



# THE RIGHT TO SEEDS

FOR A PEASANT AGRO-ECOLOGICAL AGRICULTURE



# **THE RIGHT TO SEEDS**

FOR A PEASANT AGRO-ECOLOGICAL AGRICULTURE



## SUMMARY

Introduction

Which seeds for what type of agriculture?

Seeds and human rights

Ideas for action

Questions proposed to the movements

Appendix: useful addresses

FIMARC WORKING GROUP FOR HUMAN RIGHTS

FIMARC - rue Jaumain 15 - 5330 ASSESSE - Belgique - Tél 32 - 83 65 62 36  
E-mail: [fimarc@skynet.be](mailto:fimarc@skynet.be) - website: [www.fimarc.org](http://www.fimarc.org)



## INTRODUCTION

Seeds, natural resources and reproductive materials are a heritage of farmers, communities and humanity. Farmers and communities - for almost 12.000 years - have selected the best seeds and reproductive resources for plants and animals.

Since the early 1900s, science and research have created a new situation. Multinational seed companies claim the right for them to control living organisms and to impose their own standards for seeds and reproductive material on farmers. This is in the name of “science” and the “discovery” of new species or characteristics of a plant or animal species.

Since 1998, farmers’ organizations around the world have been implementing the procedure to produce a Declaration on the Rights of Farmers and Other People Working in Rural Areas. The Human Rights Council, a UN body based in Geneva, Switzerland, has set up an intergovernmental working group to produce a UN Declaration on the Rights of Peasants... This draft includes an article on seed rights. FIMARC participates in this Working Group.





Following a seminar in Belgium on seeds in May 2017, the Executive Committee of FIMARC, in a statement, “affirms that traditional varieties of vegetables, fruits, herbs and seeds constitute an essential heritage. They are the key to our food security and sovereignty now and for the future. (...) FIMARC strongly demands that any seed law should address farmers’ rights to seeds. Small farmers are the custodians of seeds and genetic resources. The farmers’ right to seeds must be protected.”

Following this seminar, FIMARC decided to publish this document on seeds in the service of the movements and its entire network on this issue.

This document is divided into 4 parts:

- Which seeds for what type of agriculture?
- Seeds and human rights;
- Ideas for action;
- Questions proposed to the movements.





# 1

## WHICH SEEDS FOR WHAT TYPE OF AGRICULTURE?

**W**ithout seeds, there is no agriculture. To date, the world's active agricultural population stands at 1.3 billion people. Of this total, nearly 300 million dispose of working animals, which is about 20% of the number of active farmers. About 28 million have tractors or mechanisation, which means only 2%. The vast majority of farmers therefore work by hand, using hand tools.

In this document, the term “seeds” refers to seeds or other reproductive organs of plants and animal species. Since the beginning of agricultural activities - about 12,000 years ago - farmers have selected, in each plant species, in each animal species, the best subjects according to their needs. Natural selection is always made taking into account the environment, the climate, but also the needs of the inhabitants, their culture, their food tastes, etc. Thus, over the centuries, peasant know-how has accumulated.

Farmers' seeds are a seed reserve for sowing, developing and exchanging. They are infinitely reproducible seeds. They allow farmers and communities to be autonomous from market forces

controlled by seed companies.

Farmers' seeds are a common good of farmers and their communities, and of humanity.

“And at a time when the global climate is changing in unpredictable ways, no one knows what kind of cultures may be needed in the future. The small number of commercial varieties available could prove useless under new conditions. And yet, it has been proven that traditional varieties of farmer seeds could adapt to climate change and could also be more sustainable.” (FIMARC Executive Committee - May 2017).

Seeds are at the heart of any food production policy, and therefore at the heart of people's food supply, and thus at the heart of food sovereignty. It is about the future, not only of the peasant world and communities, but also about the future of humanity.

### WHAT AGRICULTURE?

Two types of agriculture exist in the world, with a widening gap between them, due to what is called the “agricultural revolution”.

On the one hand, there is peasant agriculture, “agro-ecological agriculture”, based on the development of traditional resources, while respecting nature and its resources. This agriculture implements food sovereignty locally.

On the other hand, there is chemical and industrial agriculture, whose supporters claim to generalize it to all agricultural production.

From the early 1900s, in response to the need to feed the growing population, science realised technological advances, challenging the traditional status of seeds. Seed selection has been entrusted to breeders, gradually to private companies and multinationals. The public authorities made these choices. Seed multinationals have filed “patents” for the “discoveries” made by scientists. Through these patents, seed companies claim the right to charge for their certified seeds. Every year, farmers must buy back these certified seeds, but also the inputs that go with them (fertilizers, pesticides, etc.). Seeds become values of monetary exchange, a commodity.

