



INTERNATIONALE MENSCHENRECHTSORGANISATION
FÜR DAS RECHT SICH ZU ERNÄHREN

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Ms. Margarethe Vestager
EU-Wettbewerbskommissarin
EU-Kommission
Rue de la Loi 200/Wetstraat 200
1049 Bruxelles/Brussel
Belgien

Cologne, February 15, 2017

Intended merger of the companies Bayer and Monsanto

Dear Ms. Vestager,

FIAN is the human rights organization for the right to adequate food, a non-profit organization without any religious or political affiliation. FIAN International has consultative status to the United Nations.

The German FIAN section urges you to prevent the intended merging of the two multinational agrarian companies Bayer and Monsanto. The two corporations are among the ten biggest agrarian companies which already control the global agricultural input markets for seeds, fertilizers and pesticides. Monsanto holds 26% of the global seeds market, Bayer 3.3%. Bayer holds 17.1% of the global pesticide market, Monsanto 7.4%. Out of 2,822 patents on plants issued by the European Patent Authority until the end of 2015, Monsanto and Bayer together hold 430. If the two would merge they would become the worldwide dominant agrarian company which would enable them to disregard competition and to determine supply and prices.

Already now, peasants and other small scale producers worldwide complain about increasing costs for agricultural inputs leading to reduced household incomes which often negatively affect access to food and even lead to hunger and malnutrition.

The intended merger of Bayer and Monsanto also needs to be considered in the context of two more intended mergers of the multinational companies ChemChina and Syngenta as well as DuPont and Dow which all belong to the above mentioned group of the ten biggest agrarian companies. If all the three intended mergers would be approved the then three companies would control approximately 60% of the global commercial seed and

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agrochemical market. Further concentration of input supply will lead to higher input prices and will reduce the choices available to farmers. This will lead not only to an oligopoly but also to enormous political power with a high risk of reduced accountability and democratic control of the food system.

Our main concerns from a human rights perspective are:

- Increasing prices for seeds would limit access of peasants or even make access impossible.
- The global food supply would be controlled by only a few companies which would cause a high risk for the realization of the right to food as enshrined in the International Covenant on Economic, Social and Cultural Rights which all EU members have ratified.
- Biological diversity will be reduced. The reduced number of commercialized varieties will not be well adapted to specific climate and soil conditions.
- The new mega company would have increased political power to enforce permissions for the use of genetically modified organisms.
- The choice of consumers about the food they want to eat would be reduced.

We do not stand alone with our concern. More than one thousand people in Germany are supporting our request to prohibit the merger of Bayer and Monsanto. Attached you find their signatures.

Ms. Vestage, if you have any questions on our request please do not hesitate to come back to us. I kindly ask you to inform us about the steps and measures which you will take on this issue.

With kind regards

A handwritten signature in blue ink that reads "Gertrud Falk". The signature is written in a cursive, flowing style.

Gertrud Falk