

#### From

Bharat Beej Swaraj Manch (Indian Seed Sovereignty Alliance)

2 July 2025

To

### Shri Ajeet Kumar Sahu

Joint Secretary, Seeds and International Cooperation Ministry of Agriculture and Farmers' Welfare Government of India New Delhi aksahu@ias.nic.in

Subject: The Plant Treaty MLS Meeting 7-11 July 2025 and India's Farmers' Rights

Respected Sir,

Bharat Beej Swaraj Manch (BBSM) is a national coalition of farmers and organisations working on structuring farmers rights into seed systems and agroecological framework. For us seeds and plants are life forms and we declare that the seeds and germplasm as part of national collective bio-cultural heritage.

We, along with the undersigned, write this letter to express our concerns regarding the proposed package of measures being discussed in the Ad Hoc Open-Ended Working Group (WG) to Enhance the Functioning of The Multilateral System of Access and Benefit-Sharing (MLS) of the International Treaty on Plant Genetic Resources for Food and Agriculture (the Plant Treaty).

Next week, the above-mentioned WG is proposed to finalize this package of measures at its 14th Meeting scheduled in Peru (7-11th July 2025) and will submit the same to the Governing Body (GB) happening in November 2025 for its consideration. We understand that an Indian Official is the co-chair, along with an Australian counterpart, and the package of measures is known as Proposals from Co-chairs. We are worried that this situation could co-opt India into the proposals prepared by the Co-Chairs, without a discussion on such proposals within India and with farmers groups.



We have several concerns regarding the proposed package of measures which is almost drafted from the point of view of protecting the interests of recipients, namely big corporates, of the plant genetic resources of food and agriculture (PGRFA), more commonly known as "seeds". The concerns are not just that of farmers, but also that of the seed sovereignty of India as well.

Before explaining the concerns on the proposed package, we reiterate that adequate and effective protection to farmer's rights should be included in the Treaty, including with respect to operations of MLS. Otherwise, MLS could substantially undermine the rights of the farmers, seed sovereignty as well as food sovereignty, and thus impact food security in India and global south. In this regard, first and foremost, we call for implementation in the true spirit of the legally binding provisions on farmers' rights.

The following five are the major concerns, relating to the current package of measures proposed:

First, Annex 1 of the Plant Treaty is being proposed to be amended to expand the scope of the MLS to the fullest extent, bringing "all Plant Genetic Resources for Food and Agriculture (PGRFA)" under its coverage. "All PGRFA" would include all or any plant genetic resource having actual or potential value for food and agriculture, without exception. This means India will be legally obligated to share all of its plant germplasm under standard material transfer agreement (SMTA) determined by the Governing Body (GB) of the Plant Treaty, and not under India's own terms and conditions. Such a proposal undermines sovereign rights of India over its plant genetic resources, as well as rights of the farmers over their seeds.

Second, the SMTA and the Treaty currently do not propose tracking requirements as the Treaty says there should not be tracking at the level of individual accessions of PGRFA shared. However, this understanding of convenience is extrapolated to situations where there is no information available about the signatories of SMTA and what resources they have accessed from MLS collections. There are no effective and meaningful accountability and transparency mechanisms established under the Treaty yet. This puts India's resources, including farmers' seeds, into an unprotected access platform, where anybody could carry them away, develop new varieties or commercialize traits from such PGRFA, without taking prior informed consent from farmers or even Indian Government. When third parties keep sharing our materials, they need not even give information to us. They also escape benefit sharing requirements of the Treaty, as well as that of the national ABS laws, in cases where they use such resources for non-food/non-feed purposes.

Third, to make matters worse, instead of improving the transparency of the MLS as per Article 10.2 of the Plant Treaty, the proposed package of measures is adding three new additional confidentiality clauses into the SMTA, virtually blocking any aspect of transparency in the functioning of MLS. More importantly, it compromises the ability of the state and its farmers to know about their seeds being transacted by the gene banks through SMTAs and the outcomes



of research and development on such and related planting material. This undermines their right to informed participation in benefit sharing as well as their right to safeguard their seeds, the parts thereof, or sequence information generated from seeds from being patented or monopolized through any other legal instrument.

Fourth, it is worrying that the proposal for a package of measures by Co-chairs has no provision to address the Digital Sequence Information (DSI) or Genetic Sequence Data (GSD) generated from the PGRFA within the SMTA. This is despite the 16th Conference of Parties to Convention on Biological Diversity (CBD) explicitly deciding the countries and international organisations can develop their own approaches of access and benefit sharing from DSI, including the path of mutually agreed terms established at the time of access to the genetic resources from which the DSI is derived.