### MULTINATIONAL SEED COMPANIES

Ten companies control the global seed supply. The first 3 control nearly 50% of all seed seeds that are distributed and marketed on a large scale. Taken together, these ten seed companies account for more than 75% of all seeds traded. The market shares are as follows (April 2016):

- **Monsanto** - It is the largest seed company with more than \$11.8 billion in sales per year and

approximately 27% of the seed market share;

- **Dupont (Pioneer)** - A US Company, with more than \$4 billion in annual seed sales and a market share of approximately 17%;
- **Syngenta** - Swiss-based Company; market share: approximately 9%;
- **Groupe Limagrain** - French company, the 4th largest seed company in the world; market share: about 5%; initially, a simple farmers' cooperative, it was corrupted by its orientation in the biotechnology industry;
- **Land'O Laks** - US Company; market share: about 4%;
- **KWS AG** - German Company; market share: about 3%;
- **Bayer Crop Science** - German Company; market share: about 2%.

“Although some national laws and constitutions mention traditional seed and biodiversity rights, many governments manipulate these laws to support agro-industry and give it priority for hybrid varieties and genetically modified seeds, to the detriment of seeds and peasant agriculture.” (FIMARC Executive Committee - April 2017).

A new stage of seed warfare is opened: scientists are leading to the artificial creation of new seeds, using a new technology called “CRISP-Cas9”. The seed companies will want to impose these new seeds on all farmers. Their objective is to control all seeds throughout the world, in order to standardize them and allow total control of living organisms.

### RESISTANCES

Faced with these offensives, which ruin farmers, unable to pay for seeds, and the inputs imposed with them, resistance is organized:

**Burkina-Faso** - cotton professionals challenge GMO cottonseeds: fibres that are less resistant than traditional cotton fibres; as a result: the State has abolished GMO cotton in favour of traditional seeds;

**Thailand** - as part of a comprehensive free trade negotiation project, farmers blocked negotiations with seed companies that wanted to impose their certified seeds; the mobilization of farmers and civil society succeeded in blocking these negotiations, but all remain vigilant;

**Kenya** - in response to the need to increase agricultural production to feed the population, the State authorizes GMO seeds, which are supposed to produce more than traditional seeds; the farmers' struggle





has led to a decline in the use of these GMO seeds, in favour of traditional seeds, which give better results, at a lower cost to farmers;

**Argentina** - in the province of Cordoba, the population, and particularly women, mobilized to denounce the aerial spraying of GMO maize fields with pesticides that regularly watered populated areas; after 4 years of peaceful fighting, women forced Monsanto to abandon its project to develop GMO maize cultivation, and to leave the region;

**Farmers' Seed Network** - this is a network made up of a large number of organizations involved in initiatives to promote and defend cultivated biodiversity and associated know-how; the Network also works to promote collective management and protection of farmers' seeds, as well as the scientific and legal recognition of farmers' practices for the production and exchange of seeds and seedlings;

**Women Seed makers** - a movement launched in 2011 to connect existing networks of seed keepers around the world, to save and transmit know-how on seed reproduction and conservation; slogan: "Freeing seeds to protect life";

**Monsanto found guilty** - In October 2016, a collective of citizens' organizations held a "Monsanto Court" in The Hague (Netherlands);

after a trial, this citizen's court issued its opinion: it found Monsanto liable for violations of international law, stating that the firm had violated:

- the right to a safe, clean, healthy and sustainable environment;
- the right to food;
- the right to the highest attainable standard of health;
- the freedom of scientific research;

The opinion of this citizen court strengthens international law and the legitimacy of victims who wish to file a complaint against Monsanto et al.

Wherever resistance is organized, it owes much of its effectiveness to the fact that farmers form associations, unions, or any other collective form, and form alliances with consumers. Resistance is becoming global, linking the local and the global. These resistances are not without risks. Despite the criminalization of these acts of resistance, it is spreading everywhere, and actions are linking together to create a vast network of solidarity.



# 2

## SEEDS AND HUMAN RIGHTS

### **UNIVERSAL DECLARATION OF HUMAN RIGHTS**

The UN General Assembly adopted it in 1948. It is a reference to support the mobilization work for farmer seeds. This Declaration, in 30 articles, declines human rights into 2 main categories: civil and political rights (right to life, freedom, access to justice, refusal of any discrimination, protection of private life, equality between women and men, etc.); economic, social and cultural rights (freedom of opinion, freedom of assembly and association, participation in decisions concerning the country, right to work, right to rest and leisure, decent life, adequate standard of living, education, cultural life, etc.).

