

# KAPERBRIEF

## Zeitung gegen Biopiraterie



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## Conservation as a disguise

Environmental destruction, biopiracy and a lot of hot air

„One Nature! One World! Our Future!“ that are the slogans presented by the BMU (Federal Ministry for the Environment Nature Conservation and Nuclear Safety). From 19 to 30 May the German government is hosting a conference which they call the „UN Conference on Nature Protection“. We are talking about the 9th Conference of Parties (COP 9)

on the Convention on Biological Diversity (CBD) passed during the „Earth Summit“ at Rio de Janeiro in 1992.

The participants of the COP 9 will negotiate questions of the access to and the use of biodiversity and genetic resources. They will discuss topics concerning agricultural and ma-

rine biodiversity, agrofuels, protected areas, forests and - last but not least - the rights of indigenous peoples and communities.

Conflicts are predetermined: The OECD member states will try to secure the best possible economic conditions for „their“ pharmaceutical, seed and life science corporations. The mega-diverse countries on the other hand hope for new sources of income generated by the biodiversity use of their territories because the CBD declared sovereignty over the biodiversity of their countries. Often however, the active ingredients of plants and other biological entities were originally discovered, used and developed by indigenous communities of the various continents. But it is them who still have to struggle to become seriously accepted as stakeholders in these negotiations.

### What will happen in Bonn?

By 2010 it is intended to pass binding rules about the so-called access-and-benefit sharing (ABS), i.e. access to the biological diversity and sharing of benefits resulting from it. This is one of the topics in Bonn. But who will profit from these ABS rules? The Life-Sci-

ence Corporations for whom the bureaucratic effort will increase a little but who further on will look like the good guys, because they are going to share a pittance of their profits? The countries of the south which can claim a fee for giving access to genetic and biological resources of their territory? Indigenous commu-



The Patent-Dragon shows the effects of patent law and EPAs...

nities who will have a share, although small of the benefits at the expense of agreeing to have their resources and knowledge patented? Whatever the rules will be: in case of conflict those who can pay the better lawyers will be in the stronger position.

### Depoliticization instead of effective policies

Another conference goal in Bonn will be an agreement on measures to stop the accelerated „loss“ of biological diversity. A noble idea, one would think. The BMU started various projects under the label of „nature alliance“ giving the impression that a broad involvement of the public should be ensured. „We are part of it“ by the famous Cologne Carnival band „De Höhner“ has become the official conference song with the attempt to promote the picture that „everyone has the best intentions for the world“. At the EU-level a program was started called „Business and Biodiversity“. By these means Companies like BayerCropScience, Shell and Lufthansa are becoming the saviors of biological diversity.

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### Editorial:

## Nature for people – not for business!

The 4th Meeting of Parties to the Cartagena Protocol on Biosafety (MOP 4) and the 9th Conference of the Parties (COP 9) to the Convention on Biological Diversity (CBD) will take place in Bonn from the 12th to 30th May.

Behind the disguise of nature protection, transnational companies use these negotiations to increase their control over natural resources. Many of the solutions they push for to tackle climate change and the loss of biodiversity (agrofuel, GM crops and trees, Terminator, protected areas,...) in fact lead to the privatisation of biodiversity, at the expense of rural and indigenous communities.

A coalition of social movements and activists' networks calls to protests under the motto „Nature for people, not for business!“ We believe that in front of massive environmental destruction resulting from the plundering of resources by corporate interests, the priorities are an immediate end to privatisation and a fair distribution of natural resources in the benefit of local communities.

In this special edition of Kaperbrief, you will find articles analysing what is at stake in this conference of Convention on Biological Diversity, as well as a program of actions and mobilizations.

**Join the mobilisations,  
resistance is fertile!**

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# Agrofuels at COP9: a Brazilian tango with European car industry?

Agrofuels will be on the agenda of COP9, and will give rise to heated debate. Climate change (that agrofuels were supposed to be a solution for) and biodiversity are intimately linked. At the Twelfth Meeting of the so called 'Subsidiary Body on Scientific, Technical and Technological Advice' (SBSTTA-12), held in Paris in July 2007, agrofuels was for the first time on the agenda as a 'new and emerging issue' for biodiversity.

