INCORPORATING
PEASANTS’
RIGHTS
TO SEEDS
IN
EUROPEAN
LAW

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INTRODUCTION

SEEDS \(^1\) ARE THE PRIMARY COMPONENT WITHIN THE ENTIRE AGRICULTURAL AND FOOD SYSTEM. They determine which type of agriculture, industrial or peasant, will be developed as well as the quality of food crop at harvest. The issue of seeds, far from being a minor detail, constitutes a challenge which is essential not only for peasants but equally for the populations whom they feed. Without access to peasant seeds, that is seeds selected and produced on the farm within the collective framework of a peasant seeds system, peasants will lose their autonomy. Without control over their seeds, peasants are deprived of their right to practise a peasant agricultural system which respects the environment, social rights, local economies and traditions.

THE EUROPEAN COORDINATION VIA CAMPESINA (ECVC) defends peasants’ rights to use, save, exchange, develop and sell their own seeds within the framework of their peasant agricultural activities. These practices have received legal recognition in the form of collective rights of peasants in relation to seeds, formalised in article

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1 - By seed, we understand all plant breeding material: seeds, plants, seedling, etc.
19 of the United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas ² (UNDROP), which was adopted in 2018 by the Member States of the United Nations, as well as in other international texts such as articles 5, 6 and 9 ³ of the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA) and in article 31 of the United Nations Declaration on the Rights of Indigenous Peoples. The rights of peasants in relation to seeds formalised in these different documents concern also protection of knowledge, prior consent, participation in decision making, access to plant genetic resources for food and agriculture, as well as the conservation of traditional seed diversity.

THE OBJECTIVE OF THIS PUBLICATION IS IN THE FIRST CASE TO REVIEW THE CURRENT STATE OF PLAY CONCERNING RESPECT OF PEASANTS’ RIGHTS TO SEEDS IN EUROPE AND TO HIGHLIGHT WHICH REGULATORY FRAMEWORKS ARE PROBLEMATIC TO THE IMPLEMENTATION OF THESE RIGHTS.

WITH THIS IN MIND IT IS NECESSARY TO LINK UP DIFFERING TOPICS which, in the European context, are often dealt with separately: protection of new varieties of plants and other laws on intellectual property such as seed patents, regulation on marketing of seeds, regulation on genetically modified organisms, regulation on plant health, control of the food chain, etc. Essentially as far as ECVC is concerned it is absolutely necessary that these debates do not take place in isolation but that the project and propositions of the European Union (EU) relating to seeds be analysed globally.

2 - Article 19 of UNDROP may be viewed in annex, p. 38. The entire Declaration is available online: https://digitallibrary.un.org/record/1650694

3 - Articles 5, 6 and 9 of ITPGRFA are available in annex, p. 39. The entire Treaty is available online: http://www.fao.org/3/i0510e/i0510e.pdf
SUBSEQUENTLY, THIS PUBLICATION AIMS TO REPORT THE DEMANDS AND RECOMMENDATIONS OF ECVC WITH A VIEW TO IMPLEMENT A COHERENT EUROPEAN REGULATORY FRAMEWORK WHICH WOULD ALLOW FOR PEASANTS TO WORK AND LIVE FROM THEIR WORK WHILE BENEFITING FULLY FROM THEIR COLLECTIVE RIGHTS TO SEEDS.

THIS DOCUMENT MUST ALSO BE CONSIDERED IN THE CONTEXT OF THE DEBATE RECENTLY OPENED BY THE EUROPEAN COMMISSION with the publication of two working documents, the first concerning the status of “new genomic techniques” ⁴ and the second on updating the legislation on seeds marketing ⁵. This publication is also the chance for the European movement to explain its position in those debates so essential to the future of peasant agriculture within the EU.


⁵ - Working document from the Commission on the Union’s options to update the existing legislation on the production and marketing of plant reproductive material. Available in English: https://ec.europa.eu/food/system/files/2021-04/prm_leg_future prm_study_swd-2021-90.pdf
ARTICLES 19 AND 20 NOTABLY, PERTAINING TO THE RIGHTS OF PEASANTS TO SEEDS and the obligations of States concerning the preservation and sustainable use of biodiversity, state that peasants and other people working in rural areas hold the right to “save, use, exchange and sell farm-saved seeds or propagating materials” (UNDROP art. 19.1.d.).
IF THE ADOPTION OF THE DECLARATION CAN BE CONSIDERED A REMARKABLE PROGRESS in the cause of peasant rights, as it has raised this issue on the international agenda, it is firstly a political tool to put pressure on States to modify national legislation rather than a binding legal mechanism for the parties as would be an International Convention or Treaty. However, even though UN Declarations are not binding, their symbolic and political value reflect the commitment of States to adopt “soft law” principles. Thus a declaration such as UNDROP reflects an evolution in international legal standards, being based on existing rights in other international instruments.

ARTICLE 19 OF THE DECLARATION IS BASED LARGELY ON AN ARTICLE FROM A BINDING INTERNATIONAL TREATY, THE INTERNATIONAL TREATY ON PLANT GENETIC RESOURCES FOR FOOD AND AGRICULTURE (ITPGRFA).

RATIFIED TODAY BY 145 PARTIES INCLUDING THE EU, the Treaty’s objective is the conservation and sustainable use of the plant genetic resources of the main varieties cultivated for food and agriculture, as well as a fair sharing of benefits arising from their use. The Treaty recognises in its preamble and in article 9, the rights of farmers to plant genetic resources as well as the right to protection of traditional knowledge, to equal sharing of benefits arising from the use of these resources, and to participation in decision-making. These rights are also specified in articles 5 and 6 as part of the States’ binding obligations. Even if, in practice, these rights are not respected by most signatory States, the Treaty nevertheless constitutes a crucial way of legal pressure.

1 - Additionally, an acceptance by the States of « soft law » and the respect of non-compulsory rules such as Declarations, Principles or Charters, may lead to the creation of a customary right, which will, then, become compulsory (Kiss, A. (1999). Introduction to international environmental law. Cours 1, UNITAR : Geneva.)

2 - The United Nations Organisation specifies regarding the Declaration on the rights of indigenous people, on which UNDROP was modelled: “The general opinion is that the Declaration does not create new rights, but [...] it details and interprets human rights defined in other international instruments with a universal resonance” (Data sheet on the Rights of Indigenous People. Available in English : https://www.un.org/esa/socdev/unpfii/documents/faq_drips_en.pdf).
to be used to demand the implementation of peasant’s right to seeds, in Europe and elsewhere⁴.

