

Open letter CPE-COAG / marketing of seeds/ EU legislation

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Open letter of the European Farmers Coordination (CPE) and of COAG (Coordinadora de las Organizaciones de Agricultores y Ganaderos - Spain) on the consultation on the European legislation concerning the marketing of seeds.

Is it really a democratic consultation?

A private consultancy has been charged to carry out consultations to simplify and draft amendments of the EU rulings on the marketing of seeds. Thus a questionnaire was put on line in order to “consult” the interested parts.

We, farmers organizations in more than 20 European countries, denounce the undemocratic nature of this consultation process. The issue of conservation, exchange and trade of seeds concerns directly millions of farmers in Europe, as well as millions of men and women who grow their own vegetables. Moreover the preservation of biodiversity concerns all citizens; without it the future of humanity itself is endangered.

The way in which the consultation has been carried out (i.e. Online questionnaire) cannot take into account the reality of all the actors concerned. On the one hand, the large majority of European farmers do not have Internet. In addition, the questionnaire is only in English, excluding all the people who speak different languages in Europe. Lastly, the language used in the questionnaire is very technical, excluding automatically those people who do not have the technical and legal training about European seeds legislation. These people are the most affected by conservation and exchange policies on seeds.

For example, small producers from these Central and Eastern European countries that lately entered the EU grow a great diversity of species. For them, this kind of consultation cannot represent a viable tool for expressing their opinion.

Only industries interested in seeds trade and, to a lesser extent, some NGOs which have enough human and financial resources to follow up European legislative processes can properly express their voice through the « Better regulation » questionnaire. This shows the biased nature of this consultation. It is clear that it is not the interest of the people that will be defended, but rather that of a handful of transnational seed companies who impose their rules on the European Union officials.

For these reasons, we have chosen not to answer to this imposed questionnaire, but rather to express our opinion through an open letter.

The role of legislation is to protect biodiversity and farmers rights

So far, the main objective of the European legislation on seed marketing has been that of strengthening the monopoly on biodiversity resources held by a very small number of seed breeding industries. This guarantees them a very high income and a total control of the international market.

Taking into account that the world biodiversity is in jeopardy, the European legislation on marketing seeds must be radically revised. The preservation of biodiversity should be the main objective of a European legislation on marketing seeds, as well as the respect of the farmers rights defined by the International Treaty on Plant-Genetic Resources for Food and Agriculture (ITPGRFA).

Biodiversity is essential to increase the adaptability of plants to climate change and therefore guarantee food for future generations. Only seeds naturally preserved in our fields and our gardens and not that in the gene banks freezers are able to adapt to changing conditions.

Biodiversity has been developed and always renewed by farmers for milleniums. Nowadays, it is under threat because of the massive destruction of farmers throughout Europe and in the whole world and because of the increasing privatisation of seeds. Indeed, a small number of transnational companies use intellectual property rights (patents or Plant Breeders Rights) to steal seeds from the rural communities. GMOs and genetic contamination are part of the tools used by the seeds industries to impose their monopoly over seeds and thus create a huge captive market.

Thus it is key to recognize and respect farmers rights as defined by the International Treaty on Plant Genetic ressources for Food and Agriculture, which the EU is a signatory of, in order to maintain biodiversity in Europe. It means: « The right to keep, use, exchange and sell farm seeds » and the right for farmers to take part to the decision-making on all issues related to the preservation of biodiversity (article 9). Moreover, for farmers to be able to keep playing their role in preserving biodiversity, it is essential that farmers rights are not limited to rights concerning seeds, but also include other rights, such as access to other productive ressources (land and water for example), right to sell farm products (often forbidden by sanitary regulations that are made to suit industrial requirements) and an agricultural policy that regulates the markets within the EU (through supply management) and towards third countries (market protection).

Food sovereignty is essential to preserve biodiversity in Europe.

Thus, we demand that the European Union:

- **recognizes and respects farmers (and non-professional gardeners) rights to keep, use, exchange and sell seeds produced on the farm (or in gardens),** for seeds registered in the catalogue or not, and to **take part to the decision-making concerning the preservation of biodiversity for food and agriculture at the national and European levels.**
- **Creates a catalogue for « varieties of conservation »** with flexible registration criterias, opened for free to any variety that is not or not any more registered in the catalogue, adapted to the needs of low inputs sustainable family farming.
- **Makes compulsory the information about the origin of varieties and breeding methods for the registration of a Plant Breeders Rights and in the catalogue.**
- **Implements a moratorium on the marketing and cropping of seeds from genetically modified varieties (GMOs).**

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