



Updates on Plant Variety Protection

Issue #15, 26 June 2015

- 1. Editorial**
- 2. Draft ARIPO Protocol On Plant Varieties: Whose Interest Does It Serve?**
- 3. Draft ARIPO Plant Variety Protocol Undermines Farmers' Right to Save, Exchange & Sell Seeds**
- 4. AFSA Press Release: ARIPO Shuns African Farmers over PVP Protocol Abolishing Farmers' Rights to Seeds**
- 5. Zambian Alliance: Government urged NOT to sign Protocol on Protection of new Plant Varieties**
- 6. ARIPO PVP Protocol is a tool for the foreign takeover of Ghana's agriculture**
- 7. Ghana's women farmers resist the G7 plan to grab Africa's seeds**
- 8. New Publication by Utviklingsfondet/CEPA/GFAR: Capacity building material on Farmers' Rights in Malawi**
- 9. Calendar of Events, Subscription, Feedback & Contact**

1. Editorial

Members of the African Regional Intellectual Property Organization (ARIPO) will be meeting in Tanzania on the 29th June-1st July to consider adoption of a highly controversial new regional Protocol on the Protection of New Varieties of Plant (Draft Protocol). This Draft Protocol is modelled on UPOV 1991 and is widely criticised for its inappropriateness for the ARIPO region which includes world's poorest nations; its undermining of national sovereignty, its adverse impact on the informal seed sector and farmers' access to seeds due to restrictions on farmers' right to freely save, exchange and sell farm-saved seeds/propagating material, its lack of mechanisms to prevent biopiracy, its inconsistency with other international instruments championed in the past by African nations such as the Convention on Biological Diversity and the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA); and the un-transparent, illegitimate process leading to the development of the Draft Protocol.

This issue of the APBEBES Updates features in-depth analyses of the Draft Protocol and the criticisms and concerns concerning the Draft Protocol, press release by the Alliance for Food Sovereignty Africa (AFSA) highlighting that its repeated appeals to the ARIPO Secretariat to attend the diplomatic conference "have been pointedly dismissed and ignored"; press statement by Food Sovereignty Ghana (FSG) appealing to Ghanians to oppose the Draft ARIPO Protocol and the President of Ghana to publicly demand the revision of the draft ARIPO PVP Protocol and a news report on the Zambia Alliance for Agro-Ecology and Biodiversity Conservation calling on the Zambian government not to sign the Draft ARIPO Protocol as it criminalises small scale farmers' rights to seed and threatens local food security. This issue further includes an article on the resistance by Ghana's civil society against a national PVP bill pending in Parliament, and a new publication on capacity building materials on Farmers' Rights in Malawi.

2. Draft ARIPO Protocol On Plant Varieties: Whose Interest Does It Serve?

Nineteen sub-Saharan African nations, members of the African Regional Intellectual Property Organization (ARIPO) will be meeting in Tanzania on the 29th June-1st July to consider the adoption of a new regional Protocol on the Protection of New Varieties of Plant (Draft Protocol). The Draft Protocol marks a major shift from the positions that African nations have so far articulated regionally and internationally on issues relating to PVP as it is modeled on the highly controversial 1991 Act of the International Union for the Protection of New Varieties of Plants (UPOV 1991). Thus unsurprisingly it has attracted significant attention, concern and criticism.

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3. Draft ARIPO Plant Variety Protocol Undermines Farmers' Right to Save, Exchange & Sell Seeds

A new draft legal framework for the protection of new plant varieties under consideration by the African Regional Intellectual Property Organization (ARIPO) has generated significant criticism and controversy. [...] African civil society organizations and related farmer networks have challenged the legitimacy and credibility of the process leading to the development of the Draft Protocol and expressed outrage and vehement opposition to the Draft Protocol. A major point of contention is the issue of farmers' right to save, use, exchange and sell farm-saved seed and other propagating material.

[Read more](#)

4. AFSA Press Release: ARIPO Shuns African Farmers over PVP Protocol Abolishing Farmers' Rights to Seeds

The Alliance for Food Sovereignty in Africa (AFSA), a Pan African platform comprising civil society networks and farmer organisations working towards food sovereignty in Africa, and representing

millions of small-scale farmers, has been shunned by the African Regional Intellectual Property Organisation (ARIPO). AFSA's repeated appeals to the ARIPO Secretariat to allow AFSA members to attend a Diplomatic Conference in Arusha, Tanzania, 29th-1st July 2015, where the highly contested draft ARIPO Plant Variety Protection Protocol (ARIPO PVP Protocol), based on UPOV 1991, is to be adopted, have been pointedly dismissed and ignored. [...] This Protocol prohibits the essential practices of many millions of farmers who engage in the age-old practice of seed exchanging, sharing and local rural trading.

[Read more](#)

5. Zambian Alliance: Government urged NOT to sign Protocol on Protection of new Plant Varieties

The Zambia Alliance for Agro-Ecology and Biodiversity Conservation has called on government not to sign the African Region Intellectual Property Organization (ARIPO) draft protocol on the protection of new plant varieties as it criminalizes small scale farmers' rights to seed and threatens local food security.

[Read more](#)

6. ARIPO PVP Protocol is a tool for the foreign takeover of Ghana's agriculture

Ghanaian citizens have so far prevented the passage of the Plant Breeders Bill, a UPOV-91-compliant law that would strip Ghanaian farmers of their rights to their own seeds. But there is worse coming from the African Regional Intellectual Property Association (ARIPO). [...] If they can't pass a UPOV law within the country, they will impose it from outside.

[Read more](#)

7. Ghana's women farmers resist the G7 plan to grab Africa's seeds

Sharing and saving seed is a crucial part of traditional farming all over Africa, writes Heidi Chow. Maybe that's why governments, backed by multinational seed companies, are imposing oppressive seed laws that attack the continent's main food producers and open the way to industrial agribusiness. But Ghana's women farmers are having none of it.

[Read more](#)

8. New Publication by Utviklingsfondet/CEPA/GFAR: Capacity building material on Farmers' Rights in Malawi

The organizations behind this capacity building effort on Farmers' Rights are concerned with the

wrong policies and strategies that will affect national seed security, thus long-term food security in Malawi. The organizations, therefore, urge the western development cooperation with Malawi to focus on sustainable resource management instead of short-term food security benefits.

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Calendar of Events

Autumn session of UPOV bodies, 26 to 29 October 2015

- Monday, 26 and Tuesday, 27 October [Administrative and Legal Committee](#)
- Wednesday, 28 October Consultative Committee (closed to observers)
- Thursday 29 October 2015 [Council](#)

See also the [Upcoming Events](#) on our website

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Feedback & Contact

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