



Food and Agriculture
Organization of the
United Nations



The International Treaty
ON PLANT GENETIC RESOURCES
FOR FOOD AND AGRICULTURE

**Views, Experiences and Best Practices as an example of possible options for
the national implementation of Article 9 of the International Treaty**

Note by the Secretary

At its [second meeting](#) of the Ad hoc Technical Expert Group on Farmers' Rights (AHTEG), the Expert Group agreed on a revised version of the [template](#) for collecting information on examples of national measures, best practices and lessons learned from the realization of Farmers' Rights

This document presents the updated information on best practices and measures of implementing Article 9 of the International Treaty submitted by Karnataka State Farmers' Association (KRRS) India on 24 July 2019.

The submission is presented in the form and language in which it was received.



Template for submission of

Measures, Best Practices and Lessons Learned from the Realization of Farmers' Rights as set out in Article 9 of the International Treaty

Basic information

- Title of measure/practice:
KRRS seed festival and seed banks
- Date of submission
24 July 2019
- Name(s) of country/countries in which the measure/practice is taking place
India
- Responsible institution/organization (name, address, website (if applicable), e-mail address, telephone number(s) and contact person)
Karnataka State Farmers' Association (KRRS)
Gabbadi, kaggallahalli post, Harohalli Hobli
Kanakapura taluk, Ramanagara
+91 98452 19966
Contact person: Tanmay Joshi (tanmay_sj@yahoo.com)
- Type of institution/organization (categories)
Civil Society Organization
- Collaborating/supporting institutions/organizations/actors, if applicable (name, address, website (if applicable), e-mail address, telephone number(s))

International Planning Committee for Food Sovereignty

Description of the examples

Mandatory information:¹

- Short summary to be put in the inventory (max. 200 words) including:
 - Implementing entity and partners

KRRS

- Start year

2000

- Objective(s)

Improve the exchange and the sale of seeds from farmers to farmers, which is the only way to protect the farmers' seeds systems and implement article 9 of the ITPGRFA.

- Summary of core components

Once every year KRRS organizes seed festival where farmer-to-farmer exchange of seed & knowledge takes place. Different informative sessions also take place where sharing of information and experiences regarding seed laws takes place.

- Key outcomes

KRRS is settings up processing units for produce made from peasant seeds so that we can provide consumers with the final product with the knowledge about seeds being used in it. This way demand is

¹ This mandatory information is required in order for the measure/practice to be included in the Inventory.



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being created for products made from peasant seeds. For eg, setting up a facility to make cloth made from indigenous cotton grown using peasant seeds.

- Lessons learned (if applicable)

Peasants should never face any legal or biological restrictions to use, reuse, sow, resow, save, select, exchange and sell any seeds, farm-saved or otherwise.

Prior written consent from the peasant community has to be taken before taking seeds from them.

- Brief history (including starting year), as appropriate
- Core components of the measure/practice (max 200 words)

Once every year KRRS organizes seed festival where farmer-to-farmer exchange of seed & knowledge takes place. Different informative sessions also take place where sharing of information and experiences regarding seed laws takes place.

Seed banks are maintained where farmers can get seeds of local varieties.

In events like seed festivals, peasants get a chance to showcase their work on seeds as well as get a place to sell and exchange it. This helps in recognition of their efforts and also in providing them with supporting income through seed sales.

KRRS is settings up processing units for produce made from peasant seeds so that we can provide consumers with the final product with the knowledge about seeds being used in it. This way demand is being created for products made from peasant seeds. For eg, setting up a facility to make cloth made from indigenous cotton grown using peasant seeds.

Most of our work happens from resource contributions from the community. But there is negligible support from the government, & government doesn't even recognise us for implementing farmers' rights.

- Description of the context and the history of the measure/practice is taking place (political, legal and economic framework conditions for the measure/practice) (max 200 words)

Another way for peasant seeds to be entered into a catalogue is through registering it for PVP certificate. For that the seeds have to pass the DUS test.

There is no mechanism to support peasants who dynamically manage biodiversity unless a variety gets PVP certificate.

Peasants are allowed to use seeds from the informal seed system freely, but there is no regulation over access to these seeds by public or private sector institutions. This is leading to biopiracy at a very rapid pace.

The Seed Bill, 2004 which is still not passed by the parliament has many restrictions for peasants to use their own seeds.

But as per the proposed Seed Bill – 2004 (Section 25), peasants seeds also have to go through the regulatory system set up for the industry to be able to continue doing exchanges.

In order to be able to sell seeds with proper labelling and be able to apply for exporting them, a peasant needs to register herself/himself as a seed multiplier or a breeder and can do seeds production of notified varieties only. For this, peasants have to go through the same system as set for institutional (public & private) breeders.

