



Session 6

Intellectual Property Rights

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- Intellectual property rights: Article 27 Universal Declaration of human rights guarantees everyone's rights to innovation benefits
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Types of IPR

- Trade marks-Unique letters etc
 - Patents-Novel plant processes, systems, Biotech Genetics
 - Copyrights
 - Plant Breeders Rights
 - Contracts/Licenses
 - Indigenous knowledge (knowledge passed from generation to generation)
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Why IPR?

- Stimulates Innovations/Research/Trade
 - Protect ownerships
 - Make negotiations with other nations
 - Access to new varsities
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Plant Breeders Rights UPOV

- NEW
 - Distinct
 - Uniform
 - Stable
 - Designation
 - Protection 15, 20, 25 depending on the species
 - Members of UPOV in Africa: SA, Kenya
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Discussions

- How do owners of the indigenous knowledge benefit-Community development or agreements/exchange of knowledge
 - Who insures communities benefit from IK
 - Many SADC countries don't have PBR-There should be an option that all the SADC countries could develop one model to harmonized their PBRs
 - UPOV systems workers and can be a good model for SADC countries
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Discussions

- What are the major barriers to Patents.
Depend from country to country
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Recommendations

- How best can IK be rewarded or benefits the community to whom the IK originate
 - FANRPAN should develop a paper to facilitate development of IPR among SADC states
 - FANRPAN should publicize information on IPR and how these information should be applied in the region
 - IPR issues should monitored and a framework should be developed on how to monitor them
 - FANRPAN should encourage research on IPR issues
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Impact of Bio-safety Systems

- Application of Bio safety in food security
- Document on regional bio-safety policy
- Opportunities and challenges related to trade, GMO and food security
- Target countries Malawi, Mauritius, SA

Current situation on Bio safety regulation and Legislation in SA

- South Africa parliament passed GMO act in 1997 to regulate aspects of GMO
 - No trade effects on other crops
 - Studies on maize on going
 - Farmers make the decision whether to grow GMO or not
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Malawi

- Information on GMO products very limited and bio safety Act still on the pipeline
- There is need to build capacity to manage and regulate the use of bio-technology products
- The policy is also on the pipeline
- FMU/CSO has not taken a stand on GMO
- Smallholders cannot use the bio tech technologies if at present they do not utilize available tech

Mauritius

■ Studies on stakeholder analysis from various organizations

- 35 no opinion
- 44- positive

Concerns

- Food security
- Environment
- Socio-economic
- Ethics

- Sugarcane has been modified but not produced commercial
- Legislation for *GMO* is still being developed
- Imported maize and soybean from Argentina might contain *GMO*
- Lack of PBR
- Bio safety framework is being developed

Discussions

- What is the potential adoption and impacts of *GMO* technology?
 - What are the benefits that can be derived from *GMO*
 - There is a fear of adopting *GMO*
 - The advantage and disadvantage of *GMO* should be outlined
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Recommendations

- FANRPAN Outline the advantage and Disadvantage of *GMO* and be transparent so far only the advantages has been talked about
- FANRPAN should outline the benefits that can derive from *GMO*.
- FANRPAN should undertake studies related to *GMO*
- What are the ethical issues related to *GMO*
- Look at the key production area and options to give to the farmers