



Intellectual Property Protection on Seeds: Implications for Human Rights

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What are the implications of IPRs on seeds?

Trends with negative consequences for HR:

- Privatization of R&D
- Increased corporate control of seeds
- Depletion of agricultural biodiversity
- Biopiracy





IPRs and R&D

R&D: implications for small farmers' right to food and adequate standard of living

- Agricultural R&D historically dominated by governments
- IPRs have helped to change this situation
- Private companies now dominate agricultural R&D





IPRs and R&D

- Research priorities of private companies determined by profits, not public needs
- R&D increasingly oriented towards commercially profitable crops and farming methods
- Neglects the needs of the small farmers





IPRs and R&D

- By allowing corporations to dominate R&D, governments lose a crucial way to promote food security and rural livelihoods
- How will the governments *fulfil* the human rights of small farmers?





IPRs and the corporate control of seeds

Corporate control: implications for human rights of small farmers

- Farmers have traditionally saved seeds
- 1.4 billion farmers continue to depend on farm-saved seed
- Control over seeds = control over one of the means of production





IPRs and the corporate control of seeds

- IPRs threaten to change all this
- Both patents and plant breeders' rights restrict the re-use and exchange of seeds





IPRs and the corporate control of seeds

- IP legislation being globalized
- National seed laws attractive to commercial seed companies
 - more IP-protected seeds in the country
 - IP seeds become dominant and more expensive





IPRs and the corporate control of seeds

- Seeds are going to become increasingly inaccessible to the people who once controlled them
- Consequences for small farmers' right to food and right to an adequate standard of living





IPRs and the corporate control of seeds

- IPRs on seeds also affect the right to participate in cultural life
- Seed exchange practices are a fundamental part of the culture of farming and indigenous communities





IPRs and agricultural biodiversity

Agricultural biodiversity: implications for the right to food of future generations

- IPRs on seeds affect agricultural biodiversity in many ways:
 - Restricting the free flow of genetic material
 - Incentivizing genetically uniform agriculture





IPRs and agricultural biodiversity

Restricting the free flow of genetic material

- Agricultural biodiversity developed and conserved by farmers
- IPRs will prohibit or restrict the practices on which agricultural biodiversity depends





IPRs and agricultural biodiversity

Restricting the free flow of genetic material

- The number of seed exchanges and on-farm breeding experiments will be massively reduced by IPRs
- Right to food of future generations threatened





IPRs and agricultural biodiversity

Incentivizing genetically uniform agriculture

- Genetic diversity = farmers' greatest source of protection in face of pests, pathogens, climatic variations
- IPRs only granted to genetically uniform seeds





IPRs and agricultural biodiversity

- IPRs encourage production of genetically homogenous seeds → intensify trends towards monoculture cultivation
- Monocultures threaten right to food
 - deplete local crop varieties
 - increase vulnerability





IPRs and biopiracy

Biopiracy: implications for the right to participate in cultural life

- Biopiracy occurs when a company or person is granted an IPR on seeds, genes or traditional knowledge taken from a community that has long nurtured the resources or knowledge





IPRs and biopiracy

- IPRs do not require the right-holder to inform, recognize or compensate the peoples from which the resource or knowledge was taken from
- Case of basmati rice





IPRs and biopiracy

- Biopiracy is a violation of the right to participate in cultural life
- Communities must be able to control, maintain, develop and protect their knowledge and resources





What are the implications of IPRs on seeds?

IPRs on seeds may have negative impacts on:

- the right to food of present and future generations
- small farmers' right to an adequate standard of living
- farming and indigenous communities right to participate in cultural life





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Our objectives are :

- To promote collaborative efforts between people working to promote an equitable economy,
- To strengthen the capacity of human rights advocates to raise their concerns with trade decision-makers,
- To encourage the use of human rights mechanisms and rules in support of efforts to promote an equitable economy, and
- To ensure accountability of all economic actors.

