Sowing the Future – Harvesting Diversity

We are calling for a European-wide seed campaign to stop further intellectual property rights on plant varieties and the monopolisation of seeds by transnational corporations. We are committed to non-genetically modified seed varieties, to ensuring that farmers have the right to obtain their seeds from their own harvest, as well as to exchange and sell them. We call for total transparency in the seed sector and for food sovereignty.

Widely unnoticed by the public, the EU commission began to revise EU legislation on the marketing of seeds in 2008. The revision is to come into force in 2010 and will be obligatory for all member states. With the aim of „Better Regulation" it wants to reduce bureaucracy in seed legislation and to standardize the law. Seed marketing in the EU is at present regulated by 12 directives which are implemented differently in each EU country. Private companies were mandated to evaluate the current legislation under the supervision of „Arcadia", a consulting company which has often worked for the GMO industry.

Since the first seed marketing laws were drawn up in the 60s, the seed industry has developed into an international business. The ten largest seed companies worldwide now control 67% of the market, including Bayer, Monsanto, Syngenta and Limagrain. They are lobbying hard for new EU legislation which corresponds to their interests.

New bureaucracy for old seed varieties

Until recently, the marketing of seeds of unregistered varieties was not subjected to any controls in most countries. In June 2008 the EU commission submitted a directive on conservation varieties for grain and potatoes. This directive is supposed to regulate the marketing of landraces, varieties adapted to regional conditions and those that are threatened by extinction. This includes most organic varieties as well as farmers' and composite varieties. Similar directives for vegetable crops and amateur varieties are expected to follow.

Organisations working on the conservation and development of crop diversity and organic agriculture were listened to as part of the preparation process, but there is hardly anything left of their proposals. Instead, the so-called 'directive on conservation varieties' does not comply with its own goal of stopping crop diversity loss and simplifying the seed legislation. It does allow breeders to register regional and organic varieties, but it has created excessive bureaucratic hurdles for their registration and there is a risk that it will prohibit the circulation of non-registered varieties. The EU member states are obliged to incorporate the directive into their national legislation.

Three requirements are particularly absurd and entail an enormous control burden:

- **proof of the significance of a particular variety for the conservation of plant genetic resources;**
- **the production and distribution of regional seeds are restricted to their areas of origin;**
- **quantitative limitation of the variety's cultivation proportionally to commercial varieties.**

Seed-sharing market in Halle, Germany, May 2007

This is intended to prevent alternative seeds from competing on even a small part of the seed market. It is likely that only a few varieties will in economic terms be considered worth the bureaucratic hurdles needed for registration. All other varieties will become illegal. Countries like Turkey and Romania will be especially affected. A large proportion of their common varieties are not registered in the EU catalogues due to the fact that farmers and gardeners produce and market their own seeds. For these countries the current directive will have disastrous consequences.

The interests of the European seed industry are represented in all continents by the International Union for the Protection of New Varieties of Plants (UPOV). If this powerful organisation succeeds in imposing its interests it will lead to laws similar to the new European directive being introduced outside Europe. This would result in the prohibition of local varieties.

Intellectual property rights on all crops?

Seed corporations are demanding that their rights on intellectual property should be strengthened. They claim that they are currently losing 40% of their potential market to 'illegal reproduction', as they call it, as well as to the sowing of non-registered varieties.

Genetic engineering offers the industry the ideal solution to ensure their intellectual property rights because genetically modified varieties can be patented and clearly traced in the fields. Farmers are bound by contract and can be sued for illegal reproduction anytime the industry finds traces of its patent on their fields. The Monsanto lawsuits against Percy and Louise Schmeiser are the most known of many cases in North America.

Although there is widespread resistance against genetic engineering in Europe, the seed industry is putting pressure in order to increase the acceptance of GMOs. They refuse to accept responsibility for contamination and insist on quantitative thresholds which allow limited genetic contamination in GM-free seeds without this being indicated on the label.

Since resistance to genetic engineering is growing, the seed industry is looking for other avenues to pursue its goals. In the context of negotiations for new legal regulations on the marketing of seeds, they are calling for varieties to be identified via a genetic sequence, also known as molecular marking. Although this demand concerns the protection of plant varieties and not their marketing, they want to incorporate it in the new seed marketing law. Genetic markers would enable the seed industry to identify their varieties in the field and to prevent their being re-sown the following year. However, these genetic sequences could appear and be detected on a neighbouring field as a result of unintended cross-fertilisation.

Patents on crop varieties

Seed corporations have already filed patent applications on non-genetically modified plants. Examples are the „Anti-shrivel-tomato" (EP 1211926 B1), anti-carcinogenic broccoli (EP 1069819 B1) and a melon with particularly high sugar content (EP 1587933 B1). There have been broad protests against these patent applications. Through the implementation of molecular markers, all crops would be rendered patentable and resistance against single patents would become pointless.

