



News Release
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BioPirates of the South China Sea: Captain Hook Awards - 2004

Hook meets COPs at the UN's Biodiversity Convention in Malaysia Friday the 13th Awards for Outstanding Malchievements

The Coalition Against Biopiracy (CAB)ⁱ will present its highly un-coveted Captain Hook Awards – for infamous and outstanding malchievements in biopiracy – at the Biodiversity Convention (CBD) in Kuala Lumpur, Malaysia, Friday the 13th of February. This is the third Global Biopiracy Awards ceremony since the Captain Hook awards were established in 1995. The previous awards were given out in ceremonies at the sixth meeting of the CBD (COP 6) in The Hague in 2002 and at the CBD's fifth meeting in Nairobi in 2000 (COP 5). The Coalition Against Biopiracy emphasizes that the Captain Hook Awards are a collaborative effort, made possible by the vigilance and analysis of many civil society and peoples' movements around the world. This year, for the first time, the public was invited to make nominations by submitting claims along with full documentation to the CAB's web site at www.captainhookawards.org.

Ignoble Laureates: At COP 7 in Kuala Lumpur, corporations, academics, research institutions and individual bio-buccaneers will find out if they are to be inducted into biopiracy's Hall of Shame for 2004. This round's nominees include (in the "Most Outrageous" category) a Dutch company that is attempting to patent Ethiopia's Teff varieties for use in Europe; an Australian biotech boutique that has laid monopoly claims to the non-coded DNA of all living creatures (the "Greediest" category); and two entries in a new "nanopiracy" category for patenting several hundred traditional herbal medicines at the nano-scale. The candidates in the 11 award categories include the president of Brazil, Monsanto, and governments or government institutions, such as Mexico and the United States. International conventions including the CBD's Bonn Guidelines and WIPO have been nominated. All signs point to the Mexican Institute of Industrial Property to take the prize for the "Most Offensive Act of Cultural Piracy" for allowing a trademark on the Virgin of Guadalupe, patron saint of Mexico. "I think it would take an act of God to keep them off the winner's podium!" says Hope Shand of the CAB.

Biotech Blooper Awards? "We had a swarm of nominations related to agricultural biotechnology and GM contamination," reports Neth Dano of the CAB, "so many, in fact, that we are considering establishing a new awards program exclusively for biotech abuses that could be given out at meetings of the MOP (Cartegena Protocol) every two years. And, of course, Monsanto is so ubiquitous at the Captain Hook Awards, it won't

be long before they earn a Lifetime Achievement Award."

Ceremony: Formal announcement of the winners of the Captain Hook Awards will be made at a ceremony at the COP 7 convention site, the Putra World Trade Centre, at 13:00 o'clock on Friday, February 13th 2004. Award winners or their patsies will either accept awards or shun the spotlight. "It's significant that there's no shortage of biopiracy candidates vying for recognition. Even more disturbing is that the scope of the piracies seems to be widening to include more human genetic material and biopiracies at the nano-scale level," says Jim Thomas of ETC Group, a member of the Coalition. While acknowledging that Monsanto and the US government appear to be perennial favorites in several categories, the Coalition adamantly denies favoritism. "The award system is entirely based on the nominees' own demerits," Neth Dano insists.

Cog recognition -- real winners: But it's not all hisses and boos at the Captain Hook Awards ceremony. Awards will also go to those institutions, peoples' organizations and governments that have fought biopiracy, defeated predatory patents or defended the intellectual integrity of farmers and Indigenous Peoples. The Coalition Against Biopiracy will honour those winners with a "Cog" award (so-named because cogs were ships designed to repel pirate attacks). Among the nominees are Mexico's Indigenous Peoples and farmers for resisting GM maize-contamination in their country and the Peruvian Coalition against Biopiracy in the Andes for challenging a US patent on traditional Indian food and medicinal plants. Two French research institutes, Greenpeace International and the German Catholic NGO Misereor are also rumored to have the advantage in a number of cog categories. Michael Meacher, the UK's ousted Environment Minister is said to have a good shot at winning the "Belly of the Beast" award for his battle for Farmers' Rights. Almost guaranteed an award is Percy Schmeiser, the Canadian farmer who has fought Monsanto in the courts for contaminating his canola field.

Ignorance is STILL not bliss: Just because biopirates don't know much about biodiversity or indigenous peoples, that's no excuse for monopoly. Members of the Coalition Against Biopiracy acknowledge that The Captain Hook Awards are not an allegation of illegality. Most of the biopirates who will win awards in Kuala Lumpur have done nothing illegal. Some nominees have claimed monopoly patents or taken actions that may be considered morally offensive or technically unacceptable. In many cases, however, the 'pirates' have acted out of ignorance. The problem is that intellectual property regimes and internationally trade agreements legally condone patents that are predatory on the indigenous knowledge or sovereign genetic resources of other people. As history shows, intellectual property regimes have no capacity to address biopiracy, and they are *not* benefit sharing agreements.

"We are announcing the Captain Hook Awards at COP7 to draw international attention to the failure of the CBD to provide meaningful regulations to stop biopiracy," says Hope Shand of ETC Group. "We call on CBD and other intergovernmental bodies to give primacy to human rights above monopoly rights, and to stop manufacturing the myth that 'equitable benefit sharing' is achievable in the context of predatory patent regimes."

Members of the CAB warn that the current proposal for Access and Benefit Sharing in the CBD, The Bonn Guidelines, may actually create *incentives* for biopiracy because it fails to fully recognize Farmers' Rights and collective indigenous rights, including rights to culture, autonomy, territories and resources. The CBD legitimizes the rights of States and individual communities to commercialize and privatize their public, collective and ancestral resources.

“Equity-based bioprospecting is not possible in the absence of regulatory mechanisms that safeguard the rights and interests of farmers, indigenous peoples and local communities,” concludes Alejandro Argumedo of the Indigenous Peoples Biodiversity Network.

The Captain Hook Awards poster and citations and the Cog Awards results will appear on the CAB web site: www.captainhookawards.org and also on the ETC Group’s web site: www.etcgroup.org.

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¹ The Coalition Against Biopiracy is a group of civil society and peoples’ organizations that first came together at the 1995 Conference of Parties to the Convention on Biological Diversity meeting in Jakarta.