

# Experts stress policy regime to ensure rewards for farmers, breeders

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Experts have emphasised on the need for a policy regime that can ensure that the communities which spend generations preserving and innovating plant genetic resources are rewarded. Such a regime should be able to provide due recognition to the farmers and breeders through intellectual property rights, and offer them a share in benefits derived from the use of their traditional knowledge which they have honed for generations.

Stating that research and development in agriculture is not limited to scientists and laboratories but takes place in the field by farmers, Ratnakar Adhikari, executive director of Enhanced Integrated Framework (EIF) at World Trade Organisation (WTO) said, “It is critically important that communities that have spent generations preserving and innovating the genetic resources are rewarded. Balancing breeders’ right with rights of farmers is a challenge.”

He was addressing a two-day workshop titled ‘Reimagining the Governance of Genetic Resources and Intellectual Property for Agriculture and Food Security in Asia’ that started here today. The workshop aims to critically assess the arrangements related to plant genetic resources in national laws and international agreements such as the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) of the WTO, the Convention on Biodiversity, and the International Union for the Protection of New Varieties of Plants (UPOV).

This issue is highly relevant to Nepal as the country is currently exploring options to create policy and legal space for the rights of farmers and breeders, for example, in its draft law on plant variety protection and the existing Seed Act and Seed Regulations, as per a media release.

Among the developing countries, India is the only country that has adopted sui generis system to govern plant genetic resources.

Sharing India’s experience, Rakesh Chandra Agrawal, registrar general at India’s Protection of Plant Varieties and Farmers’ Rights Authority, said that registration of plant genetic varieties had a slow start but now two-thirds of the total registrations are coming from the farmers. Discussing the Indian plant variety protection law, he pointed out that India even protects farmers from

prosecution in cases of innocent infringement. India has legislated the Plant Variety Protection and Farmers' Rights Act (PPVFR Act) in 2001, implementing a plant variety protection regime that protects the rights of both breeders and farmers.

Kamalesh Adhikari, research fellow at TC Beirne School of Law, University of Queensland Australia, pointed out that protecting the interests of plant breeders and farmers offers opportunities in areas of agriculture, food security and the use of plant genetic resources.

South Asia Watch on Trade, Economics and Environment (SAWTEE), together with ARC Laureate Project on Intellectual Property and Food Security at the University of Queensland and Fridtjof Nansen Institute (FNI), is organising this workshop. Papers on the experience of different countries, including Nepal, India, Bangladesh, Pakistan, Sri Lanka, Timor-Leste, Thailand and Ecuador regarding the governance of genetic resources and intellectual property will be present during the workshop.