



## Urgent Open Letter

**From**

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**To**

- 1) National Leaders & Representatives of the Global South,
- 2) Farmers' Organizations,
- 3) Civil Society Organizations,
- 4) Media

**Subject: ITPGRFA negotiations; and safeguarding our rich heritage of plant genetic resources, farmers' rights and seed sovereignty**

Dear Sir/Madam,

Bharat Beej Swaraj Manch, BBSM (*aka* India Seed Sovereignty Alliance), is a nationwide network of Indian seed savers and farmers, committed to the *in situ* conservation of our biodiversity; and to safeguarding the traditional rights of farmers over our seeds.

We urge the respected Prime Minister of India and other respected national leaders of the global south to firmly protect our seed sovereignty and farmers' rights – for safeguarding a just, secure and sustainable future for all. Our rich heritage of genetic resources – free of private intellectual property claims, and any risk of deleterious contamination – are critically vital for ensuring our self-reliant food security.

We are alarmed that proposed amendments to the **International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA)** will gravely compromise national interests, seed sovereignty and farmers' rights. To truly and effectively address the Treaty's prime objectives, it needs to pro-actively support instead the decentralized, *in situ* conservation of plant genetic resources in the regions of origin and diversity – their natural bio-cultural habitats – to benefit more farmers.



The 11th Session of the Governing Body (GB11) of ITPGRFA is meeting in Lima, Peru, from November 24, 2025. Hence, the great urgency to ensure that our collective rights and interests are not compromised by endorsing the proposed Treaty amendments, which would permanently bind all signatory nations.

The most concerning amendment is the proposal to sweepingly expand the scope of the Multi-Lateral System (MLS) of free global access – as listed in Annexure 1 – from the earlier 64 crops to now include **all** plant genetic resources; as also their Digital Sequence Information (DSI).

Why should nations of the global south hand over on a platter our rich genetic treasures and their genomic information to seed companies of the global north that staunchly assert their own intellectual property rights, prioritizing profits over people, while neglecting ecological health and sustainability? (Already, over 54% of the global trade in seeds is monopolized by just four giant agri-business multinationals that rake in many billions from struggling farmers worldwide.)

Even with the current 64 crops, there are over 6.6 million transfers from 2.2 million variety accessions in the MLS of the Treaty. Yet, there has been no traceability or reporting back to the original providers of what has happened with these transfers of the plant genetic resources. Digitisation of genetic sequences of these seeds is happening rampantly all across the globe. The Digital Sequence Information (DSI) thus mined from our seeds and the products developed using it – without our Free, Prior & Informed Consent – is ending up in Intellectual Property Rights (IPR) portfolios of institutions and corporations.

Without a direct, explicit connection between Digital Sequence Information (DSI) and Articles 12.3(d) and 12.3(e) of the Treaty – which clearly state that IPRs shall not be claimed on the material contained in the MLS – any unauthorized use or sharing of the DSI of our plant genetic resources, without the discretionary consent of its original providers, amounts to complicity in the bio-piracy of our resources, facilitated by the Treaty, thereby violating Article 9 of the Treaty which obligates Contracting Parties (CP) to comply with Farmers' Rights.

The website of ITPGRFA indicates that India has provided till date more than 400,000 samples of various crops and plants, while it is unclear what India has benefited. Certainly, little or no benefits have flowed to farmers who were the original source of the seeds, even if Indian researchers have accessed plant genetic resources from the MLS of the Treaty. In any event, if some nations ever need any varieties of seeds from any other nation/s, these can be easily sourced through limited bilateral arrangements, **without absolutely surrendering for all time our national sovereignty over all our seed/plant varieties!** **We sadly forget that our rich plant genetic resources are more precious for life than inert rare earths!**

The present functioning of the Multi Lateral System of the treaty has no clear tracking mechanism for the providers of plant genetic resources to ascertain who is accessing which varieties of their seeds, and for what purpose or commercial gain. Instead of strengthening transparency and accountability, the proposed amendments to the 'Standard Material Transfer Agreement' (SMTA) provided in the Treaty,



ironically seek to legitimize confidentiality, going against the bedrock principle of transparency, and the existing obligations in the current SMTA. These are the very foundational basis of the multi-lateral undertaking of nations under the Treaty.

The lack of transparency facilitates diversion of genetic resources and their genomic sequence data for unauthorized or illegitimate purposes, without any means of detection. It also helps recipient seed corporations/institutions to escape benefit sharing obligations; and further undermines the legitimate interest of the provider nations and farming communities to know about the research, innovation and applications by recipients, based on the seeds/genetic resources supplied by them.

It is a matter of great concern that by neglecting to regulate Digital Sequence Information (DSI) or Genomic Sequence Data (GSD) of the shared plant genetic resources, the proposed amendments to ITPGRFA further legitimise and facilitate digital bio-piracy, with no means available to trace its pathways.

