Background: Why Should We Defend Maize in Mexico?
February 2016

“To defend maize is to defend the right to food, the right to remain owners of the seeds that ancestral peoples have inherited.”

~María Estela Barco Huerta, Desarrollo Económico Social de los Mexicanos Indígenas (Social and Economic Development of Indigenous Mexicans – DESMI), an IDEX partner

Maize in Mexico: Culture and Cuisine

Essential agro-ecological practice means defending biodiversity. Defending indigenous varieties of maize, currently one of the world’s most important crops, is a key part of food sovereignty in Mexico.

Mexico, as the recognized center of origin and diversity of maize, has more than 59 landraces (native varieties) in the country. It is the indigenous people and peasant farmers who have created and maintained this genetic storehouse. Silvia Ribeiro, a Mexico-based biodiversity and agriculture researcher and program manager for ETC Group¹ and board member of GRAIN,² writes in “The Day the Sun Dies – Contamination and Resistance in Mexico”;³

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¹ http://www.etcgroup.org
² https://www.grain.org

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plant which could be grown in many different ecosystems and for multiple uses. It does not grow wild, and it is always linked to its creators, whom – according to foundational myths throughout Mesoamerica – it also created, in a process of mutual care.”

Maize in Mexico is much more than a crop. It is a central element in rural and urban culinary habits. Maize’s cycles and uses at the heart of the history and the daily lives of the people of Mexico – their economy, their religions and art, and their world vision. For indigenous and peasant communities, it is the basis for their identity and their autonomy.

Maize is significant to many parts of Mesoamerica, South America, and native communities in the United States. It is a central to the origin stories of the Navajo, Apache, Hopi, Zuni, Acoma, Laguna and Isleta Pueblos. The Navajo and Apache peoples have long used the pollen from corn in their daily prayers and in ceremonies. For Pueblo tribes, corn is a symbol of life, and it carries a culturally-embedded sense of caring for all life.⁴

**Maize, Mexico, and the U.S.**

In the recent decades, maize has become an extremely important crop to the U.S., as the world’s largest maize producer and exporter. Since 1996, U.S. maize exports to Mexico have increased as exports to Europe have decreased, owing to Europe’s rejection of genetically modified (GM) maize, as well as the signing of the North American Free Trade Agreement (NAFTA).

NAFTA, signed by the United States, Canada, and Mexico in 1994, has allowed the Mexican market to be flooded with imported corn from the United States, the vast majority of which is genetically modified (GM). For example, Mexico imports its yellow corn from the U.S., and since 90 percent of U.S. corn is grown from Monsanto’s GM seeds, this mean Monsanto⁵ is inadvertently dominating Mexico’s yellow corn market.⁶ As reported by Natural News⁷

"In the United States, the vast majority of maize is grown to feed livestock and produce ethanol fuel. But in Mexico, 82% of white maize is grown for human consumption, often on small farms planted with traditional, rather than commercial, varieties."

Trade agreements and transnational corporations, like US-based Monsanto, are pushing GM contamination on the biodiverse genetic reservoir of maize.

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⁴ http://nwrage.org/content/native-americans-denounce-genetically-engineered-foods
⁵ http://ecowatch.com/2016/01/15/corn-monsanto-mexico/
⁶ http://www.aljazeera.com/indepth/opinion/2014/05/mexico-monsanto-maize-gmo-2014526114154374563.html
⁷ http://www.naturalnews.com/046086_GMOs_indigenous_corn_Mexican_farmers.html#ixzz40bVjHRPe

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Since maize is one of the three most important grains in the diet of the entire planet, consequences are both local and global. Our livelihoods and those of our children and future generations are being threatened as food sovereignty is slipping away from the hands of small-scale farmers, peasants, and indigenous people, into the labs of profit-driven companies.

**Threats to Maize in Mexico Over the Last 15 Years**

In 2001, US-based researchers discovered the presence of transgenic traits in native maize varieties in the southern state of Oaxaca. A formal citizen complaint resulted in an exhaustive study by the environmental commission set up by NAFTA. The researchers acknowledged that “gene flow” had occurred. They warned, as other studies did, of more widespread contamination, and called for precautionary policies, including restrictions on imports from the United States. This reinforced a 1991 *de facto* moratorium on the cultivation of GM maize. Following the scientific advice of a panel of experts, the Mexican government had passed the moratorium to safeguard México’s cultural and natural heritage.

However, in 2005, the Mexican government changed course on GM maize when they enacted the Biosafety and Genetically Modified Organisms Act, more popularly known as the Monsanto Law. This law regulates biotechnology and biosafety regulations in the country, including guidelines for the intentional release of GMOs into the environment in its three stages: experimental, pilot and commercial. The law applies to GMOs for use as food or feed or for processing, as pharmaceuticals, and for import/exports and transit. Essentially, the Monsanto Law once again opened the door for cultivating genetically modified seeds in Mexico.