**ECVC IS ASKING FOR EUROPEAN AND NATIONAL IMPLEMENTATION OF ALL THE RIGHTS OF PEASANTS IN RELATION TO SEEDS, AS LAID DOWN IN ARTICLE 19 OF UNDROP AND ARTICLES 5, 6 AND 9 OF ITPGRFA. THIS MEANS THAT THE EU AND MEMBER STATES MUST ENSURE THAT THEIR VARIOUS POLICIES CONCERNING SEEDS, AS WELL AS LAWS ON INTELLECTUAL PROPERTY AND TECHNIQUES OF GENETIC MODIFICATION, TAKE INTO CONSIDERATION THE RIGHTS, REQUIREMENTS AND REALITIES OF PEASANTS.**

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³ - ITPGRFA establishes and defines very clearly the rights of farmers, but the implementation of these rights is the responsibility of the State. However, ten year after the implementation of the treaty, the rights are still not implemented in most countries and a “fair benefit sharing” did nor produce any payment from the industries to the peasant or indigenous communities.

PEASANT SEED SYSTEMS ENCAPSULATE ALL THE COLLECTIVE PRACTICES AND KNOWLEDGE OF PEASANTS relating to self-generation, use, exchange and sale of farm produced seeds within the framework of agricultural activity. These systems are not only essential to the sustainability and renewal of peasant seed stocks, but are equally indispensable to the work and even the survival of peasants.

Indeed, for the large majority of peasants, self-generation of seeds is a tradition and a know-how which has been developed over generations; but it is also a financial necessity, the product of the harvest being just as likely required for the nourishment of their families and to be sold than used to ensure the multiplication and reproduction of plant material.

Many peasants do not have sufficient resources to buy commercial seeds and relevant, associated inputs necessary for industrial cultivation.
PEASANT SEED SYSTEMS THEREFORE ENSURE FINANCIAL AND SEED AUTONOMY FOR PEASANTS AND INDEPENDENCE FROM AGRO-CHEMICAL AND SEED COMPANIES. THUS, PEASANT SEED SYSTEMS GUARANTEE THE RIGHTS OF PEASANTS TO FOOD SOVEREIGNTY AND FREEDOM TO CHOOSE WHICH TYPE OF AGRICULTURE THEY WANT TO PRACTISE.

SELF-GENERATION OF PEASANTS’ SEEDS is also necessary to adapt seeds to local conditions of cultivation and climate change. Peasant seed systems allow plants to adapt to their local environment thanks to peasants’ ongoing selection year after year with the aim of optimising plants’adaptation to all variants in local conditions of cultivation. This allows for a significantly reduced need for fertilizers, pesticides and irrigation in times of water scarcity etc.

PEASANT SEED SYSTEMS ARE A COLLECTIVE DYNAMIC MANAGEMENT OF SEEDS GUARANTEERING PLANTS GREATER RESILIENCE WITHIN THEIR ENVIRONMENT, IT IS THEREFORE AN IDEAL SOLUTION TO THE CHALLENGE THAT CLIMATE CHANGE POSES TO AGRICULTURE.

PEASANT SEEDS, SOLE GUARANTOR OF AGRICULTURE BIODIVERSITY

Seeds used in industrial seed production which are found in commercial seed systems have been drawn directly from peasant seed systems. Coming all from the same gene pool, these seeds promote the single technological package (fertilizers, pesticides, mechanisation, irrigation...) of industrial monoculture. They are responsible for the drastic erosion of cultivated diversity. With the loss of peasant seed systems, the global stock of plant genetic resources is no longer being renewed and becomes exhausted, further aggravating food insecurity in the present and into the future. In order to replenish, to adapt to climate change and regain the vast diversity of species, varieties and intra-varietal, self-generation as well as exchanges (whether pecuniary or not) of seeds between peasants is indispensable.

FURTHERMORE, THE FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS (FAO) ESTIMATES THAT THE GENERALISED USE OF COMMERCIAL UNIFORM AND STABLE VARIETIES HAS RESULTED IN A LOSS OF 75% OF CULTIVATED BIODIVERSITY

FINALLY, IT MUST BE RECOGNISED THAT PEASANT AGRICULTURE, PRACTISED BY THE VAST MAJORITY OF FARMERS, PRODUCES ABOUT 70% OF AVAILABLE FOOD GLOBALLY... WHILE USING JUST ONE QUARTER OF AGRICULTURAL LANDS¹, THUS ENSURING THROUGH THE USE OF PEASANT SEED SYSTEMS THE SECURITY OF A MAJOR PART OF GLOBAL FOOD SECURITY.
4

THE RIGHTS OF PEASANTS TO SEEDS
IN THE EUROPEAN UNION: WHERE ARE WE?

AT THE EUROPEAN LEVEL JUST AS THE INTERNATIONAL LEVEL, THE PRINCIPLE OBSTACLE TO THE IMPLEMENTATION OF PEASANT RIGHTS IN RELATION TO SEEDS CONVERGES AROUND THE QUESTION OF INTELLECTUAL PROPERTY RIGHTS.

IF PEASANTS CONSIDER SEEDS AS HERITAGE in the service of humanity, then control over seeds represents an issue of significant economic importance: seed industry, agro-chemical, and biotech industries view it as a lucrative business proposition and have in place strategies in an effort to privatise these resources through Plant breeders rights, patents on seeds and laws on marketing and health guaranteeing their monopoly of the market.
IN THE FOLLOWING SECTIONS, ECVC DENOUNCES the legal frameworks detrimental to peasants’ rights to seeds within the EU, and formulates recommendations for the establishment of new laws to guarantee the rights of peasants and protect them in their work with peasant seeds.

THE LEGAL FRAMEWORKS WHICH EXCLUDE AND CRIMINALISE PEASANT SEED SYSTEMS

A /

THE UPOV CONVENTION: AN INTERNATIONAL FRAMEWORK DEVELOPED FOR AND BY THE INDUSTRIAL SEED SYSTEM

TO UNDERSTAND THE EUROPEAN CONTEXT relating to seeds rights, it is necessary firstly to look at the international Convention which has influenced the European legal framework: The International Union for the Protection of New Varieties of Plants ¹ (UPOV).