Many countries are making policies to promote the use of agrofuels. Large producer countries of commodities like sugar cane and palm oil are gearing up to meet this rising demand. But agrofuels, clearly, will not help combat climate change, but rather worsen it. Industrial agriculture itself is a major CO<sub>2</sub>-emitter, because of transport, land and forest destruction and the use of chemical inputs. Apart from that, monoculture plantations will displace rural communities, indigenous people, and diverse agricultural systems. Agrofuels will only continue this oil dependency, not make it less.

In Bonn, governments like the Brazilian will make desperate attempts to avoid any interference of the CBD with the global push for agrofuels. In Paris last year, Brazil said that in Brazil, agrofuel production „has not increased deforestation, does not necessarily impact negatively on biodiversity and can help reduce greenhouse gas emissions.“, and said agrofuel production is a means to alleviate poverty. The Netherlands, who like to be seen as green pioneers but are key in the destructive trade in monoculture commodities, in April this year secretly negotiated an agreement with president Lula of Brazil, to increase agrofuel trade between these countries and increase investments.

In the EU, the debate is raging on. The European Commission stubbornly holds on to the proposed 10% agrofuel target by 2020, to serve the interests of car companies, agribusiness and large scale farmers. So far, the debate has focused on 'sustainability criteria' that should mitigate negative impacts of agrofuels. But the few criteria they propose will do nothing to mitigate the destruction caused by expansion.

At the same time, the European car industry has managed to water down new EU policy for car efficiency. Instead of an average limit to 120gr/km CO<sub>2</sub> emissions for new vehicles, car companies like BMW, Daimler and Porsche lobbied strong enough to get this up to 130gr/km. This 10gr difference will have to be met by other measures... like blending more

agrofuels! They received strong support of Cancellor Merkel German Industry Commissioner Günther Verheugen.

Now, the dramatic rise in food prices and food riots in several developing countries, shows what we can expect if the large scale agrofuel push will continue.

Resistance against monoculture plantations, serving the agrofuel, paper, food or feed market, is growing. On March 4th 2008, nearly 900 women of La Via Campesina occupied Stora Enso's Taruma eucalyptus plantation in Rosario do Sul municipality, near the border with Uruguay. They entered the land – of nearly 2,100 hectares - and cut eucalyptus trees and planted native trees instead. Eucalyptus and other fast growing (GM) trees will be the feedstock for so called 'second generation' agrofuels.



biodiversity

In Bonn, activists will reiterate the demand for an EU wide moratorium on the promotion of agrofuels

Via Campesina, a movement bringing together millions of small farmers and producers around the world, asserts that it is time to radically change the industrial way to produce, transform, trade and consume food and agricultural products. They say: „We believe that sustainable small-scale farming and local food consumption will reverse the actual devastation and support millions of farming families. Agriculture can also contribute to cool down the earth by using farm practises that store CO<sub>2</sub> and reduce considerably the use of energy on farms.“

See also: [www.viacampesina.org](http://www.viacampesina.org)  
[www.biofuelwatch.org](http://www.biofuelwatch.org)  
[www.corporateurope.org/agrofuels](http://www.corporateurope.org/agrofuels)  
[www.econexus.info](http://www.econexus.info)  
[www.regenwald.org](http://www.regenwald.org) (german)  
[www.econexus.info](http://www.econexus.info) (moratorium call)

## Protected Areas

### Displacement in the Name of the Panda

Protected areas (PAs), national parks and biosphere reserves are now covering almost 13% of the global terrestrial area. But this rarely means the protection of „wilderness“. „Wilderness“ is hard to be found, because before these protected areas became established they were typically inhabited by people. According to calculations made by Charles Geisler, Professor of Development Sociology, approximately 14 million people in Africa alone were deprived of their livelihood by the establishment of PAs.

Kai Schmidt-Soltau, a German sociologist living in Cameroon, visited 15 PAs of Central Africa between 1996 and 2004 and analyzed the situation there. These PAs cover more than 41.000 km<sup>2</sup> total. In none of them a program to integrate the local population had been developed. Only two had a regular (although involuntary) relocation program. In the other cases people were simply displaced.