- To which provision(s) of Article 9 of the International Treaty does this measure relate

Art. 9.1 x



- Art. 9.2a x
- Art. 9.2b
- Art. 9.2c
- Art. 9.3 x

Other information, if applicable

- Please indicate which category of the Inventory is most relevant for the proposed measure, and which other categories are also relevant (if any):

| No. | Category | Most relevant ² | Also relevant ³ |
|-----|--|----------------------------|----------------------------|
| 1 | Recognition of local and indigenous communities', farmers' contributions to conservation and sustainable use of PGRFA, such as awards and recognition of custodian/guardian farmers | X | |
| 2 | Financial contributions to support farmers conservation and sustainable use of PGRFA such as contributions to benefit-sharing funds | | |
| 3 | Approaches to encourage income-generating activities to support farmers' conservation and sustainable use of PGRFA | | |
| 4 | Catalogues, registries and other forms of documentation of PGRFA and protection of traditional knowledge | | X |
| 5 | In-situ/on-farm conservation and management of PGRFA, such as social and cultural measures, community biodiversity management and conservation sites | | X |
| 6 | Facilitation of farmers' access to a diversity of PGRFA through community seed banks ⁴ , seed networks and other measures improving farmers' choices of a wider diversity of PGRFA. | | |
| 7 | Participatory approaches to research on PGRFA, including characterization and evaluation, participatory plant breeding and variety selection | | |
| 8 | Farmers' participation in decision-making at local, national and sub-regional, regional and international levels | | |
| 9 | Training, capacity development and public awareness creation | | X |

² Please select only one category that is most relevant, under which the measure will be listed.

³ Please select one or several categories that may also be relevant (if applicable).

⁴ Including seed houses.



| | | | |
|----|--|--|--|
| 10 | Legal measures for the implementation of Farmers' Rights, such as legislative measures related to PGRFA. | | |
| 11 | Other measures / practices | | |

- In case you selected 'other measures', would you like to suggest a description of this measure, e.g. as a possible new category? _____
- Objective(s)
- Target group(s) and numbers of involved and affected farmers⁵
- Location(s) and geographical outreach

- Resources used for implementation of the measure/practice
- How has the measure/practice affected the conservation and sustainable use of plant genetic resources for food and agriculture?
- Please describe the achievements of the measure/ practice so far (including quantification) (max 200 words)
- Other national level instruments that are linked to the measure/practice
- Are you aware of any other international agreements or programs that are relevant for this measure/practice?
- Other issues you wish to address, that have not yet been covered, to describe the measure/practice

Lessons learned

- Describe lessons learned which may be relevant for others who wish to do the same or similar measures/practices (max 250 words).

First and foremost, representatives from peasants organisations should be involved in the decision-making processes regarding seeds. There should be enough time given for peasants to participate effectively in the decision-making process.

Peasants should never face any legal or biological restrictions to use, reuse, sow, resow, save, select, exchange and sell any seeds, farm-saved or otherwise.

Prior written consent from the peasant community has to be taken before taking seeds from them.

Legally & biologically safe environment has to be provided for peasants to grow their seeds so that they don't run the risk of contamination or legal seizure of seeds grown by them & are compensated rightly in case damages occur.

- What challenges encountered along the way (if applicable) (max 200 words)

Peasant seeds are being collected by the public agriculture research institutions and the national gene bank for a very long time. But there has been no assurance to the peasant community yet that their seeds & the traits within will be safe from being patented, be it within the country or outside. There are examples coming into light now where patent on Digital Sequence Information (DSI) is being applied by the IRRI on the trait of a variety that came from the Indian national gene bank.

- What would you consider conditions for success, if others should seek to carry out such a measure or organize such an activity? (max 100 words)

Implement farmers' practices even if the laws do not allow the implementation of Farmers' Rights

⁵ Any classification, e.g. of the types of farmer addressed, may be country-specific.



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Further information

- Link(s) to further information about the measure/practice
1. Seed Act, 1966 (<http://seednet.gov.in/Material/IndianSeedSector.htm#Policy> Initiatives in Seed Sector)
 2. New Policy on Seed Development, 1988 (<http://seednet.gov.in/Material/IndianSeedSector.htm#Policy> Initiatives in Seed Sector)
 3. National Seed Policy, 2002 (<http://seednet.gov.in/Material/IndianSeedSector.htm#Policy> Initiatives in Seed Sector)
 4. The Seed Bill, 2004 (<http://seednet.gov.in/Material/IndianSeedSector.htm#Policy> Initiatives in Seed Sector)
 5. Protection of Plant Varieties & Farmers' Rights Act, 2001 (a. <http://www.plantauthority.gov.in/index.htm> b. <http://agricoop.nic.in/acts-and-rules-listing>)
 6. Licensing & Formats for GM Technology Agreement Guidelines, 2016 (<http://www.moef.nic.in/division/genetic-engineering-approval-committee-geac>)
 7. Patent Act, 1970 (<http://www.ipindia.nic.in/resources.htm>)
 8. National IPR Policy, 2016 (<http://dipp.nic.in/policies-rules-and-acts/policies/national-ipr-policy>)
 9. Rules for the manufacture, use, import, export and storage of hazardous micro-organisms, genetically engineered organisms or cells, 1989 (<http://envfor.nic.in/legis/hsm/hsm3.html>)
 10. Biological Diversity Act, 2002 (<http://nbaindia.org/link/304/1/1/home.html>)
 11. Guidelines on Access to Biological Resources And Associated Knowledge and Benefits Sharing Regulations, 2014 (<http://nbaindia.org/content/18/21/1/notifications.html>)