Food and Agriculture : plant genetic resources, ratification of the FAO International Treaty, November 2001

2003/0231(CNS) - 20/01/2004

The committee adopted the report by its chair, Caroline JACKSON (EPP-ED, UK), approving the conclusion of the Treaty (consultation procedure), subject to just one amendment deleting a paragraph in Annex C. In that paragraph, it is stated that "The European Community interprets Article 12.3d of the International Treaty on Plant Genetic Resources as recognising that plant genetic resources for food and agriculture..... may be the subject of intellectual property rights provided that the criteria relating to such rights are met". The committee pointed out that this declaration was actually in contradiction to Article 12.3d of the Treaty, which states that "recipients shall not claim any intellectual property or other rights that limit the facilitated access to the plant genetic resources for food and agriculture.....".