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Eidgenössische Ethikkommission für die Gentechnik im ausserhumanen Bereich
Commission fédérale d'éthique pour le génie génétique dans le domaine non humain
Commissione federale d'etica per l'ingegneria genetica nel settore non umano
Swiss Ethics Committee on Non-human Gene Technology

# Statement by the ECNH on the regulation of the release of genetically modified organisms

At its meeting on 9 May, the Swiss Ethics Committee for Non-human Gene Technology (ECNH) continued the discussion from the public meeting of 2 May in Bern, and unanimously approved the following decision:

The ECNH is against a legal prohibition of the release of genetically modified organisms (GMOs). However, a majority of the Committee is in favour of a moratorium on commercial releases and experiments that specifically serve the marketing of GMOs. In the case of releases for experimental field trials, we recommend a strict authorisation procedure.
The Committee is clear that in no case is the moratorium an interruption of the process of the ethical evaluation of GMOs. It intends actively to promote ethical dialogue and public debate, taking account of the experience gained in the release of GMOs at the international level. Furthermore, we recommend that the period of the moratorium be used for research devoted to comparative, alternative methods.

An ethical evaluation is never completed. It is a process in which arguments are collected, examined and evaluated. Each of the options for regulating the release of GMOs – whether by an authorisation procedure, a moratorium or a prohibition – can be justified using arguments, including ethical arguments. The ECNH made its decision on the basis of its evaluation of the arguments from an ethical point of view.

The following summary of arguments provides an overview of some of the significant aspects that the ECNH has so far taken into account and discussed in its ethical evaluation of the release of GMOs.

c/o Bundesamt für Umwelt, Wald und Landschaft, CH-3003 Bern / Office fédéral de l'environnement, des forêts et du paysage, CH-3003 Berne / Ufficio federale dell'ambiente, delle foreste e del paesaggio, CH-3003 Berna

# Catalogue of arguments

### Is a moratorium a useful instrument?

For

- Both the ethical dialogue and the public debate on the release of GMOs need time.
- Democratic decision-making takes time. Feelings of insecurity have increased.
- The lack of economic and political pressure allows key problems connected with releases to be discussed from a scientific point of view, and the risks to humans and the environment, and the impacts on genetic and species diversity, to be discussed.
- By leaving open the possibility of linking experimental research into releases to permits, the moratorium is made relative.

Against

- Authorisation on a case-by-case basis is preferable to a moratorium, even if it is more difficult to operate than a (time-limited) prohibition. It permits differentiated reactions to the specific conditions of a release.
- Social problems should not be regulated a priori by prohibition. The Federal Constitution fundamentally assumes freedom of action and not prohibitions.
- The long-term point of a moratorium is called into question. There is anxiety that a branch of research that is important for Switzerland will be hindered or even halted.
- It is not worth differentiating between the release of GMOs in the context of research and for commercial application. The amount of GMOs in the environment is ultimately only a question of time.

### Public debate / participation / transparency of decision-making and procedures

A participative, public debate is:

- necessary to clarify open questions and fears
  - systematic preparation of current discussion on safety and risks, including the aspects of sustainability and the precautionary principle

- necessary to clarify basic ethical questions. In ethical discourse, basic questions are discussed according to the goals and values of the action – in this case, in the field of gene technology.
  - how should we deal with “conscious ignorance” (unknown or unrecognised risks)? In connection with unknown or unrecognised risks it can be determined that clarification of the absence of risk can only be provisional because of the potential for long-term hazards.
  - residual risks: how far should known risks be entrusted to third parties?

- necessary to clarify basic political questions
  - who wants GMOs and on the basis of which interests?
  - what weight is given to economic interests in this discussion?
  - how far should the international context be included in the discussion?
  - agriculture: how should the juxtaposition of GMOs, integrated production and organic farming be regulated? Can these different methods be in agreement? What agricultural objectives should be followed?
  - how should the acknowledgement of risks and any compensation be regulated?
  - what research should be encouraged? Research policy should be clarified.
  - how should the irreversibility of releases be weighted?

- necessary to make a democratic decision possible.

**Research**

- Gaps in knowledge, in particular deficits in knowledge about risks, long-term impacts and the ecological consequences of releases, should be filled.

- Necessity for qualified and systematic safety and risk research.

- Necessity for a research plan that is interdisciplinary and that also considers alternatives to gene technology.

- Further development of plans and methods to aid in a more precise determination and evaluation of the risk potential associated with releases:
  - long-term monitoring
  - what information do time-limited releases provide in terms of long-term impacts?

12 May 2000