



ALLIANCE FOR SUSTAINABLE & HOLISTIC AGRICULTURE (ASHA)

Food • Farmers • Freedom

To,

Shri Shivraj Singh Chouhan, Minister of Rural Development, Agriculture & Farmers Welfare

Shri Bhupender Yadav, Minister of Environment, Forests & Climate Change

Date: 15th November 2025

Subject: Concerns on proposed amendments to the International Plant Treaty (ITPGRFA), requesting you to protect Indian farmers

Hon'ble Shri Shivraj Singh Chouhan and Shri Bhupendra Yadav,

We, the under signed Civil Society Organisations and concerned individuals, are writing to you to convey our concerns on the proposed amendments to the international Plant Treaty (ITPGRFA), which is expected to be adopted at the 11th Session of the Governing Body (GB11) of ITPGRFA, which will take place in Lima, Peru, during the last week of November 2025. India has long been a leader in advancing equitable access and benefit sharing under the Convention on Biological Diversity (CBD) and the Nagoya Protocol. These proposed amendments could undermine India's leadership role and the integrity of our national biodiversity governance framework.

We have attended the consultation organized by PVPFRA and heard the presentation made by Dr. Sunil Archak, Officer in Charge of Germplasm Exchange (NBPGR) on the current state of affairs and the proposal to amend Annex I of the ITPGRFA .

He is also the Co-Chair of the Ad Hoc Open-Ended Working Group to Enhance Multilateral System of Access and Benefit Sharing (MLS) under the ITPGRFA that proposed the amendments.

The most concerning proposal is the expansion of the scope of MLS, which would lead to the opening up of almost all of India's genetic resources related to agriculture and food to the seed companies of developed countries. This would in effect dismantle India's ability to determine how, when, and by whom its agricultural genetic resources are accessed — effectively internationalising control over them.

In the consultation meeting, including in the presentation, there was a serious attempt to underplay the legal consequences of the expansion of the scope of MLS by saying that India still possesses the freedom to designate the PGRFA which it would share through MLS. This assertion is simply not true. Such mischaracterisation risks misleading national policy decisions on matters with far-reaching implications for India's sovereignty and farmers' rights.

We would like to emphasise that the Plant Treaty (ITPGRFA) is an international legal instrument that prohibits reservations by Parties; once signed by the parties; they are legally bound by the provisions of the Treaty, without any reservations. Article 30 of the ITPGRFA very clearly states "No reservations may be made to this

Treaty”. It is very clear from the Treaty that India or any other Party to the Treaty does not have any freedom to designate the crops for which it will share PGRFA, as presented by the Co-Chair.

According to Articles 11 and 12 of the Treaty, Parties are under an obligation to share all the PGRFA available with them within the scope of MLS. The current proposal of expansion is to widen the scope of MLS from 64 crops to all plant genetic resources for food and agriculture, except for a few limited species which a Party might indicate at the time of accepting the ratification (negative list). This proposal directly conflicts with India’s Biological Diversity Act, 2002 and the Protection of Plant Varieties and Farmers’ Rights Act, 2001, both of which assert India’s sovereign control and trusteeship and farmers’ custodianship over genetic resources.

We are also concerned by some of the information (patently untrue) presented by Dr Sunil Archak such as farmers' varieties are not given by India to MLS and India is not sharing any seeds with the MLS. This is not true as per [the ITPGRFA website](#), India has provided more than 4 lakh samples, and Government of India [notification](#) to MLS includes farmers’ varieties. Further it was argued that India has benefitted from accessing several varieties through the MLS. However, when asked about details of Indian persons/ institutions that had accessed these seeds through the MLS, and how many new varieties were developed using such accessions, no data was provided.

Apparently, according to Dr Archak, India needs to accept the expansion of Annex 1 to all PGRFA to get access to PGRFA belonging to four crops, i.e. soybean, tomato, oil palm and ground nut. India already possesses substantial diversity in these resources with multiple varieties and moreover our researchers and companies can also access these resources outside of the MLS as well. This makes the argument for expanded access untenable.

The logic that India needs to surrender her sovereign rights on genetic resources related to agriculture and food for accessing seed varieties from 4 crops or a few crops is highly short-sighted. In other words, the cost of giving up sovereign rights clearly outweighs the benefit i.e access to the genetic resources related to a few crops.

We also hereby express that we are concerned by the current functioning of the MLS, which lacks a tracking mechanism, transparency, and accountability. It is clearly a matter of concern to India and the Global South. The absence of a reliable tracking system for germplasm and digital sequence information (DSI) poses not only governance failures but also biosecurity and data sovereignty risks. Currently, there is no information regarding who is accessing the seeds contributed by whom and for what purposes, even though such information should have been made available to the Governing Body of ITPGRFA. This not only undermines benefit-sharing implementation, but also affects the scientific progress with respect to these resources. Further, proposed amendments to SMTA as part of the package of measures to enhance MLS also seek to legitimize this practice of confidentiality and lack of transparency. The proposed package further legitimises digital biopiracy and unregulated data extraction by not regulating DSI/GSD generated from the shared PGRFA.