UPOV IS AN INTER-GOVERNMENTAL ORGANISATION WHOSE GOAL IS TO PROTECT THE INDUSTRY’S INTELLECTUAL PROPERTY RIGHTS ON PLANT VARIETIES THROUGH THE INTRODUCTION OF PLANT BREEDERS RIGHTS. THE UPOV SYSTEM PROTECTS STANDARDISED COMMERCIAL VARIETIES WHICH FIT THE CRITERIA OF DISTINCTNESS, UNIFORMITY AND STABILITY.

¹ - The UPOV Convention came into force on August 10th, 1968, and was revisited on November 10th, 1972, October 23rd, 1978 and March 19th, 1991.
INDUSTRIAL SEEDS
AND ECOLOGICAL DISASTERS

These standardised seeds, destined for the international market, are not adapted to vagaries of conditions in local agriculture, and their cultivation requires therefore a standardisation of agricultural conditions obtained through the use of fertilizers and chemical pesticides, irrigation and heated green-houses etc. Industrial varieties, being uniform and stable, have been selected for yields based on intensive mono-culture, with disastrous consequences for biodiversity, the climate, the environment and the quality of food.

Today the industrial seed system has become widespread throughout the world using the laws from UPOV, which since 1991, have created a legal opening for the additional development of patents on genes or DSI contained in plant varieties which are covered by plant variety rights. However this system has run its course: chemical fertilizers have destroyed the fertility of the soil and yields are no longer rising, pesticides are losing their effectiveness on pathogens, pollute the environment, and damage the health of workers and consumers. Another model of agriculture is possible and the first step in this direction is the acknowledgement of peasant seed systems.

2 - The UPOV Convention from 1991 introduces patents in national legislations defining how to share license rights between the holder of breeding rights on a variety of plant and the holder of a patent on a part or a genetic component of plants of this variety (extension of the scope of breeding rights to varieties mostly derived, containing, for example, a patented gene of DSI). Taking into account the overwhelming superiority of a patent on traits or genetic information introduced in multiple varieties, compared to the right that only covers one variety, the UPOV Convention 91 signs the submission of the breeders to the patent holders.
AND YET, IT MUST NOT BE FORGOTTEN that the varieties marketed in the UPOV system as well as the quasi-totality of plant genetic resources currently stocked in seed banks were selected using seeds cultivated by peasants, and collected freely from their fields, without any consent provided in consideration of how they would be used. Seeds selected and managed in a dynamic way by peasants constitute a precious reservoir of agro-biodiversity for the varieties which the seed industry sells under the protection of intellectual property rights. However there has never been any benefit shared with peasants according to “the right to equitably participate in sharing benefits arising from the utilization of plant genetic resources for food and agriculture” (as is provided in Article 9 of the ITPGRFA) on the marketing of seeds.

WHEREAS THE MAJORITY (UP TO 80 AND 90%) OF SEEDS used by farmers around the world come from peasant seed systems, this so-called informal system exists currently outside of the relevant legal framework.

THE SYSTEM PUT IN PLACE BY THE UPOV CONVENTION BANS THE USE OF FARM SEEDS OR SUBJECTS IT TO THE PAYMENT OF ROYALTIES AND CRIMINALISES THEIR SALE AND EXCHANGE.

3 - On the UPOV site, https://upovlex.upov.int/en/legislation, we can find the legislation of the members of the Union having been notified in accordance with the UPOV Convention, the notifications according to the UPOV Convention regarding the different Member States (for example, memberships, ratifications), and the text of the UPOV Convention and its amendments.

4 - CIAT et al. (s. d.) Aide semencière pour une sécurité semencière. Available online (French) : https://cgspace.cgiar.org/bitstream/handle/10568/53008/fp1_5.pdf
IN SEVERAL EUROPEAN COUNTRIES, THIS REGULATION IS STRICTLY APPLIED AND GOVERNMENTS BAN THE EXCHANGE OF SEEDS BETWEEN PEASANTS AND CRIMINALISE THIS ACTIVITY DESPITE ITS CRITICAL FUNCTION IN THE WORK OF PEASANTS, THUS VIOLATING ARTICLES 19 OF UNDROP AND 9 OF ITPGRFA.

UNDER PRESSURE OF FREE-TRADE AGREEMENTS - pushed through by, amongst others, the EU -, numerous states have adopted marketing laws which follow the UPOV Convention, and criminalises farm seeds, depriving peasants of any possibility of adapting commercial seeds to the diversity of their cultivation conditions.

EUROPEAN LEGISLATION ON SEEDS MARKETING VIOLATES THE RIGHTS OF PEASANTS TO EXCHANGE AND SELL THEIR SEEDS

THE EU RATIFIED THE UPOV CONVENTION 1991 in 2005, but entered it into law from 1994 (regulation 2100/94/CE). Since the 1960’s, the European Economic Community (EEC) has based its legal framework in relation to the marketing of seeds on the provisions provided by the UPOV Convention of 1961, 1978 and 1991, which protects commercial varieties and seed industries to the detriment of peasants’ rights to seeds.

INDEED, THE MARKETING OF SEEDS WITHIN THE EU IS AUTHORISED ONLY FOR VARIETIES WHICH ARE STABLE AND UNIFORM IN ACCORDANCE WITH THE UPOV CONVENTION. The European regulation is applicable to all exchanges of seeds (marketed or not) “aimed at commercial exploitation”.

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CERTAIN COUNTRIES HOWEVER TOLERATE EXEMPTIONS: ITALY WHICH HAS RATIFIED UPOV 78, BUT NOT UPOV 91, permits the exchange of seeds between peasants whose principal activity
is simply agricultural production and not the production and marketing of plant reproductive material.

**IN FRANCE, SEEDS EXCHANGES** between peasants of varieties which are not protected by plant breeders rights, are considered as mutual help \(^5\) instead of a commercial activity and therefore are not subject to regulations concerning seeds marketing.

**FURTHERMORE, 2022 WILL** see the application of a new framework for “organic heterogeneous material (OHM)”, which has no requirement for uniformity as its name indicates. This framework nevertheless does not remove the other barriers to peasant seeds: varietal “purity”, production separated from agricultural production, industrial health standards, etc.

**C / ECVC CALLS FOR THE ESTABLISHMENT OF TWO DISTINCT REGULATORY FRAMEWORKS DEALING WITH COMMERCIAL SEEDS AND WITH PEASANT SEED SYSTEMS**

**PEASANTS BUYING THEIR SEEDS** on the market ought to have the right to access a great diversity of seeds, standardised or not, guaranteed free from GMO, of good health and germinating commercial quality and of reliable designation. Furthermore, peasants producing their own seeds must have recognized the right to save, use, exchange, sell and protect seeds outside of the legal framework of industrial, commercial seeds.

