



JINUKUN



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OPEN LETTER TO UPOV AND FAO ON THE NEW INTELLECTUAL PROPERTY AND SEED LAWS IN AFRICA, ASIA AND LATIN AMERICA

The African Centre for Biodiversity, the Network for a GE Free Latin America and JINUKUN - COPAGEN, on behalf of the organizers of a South - South dialogue on intellectual property (IP) and seed laws, want to bring to your attention the declaration that resulted from the Dialogue. This Dialogue was attended by several organizations and networks of farmers working on rural development, environment and agro-ecology issues from Latin America, Asia and Africa met in Durban - South Africa between 27 and 29th November 2015.

At the dialogue, we analysed the impacts of new IP and seed laws that have been approved or are in process of approval in several countries of the three regions, on the life and economy of indigenous and peasant communities, and the food sovereignty of the people.

The main aspects of our concern include the following:

1. The provisions of these new seed laws that require that all seeds marketed in the formal or informal market through customary or other practice must be registered and / or certified. This not only limits the free flow of seeds but they are designed to benefit the big seed companies as well as medium or smaller companies that benefit from the certification process. Further, these seed laws contribute to the enormous genetic erosion of our local agricultural biodiversity. Certified seed is not necessarily better than native seed, the latter having been adapted to local needs and environmental conditions.
2. IP laws based on the UPOV system, in particular UPOV 1991 are designed to strengthen the market power of the big seed monopolies. Globally, five companies account for the international seed market.
3. The application of intellectual property on seeds introduce monopoly rights in food and agriculture, displacing peasant and small farmers, that in the case of Latin America, Asia and Africa countries, provide 70% of food.
4. The seed laws based on UPOV 91, prohibits farmers from saving seeds, making them dependent on buying seeds, losing food sovereignty, since they lose control over their seed, which is the first step in the food production.

5. The DUS requirements promote uniformity of seeds, generating genetic and cultural erosion; and loss of agricultural biodiversity.

3. Since all genetically modified seeds have intellectual property rights, these new laws facilitate the legalization of transgenic seeds, which at the time are being strongly questioned in the world due to the serious environmental impacts, economic systems and population health, which has been reported.

We look forward to your response and assistance in this urgent matter.

The full statement from the dialogue is attached.

Yours sincerely,

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