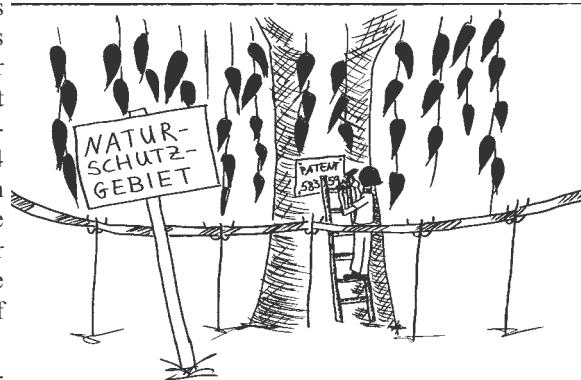
The Global Environmental Facility (GEF), the biodiversity department of the World Bank, published a self-analysis in May 2006. It was admitted that in the past biodiversity projects were biased towards protection, and that the social and economic implications for the peo-

ple originally living there were insufficiently taken into consideration.

Besides the human suffering associated with displacement and forced relocation, a further scandal consists in the fact that PAs in the south in essence are established to save the industrialized countries from necessary changes in their society. PAs are an ecological buffer for the destructive character of capitalist economies.

Financing „nature conservation“ by carbon emission trading, a mechanism also favored by German NGOs is a proposal along these lines.

People who believe to have the right of demanding nature conservation in the south should first and foremost fight against capitalist destruction of nature, call names concerning the actors of this destruction and become conscious about the human cost of establishing „protected areas“. Maybe some of the organizations then might demand a drastic reduction of mass transportation of goods rather than establishing more and more protected areas (financed e.g. by carbon trade) which time and again will involve the displacement or forced relocation of local populations.





# Self-service for the pharmaceutical industry?

The pharmacy of the desert in danger

„I grew up with the traditional knowledge of pelargonium“, says Nomthumzi Sizani, spokeswoman of a group of traditional healers in Eastern Cape, South Africa. „How can three patents on the extracts of this plant possibly exist in the US and in Europe? How can the holder of the patents, the German company ISO Pharmaceuticals, affirm that they were the first to discover the virtues of this plant?“

The pelargonium, known in South Africa also as „umckaloabo“ and „klawerbossie“, is related the geranium plant. Its roots have been used by the Zulu and Xhosa as a drug for several illnesses for hundreds of years.

In addition to the three existing patents ISO Pharmaceuticals has requested another patent on the qualities of the plant as a drug for HIV. South African healers excoriate the patents as a theft of their traditional knowledge and consider them as illegal. In fact, patents may by law only be granted on new inventions – and ISO Pharmaceuticals has invented nothing new.

While the poor South African population is robbed of their last riches, foreign companies benefit from the traditional knowledge about pelargonium. Furthermore, South African research on pelargonium - based HIV drugs may be inhibited by the patents granted to ISO

Like many others, this case is much more complex than it appears at first sight. The traditional knowledge about the curative root-extract has been used by foreign companies for a long time. For example, German companies have sold the drug called „umckaloabo“ for more than 50 years as a cure for colds. In the US, it is known as „umcka“. The business volume is 50 million Euro per year, for ISO Pharmaceuticals only

As long as only traditional healers used pelargonium, collecting the plant was embedded into cultural rituals. The healers took only parts of the root and thus conserved this biological resource in its sensitive eco-system – an example for a sustainable, traditional practice. Nowadays, hundreds of tons of pelargonium are collected each year - mostly without leaving behind a piece of the root. The commercial demand for and the uncontrolled exploitation of the wild plant have come to threaten its existence.



Attempts to cultivate the plant have been little successful so far. Apparently, the plant develops its curative properties only when growing slowly. Only effective trade restrictions could put things right now.

## It's all about business

The Eastern Cape Province has in the meantime put a permanent ban on collecting roots from pelargonium and in such way hopes to stop the extinction of this plant. Nonetheless, illegal collection continues. Traditional healers now seek to defend their rights at the international level - and are supported by the South African Government. The case of pelargonium has been presented to the members

states of the CBD. The South African government and the traditional healers demand compensation for the use of their resources and knowledge.

But even a success of the healers would be problematic: Sharing the benefits resulting from the commercial use of plant-extracts by private companies would legitimate existing patents on life. Additionally, the extinction of the plant would likely go on.

## Scientists take to the streets

Of stumbling blocks and treasures

Researchers working at public academic institutions are rallying: they complain about obstacles to their research activities and bureaucratic control - and they demand that public sector research should be favoured over the one by private companies. What are they up in arms against?

Whoever wants to carry out research using plants, animals and micro-organisms endemic to a specific country has to request a permit by the government of that country. In addition, local and indigenous communities need to authorize the research in some instances.