In order to stop criminalisation of the exchange of seeds between peasants and to ensure peasants’ rights to seeds are respected in all the States of the EU, ECVC calls for:

**THE IMPLEMENTATION OF A LEGAL FRAMEWORK SPECIFICALLY GUARANTEEING THE PROTECTION OF THE COLLECTIVE RIGHTS OF PEASANTS AND THEIR SEED SYSTEMS.**

\(^5\) - Including monetary compensation for reimbursement of expenses incurred in the production.
ECVC IS ADVOCATING RECOGNITION OF BOTH SEED SYSTEMS SEPARATELY: a commercial seed system and a peasant seed system, and the introduction of regulations adapted specifically for each of these two systems.

THE PEASANT SEED SYSTEM MUST REMAIN OUTSIDE OF THE INFLUENCE OF THE LEGAL FRAMEWORK FOR MARKETING INDUSTRIAL SEEDS.

PEASANTS WHO PRODUCE SEEDS FOR THEIR OWN USE FIRSTLY AND THEN EXCHANGE OR SELL THE REMAINDER DIRECTLY TO OTHER PEASANTS IN ORDER TO MAINTAIN THE DIVERSITY OF LOCAL SEED STOCK MUST NOT BE CONSIDERED AS PROFESSIONAL OPERATORS SUBJECT TO REGULATIONS CONCERNING COMMERCIAL SEEDS.

COMMERCIAL SEED SYSTEMS

Commercial or industrial seed systems which are nowadays formalised at the European and international level, consist of purely commercial seed activities: namely activities wherein there is a separation between the agricultural production and the production, marketing and commercialisation of the seeds etc. This commercial system is intended for the seed industry whose production and/or sale of commercial seeds constitute their principal economic activity.
In peasant seed systems the production of seeds is part of general agricultural production. Unlike the seed industry, a peasant’s principal occupation is not the sale of seeds: the reproduction of plant materials plays an integral role in agricultural production and is destined primarily for local use, with only surplus exchanged or sold.

ECVC opposes the laws of the UPOV Convention 91 which criminalises peasant seed systems, and is in favour of changes to the convention to allow the recognition of the rights of peasants to use, exchange and sell their farm seeds.

Peasant seed systems are often designated as “informal” as they exist outside of conventional legal frameworks. Considering their absolute necessity for the renewal of agricultural biodiversity, it is urgent to recognise these in law.

Furthermore in the context of European legislative reform for production and marketing of plant reproductive materials which the European Commission is currently conducting, ECVC is glad to see the Commission’s proposition to establish a specific framework for in kind exchanges between farmers of plant reproductive material and services.

This framework ought to guarantee peasants’ rights to use and exchange their seeds including with compensation for expenses, and will not impose the current laws on industrial seeds.
IN THIS CONTEXT, ECVC CALLS FOR THE CREATION OF A EUROPEAN LEGAL FRAMEWORK ADAPTED FOR PEASANT SEED SYSTEMS AND RESPECTING THE PROVISIONS OF ARTICLE 19 OF UNDROP AND ARTICLE 9 OF ITPGRFA WHICH MUST MEET THE FOLLOWING CONDITIONS:

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1. **The exchange of seeds between peasants comes under the framework of mutual aid** such as exchanges of services of labour and/or tools either occasionally, temporarily or regularly and rendered freely or in exchange of expenses and with no obligation to adhere to any organisation.

2. **Peasants must adhere to the same plant health regulations** which apply to agricultural production and not those applicable to the production and marketing of plant reproductive material.

3. **Peasants, like all breeders, can take advantage of the breeders exception** which allows the use of a variety protected by breeders’ plant rights to breed another, including the practice of adaptive massal selection through free pollination from their yearly harvests.

4. **Obligations required for the identification of seeds sold by peasants must come firstly with their origin, producers name, region and year of production, product’s denomination and finally the variety or population.**

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NEVERTHELESS, IN SPITE OF THIS PROPOSAL, WHICH, FOR THE EUROPEAN COMMISSION, REPRESENTS A REAL OPPORTUNITY TO IMPLEMENT PEASANTS’ RIGHTS REGARDING SEEDS IN EUROPE, ECVC DOES NOT SUPPORT ANY OF THE OPTIONS PROPOSED BY THE COMMISSION IN ITS WORKING DOCUMENT.
ECVC BELIEVES that the rules framing the European seed marketing system must also be adapted in order to ensure peasants’ rights to seeds.

IN THIS FRAMEWORK, **ECVC IS IN FAVOUR OF:**

- **1. DEVELOPING HETEROGENEOUS BIOLOGICAL MATERIAL AND ORGANIC SEEDS**, providing the seeds remain free from genetically modified organisms (GMOs), are not derived from GMOs and are free from any intellectual property rights, contract or technical lock limiting the rights of farmers to use, exchange or sell their own seeds. **THE MAIN INTEREST IN THESE SEEDS IS TO ENABLE FARMERS TO ADAPT THEM TO THEIR OWN CULTIVATION CONDITIONS, REUSING THEM YEAR AFTER YEAR;**
- **2. MARKETING BLEND OF VARIETIES AND SPECIES** from all species selected for their aptitude in mixed cultivation;
- **3. THE CHARACTERISATION OF VARIETIES ACCORDING TO THEIR PHENOTYPIC CHARACTERS** in order to provide a clear general guide for farmers and not according to their genetic characters which are only supporting the rights of intellectual property;
- **4. A COMPULSORY TRANSPARENCY REGARDING BREEDING, SELECTION AND MULTIPLICATION TECHNIQUES.** The majority of consumers do not want any GMOs, whether old or new, nor any product obtained using some techniques exempted from the GMO regulation, such as cell fusion. This transparency is compulsory for organic breeding;
- **5. COMPULSORY INFORMATION ON ALL INTELLECTUAL PROPERTY RIGHTS** or any other right relevant to marketed seeds, any of their parts or genetic information they may contain. Farmers must know if they will be able to use and sell their harvest freely;
- **6. A PUBLIC CONTROL OF THE QUALITY OF REGISTERED VARIETIES AND MARKETED SEEDS.** Control by the manufacturer allows for deletion of non-compliance before data is transmitted to the authorities. Small providers who cannot afford to carry out control should not be obliged to trust their larger competitors in this operation.
NEW GMOS, THE LATEST STRATEGY FROM THE BIOTECH INDUSTRY TO INVADE THE EUROPEAN MARKET

In addition to the UPOV system which prevents peasants from exchanging and selling their farm bred seeds freely, there is another system of intellectual property rights that is particularly detrimental to peasants’ rights: it is the system of seed patents.

