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منظمة  
الغذية والزراعة  
للأمم المتحدة

# COMMISSION ON GENETIC RESOURCES FOR FOOD AND AGRICULTURE

## Item 9 of the Provisional Agenda

### INTERGOVERNMENTAL TECHNICAL WORKING GROUP ON PLANT GENETIC RESOURCES FOR FOOD AND AGRICULTURE

#### Ninth Session

Rome, 25–27 July 2018

### REPORT FROM THE INTERNATIONAL TREATY ON PLANT GENETIC RESOURCES FOR FOOD AND AGRICULTURE

## I. INTRODUCTION

1. This report has been prepared by the Secretariat of the International Treaty on Plant Genetic Resources for Food and Agriculture (International Treaty) in response to an invitation from the Secretariat of the FAO Commission on Genetic Resources for Food and Agriculture to provide inputs to the discussions of the Intergovernmental Technical Working Group.

2. This information document is structured into two main sections. The first illustrates the major outcomes arising from the Seventh Session of the Governing Body of the International Treaty, which was held in Kigali, Rwanda, in 2017. At its Seventh Session, the Governing Body adopted Resolution 11/2017, Cooperation with the Commission on Genetic Resources for Food and Agriculture, and requested its Secretary to continue strengthening collaboration and coordination with the Secretary of the Commission "to promote coherence in the development and implementation of the respective programmes of work of the two bodies".<sup>1</sup>

<sup>1</sup> Resolution 11/2017, Cooperation with the Commission on Genetic Resources for Food and Agriculture, available online at <http://www.fao.org/3/a-mv090e.pdf>

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The second section provides an update on the recent progress made in the implementation of the main areas of work of the International Treaty of relevance to the work of the Intergovernmental Technical Working Group. Finally, the document also provides information on the intersessional processes and committees set up by the Governing Body, of which calendar is attached in the *Appendix*.

## **II. MAJOR OUTCOMES OF THE SEVENTH SESSION OF THE GOVERNING BODY**

3. In adopting Resolution 11/2017, the Governing Body indicated various areas for collaboration and coordination, in particular with regard to:

- the preparation of the Third Report on the State of the World's Plant Genetic Resources for Food and Agriculture and the consideration of the Third Global Plan of Action for PGRFA;
- the monitoring and implementation of the Second Global Plan of Action for PGRFA, including further work on draft voluntary guidelines on farmers' varieties/landraces and global networking on in situ conservation and on-farm management of PGRFA;
- access and benefit-sharing;
- the Global Information System of the International Treaty and FAO WIEWS; and
- global targets and indicators related to PGRFA.

4. By the same Resolution, the Governing Body also welcomed the Voluntary Guidelines for national level conservation of crop wild relatives and wild food plants and invited its Contracting Parties to implement them, as appropriate. The Secretariat of the International Treaty has issued a Circular State Letter bringing to the attention of Contracting Parties the major outcomes and follow-ups of the Seventh Session of the Governing Body of the International Treaty.<sup>2</sup>

### **A. Enhancement of the Multilateral System of Access and Benefit Sharing**

5. The Multilateral System of Access and Benefit-sharing (Multilateral System) is a key global mechanism of the International Treaty to ensure food security and sustainable agriculture around the world.

#### **User-based payments**

The Treaty's Multilateral System of Access and Benefit-sharing was designed so that those benefitting from the use of seed or other genetic material available through the Multilateral System also share some of those benefits with farmers in developing countries through the Benefit-sharing Fund. Such payments, derived from the use of crop genetic resources, are critical in order for the system to continue working effectively.

In June 2018, the Benefit-sharing Fund of the Treaty received the first user-based payment on income derived from the use of material from the Multilateral System. The seed company Nunhems Netherlands which specializes in vegetable varieties, paid USD 119 083 to the Benefit-sharing Fund, equaling 0.77 percent of seed sales of ten varieties of vegetables commercialized using germplasm made available through the Multilateral System. This is not a one-off payment as the benefit-sharing provisions of the Standard Material Transfer Agreement used to access germplasm specify that payments continue as long as varieties are commercialized, under the same terms and conditions.

<http://www.fao.org/plant-treaty/news/news-detail/en/c/1143273/>

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<sup>2</sup> Letter C/CBD-806 of 22 February 2018, available at <http://www.fao.org/3/I8836EN/i8836en.pdf>

6. The Governing Body of the International Treaty decided to enhance the functioning of the Multilateral System in 2013, including to improve user-based income and contributions to the Benefit-sharing Fund. At its Seventh Session, it extended the mandate of the *Ad Hoc* Open-ended Working Group to enhance functioning of the Multilateral System (Working Group).

