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From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
Subject:	Proposal for a Directive 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 genetically modified organisms (GMOs) in their territory - Adoption a) of the Council's position b) of the statement of the Council's reasons = Statement

Statement by the Luxembourg delegation

The Luxembourg delegation wishes to thank the Hellenic Presidency for relaunching the negotiations on amending Directive 2001/18/EC allowing Member States to restrict or prohibit the cultivation of GMOs in their territory.

Our government recognises that the proposed amendments are aimed at improving the above-mentioned Directive. It particularly appreciates the fact that a new recital has been introduced which refers to the Commission's recommendations of 13 July 2013 on the development by the Member States of coexistence measures, including in border areas. Luxembourg particularly welcomes the fact that the grounds for prohibiting cultivation appear in the body of the proposed text and that the Member States may invoke reasons of public policy as such grounds. It also welcomes the strengthening of the EFSA risk assessment guidance.

However, our government is concerned about the involvement of GMO businesses in the proposed authorisation process. It wonders about the balance of power between the Member States, those with smaller administrations, and GMO businesses. Our government also wonders whether the proposal might not lead to a spate of authorisations for GMO cultivation.

A large majority of the population in the Grand Duchy is opposed to the cultivation of GMOs. Moreover, the current government programme stipulates that Luxembourg will continue to apply the precautionary principle in respect of GMOs, promote sustainable "GMO-free" agriculture and defend its anti-GMO position both domestically and at EU and international level.

The Luxembourg government wishes to draw attention, in this context, to the Commission communication of 2 February 2000 [COM(2000)1] on the precautionary principle; the latter is also mentioned in Article 191 TFEU, which aims to ensure a high level of environmental protection. The current state of research does not allow us to rule out entirely the possibility of long-term risks associated with the cultivation of GMOs, including repercussions for fauna and flora and for public health, particularly since no long-term studies exist on this subject.

For these reasons, the Luxembourg government is unable to give its full support to the compromise proposal and must therefore abstain from the vote.