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Report 16

2058

An Overview
of Genetic
Modification in
New Zealand
1973–2013

The first forty years



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It is unfortunate that the Order in Council did not require the Commission to adopt an explicit risk management process, as set down in the Australia/New Zealand Standard 4360:1999 for Risk Management. This would have exerted greater rigour in the work of the Commission – for example requiring the panel to state the criteria they were using and the weightings applied to different risks. (New Zealand Society for Risk Management, 2001)

4.5 ‘Corngate’ and the General Election: 2002

The issue of genetic modification and the ‘Corngate’ scandal played a significant role in the relationships between political parties during the 2002 election campaign. The continual resurfacing of the GM issue has been described as less of an actual issue and played out as more of a ‘metacampaign’ issue relating to the viability of a Labour–Green coalition (Kriha et al., 2003).

The relationship between the two parties had deteriorated earlier in the year when in May 2002 seven Green Party MPs walked out of the debating chamber in protest at the government’s decision to lift the moratorium on GM trials (Miller & Karp, 2004: 137). GM was a central issue for the Green Party in the 2002 campaign – the party pushed it as a central part of its platform with billboards that read ‘GE: Keep it in the lab’ (Roberts, 2003: 275). The party had made it very clear to the Labour government and the electorate that it was unwilling to compromise.

Tensions between Labour and the Greens escalated following the release of *Seeds of Distrust* only two weeks before the July election. Written by investigative journalist Nicky Hager, the book alleged the Labour government had covered up the accidental planting of a GE corn crop (Hager, 2002). This controversy, which became known as ‘Corngate’, significantly affected the course of the campaign. Adamantly denying the allegations, Helen Clark accused the media of setting her up and the Greens of playing ‘gutter politics’ (“Corngate” could leave a nasty taste’, 2002). This issue, combined with tension over the Labour government’s support of the American-led war in Afghanistan, effectively ruled out the possibility of a Labour–Green coalition.

4.6 The Public Response: 2001–2008

A detailed review of the public response to the Royal Commission’s report is also outside the scope of this paper, however those interested in gaining an insight into the national and international response may like to access the archives on the McGuinness Institute website. Appendices 8–12 provide a detailed overview of indoor and outdoor experiments to date, to which there have been a number of public responses, as described below.

4.6.1 Public marches

There were numerous marches in response to the findings of the Royal Commission’s report and the government’s response to these findings. Of the more significant were two ‘GE-free hikoi’, both of which travelled from Northland to Wellington.

The first began on October 2001, with over two hundred people arriving at Parliament on 31 October (Bennett, 2001). This was specifically in response to the GM tamarillo field tests by HortResearch in Kerikeri, and the lifting of the voluntary moratorium on GM applications, officially announced the day before the group arrived in Wellington. The group also called for the resignation of Māori MPs, saying

P that they had failed to stop the government allowing GM field tests. This march was accompanied by a 'sit in' at ERMA's offices in Wellington on 31 October, in which 15 protesters from the Tino Rangatiratanga movement refused to leave for half an hour (Bradford, 2001; Frizzel, 2001). Prior to the hikoi in late August 2001 the Auckland GE-Free Coalition had also organised a rally up Queen Street in which 10,000 protesters participated. The intention of this march was to generate anti-GM pressure at a time when the government was making decisions about its response to the recommendations of the Royal Commission (Aotearoa Indymedia, 2001).

The second GE-free hikoi began on 22 August 2003 and ended with hundreds of protesters gathering at Parliament on 23 October (Green Party, 2003a). This hikoi called for a complete ban on GM in New Zealand, and was in response to the planned lifting of the moratorium on the release of GM crops, which coincided with the group's arrival in Wellington. The hikoi named itself the 'Seed Carriers', and the participants collected seeds as they travelled the length of the North Island in protest at the harm GM could do to New Zealand's seed varieties, including native plants (Fitzsimons, 2003). The seeds they collected were presented to the government when they arrived in Wellington.

4.6.2 Legal cases

There have been multiple cases on the application of the HSNO Act in relation to GM. The first of which was *Bleakley v Environmental Risk Management Authority* [2001] 3 NZLR in 2001.²³ See Appendix 7.

4.6.3 GE-free zones

Discussion in many communities and regions focused on the creation of GE-free zones as a local way to manage this risk (see RCGM, 2001b: 49). Many regional and district councils considered such a move, and some made the decision to include GM regulation in their draft plans or policy statements (see Section 5.3.1 for further discussion). A GE Free Register was created online, and in February 2008 listed 5693 properties covering a total of 360,064 acres (GE Free Register, n.d). Residents and businesses were encouraged to 'stake their claim for a GE free environment via a New Zealand GE free environment register and send a legal letter to neighbours within an 8 km radius advising them of the risks of planting GE crops' (Organic Pathways, n.d.). The website no longer exists.

4.6.4 Wilful damage

Over the last few years there have been five instances where members of the public have intentionally damaged GM crops and trees. Examples include the chopping down of GM trees at Scion in January 2008, a plant house being broken into at Plant & Food Research in November 2008, and a containment facility being broken into at AgResearch in May 2009. All 52 incidents are discussed further in Appendix 14.

4.7 The Institute's Review of the Forty-nine Recommendations of the Royal Commission: 2008

There was never an onus on the government to implement the 49 recommendations of the Royal Commission on Genetic Modification. However, there was an expectation that the government would

²³ Wendy McGuinness, co-author of this report and chief executive of the McGuinness Institute, was a party to the *Bleakley v ERMA* appeal (see Section 1.3).