### **DRAFT UN DECLARATION ON THE RIGHTS OF PEASANTS**

Extract from the draft declaration on the rights of peasants and other persons working in rural areas: “Farmers have the right to save, use, exchange and sell farm-saved seeds or propagating material... They have the right to perpetuate, control, protect and develop their seeds and traditional knowledge”. This

draft Declaration is under discussion in an Intergovernmental Working Group of the Human Rights Council, based in Geneva, Switzerland. The principle of such a Declaration was launched by Via Campesina, which brings together agricultural unions from around the world. The Human Rights Council has taken up this matter. FIMARC actively participates in the work of the intergovernmental group. As soon as the UN officially adopts this Declaration, FIMARC disseminates its content in its network. This Declaration is a powerful support for all initiatives to promote, defend and enhance the right to peasant seeds.

### **FARMERS HAVE RIGHTS OVER SEEDS**

Biodiversity embodies a dynamic relationship between people, plants, animals and the environment. It is an important part of food production systems.

The right to seeds for farmers is defined as the right to save, use, maintain and develop their own seeds, crops and genetic resources. It is also the right to register, store, transport, exchange, donate, sell, use and reuse peasant seeds. This right includes the possibility of preserving, maintaining and developing biodiversity.

Farmers have the right to exclude genetic resources, biodiversity,

knowledge and technologies related to these resources from intellectual property. As a result, farmers have the right not to accept the certification mechanisms set up by multinational seed companies. They have the right to create their own tools for recognizing their own seeds and resources. This can only be done in a climate of trust between partners.

Farmers also have the right to participate in decision-making on issues related to the conservation and use of biodiversity. Similarly, they have the right to conduct their own research, selection and innovation on seed and other resources issues. This means that they have the right not to leave research in the sole hands of multinational researchers.

### **CUSTOMARY, COLLECTIVE, HOLISTIC RIGHTS**

For more than 12,000 years, farmers and communities have conserved, used, safeguarded, stored and exchanged seeds and the best biological resources. This selection practice, which is a customary norm, must be recognized, valued and respected. This is reflected in the term “customary nature of rights”.

Historically, it has been the community, and not just individuals, that has contributed to the saving of seeds and other genetic resources. This means that these rights

are collective in nature, not just individual.

The right to seeds and biological diversity is directly linked to the right to land and natural resources. In other words, without the right to land, to connect to an ecosystem and to a territory, we cannot maintain an evolutionary relationship with plants, animals and other organisms. This is defined as the “holistic nature” of rights.

### STATE OBLIGATIONS

In order for farmers’ rights to peasant seeds and other natural resources to be defended and promoted, States have obligations:

- ensure that these rights are exercised without discrimination;
- respect the right to peasant seeds and other resources, as well as the right to biodiversity;
- prevent third parties from interfering in any way with the enjoyment of these rights;
- enable farmers to realize the right to peasant seeds;
- support farmers in their efforts to protect and improve their own seed systems, traditional knowledge and practices;
- facilitate and promote the maintenance, creation and development of farmer seeds;

- Involve farmers in decision-making related to the conservation and use of biodiversity;
- enable farmers to identify and implement seed saving methods adapted to the different regions of our planet.
- States must therefore act to ensure that seed companies do not interfere with farmers’ rights.



A close-up photograph of a hand watering a small green seedling. A finger is held over the soil, and a stream of water is falling from it onto the plant. The background is a soft-focus green, suggesting an outdoor garden setting.

# 3

## IDEAS FOR ACTION

Seeds are a “heritage of humanity”, and therefore do not belong - and cannot belong - to a seed company, financial agencies or others. They are a heritage of our ancestors, a link for the lives of peasants and humanity. For farmers, seeds are part of their identity and that of the communities. It is a constituent element of their culture. They are therefore “seeds of hope”.

Before deciding on a particular action, it is important to set guidelines and objectives. Below are some points that can serve as benchmarks for the choices to be made:

- defend biodiversity, as well as defend the autonomy of farmers and rural communities, against the power of multinational seed companies; it is the refusal to have peasant seeds stolen by multinationals;
- identify and promote local varieties of seeds, through festive days, “festivals”, agricultural or seeds festivals ; these are opportunities to meet,



share and exchange knowledge and seeds, share experiences and practices, between farmers and communities, between generations, etc.; they are also opportunities to disseminate information to the entire population;

