The Indigenous Coalition Against Biopiracy in the Andes

18 March 2006

Mr. Michael Pragnell, CEO, Syngenta
c/o Rainer von Mielecki, Head of Communication and Public Affairs
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RE: Syngenta's patent on technology to prohibit sprouting of vegetative storage organs (potatoes)

Dear Mr. Pragnell:

We, the Indigenous Coalition Against Biopiracy in the Andes, are writing on behalf of Quechua and Aymara peoples of the Peruvian Andes regarding Syngenta's patent on a Terminator-type technology for potatoes. The Indigenous Coalition Against Biopiracy in the Andes is an alliance of representatives from indigenous communities in Peru. On the 18th of March members of the Indigenous Coalition Against Biopiracy in the Southern Andes met near Pisac, Peru, to discuss Syngenta's patent on a method to control sprouting in vegetative storage organs like potato. The participants to this meeting expressed unanimous concern about the potential cultural and socioeconomic impacts on indigenous communities in the Andes of US patent number 6,700,039, entitled "Genetic method for controlling sprouting," which was granted to Syngenta in March 2004.

We understand that your company has previously pledged not to develop sterile-seed technology that would prevent farmers from re-using harvested seed. However, US Patent 6,700,039 describes a technology that could be used to prevent the sprouting of potatoes, unless they are treated with an external chemical inducer. Even though this patent relates to "storage organs" (and not seeds) our communities consider this a Terminator technology. In our opinion, the technology described in US Patent No. 6,700,039 threatens the rights of our farming communities and the traditional knowledge of indigenous peoples. Although Syngenta's patent describes the use of this technology to prevent premature sprouting of potato tubers in storage, we believe that this technology could be used to prevent farmers from re-using vegetative planting material.

The Indigenous Coalition Against Biopiracy in the Andes strongly opposes the research and development of Terminator technologies that are designed to prevent farmers from saving and re-using harvested seed. This tradition of seed conservation underpins Andean and Amazonian biodiversity and livelihood strategies, the traditional knowledge and innovation systems customarily administered by indigenous women who have made such biodiversity and livelihood strategies possible, and indigenous cultural and spiritual values that honor fertility and continuity of life. We believe a case-by-case assessment of Terminator technology goes against the interests of indigenous peoples in the Andes where Terminator technology could cause serious social and economic damage and undermine the ability of people to provide food for themselves and their communities.

This recent meeting follows a consultation by Andean indigenous peoples last year regarding the potential impacts of Terminator technology which was presented in response to a request from the United Nations CBD for "new information" on Terminator. Identified impacts include: loss of indigenous biodiversity, erosion of indigenous knowledge and innovation systems, erosion of indigenous rights, erosion of local economy, marginalization of women, disruption of indigenous cultural and spiritual values, loss of access to seeds and decreased agro-biodiversity. The results of the meeting in Cusco, Peru, in September of 2005 can be found at the following link:
http://www.banterminator.org/news_updates/news_updates/indigenous_peoples_local_communities_and_smallholder_farmers_voice_concerns_to_united_nations

Our peoples have cultivated potato as a multi-purpose crop for millennia. As the center of origin for potato, Peru is home to over 3,000 varieties of potato which are the result of the hard work of our ancestors who selected and bred particular varieties for desirable qualities. New crosses enabled potatoes to be grown in a wide variety of Andean microclimates, making the food supply of indigenous communities past and present resilient and secure. In addition to serving as a staple food, our diverse potato varieties have strong cultural significance. The irregular and knobby potato, called *Qachun Waqachi*, for example, is ceremonially used to test whether a women is fit to marry. If she can manage to peel the potato in a contiguous fashion, without breaking the peel, then she will make a good daughter-in-law.

We consider Terminator technology another means by which the multinational seed industry is undermining and threatening agrobiodiversity and the age-old right of farmers to free and open sharing of seeds. The Indigenous Coalition Against Biopiracy in the Andes opposes all patents on genes, plants, humans and parts of the human body and regards the biodiversity of this planet as the common heritage of humankind. We feel greatly disrespected by corporations who, by making a single genetic alteration to a plant, claim private ownership to it as their invention, despite the fact that these plants are the result of thousands of years of careful selection and breeding by indigenous peoples and local communities around the world. We believe that Syngenta by modifying potatoes on the genetic level should not be able to claim ownership over these potatoes which are the handiwork of our ancestors here in the Andes. Furthermore, we believe it doubly unethical that potatoes, in the case of Terminator, be sterilized, patented, and used as a biological means, stronger than patents, to privatize potatoes and prevent farmers from saving them as fertile vegetative organs for use during subsequent agricultural cycles.