7. Resolution 2/2017 provides the Terms of Reference for the Working Group during this biennium, with a focus to:

- finalize the revised Standard Material Agreement;
- elaborate criteria and options for possible adaptation of the coverage of the Multilateral System; and,
- develop a proposal for a Growth Plan to attain the enhanced Multilateral System.

8. There are several inputs arising from the previous biennium and referred to in the Resolution that the Working Group will have available and can take into account to make progress in its work, including:

#### **Revised SMTA**

- The draft revised Standard Material Agreement: proposal by the Working Group provided in Annex 2 of the Report of the Ad-Hoc Open-ended Working Group to Enhance the Functioning of the Multilateral System (IT/GB-7/17/7), and which would form the basis for further negotiations as specified in paragraph 4.b of Resolution 2/2017.
- The Co-Chairs summary arising from Seventh Session of the Governing Body (Annex 2, Resolution 2/2017) that focuses on the discussions held on the revised SMTA and that identifies 5 blocks of issues that require further work: mechanisms for access to PGRFA from the Multilateral System, withdrawal and termination, formulation of benefit-sharing in particular within the Subscription System, enforceability and digital sequence information in relation to the SMTA.
- The Co-Chairs proposed consolidated text for the revised SMTA that is also contained in Annex 2 of Resolution 2/2017 and which provides a useful source of information for further discussions on the revised SMTA.
- Previous information and submissions on the revised SMTA made by Contracting Parties and the stakeholder Groups during the biennium 2016/2017, including the Declaration of Commitment by seed companies.

#### **Coverage of the Multilateral System**

- Proposals presented at the Seventh Session of the Governing Body for the possible adaptation of the coverage of the Multilateral System, including the proposal by the Government of Switzerland for an amendment of Annex I of the International Treaty.

#### **Growth Plan**

- The text prepared by the Co-Chairs of the Working Group during the last biennium is contained in Annex 1 of Resolution 2/2017.

9. The Co-Chairs of the Working Group would like to work in an efficient and forward-looking manner during the 2018/2019 biennium, and involve the adequate levels of decision-making, so that the Governing Body, at its Eight Session, adopts the necessary measures to enhance benefit-sharing and expand access through the Multilateral System.

## B. The Funding Strategy

10. The Governing Body is updating the Funding Strategy of the International Treaty with a view to adopt a dynamic and synergistic programmatic approach that will:

- Improve funding opportunities for the implementation of the International Treaty by making the case to national decision-makers and development agencies of the importance of plant genetic resources for food and agriculture (PGRFA) as well as the interlinkages with other development issues, including the Sustainable Development Goals (SDGs) 2, 13 and 15, whilst recognising that it is important to secure stable financial resources under direct control of the Governing Body.
- Strengthen linkages between different funding sources and partners relevant to the International Treaty, by pursuing collaborative planning and co-sponsoring opportunities and identifying appropriate channels to make such linkages.
- Provide for a process for monitoring, evaluating and learning from lessons, experiences and information gained in previous implementation phases, and to structure new funding opportunities and identify and fill in gaps, including through the engagement of International Treaty stakeholders.

11. At its Seventh Session, the Governing Body decided to reconvene the *Ad Hoc* Committee on the Funding Strategy and Resource Mobilization (*Ad Hoc* Committee), with a revised mandate, in order to, *inter alia*: develop the updated Funding Strategy and related Annexes which will include targets for the overall Funding Strategy and for the Benefit-sharing Fund and measures to improve resource mobilization and cooperation with other international organizations in order to leverage funding and enhance synergies in the Treaty implementation.

## C. The Global Information System on Plant Genetic Resources

12. During the last biennium, the International Treaty Secretariat has advanced on the implementation of the Programme of Work for the Global Information System of the International Treaty with the advice of the Scientific Advisory Committee on Article 17 and the guidance of the Governing Body.

13. At its Seventh Session in 2017, the Governing Body welcomed the voluntary use of the Digital Object Identifiers (DOIs) and the publication of the Descriptors<sup>3</sup> and the Digital Object Identifiers Guidelines (DOI Guidelines).<sup>4</sup> It further requested the Secretary to intensify efforts to use the DOI system as a central element of GLIS, linking existing information systems.

14. Since the operationalization of DOIs, the Secretariat has organized a regional training session on plant genetic resources documentation in the SADC Region with other African countries and organized missions and training sessions in the Near East and North Africa Region. The training and the assistance targeted genebank managers, researchers and plant genetic resources holders to increase their understanding and facilitate the use of DOIs to link existing data sets across existing information systems. In collaboration with several partner organizations, networks and projects, the Treaty Secretariat has been reaching out to plant breeders, genebank managers and researchers in Europe, Latin America and Asia. The participants also received a presentation on the relevant reporting and information processes of the Commission.