Since the adoption of the 1992 Convention on Biological Diversity (CBD), the providers of biological diversity and the pertinent knowledge – mostly so called developing countries - must give their prior consent to the projects which the users of biological resources and related traditional knowledge want to pursue. Both sides must conclude an agreement on what research may be carried out in what way and for what purpose. Concluding such agreement can be a lengthy process - it may take weeks, months or even years. In theory, the public sector researchers acknowledge the rights of the providers over the biological diversity on their territories. They do not understand, however, why their fundamental research should be subject to the same rules as commercial research and development, demanding fast track rules for public sector research. Only when such research produces commercially viable results, an agreement between the users and the providers should be negotiated.

At first sight, it seems plausible to distinguish between research by public institutions for the common good and the private, market-oriented one. A closer look at the biotech research scene reveals, however, that research performed at public research institutions is

often closely intertwined with the research of biotech companies through joint funding and thus subject to their interests.

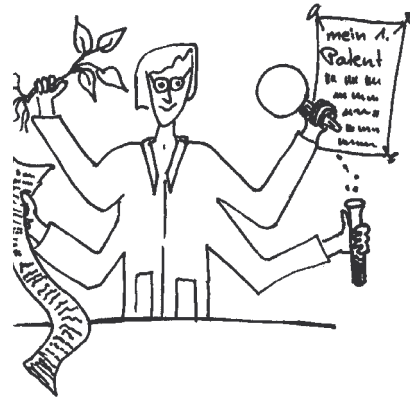
In addition, the past behaviour of those scientists that now raise their voices does not

speak in their favour. For centuries, they have been using indigenous knowledge and local biodiversity. Mostly, they have not considered these contributions worth mentioning even in a footnote. Western researchers thus polish their scientific profile, while indigenous and local communities are deprived of their livelihoods – often with the help of

public research institutions. Their knowledge and their biological resources have been commodified, patented and privatised. This is why many indigenous people today refuse to award public sector research any more favourable treatment.

The required prior consent of the providers of genetic resources is by far not the only obstacle to carrying out research, however. Today, there is hardly any biotech research project (either in the public or private sector) which is not made more complicated by patents on genetic resources. Intricated negotiations with the holders of the patents often need to be carried out as a result. Scientific exchange and cooperation are thus obstructed through patent laws, research results are not published until the chances of commercialising them have been assessed.

Why do scientists not object to the patenting of biological and genetic resources? Patents and the imperative to approach any kind of research from the angle of its commercial viability are the real threat to scientific freedom. It is this imperative that scientists need to challenge – instead of labelling the justified demands of people from the global south naive.



## Conservation as a disguise

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The re-naming of the Conference of Parties of the CBD into „Nature Conservation Conference“ indicates the depoliticizing character, because this term disguises the ongoing resource conflicts. Many regions with high biodiversity have become increasingly militarized during recent years as for instance southern Mexico, Colombia and the Congo basin in Africa. This however is not acknowledged. In the public discourse, the convention and the conference in Bonn are reduced to one of its three goals - nature conservation.

This way of looking at it is part of the problem: Biological diversity is not „disappearing“ in a miraculous way. Instead, habitats of plants and animals are continuously destroyed, for instance by an industrialized agriculture with giant machines, pesticides, chemical fertilizers and modern seed varieties, part of them being genetically manipulated. Industrial forestry, overfishing of the oceans, resource extraction, the conversion of natural forests into palm oil and sugar cane plantations for the production of agrofuels destroy the biological diversity as well.

The establishment of protected areas, their extension and financing which is on the German government's agenda for the Bonn conference does not help the case: The designation of „wilderness“ as protected areas is a fig leaf and a tranquilizer with regard to the environmental destruction tolerated or even subsidized in other regions. This often includes the displacement or forced relocation of the local population.

On the other hand, the protection of single species is the literal drop in the bucket. The destruction of natural areas and the transformation of intact ecosystems into zones of exploitation is part of the capitalist economy and every attempt to look at it differently supports further destruction.

„Nature conservation“ and „protected areas“ are a disguise under which the governments represented in Bonn will discuss and vote on the capitalist valorization of nature, dispossessing the indigenous communities of their knowledge, their resources and territories - no reason for jubilation but cause for protest.

### Information point

For all updates on activities, sleeping places and follow up on the political games being played inside the conference, you can visit the information point. This is situated in the Oscar Romero-house, Heerstrasse 205. You can reach this house by walking on the right side of track from Bonn Central Station, 800 meters to the North. Check: [www.oscar-romero-haus.de](http://www.oscar-romero-haus.de).