CAN WE PATENT LIFE?

The patent system was originally developed for industrial and chemical products, the aim being to enable innovation by ensuring protection of the inventions and covering the initial costs of research. It is only recently that this system was extended to life (micro-organisms, plants and animals). Then, an ethical question is posed as to whether life can be considered “an invention” and be subjected to intellectual property rights.

ECVC’s position is against patentability of life, it leads to privatisation of natural resources which is a common heritage.

THE ISSUE OF PATENTABILITY OF LIFE IS INTIMATELY LINKED TO THE ISSUE OF GENETICALLY MODIFIED ORGANISMS (GMOS).
EUROPEAN LEGISLATION REGARDING PATENTS ON LIFE do not allow, in theory, the patenting of seeds, plants or animals derived from traditional breeding methods. Patents on seeds are filed on traits (for example resistance to a pathogen) obtained thanks to a patented process of genetic modification which are not “essentially biological”. Patents on seeds and more specifically new GMOs present a series of concrete violations to peasants’ rights, that we will detail below.

NEW GMOS, THE LATEST STRATEGY FROM THE BIOTECH INDUSTRY TO INVADE THE EUROPEAN MARKET

DUE TO NUMEROUS RISKS AND UNCERTAINTIES that are associated with GMOs, they do not have a good reputation amongst the European population. As is the case for industrial seeds, cultivation of genetically modified plants requires a standardised form of agriculture which is particularly detrimental to the environment: large intensive monocultures, relying on many synthetic fertilisers and pesticides, etc. GMOs, sold on a very large scale under the protection of patents by a handful of multinational corporations, world leaders in the seeds market, are completely incompatible with the diversity of local seeds which are indispensable to peasant agriculture. Furthermore, uncertainties regarding the long-term impacts on health and the environment of these techniques are causing justifiable concern amongst consumers.

IN THE PAST, MOBILISATION OF CIVIL SOCIETY, PEASANTS AND EUROPEAN CITIZENS AGAINST GMOS, FORCED THE EU TO ADOPT STRICT REGULATIONS REGARDING GMO CULTIVATION (DIRECTIVE 2001/18).

1 - In reality, even if the majority of patents granted by the European Patent Office (EPO) are for genetically modified organisms, the practices of EPO allow more and more often for the patenting of organisms derived from conventional breeding processes.
This Directive includes a prior assessment of any marketing authorisation, a labelling requirement to protect and warn European farmers and consumers of the nature of the seeds they grow and of the food that is in their plate, and a traceability requirement to enable the withdrawal of products in case of unforeseen health or environmental problems.

**EU Legislation on GMOS**

**The Laws Regulating GMOS Within the EU Are Directive 2001/18, and Regulations 1829/2003 and 1830/2003**

The Directive 2001/18 describes a GMO as follows: “an organism, with the exception of human beings, in which the genetic material has been altered in a way that does not occur naturally by mating and/or natural recombination”.

The current legislation requires compulsory risk assessment, labelling, traceability and monitoring of genetically modified organisms and of derived products. The laws do not ban dissemination of GMOs in the environment and the marketing of products derived from GMOs but they are submitted to authorisation. The States have the right if they wish to ban cultivation of GMOs, even though it is authorised at the European level.

2- On a scientific point of view, the “new breeding techniques” are actually techniques aimed at modifying genes in a way that is not produced naturally, for example, producing new plants by in vitro multiplication then regeneration of isolated cells of any organised plant tissue, inserting artificially in the cells, biological material (genetic sequences and/or proteins) in order to provoke genetic modifications, or inserting in the cells a transgen destined to modify some of their genes, then eliminate this transgen while keeping the new genetic traits, whether intentionally or unintentionally acquired by this process.
This strict regulation and mistrust of the European population towards GMOs prevent the biotech industry from conquering the European market. This is why this industry has led lobbying campaigns for years to circumvent Directive 2001/18, with a view to securing deregulation of GMOs not including transgenic.

Their strategy is as follows: the biotech corporations use the term “new breeding techniques” (NBT) to describe the new techniques of genetic modification (developed mainly after the Directive 2001/1) claiming that the techniques do not produce GMOs. According to them they should not be regulated under Directive 2001/18.

However, following a challenge by several organisations, including our member Confédération Paysanne, a ruling from the Court of Justice of the European Union (CJUE) in 2018 confirmed without any ambiguity that the techniques of genetic modification appeared or developed mainly after 2001 produce GMOs and must be regulated by the current European legislation relative to GMOs.

This ruling, a historical legal victory for peasant organisations, embarrassed the lobbies from the biotech industries, and equally the European Commission, who is charged with controlling the implementation of Directive 2001/18 on the territory of the EU. Indeed, it is the responsibility of the Commission to ensure that the GMO regulations are respected and harmonised in the EU Single Market. This includes the need to develop and harmonise between the various States the protocols used to identify and distinguish the products obtained from the new techniques of genetic modification, in

3 - Ruling of the Court of Justice of the EU from July 25th in the case C-528/16
order to ensure traceability, to sanction possible frauds, and to avoid contamination of non-GMO products. To this day the Commission has not developed such protocols, a de facto refusal to implement the decision from the CJUE.

**B.**

THE EUROPEAN COMMISSION COMPLIES WITH THE DEMANDS OF DEREGULATION FROM THE INDUSTRY

FOLLOWING THE RULING from the CJUE from 2018, the European Council asked the Commission to carry out a study on the status of the new techniques, now called “new genomic techniques”. In March 2021, the Commission published this “study”, which is really a working document lacking a rigorous scientific methodology.

THE DOCUMENT WHICH HAS OBVIOUSLY BEEN CONSIDERABLY INFLUENCED BY THE AGRO-INDUSTRIAL LOBBIES, suggests that the current European legislation on GMOs is not “adapted to the scientific and technological progress” of the new techniques of genetic modification and that it must be modified according to a principle of proportionality, taking into account the diversity of the new techniques and the risks.