15. The Secretariat of the International Treaty launched the first module of the web-based portal in September 2017. This module allows for the assignation of DOIs to plant genetic resources. This function helps to expose material to the public or collaborators in a format can be resolved by humans

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<sup>3</sup> <http://www.fao.org/plant-treaty/areas-of-work/global-information-system/descriptors/en/>

<sup>4</sup> <http://www.fao.org/plant-treaty/areas-of-work/global-information-system/guidelines/en/>

as well as computers. It enables information on the material to be harvested by robots searching publications and online dates that refer to PGRFA by its DOI and thus facilitates pointing to websites and information systems where detailed information is maintained.

16. The Governing Body also requested the Secretariat to collaborate with other systems, including WIEWS and other information system maintained by FAO and the Treaty Secretariats. At the Seventh Session, the Secretariat of the International Treaty together with the Secretariat of the Commission on Genetic Resources for Food and Agriculture and the Plant Production and Protection Division of FAO presented an analysis of the relevance of their information systems. In particular, the paper analysed the relevance of International Treaty's information systems to support the monitoring of the implementation of the Second Global Plan of Action for Plant Genetic Resources for Food and Agriculture and the preparation of the Third Report on the State of the World's Plant Genetic Resources for Food and Agriculture.<sup>5</sup>

17. At its Seventh Session, the Governing Body also discussed and adopted a resolution on the contribution of the International Treaty to the 2030 Agenda for Sustainable Development. In this context, it requested its Secretary to continue making available information provided by Contracting Parties and others to be used in the monitoring process on the achievement of SDG Target 15.6, in collaboration with the Secretariat of the Convention on Biological Diversity. In April 2018, that information collected by the International Treaty was made available online by FAO on its website, with maps like the one contained in Figure 1.<sup>6</sup> The Secretariat has published online a map displaying the number of SMTA agreements reported in 2018.<sup>7</sup> The data is used in the elaboration of indicator 15.6.1 "Number of Countries that have adopted legislative, administrative policy frameworks to ensure fair and equitable sharing of benefits".

18. The Governing Body also took into consideration the relevance of the information reported by the national focal points on the implementation of the International Treaty and made available to facilitate the monitoring of implementation.<sup>8</sup> Up to April 2018, there are 23 reports published online and several countries have indicated that they are working to submit their reports before 1 October 2018, which is the deadline for submission.

19. The Governing Body also considered the issue of Digital Sequence Information, in relation to the enhancement of the Multilateral System of Access and Benefit-sharing and in the Multi-Year Programme of Work of the International Treaty. It decided to expand the mandate of the Scientific Advisory Committee on Article 17 "to consider scientific and technical issues of relevance to genetic sequence information, as far as it is generated from the use of PGRFA and related to the implementation of GLIS".

20. In this context, the Governing Body invited Contracting Parties, other governments, relevant stakeholders and individuals with relevant expertise on the matter to provide information to the Governing Body on, inter alia, terminology used in this area, actors involved with "digital sequence information" on plant genetic resources for food and agriculture (PGRFA), the types and extent of uses of "digital sequence information" on PGRFA. It also invited information on the relevance of "digital sequence information" on PGRFA to food security and nutrition.<sup>9</sup>

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<sup>5</sup> IT/GB-7/17/Inf.17, available at <http://www.fao.org/3/a-bs798e.pdf>

<sup>6</sup> [https://public.tableau.com/profile/fao.sdg#!/vizhome/FAO-SDG-15\\_6\\_1SMTAStoryWIP/SDG15\\_6\\_1SMTA](https://public.tableau.com/profile/fao.sdg#!/vizhome/FAO-SDG-15_6_1SMTAStoryWIP/SDG15_6_1SMTA)

<sup>7</sup> It will be updated online once per year in conjunction with an annual reporting coordinated by the United Nations Statistical Division under the global indicator framework. For the latest data on the International Treaty, please visit its website. The interactive map is available at <http://www.fao.org/sustainable-development-goals/indicators/frameworks-for-sharing-of-genetic-resources-benefits/la/>

<sup>8</sup> The reports are available at: <http://www.fao.org/plant-treaty/areas-of-work/compliance/compliance-reports/en/>

<sup>9</sup> Resolution 13/2017, available at <http://www.fao.org/3/I8836EN/i8836en.pdf>

## D. Farmers' Rights

21. In regard to the implementation of Farmers' Rights, the Governing Body, through Resolution 7/2017 established an Ad Hoc Technical Expert Group on Farmers' Rights, which will produce an inventory of national measures that may be adopted, best practices and lessons learned from the realization of Farmers' Rights.<sup>10</sup> It will also develop options for encouraging, guiding, promoting the realization of Farmers' Rights. The Secretariat is making the preparations for the meeting of the Expert Group in September 2018 in Rome.