### Biotech.indymedia.org

Preceding and during the Biodiversity conference new announcements, action reports and articles about current affairs at the conference will be posted on: [biotech.indymedia.org](http://biotech.indymedia.org). Here you can also

## Action call-out for Biodiversity Conference

Driving out small farmers, gene technology, deforestation...  
... all will be addressed at the UN-top in Bonn.

**Join us with the protests and other activities!** Groups from Germany and beyond are actively working on the organisation of various actions and other happenings. The CBD will be used to show the public, media and the present delegations that a different type of agriculture and consumption are necessary to solve food related social and ecological problems. A top on biodiversity is not just about redlisted species. It is also about:

- small farmers losing their land due to the expansion of plantations and monoculture fields;
- the introduction of biodiesel at the expense of local food supply;
- gene technology and patents on crops, meaning that farmers and local communities lose control over their own food supply;
- nature parks as compensation for our

industrial society, which again harms the original inhabitants of the place; and

- the role of multinationals in all this.
- (More topics are on the agenda, but you can find a full overview yourself at the CBD website: [cbd.int](http://cbd.int)).

Enough reasons for us not to let this international top pass by unnoticed!

All this is the initiative of Aktionsnetzwerk globale Landwirtschaft, Via Campesina, A SEED Europe, INKOTA, BUKO Kampagne gegen Biopiraterie, Corporate Europe Observatory, Netzwerk freies Wissen, Bonner AK gegen Gentechnologie and several active individuals. Don't feel hold back to join us. Come to Bonn.

Biodiversity and agriculture are too important to leave in the hands of politicians and the business world.

## Action Days on CBD-COP 9 in Bonn

From 17 to 19 May 2008

### ➤ **Thursday 15 May: 6 p.m.**

Oscar-Romero-Haus: Presentation of the COP9-Action-Network and critique of MOP and COP

### ➤ **Friday 16 May: 7 p.m.:**

Political Cinema at KULT 41, Hochstadenring 41, besides Victoriabridge (200m from Oscar Romero Haus)  
„TranXgenia“: Catalanian Documentary 2007 and other films

### ➤ **Saturday morning 17 May:**

Action against gene technology and patents on crops. This will be exciting, but we can not say much more on this. You can find more on this topic in the latest German newsletter Kaperbrief ([www.biopiraterie.de/fileadmin/pdf/kaperbriefe/Kaperbrief\\_Nr10.pdf](http://www.biopiraterie.de/fileadmin/pdf/kaperbriefe/Kaperbrief_Nr10.pdf));

### ➤ **Sunday 18 May:**

Agrofuel action day. That large scale cultivation of fuel crops is disastrous for food supply and the position of small farmers is obvious. But the production of it still continues, also during this UN-top. With an action in the streets we will try to reach the population of Bonn, and make them more sensible than the business world and politicians who refuse to talk about a radical reduction of energy use in 'the West'.

### ➤ **Monday morning 19 May:**

Opening of COP9, accompanied by a demonstration of Via Campesina and their solidary friends in front of the entrance to the conference. This must show that until now, similar

conferences have not taken account of the interests of small farmers sufficiently (link to the call out of VC: [www.viacampesina.org/main\\_en/index.php?option=com\\_content&task=view&id=519&Itemid=37](http://www.viacampesina.org/main_en/index.php?option=com_content&task=view&id=519&Itemid=37));

### ➤ **Monday afternoon 19 May:**

Presentation of the Captain Hook Award for corporations that managed to get hold of patents in the most scandalous manner, the true bio-pirates! (Access only for people accredited to COP, more info: [www.captainhookawards.org](http://www.captainhookawards.org)).

### ➤ **Monday 19 May 2.30 pm:**

Manifestation to the German Breeders Union and the botanical garden. In the city centre of Bonn.

### ➤ **Monday 19 May 4.30 pm:**

Action to return the looted seeds back to farmers in the South. In the city centre of Bonn.

### ➤ **Friday 23 May:**

Action against bio-piracy in front of the conference hall. In favour of free accessible knowledge.

### ➤ **Wed., 28 - Fri., 30 May:**

Ministers and heads of states will be flown in for the last three days of the top. This is the period during which most important decisions will be taken. Also the moment to bring possibly dangerous and anti-social developments under the attention of the media and the general public. More information will follow later and flexibility will be required.

