



# Scientists for Genetic Diversity (SGD)

Conservation – Sustainability – Equitable Sharing of Benefits

November 10, 2025

To,

**Shri Shivraj Singh Chouhan**

Minister of Agriculture & Farmers Welfare, and Rural Development  
Government of India

**Subject: Urgent Appeal for Strategic Advocacy at ITPGRFA GB-11 to Protect India's Genetic Sovereignty and Farmers' Rights**

Dear Sri Shivraj Singh Chouhan,

We are writing to convey our profound concern after having listened to Dr Sunil Archak, the Co-Chair of the Ad Hoc Open-Ended Working Group, regarding the proposed amendments to the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA), which is expected to be discussed and possibly adopted at the 11th Session of the Governing Body (GB-11) in Lima, Peru, later this month. Dr Archak made a presentation to the stakeholders at PPVFR on October 27, 2025.

The current proposals to enhance the Multilateral System (MLS) are fundamentally **unjust** and threaten India's sovereign rights over its genetic wealth and the rights of our farmers, who are the custodians of our genetic resources

## 1. The Critical Threat of Expanding Annex I to "All PGRFA"

The most dangerous proposal is to expand the current list of 64 crops agreed under Annex 1 of the Multilateral System (MLS), to include "all other plant genetic resources for food and agriculture"

- **Surrender of Sovereignty:** This move would effectively open up a substantial part, if not all of India's national seed collections to global access.
- The proposed "negative list" approach (where a Party must list a limited number of exceptions) is a weak safeguard that amounts to a surrender of India's sovereign rights, as established under the **Convention on Biological Diversity (CBD)** and our own **Biodiversity Act**.

**A Binding Legal Obligation:** As a legal instrument, the ITPGRFA *binds its Parties*. At the recent consultation organised by the PPVFR Authority, Dr Sunil Archak of NBPGR stated that India *still possesses the freedom to decide what should be shared through MLS*. This is factually incorrect. According to Articles 11 and 12 of the Treaty, Parties are obligated to share the PGRFA included in the MLS, and the current proposal seeks to expand this obligation fully. Dr Archak is the Co-Chair of the Ad Hoc Open-Ended Working Group to Enhance Multilateral System of Access and Benefit Sharing (MLS) under the ITPGRFA.

- **No Benefits only Costs:** The argument that India needs this expansion to access the PGRFA of a few crops (e.g., soybean, tomato, oil palm, and groundnut) is dangerously short-sighted. The cost of surrendering sovereign control over our entire genetic resource base clearly outweighs the limited benefit of accessing a few crops, most of which India either already possesses sufficient diversity for, or can access through existing bilateral arrangements.



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### 2. The Failure of Benefit Sharing and Systemic Flaws

The proposal for full expansion is being pushed despite the acknowledged failure of the current MLS to deliver meaningful benefits to provider countries and farmers:

- **Minimal Compensation:** Despite approximately seven million accessions being transferred—driving billions of dollars in commercial value for global industries—the corresponding payment into the Benefit Sharing Fund (BSF) remains paltry. The system of voluntary benefit sharing has been a "complete failure".
- **Transparency Deficit:** The current functioning of the MLS lacks transparency and accountability. Information on who is accessing the seeds, for what purpose, and what commercial products are developed is virtually undetectable under the current system.
- **Digital Biopiracy (DSI/GSD):** The proposed package of measures further legitimizes "digital biopiracy" by failing to adequately regulate **Digital Sequence Information (DSI)/Genetic Sequence Data (GSD)**. India must insist that DSI is the "**digital proxy**" of sovereign physical resources and must be subject to the same mandatory benefit-sharing.

### 3. Facts of India's Contribution of Genetic Material

We noted with alarm Dr Archak's claim that India has not shared any germplasm or farmers' varieties with the MLS. This fallacy is contradicted by the public records. According to data available on the ITPGRFA website, India has contributed **more than 4 lakh samples**, and government notifications to the MLS explicitly include farmers' varieties.

Furthermore, claims that India has benefited tremendously from the MLS remain unsubstantiated, with no public data available on which Indian institutions or individuals have accessed these seeds, or how many new varieties have been developed using such accessions.

### Recommendations for the Way Forward: Strategic Refusal and Mandatory Justice

Against this critical background, we request the Government of India to adopt a position of **strategic refusal** and secure the following robust arrangements at GB-11:

1. **Refuse Expansion: Reject the proposal to amend Annex I** and refuse the expansion of the MLS to "all PGRFA".
2. **Mandatory Benefit Sharing:** Lead the call for a **Mandatory Milestone Subscription System** for benefit sharing directly linked to the commercial turnover of companies utilizing Annex I crops. Furthermore, secure a **Ban on any form of Intellectual Property (IP)** on commercial products arising directly or indirectly from the use of PGRFA accessed through the MLS.
3. **Mandatory Transparency and Tracking:** Call upon the ITPGRFA Secretariat to immediately **make publicly available the list of recipients of PGRFA** from the MLS. Call for building an effective tracking mechanism for all MLS resources, including DSI/GSD, and reject any newly introduced confidentiality clauses in the SMTA.
4. **DSI Regulation:** Introduce measures to ensure DSI/GSD generated from MLS resources is shared only through databases accountable to the Governing Body and is not used beyond the purposes



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mentioned under the ITPGRFA. India must insist that any agreement on DSI be **held in abeyance** until the mandatory MLS Enhancement Package is secured.

5. **Appointment of New Negotiator:** Given the clear conflict between the positions articulated by Dr Sunil Archak and India's national interest and biodiversity law, we urge the Government to remove him as negotiator and restrict his role to being Co-Chair and building consensus in favour of India's interests.

Additionally, we urge the government to appoint an experienced multilateral negotiator to attend the GB-11 negotiations on behalf of India with the mandate to protect India's interests and the rights of our farmers, who are the conservers of our genetic resources.

Securing a mandatory system for benefit-sharing that is just and equitable is crucial to protecting the rights of our farming community and for asserting India's sovereign control over its genetic resources.

Sincerely,

**Scientists for Genetic Diversity**

**Dr Suman Sahai**

**Dr Sarath Babu Balijepalli**

**Dr Dinesh Abrol**

**Dr Soma Marla**

**CC:**

1. **Shri Bhupender Yadav**, Minister of Environment, Forests & Climate Change, Government of India
2. **Dr Mangi Lal Jat**, Director General, Indian Council of Agricultural Research
3. **Dr Gyanendra Pratap Singh**, Director, National Bureau of Plant Genetic Resources