India already has serious failings in implementing the ‘Protection of Plant Varieties and Farmers’ Rights Act’ (PPV&FRA), whereby large numbers of heritage plant ‘Varieties of Common Knowledge’ (VCK) are being wrongly registered in the names of private individuals, bestowing exclusive plant-breeder intellectual property rights (IPRs) on them, thus violating farmers’ traditional rights to such varieties. Unfortunately, the PPVFR Authority has not even started yet any registration under the category, ‘Varieties of Common Knowledge’, though it is specifically included in the PPVFR Act. Such failings may only get compounded by the proposed amendments to PPVFRA, which are apparently being undertaken in view of the proposed amendments to the International Seed Treaty (ITPGRFA). All such amendments threaten to become permanently binding on signatory nations, with potentially grave consequences.

India’s newly proposed Seed Bill adds further cause for concern; as also the recent deregulation by government authorities of potentially hazardous Genetically Engineered/Edited (GE) seeds. Once released, such GE seeds can progressively contaminate our heritage seeds, without any means to stop such deleterious contamination. They also pose serious health, ecological and socio-economic problems.

The IAASTD World Agriculture Report – prepared over 4 years by over 400 agricultural experts, 1,000 multi-disciplinary reviewers and representatives of 58 nations, including India; and those from FAO, WHO, WB, UNEP, UNDP – clearly states that Genetically Modified/Engineered (GM/GE) crops are *not* the answer to hunger, poverty or climate change. Rather, it strongly recommends agro-ecological methods, traditional knowledge and small-scale farmers.

In view of the above serious concerns, we urge all nations of the global south to:

- 1) Refuse consent to the proposed amendment of Annex 1 of ITPGRFA to include all plant genetic resources.



- 2) Collaborate with other nations of the global south in Asia, Africa and Latin America for creating a global farmers' rights regime – safeguarding their traditional rights over heritage plant genetic resources – as opposed to private IPR/patent regimes, favored by monopolistic agri-business multi-nationals.
- 3) Ensure that mandatory conditions relating to Digital Sequence Information (DSI) are enforced with regard to the plant genetic resources shared under the Multi-Lateral System (MLS), explicitly and strictly prohibiting any claim of Intellectual Property Rights thereon; also ensuring and respecting the free, prior and informed consent of original providers – farmers and Indigenous communities – for any facilitated access to plant genetic resources sourced from them.
- 4) Seek appropriate regulation under ITPGRFA and legislate national laws to restrict/monitor the generation, storage and sharing of the Digital Sequence Information (DSI) obtained from the accessed genetic resources without explicit informed consent of the original providers of the genetic resources.
- 5) Mandate suitable national laws and multilateral provisions of the Contracting Parties of ITPGRFA against any patent or IPR abuse/misuse, while ensuring that no patents or private IPRs whatsoever are recognized over traditional or heritage plant genetic resources.
- 6) Require ITPGRFA to immediately make public all relevant information about accessed genetic resources and their recipients; also to conduct a publicly disclosed audit of the 'Benefit Sharing Fund', as well as new seed varieties developed using shared MLS resources.
- 7) Call upon the ITPGRFA Secretariat to improve governance and create effective, transparent, user-friendly tracking mechanisms for shared plant resources, including their DSI, so that even provider farmers can trace transactions and utilization of the seeds/germplasm sourced from them. The newly proposed confidentiality clauses in the Standard Material Transfer Agreement (SMTA) of the amended international treaty should be firmly opposed.
- 8) Ensure that any shared genetic resources and related information are used for agreed/authorised purposes only; and strictly enforce benefit-sharing obligations, mandating responsibility and direct, active participation of recipient Contracting Parties of ITPGRFA, who alone can control and regulate their national markets.
- 9) Immediately start a National Heritage Registry to record our traditional plant Varieties of Common Knowledge (VCK) and their related bio-cultural knowledge, protected from private IPR claims or patents; and further strengthen/legislate relevant laws, including Biodiversity Act and PPVFRA, to safeguard farmers' rights, plant genetic resources and national sovereignty.
- 10) Conduct full, extensive, transparent and participatory hearings with farmers and farmer groups on amendments to all relevant laws as well as any new proposed legislation relating to farmers' rights or seed sovereignty.



11) Appoint a senior, competent representative, experienced in multilateral negotiation, to head a team – including scientists and representatives of custodial farmers/organizations – to attend GB11 proceedings, with a mandate to strongly safeguard national interests and farmers' rights as provided by relevant national and international laws.

12) Uphold the legacy of seed sovereignty and biodiversity conservation, adopting agro-ecological pathways using traditional seeds – a sustainable model that is not only healthier, but also more resilient to climatic upheavals and supply chain disruptions of chemicals and imported crude oil.

In conclusion, we trust that you will do your utmost to fully safeguard vital national and farmers' interests, including seed sovereignty and self-reliance, without which food and health security are greatly endangered.

Considering the over-riding importance and pressing urgency of the matter, we earnestly request you to please expedite suitable action as early as possible.

Yours respectfully,

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