The corporations want to profit from patents on plant varieties, whether they are genetically engineered or not. They have made the following demands to the EU:

- **the extension of patent law to all existing plant varieties thanks to an authorisation allowing the identification of all varieties in the field through molecular markers;**
- **a system which enables the seed industry itself to carry out the necessary controls prior to the registration of new varieties;**
- **the prohibition of peasant seed varieties and of their multiplication by farmers on the grounds of distortion of competition and sanitary hazards;**
- **the extension of the industry's monopoly rights on registered varieties from 25 to 30 years.**

Agriculture would thus become completely dependent on a few seed corporations which, hardly surprisingly, are identical with or closely related to the big chemical multinationals. Such seeds need chemical fertilizers, pesticides and irrigation, i.e., an energy and fossil-fuel intensive agriculture. Farmers who are dependent on these systems are already paying five times as much for fertilizers and other chemicals as for the seeds themselves.

The current global situation forces us to rethink

The upcoming decisions regarding seeds which will be taken in Brussels are not only of concern to farmers and seed companies. They are important to everyone's food. We thus want our ideas to be part of a broad public debate.

Seeds are the basis of life. A diversity of crops has nourished mankind for thousands of years. The seeds we have inherited from past generations are a most precious treasure and are essential for food sovereignty. Protecting this heritage should be the goal of the new seed laws.

Instead of promoting high energy-consuming monocultures and plants dependent on chemicals, the EU should be encouraging regionally adapted varieties. This would result in a great diversity of varieties rather than a limited number of intensive varieties on a vast world market. Local landraces should not be restricted and excluded from the wider market. Their multiplication should in fact be promoted.

We need a change in agricultural policy. The fact that fossil fuels are running out means that industrial agriculture has no real future. Yet agriculture can move out of its high energy dependency with the help of crop diversity. Soil fertility should be a priority instead of destroying our soils through an excessive use of chemical fertilizers producing high quantities of nitrous oxide.

The production of GM-free food needs GM-free seeds. Therefore we demand zero-tolerance of genetic contamination in GM-free seeds as well as the principle that the polluter must pay.

The revision of the legislation on the marketing of seeds is an opportunity for more transparency. All selection methods, including genetic engineering, should be declared when registering a variety. In this way, an informed public can be protected from unknown risks.

These are ambitious aims. Their success depends first and foremost on the right for farmers to produce, re-use and distribute seeds from their own harvest. Crop diversity is not the product of a laboratory, but of people all over the world who in their gardens and in their fields have ensured that seeds adapt to local conditions and to a changing climate. Cultivated diversity must once again become the basis of our food. This has to be clearly laid down in the new European seed legislation.

UPOV must change its policies and must respect farmers' rights as they are set forth by the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA). This treaty has been signed by all EU member states. For 40 years, the chemical and seed industry has claimed that they are combatting hunger. But hunger has risen as agriculture has become more industrialized. One year ago, the World Bank's "World Agrarian Report" (IAASTD, International Assessment of Agricultural Knowledge, Science and Technology for Development) declared that peasants make the greatest contribution to feeding the world. The four hundred scientists from all over the world who drew up the IAASTD report recommend a structural change in agricultural policy, favouring small-scale agriculture and greater diversity.

Proposals for a Europe - wide Seed Campaign

This campaign has been launched by organisations already involved in the safeguard of regional, traditional or neglected varieties, as well as by small farmer organisations in several European countries. We hope that many groups and civil society movements which are not specialists in this field will join this seed campaign. Together we must prevent the very basis of our food supply becoming a mere source of profit of a few multinational companies. This is a decentralised campaign with actions organised and coordinated on a regional or national level. Such activities can be announced and presented on our website.

- „Sowing the future“: last year in Switzerland forty farmers invited people of their region to come together and sow a field by hand with a regionally adapted variety. They chose this way of demanding a prolongation of the moratorium against genetic engineering. This kind of event helps to promote dialogue between farmers and consumers. A day like this can be organised by many people with access to land.
- European elections took place in June 2009. We want to inform the new members of the commission on agriculture of the European parliament about the projected new EU seed legislation and its dangerous consequences. We call on them to take a stand.
- In order to involve as many people as possible in the discussion about the new seed legislation we are collecting signatures for the petition “Sowing the Future – Harvesting Diversity”. Organisations, church groups, school classes and all kinds of initiatives can also sign the petition.
- Similar seed initiatives are being launched in other European countries. In March 2010 we will coordinate them at the 5th European Seed Seminar in Graz (Austria) and plan a concerted action in Brussels to hand over the

First Signatories:

IG Saatgut (network for GMO-free seeds and breeding), Germany
AbL, Arbeitsgemeinschaft bäuerliche Landwirtschaft (small farmer organisation), Germany
Interessengemeinschaft Nachbau (Initiative against legislation that restricts the resowing of one‘s own harvest), Germany
BUKO-Kampagne gegen Biopiraterie (Campaign against biopiracy), Germany
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„Sowing the future“ in Lützelsee-Hombrechtikon/ZH in Switserland, October 2008