



International NGO/CSO Planning Committee for Food Sovereignty  
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## **Model: NCP GB8-016 MYPoW/DSI**

**Invitation to submit views and other information on "information digital genetics".**

**(Deadline: May 17, 2019)**

### ***The International Planning Committee for Food Sovereignty***

The International Planning Committee for Food Sovereignty (IPC) is an autonomous and self-organized global platform of small-scale food producers and rural workers organizations and grass root/community based social movements to advance the Food Sovereignty agenda at the global and regional level.

More than 6000 organizations and 300 millions of small-scale food producers self-organize themselves through the IPC, sharing the Food Sovereignty principles as outlined in the Nyeleni 2007 Declaration.

IPC facilitates dialogue and debate among actors from civil society, governments and others actors in the field of Food Security and Nutrition, creating a space of discussion autonomous from political parties, institutions, governments and private sector.

#### **1) The terminology used in this field**

The terminology varies according to the use made of it: research and/or obtaining of interest, intellectual property, use of neutral markers, characterization of genetic resources, traceability of exchanges, biodiversity inventory and construction of databases... The term genetic information is the one used in intellectual property law. It is a reducer for other uses if it excludes epigenetic, epitranscriptomic, molecular, proteomic information... It is not a reducer when it is understood that it does not exclude them.

#### **2) Stakeholders concerned with "digital genetic information" on PGRFA**

There is often a tendency to limit the actors concerned with "digital genetic information" on PGRFA to those who use them after having identified them within the available plant genetic resources. Farmers who have selected and retained and continue to select and retain most PGRFA are affected, often unknowingly, as they are the first providers of PGRFA that contain digital genetic information used by other stakeholders.

#### **3) The types of use of "digital genetic information" on PGRFA such as: characterization, selection and genetic improvement, conservation and identification of PGRFA**



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Digital genetic information has become the main tool of a new patent economy whose scope can be extended to all PGRFA and native plants and/or obtained exclusively by crossbreeding and selection. Indeed, new genetic engineering techniques make it possible, according to breeders, to introduce into cultivated plants traits that would not differ from what nature can do and what can be obtained by traditional breeding processes. At least this is how these traits are described in patent claims relating to this genetic information. The scope of these patents thus extends to PGRFA that contain them and express their function, including those that have been selected and preserved by farmers and/or that are preserved in public collections. These patents prohibit farmers from continuing to use and improve these PGRFA and dry up the main channel for renewing and adapting the diversity of PGRFA to changes in crop conditions, including climate. They limit the use of PGRFA in the Multilateral System of Facilitated Access and Benefit Sharing as long as they contain patented genetic information. They force small breeders to negotiate licensing fees with large multinational companies that hold patents on major traits of agronomic and/or food interest.

#### **4) The importance of "digital genetic information" on PGRFA for food security and nutrition.**

Small farmers who provide three-quarters of the food available on the planet do not directly use digital genetic information. However, food security will be directly threatened as long as the scope of patents on digital genetic information can extend to the PGRFA they have selected and prevent them from continuing to use them.

Patents on genetic information are also the main driving force behind the extraordinary concentration of seed supply in the hands of a handful of multinational companies that hold the largest portfolios of these patents. The result is a drastic erosion of the diversity of this seed supply and, consequently, a serious threat to food security.

The ITPGRFA can take action to limit these "pirate" patents by supplementing Article 6.2 of the Standard Material Transfer Agreement to prohibit the beneficiary of a PGRFA in the Multilateral System from filing any intellectual property or other rights.

"Limiting facilitated access to material - or parts or genetic components thereof – provided under a Material Transfer Agreement, in the form received from the Multilateral System, or **limiting farmers' rights to save, use, exchange and sell seeds or other propagating material of the material provided.**"