

Leire Escajedo, recipient of one of the BBVA Foundation Grants, explains at the 2016 BAC Conference the legal situation of transgenics in the EU

- Her speech at the conference was entitled 'The legal situation of the transgenics in the EU.' It coincides with the key elements of the research project for which she received the Leonardo Grant.

Madrid, July 18 2016. Leire Escajedo (1973) a Leonardo Grant recipient, has spoken at the 2016 BAC Conference, the annual conference of the Spanish Federation of Biotechnologists (FEBIOTEC), held in Gijón as part of the EstuBac program.

Leire Escajedo San Epifanio (Bilbao, 1973) is a professor in the Department of Constitutional Law at Universidad del País Vasco. Her speech at the congress is on 'The legal situation of transgenics in the EU.' What she says coincides substantially with the key elements of the research project for which she has been awarded a Leonardo Grant. The project aims to analyze the most exhaustive and demanding regulatory framework in the world for biotechnology: that of the European Union on genetically modified organisms.

Escajedo has explained the significance and scope of a situation that she has defined as 'complex.' Seventeen EU Member States have decided to restrict or prohibit the cultivation of genetically modified seeds on their territory, based on the latest EU Directive of 2015. To understand the scope of the measures adopted, Escajedo has dealt with the content of Directive 2015/412 and the implications of partially returning the competence over transgenic crops to Member States.

The main problem is that the seventeen countries that have restricted or prohibited the cultivation of transgenics do not want them to be sold inside their borders either. The European Parliament has declared that this is not viable because it is not compatible with the single legal framework of the European Union. 'I don't know if resolving this will now be a priority, given everything that is happening in Europe,' admitted Escajedo.

The researcher clarifies that the decision to give Member States the power to choose between whether or not to cultivate transgenics is a decision that did not

provide an adequate response with respect to the problems related to trade. 'In the medium term scientific technological progress will leave these laws far behind, as it will not have to face any obstacles. Companies will try to cultivate the same product by another means that is not transgenic (the alternative is to deactivate genes they already have), and we don't have a regulation governing this,' she explains.

Escajedo also pointed to another possibility that could arise with the current framework. Most of these seventeen countries have not explained the extent of their prohibition, which raises a series of unknowns affecting above all the researchers at their universities that cultivate the transgenics for scientific purposes. They have not made it clear whether cultivation is also prohibited for these purposes.

Understanding this scenario requires explaining how and why we have arrived at this situation. For this reason, a critical review is required of three decades of political and regulatory disagreements in which the EU has not managed to give an adequate response to the conflicts generated by transgenics in the EU. This review will be part of the second phase of this project, which will also analyze the questions raised by this new proposal, and its weak and strong points. 'This analysis will also allow us to form an opinion on the matter,' she explains.

'The financial assistance received from the BBVA Foundation has been essential in carrying out this project, as it has allowed us to work in a format that would otherwise have been very difficult. We have contacts with researchers from other disciplines, and we follow everything that is being done in this respect in this legal framework in real time," she adds.

In October, she will organize the third ESLA-GMO workshop in Bilbao, and is arranging with the publisher Wageningen Academic the publication of a monograph in English, which will include an extended version of the reports by experts and by an invited author.

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