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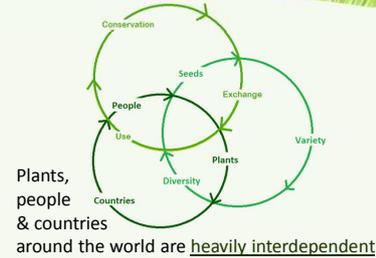
1. Context: Need to produce enough & proper food to face population increase, food crises & climate change : Seeds diversity as a key



Since the birth of agriculture, farmers around the world exchanged seeds to develop new varieties adapted to their geography, climate and population tastes



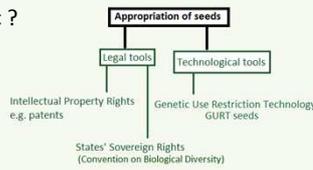
PARADIGM: Use of seeds is the backbone for their conservation & exchange BUT: seed access becomes more difficult & seeds in use are increasingly uniform. This leads to mass diversity erosion & potential food production shortage



2. Research Question: Why is seed exchange problematic & how can access be promoted for conservation, sustainable use & benefit-sharing purposes?

2.1 Why is seed exchange problematic ?

Appropriation of seeds is one reason

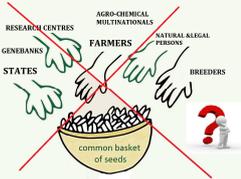


To answer this problem, the international community adopted the **International Treaty on Plant Genetic Resources for Food and Agriculture**, which rules on seed exchanges (2001, FAO, 133 member states)



Main operationalizing legal tool: a virtual common basket of seeds = the Treaty **Multilateral System of Access & Benefit-sharing (MLS)**

Facilitated access to 64 crop and forage species for all agricultural stakeholders & equitable sharing of the benefits using a unique contract: the Standard Material Transfer Agreement (SMTA)



But the MLS does not work well:
 - Access to seeds remains difficult
 - Benefit-sharing remains limited

2.2 How can access be promoted for conservation, sustainable use & benefit-sharing purposes?

I answer this question with both a literature review & a Treaty stakeholders analysis

3. Methods & Analysis: Literature review, stakeholders analysis & Global Public Goods theory (GPG)

3.1 Literature review: **MLS as a Commons regime?** (Ostrom, 1990)

A commons regime is a collective management by stakeholders based on existing political, economic, social & environmental regulatory mechanisms



3.2 Stakeholders analysis: **Identification of Treaty limitations** (Frison et al., 2011)

Stakeholders identified 17 items to be improved for the Treaty to reach better its objectives, including:

- Limited sharing of seeds & benefits (Treaty Art. 10 to 13)
- Administrative burden (i.e. identification & tracking obligations in the SMTA)
- Limited funding
- Lack of trust
- Highly political debates in negotiating forum
- Poor recognition of **Farmers' Rights** (Treaty Art. 9)



3.3 Method: Apply **Global Public Goods** to the MLS (Kaul et al., 1999)

I propose to consider seeds and the MLS as a 'Global Commons' by expanding the 'commons' concept with the Global Public Goods theory. I hope to mitigate the 17 identified problems & allow the Treaty to reach its objectives by bridging the GPG gaps: **participation gap, incentive gap & jurisdictional gap**

4. Results

3 types of problems identified

- Political & economic pressure = **Participation gap**
- Technical problems = **Incentive gap**
- Legal imbalance in the design of the Treaty & the MLS = **Jurisdictional gap**

5. Solutions: Bridge the gaps

- Participation gap** Include all stakeholders in the seed management process
- Incentive gap** Provide more financial means to support implementation with effective & accessible technical tools, trainings, etc.
- Jurisdictional gap** Adapt international legal instruments over seed management
 Reduce conflicts on governing mechanisms & regulatory tools

Example

Farmers' Rights

Despite the objectives of Article 9, Farmers' Rights (FR) are far from being implemented. There is still a need to:

- Allow social movements such as farmers' associations to effectively participate in the political negotiation & decision making process regarding seed management
- Improve existing tools included in the Treaty 'package', including the payment of benefit scheme to generate more financial benefits & formally recognize the direct use of seeds for farmers
- Equilibrate the legal imbalance between formal strong international recognition of IPRs (part of the MLS) ≠ poor recognition of FR (only national levels / not part of the MLS)

6. What's next? Reach stakeholders to move towards a transition in our food system

- Capacity building and information sharing on the results of this research project
- Widen minds to think & design our food system in global terms, not only economic terms

References

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