The draft package, if adopted, will force India to share the genetic wealth with the Global North where the big agribusiness, big tech, multinational seed companies, biotech industry, major gene banks, and research organizations are located, but without accountability and transparency measures in place. As these actors would be able to access all the Indian Plant Germplasm from national collections, international gene banks, and CGIAR institutions without informing the national authorities of the provider countries, and they will have to just sign a precarious Standard Material Transfer Agreement (SMTA) adopted by the GB of the Plant Treaty.

It is an unequal and unfair international agreement that the Government of India must prevent by nominating an Indian representative for the ongoing negotiations at FAO and direct the Co-Chair to work for the countries

of Global South and India rather than arguing for the stand of the Global North. India's stance at GB11 will be closely watched across the Global South. Taking a principled position will reaffirm India's leadership in protecting farmers' rights and biodiversity sovereignty.

Such mal-governance is a reason why India should refuse to expand the scope of Annex 1, even if by a few additional crops. India's future participation in the MLS should be contingent upon comprehensive reforms to governance, transparency, and traceability.

Against this background, we request the Government of India to:

- Reject the proposal to amend Annex 1 of the ITPGRFA to include all PGRFA, as it undermines India's sovereign rights and contradicts national law.
- Call upon the ITPGRFA Secretariat to make publicly available the list of recipients and details of PGRFA accessed through the MLS.
- Reject the newly introduced confidentiality clauses in the SMTA.
- Introduce measures to ensure DSI/GSD generated from MLS resources are shared only through databases accountable to the Governing Body, monitored by the Secretariat, and not used beyond the purposes mentioned under the ITPGRFA.
- Call for building an effective tracking mechanism for MLS resources, including DSI/GSD to improve governance and ensure effective benefit sharing.
- Ensure all ITPGRFA commitments remain consistent with India's Biological Diversity Act (2002), PPVFR Act (2001), and the Nagoya Protocol.
- Most Important: Appoint a well-experienced multilateral negotiator to attend GB11 negotiations in Lima, who will protect the nation's interests, especially the interests of the custodians of our plant genetic resources, the country's farmers.
- Restrict the involvement of Dr Sunil Archak, allowing him to work towards his mandate as Co-Chair to bring consensus among various delegations in the GB on the proposed amendments. This mandate directly conflicts with India's national interest, because as shown above, the proposed amendments are not going to benefit us, and are clearly in conflict with India's national biodiversity.
- Coordinate with like-minded countries in the Global South to call for a comprehensive review of the MLS before any expansion is adopted.
- Condition any future sharing of India's PGRFA on demonstrable improvements in MLS governance, transparency, accountability, and equitable benefit sharing.

India's genetic resources are nurtured as legacy by generations of its farmers and indigenous communities. We trust that your ministries will ensure that India's position at GB11 reflects both our sovereign rights and our global responsibility to protect this shared heritage.

Thank you.



Ushakumari S

ASHA (Alliance for Sustainable and Holistic Agriculture) Kisan Swaraj

Copy To –

1. Secretary, Ministry of Agriculture & Farmers Welfare (MoA&FW)
2. Secretary, Ministry of Environment, Forest & Climate Change (MoEF&CC)

Endorsing Organisations

1. Bharat Beej Swaraj Manch
2. Center For Youth & Social Development
3. Deshi Bihan Surakshya Manch, Odisha
4. Delhi Science Forum
5. Tamilnadu Organic Farmers Federation,
6. Lokprabodhan Vivid Kal Gundarshan Kalamanch
7. Salim Ali Foundation

Endorsing Individuals

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|-----------------------------------|-----------------------------------|
| 1. Dr. Sarath Babu Balijepalli | Hyderabad |
| 2. Sabarmatee | Odisha |
| 3. Dr. V.S. Vijayan | Kerala |
| 4. Kavitha Kuruganti | Mysuru |
| 5. Arun Gupta | Delhi |
| 6. Anson C J | Kerala |
| 7. Rabi Pradhan | Koraput, Odisha |
| 8. Kiran Rajendra Kamble | Pune |
| 9. Bighneswar Sahu | Bhubaneswar |
| 10. Dr. Donthi Narasimha Reddy | Hyderabad |
| 11. Ratikanta Nayak | Bengaluru |
| 12. Rahul | Haryana |
| 13. Bismoy Mohanty | Koraput, Odisha |
| 14. Maneesh Yadav | Haryana |
| 15. Dharendra kumar sangram singh | Odisha Bhubaneswar |
| 16. Kailash Chandra Dandapat | Odisha |
| 17. Sanjit Mohanty | Sambalpur, Odisha |
| 18. Chuman Pradhan | India |
| 19. Prabin Behera | India |
| 20. Aruna Rodrigues | India |
| 21. Nisha Talreja | Mumbai |
| 22. Surath ram kisan | Sundargarh, Odisha |
| 23. Surya Narayan Dash | India |
| 24. Harinder Pal Singh | India |
| 25. Vibhava | Karnataka |
| 26. Byasadev Barik | Agalpur District Balangir, Odisha |
| 27. Brian Fernandes | Goa |
| 28. Amrit Khanna | Goa |

29. Nidhin Jacob	Kochi, Kerala
30. Ruhant Kini	India
31. Karan Pramod Khanna	India
32. Sanjib Kumar	Odisha
33. Manmohan Reddy	Tiruvannamalai
34. Ricardo Ribeiro	Goa
35. Madan Lal	Bengaluru
36. Jobby Chacko	India