



Indonesia for Global Justice, Both ENDS, Third World Network, APBREBES

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Civil society calls upon EU and Indonesia to respect the rights of Indonesia's farmers

89 NGOs and farmers' organisations from Indonesia, the EU and around the world sent open letters to the EU Commission and the Indonesian government today, calling on them to refrain from any clause that restrict farmers' rights in a future free trade agreement.

It is common practice for the EU to demand in trade agreement negotiations that the trading partner introduce a plant variety protection right* in accordance with UPOV 91**. This is also the case in the ongoing negotiations for a Free Trade Agreement between the EU and Indonesia. But UPOV 91 deprives farmers of the right to exchange and sell protected seeds or propagating material. Even saving seeds and replanting on their own fields is prohibited for most plant species and restricted for others. Therefore, UPOV 91 not only jeopardizes the right to food and food sovereignty, but is also a threat to agrobiodiversity.

UPOV 91 offers an inappropriate legal framework for Indonesia, where agriculture is of crucial importance for the economy and 93% of farmers have a small family farm with an average land holding of 0.6 hectares. UPOV 91 has been developed by industrialised countries for their agricultural system. Therefore multiple independent experts recommend that developing countries should not join or implement UPOV 91.

Attempting to impose a law on Indonesia that was drafted without its participation runs counter to the country's interests. Indonesia has the right and the duty to develop laws and policies related to seeds that best suit its agricultural system and the needs of its people. It is disturbing to see how the EU is jeopardising Indonesia's ability to develop tailor-made plant variety protection rights, that find a better balance between farmers' rights and the holders of plant variety protection rights.

Therefore, over 90 organizations have signed the letters to call on the European Union to withdraw the demand for a UPOV 91-compliant plant variety protection law and to refrain from any request concerning plant variety protection rights in the free trade agreement with Indonesia. We also call on the government of Indonesia to stand up for the rights of their farmers and to resist the ask by the EU to comply with the rules of UPOV 91. This would be an important step towards more justice, the implementation of the United Nations Declaration on the Rights of Farmers and Other People Working in Rural Areas" (UNDROP) and an important contribution to the achievement of the United Nations Sustainable Development Goals (SDGs).

*A plant variety protection (PVP) right is a form of intellectual property on plant varieties.

** The International Union for the Protection of New Varieties of Plants (UPOV) is an intergovernmental organization that actively promotes strong intellectual property rights on plant varieties. The 1991 Act of the UPOV Convention was negotiated by 19 industrialised countries and South Africa and took effect in 1998. Other forms of PVP rights find a better balance between farmers' rights and the holders of PVP rights.

For more information:

- [Open letter to the EU Commission](#)

- [Open letter to the Government of Indonesia](#)

Briefing Paper "[The reasons why Indonesia should not \(be forced to\) join UPOV](#)

Research Paper "[Plant variety protection & UPOV 1991 in the European Union's Trade Policy: Rationale, effects & state of play](#)"

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