially the most dangerous experimentation on crops of critical importance, and that too in glaring violation of rules and norms.

In the context of this background the BRAI bill is being seen as the latest effort of the GM crops Lobby to bulldoze the many-sided opposition to the introduction of GM Crops in India. The various activists and farmer groups organised under the 'Coalition for a GM-Free - India' have alleged that this bill is an egregious piece of legislation, that has scant regard for the norms of democracy - transparency, need for public consultation, recognition of the constitutional authority of the states over matters of health and agriculture - and the total absence of any substantial measures within the bill to address any related aspects.

These groups say that the housing of the Regulation Authority in the Ministry of Science & Technology, whose mandate is to promote the development of GM crops, reeks of conflict of interest and is a sure recipe for an inherent bias in decision-making.

Keeping in view the widespread public concerns over the health hazards and serious environmental risk associated with GM crops, any such Authority should have been based in either the Environment Ministry or the Health Ministry.

R Sridhar, convenor of coalition for a GM Free India has said, "In the last two years, since the opening up of the public debate on GM crops in India, and the independent scientific scrutiny of data and studies related to Bt brinjal, it has been revealed many times over that GM crops could expose public health and environment to nitherto unknown dangers. Findings from

recent studies, like the one from Canada that has found Bt toxins in the placenta of women and in the blood should ring alarm bells about this technology. Yet the Ministry of Science and Technology, instead of calling for a moratorium on this technology till its safety is fully established, is going ahead and opening up the doors to speed up the spread of this technology in the country with this proposed unconstitutional, draconian bill that will establish a single window clearance mechanism for GM crops”.

Colin Gonsalves, senior advocate at Supreme Court of India has stated, “The Biosafety protection regime in the country should naturally follow the Cartagena Protocol under the Convention on Biological Diversity, which lays down progressive principles like precautionary approach, democratic decision-making with public consultations etc. Till date the Environmental Protection Act (EPA1986, Rules 1989) was the legal framework and the Genetic Engineering Appraisal Committee (GEAC), the apex regulatory body under the Ministry of Environment and Forests (MOEF). Now the proposed BRAI Bill is an unconstitutional attempt by the government to take this away from the MOEF with the primary mandate of environment protection and vest it into the Science and Technology Ministry whose focus is promotion of biotechnology. This is not just an issue of conflict of interest but a denial of the correct mandate for a regulator—namely biosafety, public health and environmental protection.”

This bill has drastically reduced the control of state governments to keep their states free from GM crops. It just envisages only an advisory role for the state governments in the form of ‘State Biotechnology Regulatory Advisory Committees’

Clearly the threats to Indian agriculture from the spread of GM crops and their field trials can increase drastically if this bill in its present form is passed and therefore should be opposed as strongly as possible. □□