Here in the proposed package of measures, co-chairs are suggesting not to govern sequence information generation, its storage, sharing and subsequent use in the SMTA. This effectively creates no obligation on the recipient with regard to the DSI of the PGRFA shared. The recipient can deposit such information in unaccountable databases that share DSI anonymously, promoting digital biopiracy and compromising further opportunities of benefit sharing, either through FAO or directly through national governments. There is no guarantee that these databases will continue to provide access to Indian farmers, researchers, academics or public plant breeders. We need to remind ourselves that Indian farmers have been the most prolific breeders of good seeds and plant genetic material.

Fifth, although the Treaty prohibits the application of intellectual property rights (IPR) in a manner that reduces access to PGRFA through MLS, the provision does not address DSI explicitly. This loophole could be used to take IPRs over DSI. Also recipients are not obligated to mention MLS as the source of germplasm and the country of origin in their intellectual property claim or in their plant variety protection application. Again the proposals from the cochairs are inadequate to remove these challenges.

Given the above concerns, we request the Government of India (GoI) to reject the proposed package of measures, in particular the proposal to expand the scope of the Annex 1 which is not only detrimental to the interests of Indian farmers, but also inconsistent with Plant Treaty's Preamble, and Articles 10 and 11. We don't think even if 1 percent of the global seed sector is made as a contribution to the FAO benefit sharing fund, it is worth opening up the entire germplasm to the MLS. We call upon ITPGRFA and India to incorporate provisions to prevent biopiracy of its plant germplasm and to support farmers organisations to participate effectively in the decision making processes by enabling their access to resources, including finance and information relating to exchange of PGRFA, research and innovation etc.

We request you to call for an urgent meeting of farmers' organisations, alongside state ministries of agriculture and other relevant departments such as national and state biodiversity



authorities to discuss the implications of the proposed package of measures and to develop a balanced and informed national position.

No nation-wide consultation was organised on the subject matter with farmers' organisations, along with state governments and other relevant departments like National Biodiversity Authority. We also want to remind that after the First Farmers Symposium in September 2023, there was no further consultation with farmers' organisations in India. We are concerned that sweeping changes to the Plant Treaty and its SMTA are being proposed in a forum where India is co-chair. India as a co-chair has the onerous responsibility to consult farmers in India to formulate our country's position.

In this context, we request India to stop endorsing any of the proposals contained in the package of measures, until such consultation meetings are organized.

We believe you will take these concerns into account as a matter of utmost importance and take necessary steps immediately.

Thanking you,

## Bharat Beej Swaraj Manch (Indian Seed Sovereignty Alliance),

Jacob Nellithanam & Soumik Banerjee (Convenors), and Core Team Members.

#### Supported by:

- 1. Indian Coordination Committee of Farmers Movements (ICCFM)
- 2. Karnataka State Farmers Association, Karnataka
- 3. Tamizhaga Vivasayigal Sangam (TVS), Tamil Nadu
- 4. Adivasi Gothra Mahasabha, Kerala
- 5. South Indian Coordination Committee of Farmers Movements (SICCFM)
- 6. Bhartiya Kisan Union (BKU)
- 7. Agragamee, Odisha
- 8. Ahinsa Club, Odisha
- 9. ASHA-Kisan Swaraj
- 10. Basudha, Odisha
- 11. Bhoomika Farmer's Network (F.I.A.M. FPC)
- 12. Darbar Sahitya Sansada (DSS), Bhubaneswar/Odisha
- 13. Delhi Science Forum, New Delhi
- 14. Earth Keepers Connect, Goa
- 15. Gene Campaign, Uttarakhand
- 16. Gram Art Project, Madhya Pradesh
- 17. Greater Kaziranga Land and Human Rights Committee, Assam
- 18. Mohraan Farms, Maharashtra
- 19. Paustik Life, West Bengal
- 20. Panchal Susthaye Krishi Udyog Samiti, West Bengal



- 21. Jaiviksri Farmers Producer Company Limited, Odisha
- 22. Lokamata Rani Rashmoni Mission (LRRM), West Bengal
- 23. Navadarshanam, *Tamil Nadu*

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12	Anirban Das	Casa / Centre For Studies In Social Sciences	Kolkata , West Bengal
13	Shivam Shukla	Centre For Collective Development	Bengaluru
14	Pagada Aazad Khimjibhai	Centre For Environment Education	Kalavad, Gujarat
15	Uday Nagubandi	Centre For Sustainable Agriculture	Telangana
16	Smitha Naik	Centre For Sustainable Development	Pune, Maharashtra, India
17	Bhumi	Climate Front India, Youth For Himalaya	Delhi



