GMO Regulation in Europe: a Policy Coherence for Development Issue

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EU policy-making on agricultural biotechnology has been paralysed for over a decade by deep differences between and within Member States on the potential benefits and risks of this technology. The Commission attempted to break the deadlock in 2010 by putting forward a proposal which would grant Member States the right to restrict or prohibit GMO cultivation in their territory even where authorisation on health, safety and environmental grounds had been given by the EU regulatory authority. This proposal has met with opposition from a blocking minority of Member States in the Council which has, to date, prevented agreement on the dossier. A puzzling feature of this opposition is that it includes Member States which have demanded the right to take unilateral action to prohibit GMOs in defiance of Commission decisions, and whose actions the proposed regulation is designed to regularise. In response to this deadlock, earlier this year, the Commission attempted to put additional pressure on the Council by announcing a freeze of all pending EU authorisations of GMO cultivation until Council members reached an agreement.

The ramifications of this paralysis affect not only the use or non-use of transgenic crops in Europe, but also influence the policy positions of third countries through a variety of channels, including trade uncertainty and the design of regulatory processes. Agricultural biotechnology is a potentially useful tool, alongside conventional plant breeding, and as a complementary tool to improved soil, water and crop management practices and institutional reforms, in improving low agricultural yields in many developing countries. However, the EU position has been influential in discouraging many African countries, for example, from approving the use of transgenic crop varieties with potential benefits for their populations.

This paper will first briefly describe the current regulatory impasse for GM crops in Europe. It will then highlight some of the adverse consequences of this impasse for the adoption of agricultural biotechnology in developing countries. Various examples of potentially useful seed and variety improvements in developing countries will be provided, while at the same time underlining that transgenic varieties should not be seen as a single ‘magic bullet’ but should be adopted as part of a holistic and comprehensive strategy to address low agricultural productivity.

The EU has committed itself to the principle of policy coherence for development, meaning that in implementing its non-development assistance policies it will seek to avoid or minimise adverse impacts on developing countries while attempting to maximise positive synergies and spillover effects. This paper will argue that the regulatory approval process for GM technologies in Europe is an example of policy incoherence which should be addressed to minimise its adverse effects on developing countries. At a minimum, this should encompass a rapid decision on the Commission’s proposal to repatriate powers to decide on GM cultivation to Member States. In the longer run, in the light of the rapid evolution of plant biotechnology, it would make sense to move to a regulatory approach where it is the trait or plant characteristic (regardless of how this trait is introduced into the plant) that should be regulated rather than the technology itself.