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Captain Hook Awards *For Outstanding Achievements in Biopiracy - 2002*

The Coalition Against BioPiracy (CAB)¹ will present its highly un-coveted Captain Hook Awards –for infamous and outstanding achievements in biopiracy – at the Biodiversity Convention in The Hague, April 8-19. The previous Captain Hook Awards ceremony was held almost two years ago at the Fifth meeting of the Biodiversity Convention in Nairobi. The Coalition emphasizes that the Captain Hook awards are made possible by the work and activities of many civil society and peoples' organizations around the globe that actively monitor and resist biopiracy. The cases cited and the analysis used in selecting the award winners are by no means limited to the work of the Coalition Against Biopiracy.

At the COP 6 in The Hague, corporations, academics, research institutions and individual entrepreneurs will find out if they are included among the latest inductees to biopiracy's "Hall of Shame." 2002 nominees are a motley crew involved in the plunder of human genetic material, medicinal plants, and food crops on six continents. The most deserving Bio-Pirates will be formally announced at the Captain Hook Award ceremony in The Hague. Award winners or their surrogates will either accept awards or shun the spotlight. This year's biopiracy categories include: Worst Anti-Food Security, Greediest, Most Offensive, Most Dangerous, Worst International Convention, and Worst Excuse.

"On the 10th anniversary of the CBD, it's significant that there's no shortage of biopiracy cases vying for recognition. Even more disturbing, we are seeing a number of repeat offenders," says Silvia Ribeiro of ETC group, a member of the Coalition. "The only thing worse than winning a Captain Hook Award is winning a citation twice in a row!"

Cog Awards -- The real winners: On a brighter note, awards will also go to those institutions, peoples' organizations and governments that have opposed egregious cases of biopiracy, defeated predatory patents or defended the intellectual integrity of farmers and indigenous peoples. The Coalition Against BioPiracy (CAB) will honour those who have fought against the BioPirates with the "Cog" awards. (So-named because Cogs were ships designed to repel pirate attacks.) Among the organizations nominated to receive the 2002 Cog award is the International Center for Tropical Agriculture (CIAT) based in Cali, Colombia, for its legal challenge of a US patent on a yellow bean of Mexican origin, and the United Nations Food and Agriculture Organization for approving an International Treaty on Plant Genetic Resources. (The

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.

Coalition members point out, however, that the Treaty must be strengthened because of ambiguities on Farmers' Rights and intellectual property.)

Perhaps most deserving are the peoples' organizations that have opposed biopiracy in their communities. For example, a \$2.5 million, US government-funded project in Chiapas, Mexico was abandoned in November 2001 after two years of protests by local indigenous groups, farmers and civil society organizations. Churches and human rights organizations in Tonga are acknowledged for preventing the human DNA of Pacific islanders from being turned over to an Australian biotech firm.

Ignorance of diversity is STILL 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 The Hague have done nothing illegal. Some nominees have claimed monopoly patents or taken actions that may be considered morally offensive or technically unacceptable. In most cases, however, the 'pirates' have acted out of ignorance. The problem is that intellectual property regimes 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 COP6 to draw international attention to the failure of the CBD to provide meaningful regulations to stop biopiracy,” said Alejandro Argumedo of Asociación ANDES. “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 Elpidio Peria, Coordinator for SEARICE, and board member of the Institute for Traditional and Alternative Health Care, a government body that is responsible for mainstreaming traditional medicine in the Philippines.

The Captain Hook Awards poster and citations and the COG Awards results will appear on ETC group's web site: www.etcgroup.org.

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