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19	Dinesh Abrol	Delhi Science Forum	New Delhi Delhi
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34	Farmer Monuhar Pegu	Greater Kaziranga Land And Human Rights Committee	Bokakhat, Golaghat, Assam India
35	Teenaa Kaur	Green Earth Pictures	Mumbai
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65	K V Biju	Rashtriya Kisan Mahasangh (RKM)	Thrissur Kerala
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67	Syed Ghani Khan	Rice Diversity Centre	Mandya Karnataka
68	Anil Kumar	Sahodaya Trust	Gaya, Bihar
69	Sandeep Sabharwal	Sajeevan Life Pvt Ltd Agritech Startup	Rajkot Gujarat
70	Deepak Malani	Salvi Farm	Ambernath, Maharashtra
71	Ashis Panda	Sambhaav Trust	Dungarpur, Rajasthan
72	Ushakumari	Save Our Rice Network	Trivandrum Kerala
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75	Dipika Kothari	Serene Eco Village	Pune, Maharashtra
76	Ruth Chattopadhyay	Social Initiative Paushtik Life	Kolkata, Wb
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80	Bharat Mansata	Vanvadi Agro-Ecological Regeneration Association (VARA) & Earthcare Books	Maharashtra & Kolkata
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84	Esha Sharma	Youth For Aarey Forest	Mumbai, Maharashtra
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87	Sejal Nikhil Chevli	Arch	Surat Gujarat
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95	Karthik Sivaraman	El Domo Pvt Ltd	Bangalore Karnataka
96	Ashok Patil	Fit Feet Foundation Dharwad (FFFW)	Dharwad, Karnataka, India
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108	Sanjeev Naik	Jeevabhavana	Pune, Maharashtra
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132	Padam Kumar Jain	Prem Samriddhi Foundation	Bundi, Rajasthan
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136	Arunima Swain	Sg Foundation	Bhubaneswar And Odisha
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140	Aruna Rodrigues	Sunray Harvesters	Mhow Cantt.Mp
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147	Sangita Kumari	Unnati Ngo	Rajasthan, Jodhpur
148	Yelakala Uma Shankar	Upl	Hyderabad
149	Bhavin Patel	Urvee Farms	Bandahalli
150	Deepa Rai	Vanavriddhi Farms	Hanur, Chamarajanagar District, Karnataka
151	Chowdhury Saifuddin Anwar	Wateraid India	Madhubani Bihar
152	Keshavamurthy Gp	Working With Boomi	Bengaluru, Karnataka
153	Nithin Ramakrishnan	Civil Society Representative In The Itpgrfa Working Group On Enhancement Of MIs	Palakkad, Kerala
154	Tanmay Joshi	Farmers Representative In The Itpgrfa Working Group On Enhancement Of MIs	Nagpur, Maharashtra
155	Ananya Mehta	Individual Farmer	Bangalore, Karnataka
156	Arpit Sharma	Individual Farmer	Kota, Rajasthan
157	Deepika Kundaji	Individual Farmer	Villupuram District, Tamil Nadu
158	Dhruv Gupta	Individual Farmer	Aarey Forest, Maharashtra
159	Hemadri Babu G	Individual Farmer	Tiruttani, Tiruvallur District, Tamilnadu



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169	Ritu Singh	Individual Farmer	Khajuraho, Madhya Pradesh
170	Sanjay Kumar Singh	Individual Farmer	Bhagalpur Bihar
171	Sanjeeb Kumar Behera	Individual Farmer	Odisha
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179	Aniruddh Raghav		Aligarh, U.P.
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185	Claude Veigas	Mumbai
186	Darshana Shah	Pune, Maharashtra
187	Deepa Кр	Pune, India
188	Dilnavaz Variava	Mumbai, Maharashtra
189	Dipti Bharatia	Pune, Maharashtra
190	Divya Srinivasan	Karnataka
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194	Gowru	Bangalore, Karnataka
195	Gururaj Joshi	Bengaluru, Karnataka
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201	Kaberi Biswas	West Bengal
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208	Papri Roy	Kolkata
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234	Vinodh Valluri	Visakhapatnam
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236	Yadunandan V	Bengaluru, Karnataka
237	Ganesh lyerp	Pune, Maharashtra
238	Pavithra	Thrissur Kerala
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