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EUROPE

## GM Debate Gets a Polish Twist

By Robert Stefanicki



**WARSAW, Dec 20, 2010 (IPS) - In the summer presidential campaign, fake posters of two leading candidates showed up on the streets of Polish cities. "United we stand, divided we fall", the slogan of now president Bronislaw Komorowski, became "United we stand, modified we fall". Equally bombastic "Poland is most important" by opposition leader Jaroslaw Kaczynski turned into "Poland without GMO is most important".**

Greenpeace was trying to turn the attention of both politicians and their electorates to the danger of genetically modified organisms (GMOs).

Most political actors in Poland declare their opposition to GMO crops. The question is how an EU member can stand up to the more liberal position of Brussels, without breaking the law.

First, by September 2005, the campaign by the International Coalition to Protect the Polish Countryside managed to galvanize the boards of all 16 provinces in Poland to declare themselves a "GMO Free Zone". The Assembly of Marshals of the Polish Provinces said in a statement that "approval for cultivation of GMOs can damage the public image of the Polish countryside, which nowadays is considered as the source of healthy, ecological and high quality food."

There was one problem: the declaration lacked any legal base. The European Commission's (EC) position was clear: no local authorities could ban GMOs.

Then, in April 2007, came a more serious challenge: the Polish government notified the EC of its plan to prohibit the planting of genetically modified plants by law. Any cultivation would be obliged to take place within designated zones, with heavy restrictions.

As expected, the EC ruled that the Polish government would not be allowed to do this because "Poland did not present any new scientific evidence that would justify such a ban."

Unfortunately for the Commission, it notified Warsaw two months after the deadline. This mistake allowed Poland to take the EC decision to the European Union Court of Justice in Luxembourg. On Dec. 9 the Court ruled in favour of Poland: the silence of the EC meant consent to the ban. The case may now go to the tribunal of appeal.

The importance of the verdict is disputable. "Poland is a GMO free country now," Maciej Szpunar, Foreign Ministry undersecretary of state, who represented Poland in the EU Court of Justice, told IPS. "This is a big precedence."

But anti-GMO groups claim this optimism is misleading. According to Roman Sniady of GMO Free Poland, the verdict refers to an old draft bill "that has nothing to do with the present situation in Poland."

Joanna Mis, coordinator of the Polish Greenpeace anti-GMO campaign, agrees that the verdict "once introduced into the law, opens the way to GMO ban." However, "even without this verdict the government could have implemented the ban of the two GM varieties authorized in Europe: MON810 corn and Amflora potato," Mis told IPS.

That is what six governments - France, Austria, Greece, Germany, Hungary and Luxembourg - have already done. The EC failed in attempts to block their decisions.

Meanwhile, Greenpeace warns that GMOs could encroach into Poland through the back door. The current law forbids trade with modified seeds, but farmers are allowed to sow grain for their (supposedly) own needs. Because of this regulatory gap nobody knows the acreage of GMO crops: some estimates put it at 3,000 hectares, others say it is double this.

Anti-GMO sentiment is gaining ground not only in Poland, but across most of Europe, at least since the mid-1990s. The Euro-barometer opinion pool, carried out across Europe this year, found 61 percent of respondents believing the development of GM food should not be encouraged, with 23 percent in favour.

That only two GM crops had been authorized for commercial cultivation in EU in the last ten years (with 15 more awaiting approval) shows the level of resistance.

But it is not even. The Euro-barometer research showed significant variation between member states, with the UK, Ireland, Spain and Portugal being the biggest supporters of GM food. On the opposite pole are Greece, Cyprus, Lithuania and France.

## IPS at Rio+20

[More info](#) In the two decades since the first Earth Summit in Rio de Janeiro in 1992, the world has undergone momentous change, and the international community now faces a range of critical problems. Since 2007, there has been a global food crisis, a growing global housing crisis, serious shocks and instability in oil prices, increasing climate variability and the worst global financial crisis since the 1930s. The failure to secure an agreement on climate change at the Copenhagen COP15, Cancun COP16 and Durban COP17 meetings has added to the pressure on vulnerable ecosystems, while growing world population numbers exacerbate unsustainable economic growth and consumption patterns. This is the backdrop to the Rio+20 meeting that will take place in June 2012 in Rio de Janeiro, where global leaders will meet to thrash out new agreements on sustainable pathways to secure a sustainable standard of

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Trying to exploit the divisions and to overcome the stalemate, the Commission recently proposed giving member states the ability to restrict or prohibit cultivation of GM crops on their territory on grounds other than those covered by EU health and environmental risk assessments. If implemented, this project, while authorizing GMO-free zones, would give a green light to modified crops in some other parts of Europe.

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This, however, looks unlikely, since the proposal met with increased opposition by EU members, including Poland, and faces accusations over its legality.

The tug-of-war goes on. In November the restrictive provisions for the cultivation of GM crops in Germany have been upheld by the country's Federal Constitutional Court. The court has also ruled that a farmer who grows GM plants will continue to be liable for any economic loss caused by contamination of conventional crops.

Earlier this month, Greenpeace and the environment group Avaaz handed the EU executives more than a million signatures on a petition calling to ban GM crops until a new independent, ethical, scientific body is set up to assess their impact. This is seen as a test case of the new "European citizen's initiative", which enables one million Europeans jointly to ask the EC to change legislation.

Not so fast. The Commission has said the petition could not officially be regarded as a European citizen's initiative until the detailed rules for how this new mechanism would work were finalized by governments and lawmakers.

The petition may be a false start, but the contest over one of the most controversial pieces of EU policy is far from over. (END)



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