FOR ECVC, IT IS CLEARLY AN ATTEMPT FROM THE COMMISSION TO COVER UP ITS INACTION REGARDING THE CURRENT GMO LEGISLATION: HAVING FAILED TO HARMONISE THE SINGLE MARKET TO IMPLEMENT THE DIRECTIVE 2001/18, THE COMMISSION PROPOSES TODAY TO MODIFY THE LEGISLATION RATHER THAN TO IMPLEMENT IT AS SHOULD BE ITS RESPONSIBILITY.

TO JUSTIFY THIS POSITION, THE COMMISSION USES TERMINOLOGY FROM THE INDUSTRY and lists the same promises, never fulfilled and already made 20 years ago in the promotion of GMOs:
decrease in the use of pesticides, increase in yields, adaptation to climate change. The Commission claims that the new techniques of genetic modification have the potential “to contribute to the objectives of the EU’s Green Deal […] for a more resilient and sustainable agri-food system”. Yet, 90% of patents filed on new GMOs are for herbicide tolerant plants.

DEREGULATION OF THE NEW GMOS:
AN OPPORTUNITY FOR THE PATENTS ON SEEDS

TODAY, THE POSITION OF THE COMMISSION ENCOURAGING A DEREGULATION OF THE NEW TECHNIQUES is extremely worrying for the peasants’ rights to seeds.

EVEN IF THE PATENTS ON SEEDS ARE NEVER MENTIONED IN THE DOCUMENT OF THE COMMISSION, THEY ARE, HOWEVER, THE MAIN MOTIVATION OF THE SEED INDUSTRY SHAREHOLDERS WHO REQUIRE THE PROPOSED REFORM.

indeed, if the patents on GMOs already pose a serious threat to the peasants’ rights to seeds by limiting the rights of peasants to use their own seeds when contaminated by a patented gene, the new GMOs present an added problem. The directive 2001/18 requires the breeder to stipulate the procedure necessary to identify its GMO from any other organism existing naturally or obtained with a traditional breeding process. In doing so, it prevents the extension of the scope of the patent to all plants derived from traditional selection and carrying “native” traits (for example resistance to a pathogen) similar to the patented traits.

WITH NEW GMOS, THIS EXTENSION OF THE SCOPE OF THE PATENT MAY LEAD TO “ABUSE OF PATENT”.
SO, IN CASE OF DEREGULATION OF THE NEW GMOS AS ENVISAGED IN THE RECENT WORKING DOCUMENT OF THE COMMISSION, THE OBLIGATION TO INDICATE PARAMETERS OF DISTINCTNESS DISAPPEARS. In the absence of a tool to establish this distinctness, the scope of a patent for “genetic information” (introduced in a plant or an animal using the new technique of genetic modification thus justifying granting of a patent), extends to any plant or animal containing the same “genetic information”, including plants derived from traditional or peasant breeding without any use of a patented invention nor the products derived from it. In this case, the few multinational corporations who own the largest portfolios of patents may claim monopoly on all seeds and other “genetic resources” available on the planet, and demand license fees to use varieties established by their competitors, etc.

WE COULD THEN WITNESS A GENERALISED PRIVATISATION OF ALL EXISTING SEEDS DUE TO THE COMBINATION OF THE CURRENT TYPE OF PATENTS AND A DEREGULATION OF NEW GMOS, WIPING OUT THE RIGHTS OF PEASANTS TO SAVE, SELECT, USE, EXCHANGE, SELL AND PROTECT THEIR OWN SEEDS, SHOULD THE SEEDS CONTAIN ANY PATENTED GENETIC INFORMATION.

IN THIS CASE, world food security would depend on the few multinational corporations who control this extremely monopolised market.

IN THE EU, THE CURRENT GMO REGULATION HAS PARTIALLY SPARED THE MARKET OF THIS CONCENTRATION. Even if data from a report from the Commission showed that 5 large corporations controlled 95% of the market of seeds for vegetables in 2013¹, the European fabric of small or medium seeds companies is still dense compared to other regions in the world where GMOs are completely deregulated. In case of deregulation, small and medium enterprises will not resist absorption by large multinational corporations holding portfolios of the most important patents.

¹ - Commission Staff Working Document SWD/2013/0162
PATENTING SEEDS,
AN ECONOMIC MODEL FOR THE PROFIT
OF A HANDBULK OF MULTINATIONAL CORPORATIONS

It has been proven that the patent system encourages the concentration of the seed market in the hands of a few large corporations². When a start-up files a patent for a new process of genetic engineering or new genetically modified plants, it cannot exploit it without becoming dependent on one or several patents already held by seed corporations. The conditions of licensing rights generally obliges small companies to be absorbed or to sign exclusivity contracts, enlarging multinational corporations even further.

AT THE GLOBAL LEVEL,
3 CORPORATIONS
(CORTEVA, BAYER AND BASF)

54% OF THE WORLD MARKET OF SEEDS.

This market concentration is a growing phenomenon, linked to the expansion of seeds patenting: in the eighties, the market share of the 10 largest corporations was still under 15%. An array of small and medium enterprises was still active on the seed market.

Today the 10 largest corporations control 70% of the market³.

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³ - Public Eye. (s.d.). Seeds: the dangerous concentration of the market: https://www.publiceye.ch/fr/thematiques/semences/concentration
THE ECONOMIC MODEL OF GENETIC INFORMATION PATENTING IS THE MAIN DRIVER DEVELOPING NEW TECHNIQUES OF GENETIC MODIFICATIONS.

THE ONLY USE OF THESE TECHNIQUES IS TO PAY BACK THE OUTRAGEOUS FINANCIAL INVESTMENTS THAT FEED IT...

... AND NOT TO ADDRESS THE FOOD OR ENVIRONMENTAL CHALLENGES OF THE EUROPEAN GREEN DEAL, as claimed by the Commission. The current GMO regulation is one of the last defences against the attempt to confiscate the totality of seeds, the rights of peasants to save, use, exchange and sell their own seeds and the human right to food, by way of patenting.

ECVC CALLS FOR THE RETENTION AND STRICT IMPLEMENTATION OF THE CURRENT EUROPEAN GMO LEGISLATION ON ALL GMOS

THE (NEW) GMOS, THE MODEL OF PATENTS ASSOCIATED WITH THEM, AND THE PROJECT OF DeregULATION RECENTLY PUBLISHED BY THE COMMISSION POSE A SERIOUS THREAT TO THE RIGHTS TO SEEDS OF PEASANTS IN EUROPE.