Considering the potential cultural and socioeconomic impacts of Terminator, we are writing to ask if your company has changed its policy with regards to genetic seed sterilization technology. We respectfully urge Syngenta to abandon US patent number 6,700,039 and to make a public statement that your company will not use this technology to prevent farmers from saving and re-using seeds or prohibit sprouting in vegetative storage organs. As you may know, genetic seed sterilization technologies (GURTs) will be on the agenda at the upcoming meeting of the Convention on Biological Diversity in Brazil (March 20-31). Representatives of the Indigenous Coalition Against Biopiracy in the Andes will be attending the meeting and will be participating in workshops on the subject of GURTs. We would appreciate very much hearing from you about Syngenta's position as the Brazil meeting gets underway.

We would like to take this opportunity to extend a sincere invitation to meet with you at your earliest convenience to discuss this matter. Thank you in advance for your cooperation.

Sincerely,

DECLARACIÓN DE LA COALICIÓN INDÍGENA CONTRA LA BIOPIRATERÍA EN LOS ANDES EN OPOSICIÓN A LA PATENTE DE PAPA TERMINATOR DE SYNGENTA

18 Marzo 2006

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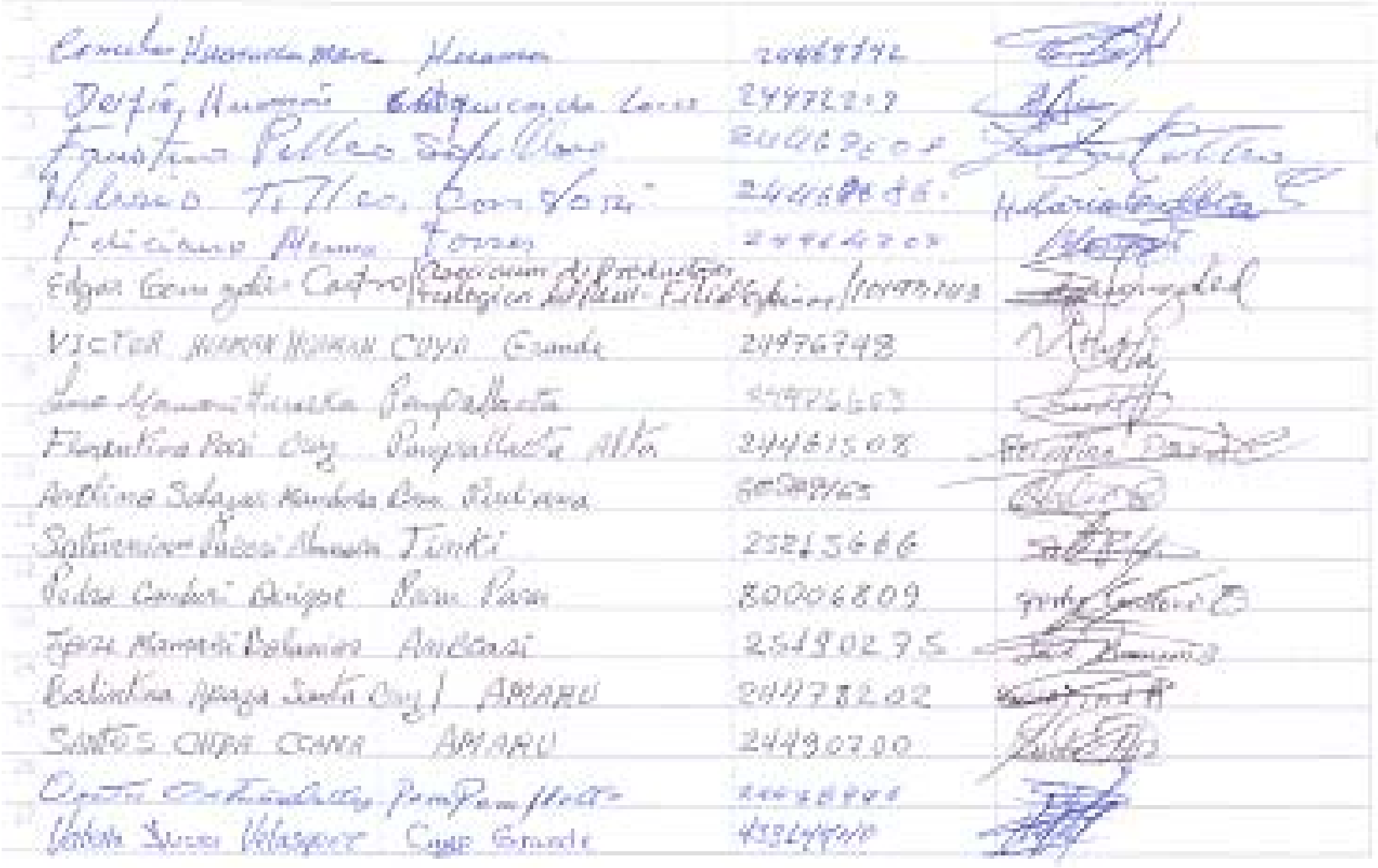
9. [illegible]	Cantamaya	[illegible]	[signature]
10. Ricardo [illegible]	Paru paru	[illegible]	[signature]



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