

CIVIL SOCIETY CONTRIBUTION

EIGHTH SESSION OF THE GOVERNING BODY OF THE ITPGRFA

International Planning Committee (IPC) for Food Sovereignty

Guy Kastler

8.2. Improving the functioning of the Multilateral System for access and benefit sharing

For us, farmers, the Plant Genetic Resources for Food and Agriculture (PGRFA) discussed today, are not commodities to increase the income of corporate shareholders, they are seeds, that millions of us have freely shared with MLS, they are our identity. They are a condition to our agroecological practices, to our lives as farmers hence to your food. At this moment in time, I would like to share with you four messages from the Platform for Food Sovereignty and from La Via Campesina.

1). We applaud your decisions to take into account, at last, the issue of DSI and we support the countries requesting the inclusion of these DSI in the Multilateral System.

2). Farmers will no longer provide the MLS with seeds if an efficient system of benefit sharing is not put in place and if there is no guarantee that they may continue to use, exchange and sell the seeds they offered. The patented genetic technologies allow for claiming of patents from the DSI described by the breeders as “identical to what nature produces”. If the DSI are not considered as plant genetic resources, it will be easy to sequence the seeds freely available in the MLS in order to claim patents on the DSI contained in the seeds and thus, forbid ongoing use of these resources to the farmers who provided them. The MLS will no longer be multilateral if the PGRFA that it preserves, are privatised thanks to these patents. We support the position of countries who refuse to suspend the discussion, since, as long as no decision is taken, there will be no benefit sharing and the multinational corporations will keep patenting the DSI.

It will not prevent us from continuing collaboration with Germoplasm banks and the national authorities which efficiently guarantee complete respect of our rights.

3) The Governing Body must recognize today that there is no efficient way to compel beneficiaries who refuse to share benefit, to pay the amounts due. The States are also required to replenish the PG fund. They may do so drawing from their own budget, following the example of Norway who contributes a percentage of the sales of commercial seeds done in its territory. Thus, paying for the use of physical GPR as well as for the use of the DSI included. The States also have legal and operational means for taxing seed corporations and levy the same percentage of sales of commercial

seeds. Should they choose the second option, we recommend an exemption for small enterprises which ensure a great diversity of commercial seeds and exemption for seeds from the public sector, which can be reproduced freely and allow farmers to use the seeds from their harvest in order to adapt them to the growth conditions, increasing agricultural biodiversity.

4) Finally, we would like to recall that farmers have offered their seeds to the MLS for free. There cannot be any benefit sharing if they cannot have, in turn, the right to re-use their own seeds, including those coming from the industry, as, for example, the law presented in India this morning, allow them to do.

Thank you