WHILE THOSE RIGHTS ARE FAR FROM BEING IMPLEMENTED in the absence of a specific regulatory framework for the peasant seeds system, the potential deregulation of the new techniques of genetic modification would be an unprecedented attack against the right to seeds and food sovereignty in Europe.
AS A RESULT, ECVC:

− 1. **OPPOSES ALL FORMS OF DEREGERULATION** on the basis of the precautionary principle and the respect of the rights of peasants to seeds and to produce and consume without GMO and **CONDEMNS THE CONCLUSIONS OF THE WORKING DOCUMENT ON THE “NEW GENOMIC TECHNIQUES” RECENTLY PUBLISHED BY THE COMMISSION**;

− 2. **CALLS FOR THE RETENTION AND STRICT APPLICATION OF THE CURRENT EUROPEAN GMO LEGISLATION ON ALL GMOS** including the new GMOs in order to assess all risks and, in case of authorisation the labelling, traceability and monitoring of all products derived from these techniques;

− 3. **DEMANDS A STRENGTHENING OF SCIENTIFIC ASSESSMENTS** on impacts of the new techniques of genetic modification, as well as safeguards regarding the independence of the evaluations, removing influences with a vested interest in the industry.

**FURTHERMORE, ECVC ASKS THE EUROPEAN COMMISSION** to put in place the following measures to ensure implementation of the Directive 2001/18 in all Member States of the EU:

− 1. **THE IMMEDIATE LAUNCH OF A RESEARCH PROGRAMME** to elaborate technical protocols indispensable to identification and distinctness of non-declared new GMOs;

− 2. **THE CREATION OF A SYSTEM OF SANCTIONS** that would be sufficiently heavy to discourage any fraud attempts;

− 3. **THE OBLIGATION TO PUBLISH INFORMATION** on all breeding, propagation and multiplication techniques of all marketed seeds;

− 4. **THE IMMEDIATE IMPLEMENTATION OF LARGE PROGRAMMES** of peasant seeds breeding in the farm in collaboration with research institutes.

**FURTHERMORE, WHILE ALL PATENTS ON LIFE ARE NOT REMOVED, ECVC demands:**

− 1. **THE BAN ON PATENTING OF PLANTS AND ANIMALS** bred exclusively through essentially biological processes, including elements that constitute them and genetic information that
they contain;
− 2. **THE BAN ON THE EXTENSION OF PROTECTION** conferred by a patent on a product containing genetic information or consisting of genetic information obtained exclusively through essentially biological processes;
− 3. **THE REMOVAL OF PATENT PROTECTION** in case of patented genetic information appearing accidentally or fortuitously in seeds, breeding material of seedling, plants or part of plants.

**IN THE LONG TERM, ECVC IS IN FAVOUR OF A COMPLETE BAN OF ALL GMOS** for cultivation as well as for human or animal consumption and of all patents on life.
WE HAVE NO CHOICE BUT TO NOTE THAT THE RIGHTS OF PEASANTS IN RELATION TO SEEDS ARE UNFORTUNATELY FAR FROM BEING IMPLEMENTED IN EUROPE.

CURRENTLY PEASANTS IN THE UE LIVE IN A TRADE REGULATORY FRAMEWORK THAT IS NOT ADAPTED TO THEIR PRACTICES AND WHICH, IN THE NAME OF INTELLECTUAL PROPERTY RIGHTS, CRIMINALISES THE PEASANT SEED SYSTEMS WHICH ARE NECESSARY TO THEIR AGRICULTURAL ACTIVITIES. FURTHERMORE, THE BASIC ELEMENTS OF THE WORK OF PEASANTS, THE SEEDS, ARE THREATENED BY INCREASINGLY INTENSE PRESSURE FROM THE BIOTECH INDUSTRY TO DEREGLATE EUROPEAN LEGISLATION ON GMOS.
such a scenario would concentrate the European seed market into the hands of a few multinational corporations, as we can already observe at the international level where many states do not have strict regulation on GMOs, nor compulsory labelling. In this case, the economic model of patents on seeds could be generalised, ensuring more effectively than plant variety rights the monopoly of the seeds industry.

ECVC is extremely worried by the project outlined in the two working documents recently published by the Commission, one discussing the options to reform the EU legislation on seed marketing, the other attacking the current GMO laws and the precautionary principle on which it is based. These two topics appear at first sight to represent two different issues regarding peasants’ rights to seeds in Europe, it is however vital to remain vigilant in regard to the strategy implemented by the Commission, under pressure of the industry.

ECVC thinks that the proposals included in the working document on the reform of seed marketing, show clearly the will of the Commission to adapt the regulation of the marketing of seeds to the deregulation of GMOs and to generalise the patent model. It is absolutely crucial to consider the two regulatory frameworks together in order to understand how, on behalf of the rights of peasants, to combat the Commission’s destructive project.

While the rights of peasants to seeds are threatened, ECVC recalls that only peasant agro-ecology, supported by peasant seed systems, can help the European Union to achieve the objectives of its “European Green Deal” and to face the unprecedented upheavals that climate change, loss of biodiversity - including
seeds biodiversity, will present to the world of agriculture.

**TODAY AND FOR TENS OF GENERATIONS, PEASANTS HAVE FED THE MAJORITY OF THE WORLD POPULATION WITH THEIR SEEDS, WITHOUT USING PATENTED VARIETIES, GMOS NOR CHEMICAL INPUTS.**

**WITHIN THE EU, AND ELSEWHERE,** it is urgent that the rights of peasants to their seeds are implemented and that current legislations whether European or national, are adapted to guarantee these rights: not only because the fundamental right of peasants is recognized by international agreements, but also because, with their activities and know-how, peasants bring resilient solutions, tested for hundreds of years, to feed the world without destroying it and without privatising common resources.

Demonstration from ECVC peasants against new GMOs and patents on seeds in front of the European Commission (Brussels), 2018 • photo credit: ECVC
UNITED NATIONS DECLARATION ON THE RIGHTS OF PEASANTS AND OTHER PEOPLE WORKING IN RURAL AREAS
– ARTICLE 19 –

1. Peasants and other people working in rural areas have the right to seeds, in accordance with article 28 of the present Declaration, including:
   a) The right to the protection of traditional knowledge relevant to plant genetic resources for food and agriculture;
   b) The right to equitably participate in sharing the benefits arising from the utilization of plant genetic resources for food and agriculture;
   c) The right to participate in the making of decisions on matters relating to the conservation and sustainable use of plant genetic resources for food and agriculture;
   d) The right to save, use, exchange and sell their farm-saved seed or propagating material.

