



Updates on Plant Variety Protection

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1. Editorial

The European Union's efforts to impose UPOV plant variety rights on countries in the South, although the system runs contrary to their respective seed systems, were documented in [a study](#) published by APBRES last November. The forceful inclusion of UPOV in the EU-Indonesia Free Trade Agreement, as civil society is demanding its withdrawal, shows how topical the issue remains. The newsletter echoes those concerns and highlights five additional studies on intellectual property rights and seeds.

2. Civil society calls upon the EU and Indonesia to respect the rights of Indonesian farmers

Close to 90 organizations have signed [a letter](#) to call on the European Union to withdraw its demand that Indonesia adopt UPOV 91-compliant plant variety protection laws as part of the free trade agreement being negotiated with the country. The NGOs also [invite the government of Indonesia](#) to stand up for the rights of its farmers and to resist the condition imposed by the European Union on the rules of UPOV-91. APBRES together with Indonesia for Global Justice, Both ENDS, and the Third World Network published a [media release](#) on this issue, as well as a [Briefing Paper](#): "The reasons why Indonesia should not (be forced to) join UPOV."

3. Tensions between ontological, legal, and political systems imbue the PVP Bill in New Zealand

In the New Zealand cannot ratify UPOV 91 if it is also to respect Māori's rights in its new plant variety protection law, as demonstrated in a study we published last year "[Searching for flexibility](#)" by Karine Peschard. David J. Jefferson, Lecturer at the University of Canterbury (New Zealand) just published an [article](#) analysing the issue in further detail. He writes that the new Plant Variety Protection law should be regarded as a key development, both in the national context of recent efforts to reinvigorate the promises of Te Tiriti, and in the realm of international legal efforts to recognise and protect Indigenous peoples' rights in relation to biodiversity and traditional knowledge. However, the progressive reform may fall short of its aspirations for an authentic partnership between Māori and the Crown.

4. Colonial pathways for agrobiotechnological accumulation

Three years ago, APBRES published a study about the [dysfunctional plant variety protection system in francophone Africa](#). A new [article](#) (restricted access) by Lodewijk Van Dyck (Max Planck Institute for Innovation and Competition, Munich, Germany) comes to a similar conclusion and explains the mechanisms allowing the seed industry to participate in the dispossession of farmers. He

concludes: “Despite numerous legal obligations and the money spent to make them bite, African – especially West African – seed business law remains disused regarding legal frameworks adopted, titles registered, and legal practice. Burkinabe cotton and Senegalese rice show that less-than-vigorous, dysfunctional seed business law interacts with colonial pathways to accumulation, comprising centralised seed distribution systems annex subsidies.”

5. How the commons-based seed sector promotes resilience in agriculture

A [new study](#) by Lea Kliem PhD Candidate and Prof. Dr. Stefanie Sievers-Glotzbach, Professor for “Economics of the Commons” at Oldenburg University in Germany, focuses on the vegetable seed sector in German-speaking countries. The study compares the impact of commons-oriented seed production with conventional private-property-based seed production. It finds that the commons structures promote agroecological resilience in several respects. Common structures foster diversity at the genetic, crop species, and landscape levels, create redundancy in seed supply channels and increase autonomy from external resource inputs and international markets.

6. Social practices of urban community seed sharing initiatives for just transitions to sustainability

To date, seed-sharing research has predominantly occurred as one element of wider seed sovereignty debates, particularly concerning farmers in low- and middle-income countries. To broaden the understanding of seed-sharing and its diverse practices, [the paper](#) by Anna Davies, Professor at the Department of Geography of Trinity College Dublin, Ireland (et al.) provides a foundational landscape-level analysis of urban community seed-sharing initiatives from 100 urban locations globally.

7. Moving towards rights-based agriculture policy in Canada

A [research paper](#) by Jessie MacInnis, Research Assistant at the University of Manitoba, Canada, presents a vision for a food system free from human rights violations. Central to this vision is the implementation by Canadian provincial and federal agriculture policy-makers of the articles (incl. the article on the right to seeds) enshrined in the United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas ([UNDROP](#)).

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