



Updates on Plant Variety Protection

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1. Editorial

The Governing Body of the International Plant Treaty, which ended a few weeks ago, was a big disillusionment for most participants. Years of negotiations for a revision of the multilateral system ended in chaos. In this newsletter, we report on a new APBREBES article that throws the spotlight on another aspect: the conflict between breeders' and farmers' rights that flared up again and again in the Governing Body negotiations. Furthermore, we refer to two new publications in which the lively dispute for amendments of plant variety protection laws in Asia are discussed. Two publications seed laws in Africa (Kenya and Ethiopia) and seed initiatives in Latin America (Nicaragua and Colombia) complete the newsletter.

We wish all readers a Merry Christmas and a Happy New Year.

2. APBREBES Article: Farmer's Rights vs. Breeders Rights at the 8th Governing Body of the International Plant Treaty

A [new Article by APBREBES](#) gives a short overview about the clash between Farmers Right's and Plant Breeders Right's in line with UPOV 91 during the 8th Governing Body of the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA) which was held at the FAO headquarter in Rome from November 11 – 16th.

3. Asia under threat of UPOV 91

An new [Report by Grain](#) gives a good overview of the pressure on Asian countries to adopt PVP laws in line with UPOV 91. It concludes that «joining UPOV 1991 would be catastrophic as it leads to the criminalisation of farmers for simply doing their daily practices: saving, breeding and distributing seeds.» But there is also hope, as the opposition to this convention are growing by the day. Already last year the NGO Both ENDS published a [discussion paper](#) on how UPOV 91 in trade agreements are compromising the farmers' right to sell and save seeds.

4. Intellectual Property Law and Plant Protection - Challenges and Developments in Asia

This [book](#) edited by Kamalesh Adhikari and David J. Jefferson (both University of Queensland) is the first to provide a detailed and critical account of the emergence, development and implementation of plant variety protection laws in Asian countries. It assesses how Asian

countries can capitalise on the 'unused policy space' in international IP-agreements and discusses various sui generis laws that are distinct from the plant breeders' rights model that the UPOV Convention embodies.

5. Globalisation and Seed Sovereignty in Sub-Saharan Africa

This [new book](#) by Clare O'Grady Walshe, based on her PhD at the Dublin City University, studies the relationship between globalisation and seed sovereignty in Sub-Saharan Africa. It provides comparative case studies of the most recent Kenyan and Ethiopian seed laws, as well as a study of seed sovereignty 'on the ground' in a locality in Ethiopia. Based on extensive fieldwork, it identifies the interests and motivations of transnational seed corporations, global philanthropic organisations, state actors, and local farmers. In the face of what might sometimes appear to be unstoppable global forces, the findings suggest that the exercise of seed sovereignty can be transformed even in a highly globalised world.

6. The Key to survival – Farmer managed seed systems in Latin America

This [small brochure](#) published by Swissaid presents the activities of the initiative 'Semillas de Identidad' in Colombia and Nicaragua: seed saver networks, community seed banks and seed quality assurance.

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