In 2007 Mexico's Chambers and Congress passed a new seeds law, the Federal Law of Production, Certification and Trade of Seeds, which prohibits farmers from trading or selling seeds they had cultivated – a blow to indigenous and peasant farmers reliant on local varieties. In 2009, former president Felipe Calderón lifted the 1999 moratorium on GM maize, two months after a meeting with Monsanto president Hugh Grant at the annual World Economic Forum in Davos, Switzerland.

Lifting the moratorium triggered a flood of applications for permits - the first of which came from Monsanto - to begin planting genetically modified maize. By the end of 2009, the Mexican Biosafety Commission had given approval for 177 small

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GM maize field trials\textsuperscript{10} to four transnational companies: Dow AgroSciences, DuPont, Monsanto, and Syngenta.

In 2012,\textsuperscript{11} Mexican legislators came close to passing a bill that would modify the Federal Law on Plant Varieties, which would promote privatizing patents of certain breeds of plants.

As recent history shows, the Big Ag “gene giants” will not stop trying to get their foot in the door in Mexico and to gain market shares. Nonetheless, this is something they have had considerable difficulty accomplishing due to heavy resistance from indigenous and peasant farmers.

**Defending Maize in Mexico**

For over 15 years, both indigenous and non-indigenous Mexicans have been defending maize against GMOs. Indigenous peoples who base their culture and survival on this crop claim their legitimate right to freely reproduce it. Indigenous and peasant organizations throughout Mexico are focusing on defending the lives, livelihoods, and self-determination of the people who are stewarding maize. This means that the communities actively watch over their territories and autonomy.

These organizations include large national networks such as the Network in Defense of Maize (Red en Defensa del Maíz), a network made up of more than 1,200 communities in 22 states in Mexico. They are working for the subsistence of the Mexican people and indeed for the good of the whole continent. They stand for the defense of seeds, knowledge, human health, the soil, and the environment. They stand for food sovereignty and for survival.

At the local level, organizations such as DESMI\textsuperscript{12} (Desarrollo Económico Social de los Mexicanos Indígenas) and EduPaz,\textsuperscript{13} in the state of Chiapas, are using indigenous world view with solidarity economy models and “Buen Vivir” to defend local varieties of maize. Through training and replicating agroecological practices, such as seed keeping and biodiversity, these groups are ensuring that traditional knowledge of cultivating maize is carried on.

In solidarity, a wide range of citizens and civil society groups know the risks of genetically modifying their food staple and are committed to preserving it for future generations. This led to the creation of the *Without Corn, There Is No*

\textsuperscript{10} http://www.biosafety-info.net/article.php?aid=929
\textsuperscript{11} http://www.nationofchange.org/mexican-farmers-block-monsanto-law-privatize-plants-and-seeds-1337785224
\textsuperscript{12} http://www.idex.org/partners/mexico/desmi/
\textsuperscript{13} http://www.idex.org/partners/mexico/edupaz/

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Country (*Sin Maíz no hay País*) campaign in 2007 to call the Mexican government to protect Mexico’s local, native seeds through its public policies.

Resistance to GMOs is taking root and is being expressed in multiple ways. One recent instance was through the [Permanent Peoples’ Tribunal](https://www.opendemocracy.net/opensecurity/tatiana-coll/people's-permanent-tribunal-in-mexico-defending-against-structural-violence), which recorded testimonies in Mexico from October 2011 through 2014. The tribunal is helping to gather evidence on a whole range of corporate attacks on Mexican society. The tribunal’s brief called for a ban on GMOs and for measures to protect food sovereignty and security. It has already garnered support from thousands of communities and hundreds of organizations. It calls for a comprehensive approach to the related issues to defense of land, agriculture, independent food production, native seeds, and the urgent problem of urban food security.

Groundbreaking legislation in Mexico went into effect on March 12, 2012, allowing “collective actions” in which private individuals, non-profits, and government agencies can now prosecute claims representatively on behalf of a group of people. In other words, it allows Mexicans the possibility to pursue legal action for collective rights.

**The Pending Court Case in Mexico**

On July 5th, 2013, a group of 53 plaintiffs filed a collective action lawsuit against GM maize. This group is now known as the [Collective Action of Maize](http://demandacolectivamaiz.mx/wp/) (Demanda Colectiva del Maíz). The Collective is an alliance made up of 53 members, 20 of which are civil society organizations, and representing peasant farmers, researchers, human rights defenders, academics, environmentalists, beekeepers, and artists.

