

# NGTS AND PATENTS – AN (I)NGO PERSPECTIVE

By Oxfam Novib

NO PATENTS ON SEEDS workshop, June 10, 2026, Nout van der Vaart, Policy Lead Food and Land



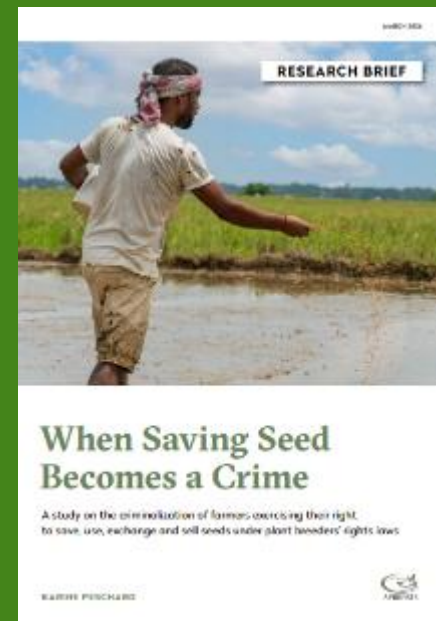
# HOW THE EU NGT FILE AND SEED PATENTS IMPACT GLOBAL FOOD SECURITY, FARMERS IN DEVELOPING COUNTRIES AND EQUAL OPPORTUNITIES FOR ALL



# 1. PATENTING OF NATIVE TRAITS RISKS RESTRICTING FARMERS' FUNDAMENTAL RIGHTS

Broad patentability of NGT-derived traits—especially when mirroring naturally occurring characteristics—can effectively limit **farmers' ability to save, reuse, and exchange seeds.**

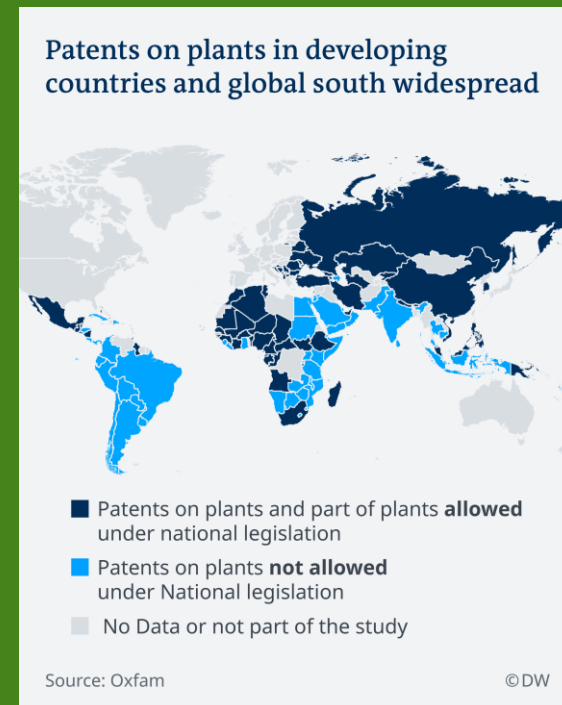
This undermines internationally recognized Farmers' Rights (e.g. under **ITPGRFA**, **UNDROP**, **CBD**) and weakens traditional (farmer managed) seed systems that are essential for food production in many developing countries.



## 2. EXPANDING PATENT SCOPE MAY INCREASE DEPENDENCY IN DEVELOPING COUNTRIES

Stronger patent protection on seeds and traits risks **making farmers and breeders in developing countries dependent** on a small number of multinational companies.

This reduces autonomy, weakens local seed systems, and **limits equal and sustainable development opportunities** in agriculture.



### 3. RISK OF AN UNEVEN GLOBAL PLAYING FIELD IN AGRICULTURAL INNOVATION

Complex and costly patent landscapes (“**patent thickets**”) disproportionately disadvantage public researchers and breeders in developing countries.

This **limits their ability to innovate** and participate in global value chains, **reinforcing existing inequalities** in agricultural development.



## 4. PATENTS ON SEEDS CAN HINDER, RATHER THAN STIMULATE INNOVATION

Overly broad or overlapping patents can **restrict access to genetic material, increase transaction costs, and create legal uncertainty**.

This reduces “freedom to operate” for breeders and risks **slowing down innovation**—particularly among **SMEs** and public institutions that are key to diverse and resilient breeding systems.



## 5. INCREASED MARKET CONCENTRATION UNDERMINES A LEVEL PLAYING FIELD

**Expansive patent regimes** tend to favor large, well-capitalized companies, leading to further consolidation in the seed sector.

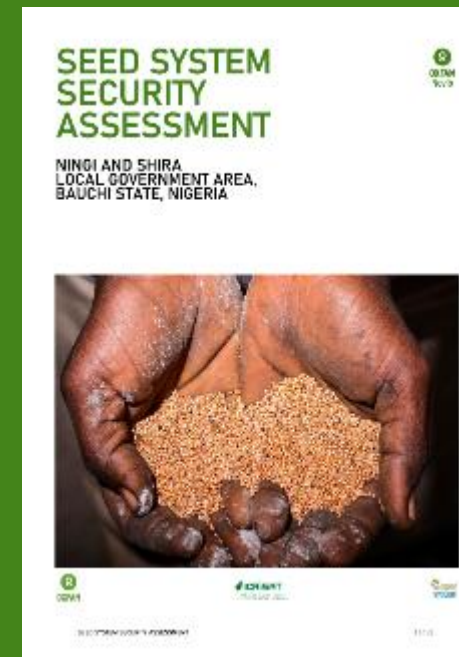
This **reduces competition**, raises barriers to entry, and **marginalizes smaller breeders**—both in Europe and globally.



## 6. PRIVATISATION OF GENETIC RESOURCES THREATENS GLOBAL FOOD SECURITY

Allowing private ownership over naturally occurring traits risks **enclosing essential building blocks of agriculture**.

This can **restrict access to genetic diversity** needed to develop climate-resilient crops, particularly in regions most vulnerable to food insecurity.



## 7. NEGATIVE SPILLOVERS ON BIODIVERSITY AND LOCAL ADAPTATION

Limitations on access to genetic material reduce the circulation and recombination of traits, **undermining agrobiodiversity**.

This weakens the **development of locally adapted varieties in developing countries**, where resilience to climate change depends heavily on diverse seed systems.



## 8. EU POLICY CHOICES WILL SHAPE GLOBAL STANDARDS AND EQUITY OUTCOMES

Through the “Brussels effect,” EU rules on NGT patentability are likely to influence global regulatory frameworks.

Without safeguards – i.e. adjustments to Directive 98/44 – this risks **exporting restrictive IP regimes that limit equitable access to seeds** and undermine inclusive global food systems





**OXFAM**

Nout van der Vaart

Oxfam Novib

[Nout.vandervaart@oxfamnovib.nl](mailto:Nout.vandervaart@oxfamnovib.nl)

[www.oxfamnovib.nl](http://www.oxfamnovib.nl)

[www.seedsforresilience.org](http://www.seedsforresilience.org)