

The joint challenges of food safety and conservation of agrobiodiversity are making us rethink the issue of agricultural production. We have to produce more, but especially better in order to sustain biological diversity, mitigate climate change and adapt to it. This prospect urgently calls for the development of a sustainable crop production system that relies less on natural resources (soils, water, aquifer), fertilizers and protection products. There are probably many ways to address these challenges, and it is undisputed that science and technology have a major role to play in this respect.

But if we remember that many aspects of the plant breeding model and the crop production system have been influenced by policy choices, as well as by legislative and regulative options, it appears clearly that, to a great extent, food safety and conservation of agrobiodiversity are tightly linked with policy choices made in regards to intellectual property. Social sciences, and more especially Law, can contribute to reframing the current legal framework and to achieving a better balance between the necessary requirements of progress and innovation – which could not be fulfilled without sufficient incentives for industry in the form of intellectual property rights – and the need for protection of informal innovation systems carried out by farmers and local and indigenous communities.

A promising avenue of reflection for the research project would be to investigate the concept of property as it has been established by classic liberal and neo-liberal thinkers. The challenge is therefore to question private ownership and what can be seen as its main distinguishing feature in the Western world, namely the right to exclude. In this perspective, the debate on access in property law provides a good starting point. Due consideration must be given to pioneering works developed in the political economy field, especially those of Jeremy Rifkin who has been able to perceive the change in modern capitalism with a power no longer based on property but on access to service. Rifkin highlights something we have long lost sight of, namely that ownership can be thought differently so that cooperation can replace self-interest, and access can trump ownership. In sum, property can be defined as the right not to be excluded.

A move beyond this reflection upon private property and access has recently been suggested. In following this tendency, another encouraging avenue to explore would be the acknowledgment of a third way between public and public property. What is at stake here is the framing of new “commons” (“biens communs”) or the preservation and promotion of existing “commons”.

The last decade has seen a growing interest in, and thorough reflection on the commons – natural resources commons as well as intellectual commons –, especially in the United States and in Italy. But very few studies have been carried out on the commons in plant breeding. This issue would merit further debate, if only because the term “the commons” is frequently used when it comes to the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA), participatory plant breeding or collaborative research program to support genomics research.

The First Session will be devoted to the issue of access («right not to be excluded» from the use or enjoyment of something) within proprietary regimes (e.g. access and benefit sharing, access and clearinghouses, access and open-source patents). The Second Session will provide the opportunity to explore more directly the issue of the «Commons» in the plant innovation field, notably by questioning the potential, benefits and limitations of designing or promoting the so-called «bio-commons». Participants are expected to raise questions about the status of genetic resources and related traditional knowledge of local and indigenous communities, the status of the product of participatory plant breeding, the possibility of allocating collective rights over traditional knowledge, landraces and new farmers' varieties.



INTERNATIONAL WORKSHOP

The Commons, Plant Breeding and Agricultural Research

How to face the challenges of an increasing world population and the preservation of agrobiodiversity

CONVENORS :

Dr Fabien Girard (MFO, Université Grenoble Alpes)

Dr Laura Rival (Oxford University)

**FROM 30TH SEPTEMBER TO 1ST OCTOBER 2016
AT THE MAISON FRANÇAISE D'OXFORD (MFO)**

ALL WELCOME

Registration at :
<http://www.mfo.ac.uk/en/node/4657/register>

VENUE

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30TH SEPTEMBER

9:30 **OPENING REMARKS**

9:40 **KEYNOTE LECTURE**

Pr Graham Dutfield, School of Law, University of Leeds,
“Farmers, Innovation, and Intellectual Property: Current Trends and their Consequences for Food Security”

10:30 **SESSION 1. MOVING BEYOND THE ABSOLUTE “RIGHT TO EXCLUDE” – TOWARDS AN “INCLUSIVE” APPROACH OF OWNERSHIP**

1.1.ACCESS AND BENEFIT-SHARING

Dr Elsa Tsioumani, ERC Research Fellow, Strathclyde University
“Beyond access and benefit-sharing: lessons from the emergence and application of the principle of fair and equitable benefit-sharing in agrobiodiversity governance”

Dr Frédéric Thomas, IRD
“Patent and benefit sharing. What can we learn from SkE lawsuit? What is the problem?”

11:30 *Coffee/Tea Break*

12:00 **1.2.ACCESS AND LICENSING**

Dr Eric Deibel, Delft University of Technology
“Open source seeds and beyond: rethinking the commons in a global bio-economy”

Dr Johannes Kotschi, AGRECOL, “Open-Source for Seeds”

1:00pm *Lunch*

SESSION 2. DEALING WITH THE COMMONS: MOVING BEYOND PUBLIC AND PRIVATE OWNERSHIP?

2:00pm **2.1.WORKING OUT THE THEORETICAL FRAMEWORKS**

Chair : Dr Sarah E. Edwards FLS, Royal Botanic Gardens Kew & **UCL School of Pharmacy**

Dr Laura Rival, Oxford University
“The anthropological perspective: authorship and the dialectics of community and market”

Dr Darbo-Peschanski, CNRS - LAS, “Common, communities between Nature, Political Groups and Human Body : Places and Territories issues in the Ancient Greek world”

3:00pm *Coffee/Tea Break*

Dr Michele Spanò, University of Turin – EHESS
“Private Law Arrangements for the Commons: A New Comparative Perspective”

Dr Fabien Girard, Grenoble Alpes University, MFO, “Composing the Common World of the Bio-Commons in the Age of the Anthropocene: Some Preliminary Observations”

4:30pm

2.2. OF SOME POSSIBLE MODELS: MAPPING AND PROTECTING THE BIO-COMMONS

2.2.1. Understanding the Bio-Commons

Chair : Dr Frédéric Thibault-Starzyk, MFO

Dr Victoria Reyes-García, ICREA Research Professor, Universitat Autònoma de Barcelona, Spain, “Traditional Knowledge of Plant Genetic Resources”

Dr Eric Garine Wichatitsky, Paris Ouest, “Which scale to understand landrace concepts and seed fluxes in subsistence/peasant societies? Snapshots from the tropics”

Dr Elise Demeulenaere, CNRS, National Museum of Natural History, “Contemporary Ostromian seed commons? On the emergence and formalization of an organization acting for farmers’ re-appropriation of seeds (Réseau Semences Paysannes, France)”

6:00pm

End of the first day



1ST OCTOBER

10:00

2.2.2.A Common Property Regime for the Bio-Commons?

Chair: Dr Fabien Girard, MFO, Université Grenoble Alpes

Dr Geoffroy Filoche, UMR GRED – IRD
“Making the difference with a common plant: the recovery of guarana by the Sateré-Mawé (Brazil)”

Barbara Pick, London School of Economics, “The use of geographical indications to preserve the Commons – a more complex picture emerging from case studies”

Dr. Susette Biber-Klemm, University of Basel
“The bio-commons in an industrialized country – a viable option?”

11:45

Coffee/Tea Break

2.2.3. Governing the Bio-Commons

Chair: Dr Laura Rival, Oxford University

Christine Frison, UCLouvain, KU Leuven
“Planting the Commons: Towards redesigning an equitable seed exchange”

Dr Selim Louafi, Marie Curie Senior Research Fellow Cirad, Montpellier, France
“Heterogeneities and equity challenges in governing global commons: the example of the International Treaty on Plant Genetic Resources”

1:30pm

End / Lunch

