

THE IMPORTANCE OF FARMER'S RIGHTS TO PLANT GENETIC RESOURCES FOR REALIZING THE RIGHT TO FOOD¹



Tejo Pramono,
Representative of
La Vía Campesina

Tejo Pramono is an Indonesian farmer and Representative of *La Vía Campesina*, a social movement that gathers 150 local and national organizations in 70 countries of Africa, Asia, Europe and America representing around 200 million farmers worldwide. Mr. Pramono explained in his own words the current obstacles for farmers to ensure their access to food in the context of fragile access to agricultural inputs, food price volatility and climate change.

The quality of seeds constitutes a crucial matter either for small farmers or private companies that work in the seed industry. But according to Mr. Pramono, 14 are now the cases of farmers that have been sued in Indonesian Courts by representatives of seed industries who accuse farmers of stealing seeds patented by the company. They pledge intellectual property rights upon the seeds that are used by local farmers. In terms of justice, how are farmer's rights being protected in the context of seeds legislation? Who is really protecting local farmers when these are sued by private companies in front of national courts? Actually, those farmers that could be contributing towards improving the quality of local seeds are not doing so since they are not protected enough by public authorities. The lack of legal protection is an issue since the farmer has no choice but to depend on those seeds provided or derived from private companies. The price of seeds is very high and this is a major obstacle to ensure their access to resources for food production. "This is very much related to the right to food" –affirms the representative of *La Vía Campesina* – "this right can only be achieved if seeds are accessible. If the seed is very expensive, the farmers will not afford it and this has an impact on higher cases of malnutrition". Today, farmers that could be improving the quality of local seeds, do not dare to multiply genetic resources because they feel threatened. Jail in this context is a current situation in many countries in the world and many farmers are discouraged to improve seeds.

Climate change is also a major concern in this context. While the rain season has not yet stopped, farmers fear they will not be able to harvest enough crops. New varieties would need to be introduced to ensure food production. "The only answer to that is developing participatory plant breeding programs. Seeds need to be able to respond to climate needs at local level and that is precisely why they should be developed locally". However, in many countries, current policies and laws do not provide this type of support.

Lack of protection to farmers' rights to plant genetic resources was very much discussed during the Side Event "**Realizing the right to food: sustainable use of plant genetic resources for food security and nutrition**" held in Bali on March 15th in the context of the Fourth Session of the Governing Body of the International Treaty on Plant Genetic Resources for Food and Agriculture, taking place from 14th to 18th March 2011. During the event, the discussions about the implementation of the Treaty underlined the importance of focusing more on the implementation of Article 9 dealing with Farmers Rights. Civil society affirmed that the review of national policies and legal frameworks constitutes a priority. "This point was raised in different opportunities during the plenary", commented Mr. Pramono.

In light of the Treaty on Plant Genetic Resources for Food and Agriculture and taking into consideration human rights international instruments ratified by those States whose delegations attended the Bali event, revising public policies and laws is of utmost importance. In this regard, adopting a human rights-based approach that strengthens the participation of civil society, private sector and social movements is crucial.

¹ This text is based on an interview realized to Mr. Tejo Pramono, Representative of *La Vía Campesina* in Bali, Indonesia on 16th March 2010.

The Side Event, sponsored by the Spanish cooperation was chaired by Professor Esquinas – Director of Studies on Hunger and Poverty in the University of Córdoba – who expressed the importance of increasing dialogue among intergovernmental organizations, civil society, farmers and private sector in this context. He affirmed that it was unacceptable that the voices of those who are the most vulnerable are not heard in the development of solutions against hunger and poverty. Since the main problem is not the lack of food production but the lack of economic accessibility to it, issues related to lack of access to plant genetic resources should be more and more discussed in *fora* where all actors can build sustainable solutions to protect vulnerable people’s rights. Sustainable use of plant genetic resources and the role of all actors concerned by decision making and by policy implementation are main factors to achieve food and nutrition security from a human rights-based approach where the realization of the right to food is the final objective to attain.