

South Indian Coordination Committee of Farmers Movements

636, Ideal Homes Township, Raja Rajeswari Nagar, Bangalore -5600098. Karnataka.
Telephone +91 94444089543 Email: siccfm@gmail.com

Nov 4, 2012

To:

To Whom It May Concern:

Supreme Court of India

In the case of Aruna Rodrigues Vs. Union of India

(Writ Petition (Civil) No. 260 of 2005)

Sub: Requesting the Hon'ble Supreme Court to accept the court-appointed TEC's interim report recommendations and order for stopping of all field trials until conditions met

The South Indian Coordination Committee of Farmers' Movements is an alliance of various farmers movements from the states of Tamil Nadu, Kerala and Karnataka. The members are Karnataka Rajya Raitha Sangha, Tamila Vivasaijal Sangham, Adivai Gothra Mahasabha Kerela, Kerela Coconut Farmers Association and many others representing thousands of members.

Two recent reports – one, of the Technical Expert Committee set up by this Hon'ble Court with five experts from both the petitioners' and respondents' side unanimously signing off on an interim report for the court, and another, of the Parliamentary Standing Committee on Agriculture which had parliamentarians cutting across all parties unanimously putting out their report - have reiterated some main points asking for need assessment and assessment of alternatives before proceeding with open air trials as laid down also by the Task Force on Agricultural Biotechnology headed by Dr M S Swaminathan in 2004.

The state of the regulatory regime – its design as well as its functioning – have come under severe criticism again and again in various inquiries including the public debate around Bt brinjal on which the Government of India announced a moratorium in February 2010. We would like to point out that what these various reports and inquiries are pointing out is nothing new, and improvements are also not being witnessed in the state of affairs.

The learned Bench looking into this matter might be aware that there have been several instances when field trials took place in violation of the existing statutory Rules and of laid down biosafety norms. The regulators have been approving open air trials without any capabilities for monitoring. Lack of monitoring is apparent with Bt cotton after its release too.

It is apparent from various civil society investigations, from the very way in which Bt cotton spread in India illegally and from contamination incidents elsewhere that field trials which are deliberate releases of untested and new organisms, pose a grave threat. One such incident came to light in a Monsanto GM maize trial plot in Karnataka and the regulators undertook an investigation a full year later, showing the lack of acting even on complaints! Further,

there is no liability regime in place to take care of things when they go wrong during such field trials. It is also well known, and being pointed out by many farmers' rights advocates that no contamination testing has ever taken place in our country after field trials. Going by contamination incidents elsewhere, even small contamination incidents threaten trade security for our farmers. There has been a recent EU alert on basmati rice consignments' contamination, as the learned Bench would be aware.

The petitioners of this PIL were therefore absolutely correct in asking for a moratorium on all open air releases of GMOs. We write to you to kindly accept *in toto* the recommendations of the Committee that this Hon'ble Court itself had set up and ensure that unneeded GM crops like Bt crops are not allowed into the country including for field trials and that we do not willfully jeopardize our valuable diversity in germplasm of several crops for which we are the Center of Origin and/or Diversity by allowing transgenic versions of those crops. WE should bear in mind that China had prudently not opted for GM soybean, given that soy diversity is the wealth of that country.

During the Bt brinjal public debate in the country, it became apparent that our biosafety assessment is faulty. When international scientists started analyzing the biosafety dossiers presented to the regulators by the company involved, that too after this Hon'ble Court ordered for such biosafety data be put out for public scientific scrutiny, it became apparent that our testing regime is inadequate and lacks independent testing in addition to long term testing. Further, safety interpretation was being wrongly made from data that was obviously pointing to health and other problems. All of this was publicly acknowledged when the moratorium was announced by the government. Nothing has changed subsequently in terms of improvements being brought about. The TEC is absolutely correct in asking for a re-examination of all biosafety data for approved as well as in-the-pipeline crops.

We believe that transgenics will affect our diversity and that this is an unneeded, hazardous technology. We welcome the interim report of the TEC of the Supreme Court. We believe that given that the Government of India also got to nominate its experts into the TEC, they should abide by the TEC's recommendations. We urge the Hon'ble Court to immediately pass all appropriate orders based on the recommendations of the TEC.

Sincerely,



Chukki Nanjundaswamy
Working President, Karnataka Rajya Raitha Sangha, Karnataka
Convener, South Indian Coordination Committee of Farmers' Movements