- to realize the right to food, through food sovereignty, by using peasant seeds, which guarantees everyone the right to adequate health and environment;
- ensure the control of scientific research by farmers and their communities; do not leave it in the hands of scientists alone;
- inform and educate, especially young people, through schools, for example; inform on the important role of family farming and in particular on the role of women in agriculture, seed conservation and biodiversity protection; training is an important tool for farmers to control seeds;
- give women access to natural resources, and enable them to participate in decisions about the future of communities; women have a role and a great responsibility in the entire food production process;

- explain the importance and meaning of resistance, local, regional, etc.;
- understand the stakes around GMO seeds and other seed manipulations by multinationals; it is therefore to refuse the manipulation and patenting of living organisms;

**To better succeed in the actions, it is important:**

- to be in networks, between farmers and communities, but also with consumers, who must be able to express their opinions on the food that will be made available to them; it is also important to be connected to networks by facilitating forums and exchanges at local, regional and global levels;
- to say what motivates everyone; solidarity, defence, promotion and respect for the rights of peasants that are reflected in some countries in the formula “acting in the direction of the God of Life”;

**It is essential to understand:**

- that the struggle for peasant seeds, and for rights in general, can lead to “civil disobedience”, with the risk of fines, repression,



imprisonment, or even death;  
action must be taken to change  
the law, if it is contrary to the well  
fare of the population;

- that everything must be done  
with the informed, motivated  
consent of farmers and  
communities;
- that there are no “small”  
actions, but that every action  
has meaning, gives direction, a  
dynamic;
- that disseminating information,  
sharing it, is moving forward in  
the struggle, hence our call:

### CALL FOR MOVEMENTS

FIMARC's Human Rights Group is participating in the ongoing UN project on the “Declaration of the Rights of Peasants and Other Persons Working in Rural Areas”. We ask you, with insistence, to send us, via the international secretariat, your thoughts, your concrete situations, etc., on this theme of farmer seeds, to be your spokesperson.





## QUESTIONS PROPOSED TO THE MOVEMENTS

These questions are proposed to begin work on seeds. Each movement can choose a particular group of questions, each group referring to one or the other part of this document. Each movement can add questions and themes not covered here.

### **1. Which seeds for what type of agriculture?**

- How important are peasant seeds in the country?
- What is the biodiversity situation in the region, the country?
- Are there any GMO crops? Which ones? What surfaces? For what renderings? What are the consequences for farmers, their families and communities?
- Research and extension: who funds them? Who controls them? What is the place of farmers and their organizations?

### **2. Seeds and human rights**

- What rights do farmers have regarding peasant seeds and traditional knowledge: use, exchange, sell, perpetuate, control, develop, protect, etc.?



- Do farmers and their communities have access to natural resources (land, water, seeds, etc.)? If not, what are the obstacles?
- What are the conditions for farmers to have access to natural resources and farmer seeds?
- The State: what policy does it implement concerning seeds and traditional knowledge, the right to food, food sovereignty? What are its “political” and strategic choices on these subjects?

### 3. Ideas for action

- What are the challenges that farmers and their communities face for seeds and traditional knowledge?
- How to strengthen farmers’ rights? By what concrete actions?
- What can the movement, or the organization, do to protect and promote farmers’ rights over seeds and traditional knowledge?
- How will you respond to the call for movement (see box)?







## USEFUL ADDRESSES

References to find information on seeds, skills for actions; each movement can search in its country or region for people or organizations that can help with seed work.

- FIMARC - May 2017 EXCO Declaration: [www.fimarc.org](http://www.fimarc.org)
- La Via Campesina: [www.viacampesina.org](http://www.viacampesina.org)
- FIAN international: [www.fian.org](http://www.fian.org)
- Laurent Delcourt: CETRI (Tricontinental Centre, Belgium): [www.cetri.be](http://www.cetri.be)
- Universal Declaration of Human Rights, United Nations: [www.ohchr.org](http://www.ohchr.org)
- Draft UN Declaration on the Rights of Peasants: [www.ohchr.org](http://www.ohchr.org)
- Coordination Sud: Le droit aux semences: [www.coordinationsud.org](http://www.coordinationsud.org)
- Farmers' seed network: [www.semencespaysannes.org](http://www.semencespaysannes.org)
- Women seed companies: [www.femmes-semencieres.com](http://www.femmes-semencieres.com)
- Faim et Développement - CCFD-Terre solidaire magazine: [www.ccf-d-terresolidaire.org](http://www.ccf-d-terresolidaire.org)





FIMARC - rue Jaumain 15 - 5330 ASSESSE - Belgique - Tél 32 - 83 65 62 36  
E-mail: [fimarc@skynet.be](mailto:fimarc@skynet.be) - website: [www.fimarc.org](http://www.fimarc.org)