COMMUNICATION

of the Standing Sub-Committee of the Main Committee on EU Affairs of the National Council dated 14 December 2010 pursuant to Article 23f (4) of the Austrian Constitution

COM (10) 375 final
Proposal for a Regulation of the European Parliament and of the Council amending Directive 2001/18/EC as regards the possibility for the Member States to restrict or prohibit the cultivation of GMOs in their territory
(34883/EU XXIV.GP)

1. In terms of substance and in line with the principle of subsidiarity, the Committee supports the Commission's proposal to grant the Member States the freedom to decide on the cultivation of GMOs .

2. In keeping with the precautionary principle, the criteria that can be invoked by Member States to justify their decision to impose national cultivation bans should include arguments relating to the protection of health and the environment and/or should not be limited in terms of substance. In particular, socio-economic factors and the protection of biodiversity should be accepted as arguments to justify a ban. The Commission is therefore requested to submit the promised list of possible grounds for national cultivation bans, extended by the above criteria, as soon as possible. This list should also contain possible legal justifications, compatible with WTO rules, for national bans.

3. A legally binding and transposable provision regarding the right to self-determination for the Member States in matters regarding the cultivation of GMOs should enter into force as soon as possible.

4. The EU Member States should be enabled to take appropriate measures in order to prevent a contamination of the environment and of conventional as well as organic agriculture by genetically modified organisms.