2. Peasants and other people working in rural areas have the right to maintain, control, protect and develop their own seeds and traditional knowledge.
— 3. States shall take measures to respect, protect and fulfil the right to seeds of peasants and other people working in rural areas.

— 4. States shall ensure that seeds of sufficient quality and quantity are available to peasants at the most suitable time for planting, and at an affordable price.

— 5. States shall recognize the rights of peasants to rely either on their own seeds or on other locally available seeds of their choice, and to decide on the crops and species that they wish to grow.

— 6. States shall take appropriate measures to support peasant seed systems, and promote the use of peasant seeds and agrobiodiversity.

— 7. States shall take appropriate measures to ensure that agricultural research and development integrates the needs of peasants and other people working in rural areas, and to ensure their active participation in the definition of priorities and the undertaking of research and development, taking into account their experience, and increase investment in research and the development of orphan crops and seeds that respond to the needs of peasants and other people working in rural areas.

— 8. States shall ensure that seed policies, plant variety protection and other intellectual property laws, certification schemes and seed marketing laws respect and take into account the rights, needs and realities of peasants and other people working in rural areas.

INTERNATIONAL TREATY ON PLANT GENETIC RESOURCES FOR FOOD AND AGRICULTURE
- ARTICLES 5, 6 AND 8 -

- ARTICLE 5 -
CONSERVATION, EXPLORATION, COLLECTION, CHARACTERIZATION, EVALUATION AND DOCUMENTATION OF PLANT GENETIC RESOURCES FOR FOOD AND AGRICULTURE

— 1. Each Contracting Party shall, subject to national legislation, and in cooperation with other Contracting Parties where appropriate, promote an integrated approach
to the exploration, conservation and sustainable use of plant genetic resources for food and agriculture and shall in particular, as appropriate:

a) Survey and inventory plant genetic resources for food and agriculture, taking into account the status and degree of variation in existing populations, including those that are of potential use and, as feasible, assess any threats to them;

b) Promote the collection of plant genetic resources for food and agriculture and relevant associated information on those plant genetic resources that are under threat or are of potential use;

c) Promote or support, as appropriate, farmers and local communities’ efforts to manage and conserve on-farm their plant genetic resources for food and agriculture;

d) Promote in situ conservation of wild crop relatives and wild plants for food production, including in protected areas, by supporting, inter alia, the efforts of indigenous and local communities;

e) Cooperate to promote the development of an efficient and sustainable system of ex situ conservation, giving due attention to the need for adequate documentation, characterization, regeneration and evaluation, and promote the development and transfer of appropriate technologies for this purpose with a view to improving the sustainable use of plant genetic resources for food and agriculture;

f) Monitor the maintenance of the viability, degree of variation, and the genetic integrity of collections of plant genetic resources for food and agriculture.

— 2. The Contracting Parties shall, as appropriate, take steps to minimize or, if possible, eliminate threats to plant genetic resources for food and agriculture.

- ARTICLE 6 -
SUSTAINABLE USE OF PLANT GENETIC RESOURCES

— 1. The Contracting Parties shall develop and maintain appropriate policy and legal measures that promote the sustainable use of plant genetic resources for food and agriculture.

— 2. The sustainable use of plant genetic resources for food and agriculture may include such measures as:

a) pursuing fair agricultural policies that promote, as appropriate, the development and maintenance of diverse farming systems that enhance the
sustainable use of agricultural biological diversity and other natural resources;

b) strengthening research which enhances and conserves biological diversity by maximizing intra- and inter-specific variation for the benefit of farmers, especially those who generate and use their own varieties and apply ecological principles in maintaining soil fertility and in combating diseases, weeds and pests;

c) promoting, as appropriate, plant breeding efforts which, with the participation of farmers, particularly in developing countries, strengthen the capacity to develop varieties particularly adapted to social, economic and ecological conditions, including in marginal areas;

d) broadening the genetic base of crops and increasing the range of genetic diversity available to farmers;

e) promoting, as appropriate, the expanded use of local and locally adapted crops, varieties and underutilized species;

f) supporting, as appropriate, the wider use of diversity of varieties and species in on-farm management, conservation and sustainable use of crops and creating strong links to plant breeding and agricultural development in order to reduce crop vulnerability and genetic erosion, and promote increased world food production compatible with sustainable development; and

g) reviewing, and, as appropriate, adjusting breeding strategies and regulations concerning variety release and seed distribution.

- ARTICLE 9 -

FARMERS’ RIGHTS

— 1. The Contracting Parties recognize the enormous contribution that the local and indigenous communities and farmers of all regions of the world, particularly those in the centres of origin and crop diversity, have made and will continue to make for the conservation and development of plant genetic resources which constitute the basis of food and agriculture production throughout the world.

— 2. The Contracting Parties agree that the responsibility for realizing Farmers’ Rights, as they relate to plant genetic resources for food and agriculture, rests with national governments. In accordance with their needs and priorities, each Contracting Party should, as appropriate, and subject to its national legislation, take measures to protect and promote Farmers’ Rights, including:

a) protection of traditional knowledge relevant to plant genetic resources for food and agriculture;

b) the right to equitably participate in sharing benefits arising from the
utilization of plant genetic resources for food and agriculture; and
c) the right to participate in making decisions, at the national level, on
matters related to the conservation and sustainable use of plant genetic resources
for food and agriculture.

— 3. Nothing in this Article shall be interpreted to limit any rights
that farmers have to save, use, exchange and sell farm-saved seed/
propagating material, subject to national law and as appropriate.
Publication authored and coordinated by Cloé Mathurin in the framework of the Seeds Working Group of the European Coordination Via Campesina, with contributions from Guy Kastler and Antonio Onorati.

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Translation: Catherine Bescond-Sands

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The European Coordination Via Campesina is a European grassroots organization which currently gathers 31 national and regional farmer, farm worker and rural organizations based in 21 European countries. Rooted on the right to Food Sovereignty, our main objective is the defence of farmers’ and field workers’ rights as well as the promotion of diverse and sustainable family and peasant farming.

European Coordination Via Campesina
Rue de la Sablonnière 18
1000 Brussels
Belgium
www.eurovia.org