

108TH CONGRESS
1ST SESSION

H. CON. RES. 269

Expressing the sense of the Congress that the trade and economic development policies of the United States should respect and support the rights of African farmers with respect to their agricultural and biological resources, traditional knowledge, and technologies.

IN THE HOUSE OF REPRESENTATIVES

JULY 25, 2003

Ms. WATERS submitted the following concurrent resolution; which was referred to the Committee on International Relations, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

CONCURRENT RESOLUTION

Expressing the sense of the Congress that the trade and economic development policies of the United States should respect and support the rights of African farmers with respect to their agricultural and biological resources, traditional knowledge, and technologies.

Whereas indigenous agricultural and biological resources, traditional knowledge, and technologies are vitally important to the economies, cultures, environment, food security, and rural livelihoods of sub-Saharan Africa;

Whereas the majority of Africans in the sub-Saharan region depend directly on agriculture for their daily sustenance and income needs;

Whereas the majority of farmers in this region cultivate their crops on small family plots, growing crops and raising livestock for their own food needs, saving and exchanging their seeds and produce, and freely selling their surplus harvest according to traditional practices passed on for generations;

Whereas African women are the main producers of food crops cultivated for family and local consumption;

Whereas public access to and communal prerogatives over agricultural and biological resources, traditional knowledge, and technologies are integral to African culture, food security, and to the local economies;

Whereas corporations and outside individuals are profiting from the use of these agricultural and biological resources, and from the traditional knowledge and technologies, without the prior agreement of African farmers and local communities;

Whereas the international trend toward the patenting of life forms threatens public access to and communal prerogatives over agricultural and biological resources, traditional knowledge, and technologies in Africa; and

Whereas in order to safeguard the access and rights of African farmers to their agricultural and biological resources, traditional knowledge, and technologies, the Organization of African Unity has developed the African Model Legislation for the Protection of the Rights of Local Communities, Farmers and Breeders, and for the Regulation of Access to Biological Resources: Now, therefore, be it

- 1 *Resolved by the House of Representatives (the Senate*
- 2 *concurring), That it is the sense of Congress that—*

1 (1) African nations and people have the right to
2 ensure the conservation, evaluation, and sustainable
3 use of their agricultural and biological resources,
4 traditional knowledge, and technologies, and to gov-
5 ern access to them;

6 (2) African farmers have the right to access,
7 use, exchange, and share their agricultural and bio-
8 logical resources, traditional knowledge, and tech-
9 nologies as established by customary law and prac-
10 tice;

11 (3) African nations have the right to protect the
12 rights of farmers and communities to their agricul-
13 tural and biological resources, traditional knowledge,
14 and technologies;

15 (4) the patenting of life forms that are part of
16 African agricultural and biological resources, tradi-
17 tional knowledge, and technologies violates the rights
18 described in paragraphs (1) through (3);

19 (5) the African Model Legislation for the Pro-
20 tection of the Rights of Local Communities, Farm-
21 ers and Breeders, and for the Regulation of Access
22 to Biological Resources seeks to recognize, protect,
23 and support the rights described in paragraphs (1)
24 through (3); and

1 (6) the trade and economic development policies
2 of the United States toward Africa should respect
3 and support the rights of African farmers with re-
4 spect to their agricultural and biological resources,
5 traditional knowledge, and technologies, and the pro-
6 visions of the African Model Legislation.

○