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PRESS RELEASE

BERNE DECLARATION

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IMMEDIATE

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KEEP CROP SEEDS PATENT-FREE IN ORDER TO MAINTAIN WORLD FOOD SECURITY

274 Civil Society Organisations (CSOs) from 55 countries call on negotiators to endorse an agreement that will keep open access for all to the seeds of the world's most important crops, unrestricted by patents and intellectual property rights.

Next week (23-28 April 2001) in Spoleto, Italy, negotiations on the revised FAO International Undertaking on Plant Genetic Resources will continue. The outcome of the 41 countries' deliberations will decide the fate of billions of people who currently depend on freely exchanged farmers' seeds. These seeds provide the diversity of food for the world. Unless free access is guaranteed the world's ability to ensure food security will be profoundly affected.

Failure to achieve agreement will lead to a rapid reduction in the exchange of plant breeding stocks between countries and institutions and amongst farmers themselves. Agricultural research and the future of a half million seed samples of 30 food crops will also be threatened. Farmers' Rights freely to save, exchange, and sell seeds will be denied.

The world's seeds will increasingly fall into the hands of multinational corporations who, protected by patents and intellectual property rights, will decide what and whether people will eat.

If negotiations succeed the International Undertaking will be agreed by the Conference of the FAO in November 2001 and will become legally binding.

CSOs and their networks are closely watching the outcome: increased public attention is being brought to bear on these negotiations. CSOs have insisted in their letter that the negotiators must not fail and have said to them: *"Time is running out but an agreement, supported by a majority of countries, is within your grasp... Global food security and the livelihoods of millions of rural households depend on your work in Spoleto: you must not abdicate your responsibilities"*.

For further information from 23-28 April, Contact CSO observers at the negotiations Henk Hobbelenk and Pat Mooney at Hotel dei Duchi, Spoleto, Italy Tel: +39 07 43 44 541; Fax: +39 07 43 44 543

Full text of the CSO letter and signatories and explanatory documents are available at:

UK Agricultural Biodiversity Coalition www.ukabc.org;
Berne Declaration www.evb.ch/bd/food.htm

Further background information is available at:

RAFI www.rafi.org; GRAIN www.grain.org;
IATP www.iatp.org

April 2001

To: Members of the Chairman's Contact Group negotiating the International Undertaking

cc Members of the FAO Commission on Genetic Resources for Food and Agriculture

International Undertaking on Plant Genetic Resources for Food and Agriculture (IU)
KEEP OUR SEEDS FREE FROM PROPERTY RIGHTS

We are writing as Civil Society organisations concerned that access to genetic resources for food and agriculture is maintained and that it is not restricted by Intellectual Property Rights (IPRs). We believe that the IU has the potential to ensure this.

We wish to urge you and all members of the Contact Group to do all you can to achieve successful negotiations on the IU in your next meeting in Spoleto. Time is running out but agreement is within your grasp if you focus on the important issues and are not distracted by minority views. An agreement supported by a majority of countries would be an acceptable first step.

We trust that you have secured the commitment to "conclude negotiations by a fixed date" that Ambassador Gerbasi requested of you at the FAO Council. As you will be very aware, that date has, in effect, arrived if you are to fulfil the Council's request for a finalised IU to be presented to the next FAO Conference. We urge you to agree sufficient text in Spoleto this month to enable an Extraordinary Session of the Commission on Genetic Resources for Food and Agriculture to conclude negotiations on the IU and present this to the FAO Conference in November 2001.

You are aware of the key issues that need resolution: **Access; Commercial Benefit Sharing; Financing;** the **List of Crops** that will be covered by the IU to include all those which are of global importance for food security. Our views on these have been widely circulated among Contact Group members and are available on various websites¹.

Because these vital genetic resources are drawn from a multitude of countries, the IU's Multilateral System of access, free from IPRs and other restricting mechanisms, is vital for all who want to improve crops, including farmers. As you know, without the IU there would be a need for costly and ultimately unworkable sets of bilateral arrangements in which all would lose out.

Our insistence is that you negotiate a just, equitable and effective IU that facilitates universal access to those genetic resources essential for food and agriculture:

- we will not accept an agreement in which access is restricted by IPRs;
- we want to see you include a list of at least 30 genera of crops essential for food security
- we want you to re-open Article 15 on Farmers' Rights and/or commend the issue to the Right to Food negotiations at UNHCHR.

Our colleagues will be attending the next Contact Group meeting as observers and all our organisations and their networks are watching the outcome: increased public attention is being brought to bear on these negotiations – you must not fail. Global food security and the livelihoods of millions of rural households depend on your work in Spoleto: do not abdicate your responsibilities.

Yours sincerely

SIGNED

(see www.ukabc.org and www.evb.ch/bd/food.htm for full list of signatories)

¹ See for example: www.rafi.org, www.grain.org, www.ukabc.org, www.evb.ch/bd/food.htm