

E-MAIL CORRESPONDENCE FROM THE AFRICAN UNION BIOSAFETY UNIT IN
RESPONSE TO ACB BRIEFING NO.9:

“The Revised African Model Law on Biosafety and the African Biosafety Strategy”

15 July 2009

Dear friends and colleagues,

Please be informed that there are a significant number of facts that are wrong and heavily misunderstood regarding the AU biosafety initiative, the African Strategy on Biosafety and the revised Model Law in the briefing that had been prepared by Ms. Swanby.

We strongly feel that it is critical to responsibly dispatch the correct message and facts to all our stakeholders and contacts. Considering this the following are general observations and positions held by the AU Biosafety Unit regarding the above mentioned briefing document.

1. The AU is not in the process of developing a 20 year African Biosafety Strategy (as mentioned on page 3, 2nd para) rather it has already developed the 2006 African Strategy on Biosafety (which had been commissioned by the Department of Human Resources Science and Technology). The NEPAD has been called to develop a 20 year Biotechnology Strategy and the two issues are being confused throughout the document.
2. The intention of the Biosafety Strategy is NOT to harmonize biosafety laws and policies as a major thrust but is aimed at providing advice as to the development of modern biotechnology and the application of biosafety within Africa mainly based on a six pillar approach namely: establishment and strengthening of institutional frameworks, awareness raising and biosafety information exchange, capacity building and preparedness of negotiations, policy and legal frameworks, international cooperation and a sustainability mechanism.
3. A thorough assessment of the African Strategy on Biosafety and the revised African Model Law will clearly illustrate that the two documents by no means are inclined to 'create a single GMO conveyor belt throughout Africa, a one-stop shop GMO approval system that doesn't consider case-by-case risk assessments and decision making' rather they both prescribe for the contrary.
4. It is very important to indicate point of references or evidences for some of the claims made inline of the AU's strong political will to protect African biodiversity being sold-out to fulfill the interests of the industry and corporate-friendly legislative environment.
5. The AU-RECs meetings are NOT among the preparatory meetings leading to MOP5. The objective of the series of meetings and the agenda items are completely different to the real preparatory meetings the AU has traditionally been holding. It may be interesting to recall however that at all 5 African Preparatory Meetings held before international negotiations have been successful to achieve African common positions on each agenda item of negotiation and these positions have been influential towards driving the current trends of the negotiations.
6. A lot of African countries have also used many provisions of the African Model Law on biosafety when developing their national laws. It would greatly help to indicate which countries have 'taken their cue from agribusiness and aid agencies' in developing their national biosafety frameworks in contrast to their national laws.

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7. Page 5. The development of the African Strategy on Biosafety has always been spearheaded by the AU (Dep't HRST Biosafety Unit) and has never been part of the initiative of the NEPAD

8. Many RECs are increasingly including biosafety among other cross-cutting objectives and have strategies in line of development of agriculture, food security etc which will allow the overall general mandate of the RECs to include biosafety. The RECs are among the tools to implement the Strategy (and not the sole actors) the AU will still have the overall political role to supervise and coordinate.

9. Please indicate more elaborately based on factual observations how various organs such as the FARA are advancing the interests of the biotech industry (P6) so that the briefing paper avoids the pitfall of being regarded as a baseless and unconstructive

10. Concluding remarks on page 8 first para are biased and unfair towards the well recognized achievements of the AU Biosafety initiative which through a short period of time has made remarkable accomplishments ("... AU's capacity building process moving towards scientific advancement and trade at any price).

We sincerely trust that this feedback comments and criticisms will be taken positively and constructively for further review of the briefing paper and dispatch of same to all already contacted. After all we are together as actors in the same field and have the best interest of Africa and the African people.

Kind regards,

AU Biosafety Unit