



Updates on Plant Variety Protection

Issue #21, 15 March 2016

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1. Editorial

This Newsletter highlights issues that will be discussed at the upcoming UPOV spring session and a letter by the Alliance for Food Sovereignty in Africa (AFSA) to UPOV Members regarding the flawed processes of the African Regional Intellectual Property Organization (ARIPO) in the development of a regional protocol on plant variety protection and in particular the deficient participation of farmer and civil society organizations. Several new publications relevant to PVP are also included in this newsletter.

2. UPOV's 2016 Spring Session - Upcoming Issues

This week beginning from 14th March, UPOV bodies are meeting in Geneva. Its main rule-making body, the Consultative Committee (CC) will meet on 17th March in the morning to be followed by the UPOV Council, its highest decision-making body. Generally the proceedings of the CC are closed to observers.

Some of the major issues that will be considered by the CC and the UPOV Council are the "International System of Cooperation" and the interrelations with the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA). In addition, the CC and Council will also consider a draft programme of a seminar on Propagating and Harvested Material that

will be held on 24th October in Geneva and an Explanatory Note on Propagating Material as well as Internal Audit and Reports of the WIPO Independent Advisory Oversight Committee.

[Read more](#)

3. Open Letter by the Alliance of Food Sovereignty Africa (AFSA) to UPOV Members Concerning African Regional Intellectual Property Organization (ARIPO)

In an open letter dated 28th January 2016 addressed to UPOV Members, AFSA, a pan African platform representing small holder farmers, pastoralists, hunter/gatherers, indigenous peoples, citizens and environmentalists from Africa expressed its outrage at the deliberate exclusion of civil society and representatives of smallholder farmers from discussions leading to the adoption of a regional Protocol on PVP.

The letter gives an illustration of steps it took to engage with the ARIPO, but that the ARIPO Secretariat never bothered to make the process transparent, open or inclusive and neither did it share any information concerning the process. The letter also highlights concerns that the process for developing the regional PVP Protocol was driven by foreign entities with vested interests and not by the needs and interests of the people in the region.

The letter also asserts that UPOV and WIPO have intentionally enabled the non-fulfillment of Article 9.2(c) of the ITPGRFA and the undermining of farmers' rights as these organizations have supported this flawed and illegitimate ARIPO process.

[Read the AFSA Open Letter](#)

4. Publication: Some Important Provisions in China's Revised Seed Law

China's revised Seed Law was adopted on 4 November 2015 by the Standing Committee of the National People's Congress and the law went into effect on 1st January 2016. The revision process lasted almost 3 years and the revision of some provisions raised nationwide attention and debate among the industry, agricultural departments of all levels, research institutions and civil society groups.

Zhu Zhenyan (Third World Network, 4 March 2016), [Some Important Provisions in China's Revised Seed Law](#), TWN Info Service on Intellectual Property Issues (Mar16/02)

5. Publication: The Centrality of Seed: Building Agricultural Resilience Through Plant Breeding

Five of the global issues most frequently debated today are the decline of biodiversity in general and of agrobiodiversity in particular, climate change, hunger and malnutrition, poverty and water. Seed is central to all five issues. The way in which seed is produced has been arguably their major cause. But it can also be the solution to all these issues

Salvatore Ceccarelli (2016) [The Centrality of Seed: Building Agricultural Resilience Through Plant Breeding](#)

6. Publication: New Mega-treaty in the Pipeline: What Does RCEP Mean for Farmers' Seeds in Asia?

This publication by GRAIN looks at what the Regional Comprehensive Economic Partnership (RCEP) might mean for farmers' seeds in the region, in the context of the recently signed Trans Pacific Partnership Agreement (TPPA). RCEP will include the ten members of the Association of Southeast Asian Nations (ASEAN): Brunei, Cambodia, Indonesia, Laos, Malaysia, Myanmar, Philippines, Singapore, Thailand and Vietnam. It will also include six regional partners that already have free trade agreements (FTAs) with ASEAN: Australia, China, India, New Zealand, Japan and South Korea.

GRAIN (2016) [New Mega-treaty in the Pipeline: What Does RCEP Mean for Farmers' Seeds in Asia?](#)

Upcoming Events

Spring 2016 session of UPOV bodies

Thursday, 17 March 2016 (morning) Consultative Committee (closed to observers)

Thursday 17 March 2016 (afternoon) [Council](#)

Autumn 2016 Session of UPOV bodies

Monday 24 October 2016 Seminar on propagating and harvested material in the context of the UPOV Convention (open to the public)

Tuesday 25 and Wednesday 26 October [Administrative and Legal Committee](#)

Thursday 27 October Consultative Committee (closed to observers)

Friday 28 October [Council](#)

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Feedback & Contact

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