The Collective is suing the Ministry of Agriculture, Livestock, Rural Development, Fisheries and Food, and the Ministry of the Environment and Natural Resources, as well as those companies that are soliciting permits to allow free planting of GM maize, such as Monsanto Seeds and AgroProducts, Monsanto Commercial, Dow Agrosciences in Mexico, PHI Mexico (Pioneer-Dupont), and Syngenta Agro.

The claims made by the Collective seek for the Mexican federal courts to declare that:

1. GM maize has been released voluntarily or involuntarily into the environment without authorization in places where it is not permitted;
2. The limits and restrictions established in the Monsanto Law are insufficient because there is scientific evidence of GM contamination of native maize in the states of Oaxaca, Sinaloa, Chihuahua, Veracruz, and

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14 [http://www.sinmaiznohaypais.org](http://www.sinmaiznohaypais.org)
The inadequacy of the legal restrictions established in the Monsanto Law has infringed on many human rights, including the rights to a healthy environment; to preservation of biodiversity; to fair participation by the population; to the sustainable use of the biological diversity of native maize that will guarantee its access to future generations; to adequate, nutritious, and sufficient food; to cultural rights; and to health; and

3) There will be significant impact on agrobiodiversity if GM maize is released on a large scale.

Ultimately, the Collective seeks a court decision to permanently deny the release and planting of GM maize in all Mexico. A precautionary measure was requested, which was granted in September 2013 by a Federal Civil Judge in the 12th District Court of Mexico City. The Ministries of Agriculture and Environment were ordered to immediately refrain from activities relating to granting permits to release genetically modified maize to the environment and to suspend the granting of permits for experimental, pilot and commercial sowing of genetically modified maize in Mexico. This measure prohibits the release of genetically modified maize within the country’s boundaries until the collective action lawsuit is settled.

The Current Threat to Maize

In a period of two years, the temporary suspension on planting GM maize has been contested 100 times by the Mexican government and transnational corporations. Fortunately, thanks to the legal diligence and close vigilance of the Collective Action of Maize, these appeals have been denied.

It does not seem the attacks against the precautionary measure will be lifted any time soon. Silvia Ribeiro’s ETC Group blog, Dirty War against the Peoples of Maize, describes the current situation:

“On August 19, 2015, Francisco Peñaloza Heras of the Twelfth District Court on Civil Matters cancelled the precautionary measure that for two years had suspended the planting of GM maize in Mexico, in response to a civil action to prevent damage to biodiversity and health. However, the suspension is still in effect, since the Collective Action of Maize immediately appealed the decision.

“The way that Judge Peñaloza took the decision, ignoring the arguments of the plaintiffs and independent scientists, but basing his decision on what Monsanto and other businesses say, is another step in the dirty war against peasant maize and the Peoples of maize.

17 http://www.etcgroup.org/content/dirty-war-against-peoples-maize

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“In synchrony with this decision, the transnational seed corporations unleashed a flood of commentaries to the press assuring that the planting was now allowed. René Sánchez Galindo, the lawyer for the Collective Action of Maize denounced, ‘Monsanto has begun a new campaign of lies, since it is false that the planting of GM maize is allowed.’

“The lies of the Gene Giants (the companies that control GMOs) are not limited to the legal aspects of the demand. They devote much time and resources to falsifying data to hide what really happens with transgenic organisms in countries where they are massively planted, such as the United States, the home country of Monsanto.”

The Collective Action of Maize has created an effective strategy to counter the false information being pushed through the public media in Mexico. By building public awareness campaigns around this case, the Collective is communicating why we need to defend maize in Mexico and what impact that will have not only in Mexico, but also at the global level.

The Collective Action of Maize is in the midst of a historical endeavor, as they continue their legal actions against Big Ag and the Mexican government. The results of this case will have a global influence and, now more than ever, they need all the allies they can get.

Additional Reading

• Mexico and Monsanto: Can Native Corn Varieties be Saved from GMO Contamination? Health Impact News, February 2016  

• International Tribunal Demands GM Maize Ban in Mexico, ETC Group, December 2014  
  http://www.etegroup.org/content/international-tribunal-demands-gm-maize-ban-mexico

• 59 Indigenous Corn Varieties at Risk as Monsanto Eyes Mexico, EcoWatch, January 2016  
  http://ecowatch.com/2016/01/15/corn-monsanto-mexico/

• Why We Should Defend Mexican Corn, Biosafety Alliance, November 2013  

• Hands off our maize! Resistance to GMOs in Mexico, GRAIN, May 2013  
  https://www.grain.org/article/entries/4725-hands-off-our-maize-resistance-to-gmos-in-mexico

• Red alert! GMO avalanche in Mexico, GRAIN, November 2012  
  https://www.grain.org/article/entries/4621-red-alert-gmo-avalanche-in-mexico