## III. RECENT PROGRESS AND UPDATES

22. The Secretary of the International Treaty has continued to support the daily operations of the **Multilateral System of Access and Benefit-sharing**. As of 1 July 2018, the Data Store contained approximately 65 000 reported SMTAs, transferring more than 4.5 million materials. From the aggregated records, more than 6 128 distinct recipients have already received material from the Multilateral System since 2007, and Easy-SMTA reached 1 900 users. The major crops exchanged are white, rice, barley, maize, chickpea and lentil, totalling more than 3.3 million PGRFA altogether.

23. **The Benefit-sharing Fund** has also progressed in its operations during the last biennium. The Fund has been active in 45 countries, and so far:

- 1 000 000 people have benefited from activities directly or indirectly, half of whom are women;
- 29 000 people trained in the conservation, management and use of plant genetic diversity;
- 8 000 key food crop varieties characterized for valuable traits & climate adaptation;
- 3 000 accessions made available in the MLS;
- 300 partners engaged globally including governments, research institutions, NGOs and grassroots organizations.

24. The Fourth Call for proposals under the Benefit-sharing Fund was launched late in 2017, with so far more than USD 5.5 million, including a royalty payment and a number of voluntary contributions from the private sector.

25. The partners selected by the Bureau will participate in a programme that is aimed at:

- Ensuring farmers adapt to climate change through use of crop biodiversity;
- Incorporate crop biodiversity in national planning for climate change and other development areas.

26. Regarding the updates related to the **Global Information System**, as of 1 July 2018, more than 630,000 materials had been made visible through the Global Information System, of which 531,670 were available in the Multilateral System of Access and Benefit-sharing.

27. The Third meeting of the Scientific Advisory on the Global Information System met on 21 and 22 June 2018 and adopted the "masterplan" for the further development of the GLIS Portal.<sup>11</sup> In its final report, the Committee recalled that the Vision for GLIS is that this System integrates and augments existing information systems and builds upon the work of existing networks, projects and

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<sup>10</sup> Resolution 07/2017. Implementation of Article 9, Farmers' Rights, available in six languages at : <http://www.fao.org/3/a-mv102e.pdf>

<sup>11</sup> The Module of the GLIS Portal is available at <https://ssl.fao.org/glis/>

initiatives and advised the Secretary of the International Treaty to continue the collaboration with the World Information and Early Warning System (WIEWS).<sup>12</sup>

28. Furthermore, the Committee advised the Secretary to complete the connection with WIEWS in due time and underlined the value of the on-farm information contained in WIEWS and to jointly assess possible overlaps with data available in other systems.

29. Regarding **digital sequence information (DSI)** or **genetic sequence data (GSD)**,<sup>13</sup> the Committee advised the Secretariat to gather more information from GLIS users, including CGIAR Centres and other institutions managing crop germplasm repositories, on the current application of DOIs to crop germplasm in the Multilateral System of Access and Benefit-sharing for which DSI/GSD is available in GLIS compatible information systems.

30. During this period the Secretary of the International Treaty has continued to implement the programme of work in collaboration with a wide range of organizations and stakeholders. It has signed a new memorandum of cooperation with the Convention on Biological Diversity (CBD), and it has continued the collaboration with the Global Crop Diversity Trust (GCDDT), and the Consultative Group on International Agricultural Research (CGIAR), the International Union for the Protection of New Varieties of Plants (UPOV) and the United Nations Environment Programme (UNEP).

31. These activities will be reported to the Eight Session of the Governing Body, which will be held in Rome from 11 to 16 November 2019 and preceded by regional and inter-regional consultations.

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<sup>12</sup> The Report of the Committee (IT/SAC-GLIS-3/18/Report) is available at <http://www.fao.org/3/CA0526EN/ca0526en.pdf>

<sup>13</sup> The Committee used the term “digital sequence information”(DSI) interchangeably with “genetic sequence data” (GSD), without any prejudice to the possible definition of terminology by the Governing Body.

## Appendix

### List of meetings of subsidiary bodies and the Eighth Session of the Governing Body of the International Treaty<sup>14</sup>

<b><u>2018</u></b>	<b>Dates</b>
<b><u>AUGUST &amp; SEPTEMBER</u></b>	
Electronic Consultation on the Joint Programme on biodiversity in agriculture	15 Aug-15 Sep
10th meeting of the Ad Hoc Advisory Committee on the Funding Strategy and Resource Mobilization (ACFSRM-10)	5-7 Sep
Ad Hoc Technical Expert Group on Farmers' Rights	11-14 Sep
<b><u>OCTOBER</u></b>	
8th meeting of the Ad Hoc Open-ended Working Group to Enhance the Functioning of the Multilateral System of Access and Benefit Sharing (OWG-EFMLS-8)	10-12 Oct
<b><u>2019</u></b>	
3rd meeting of the Compliance Committee	31 Jan – 1 Feb
<b><u>MARCH</u></b>	
9th meeting of the Ad-Hoc Open-ended Working Group to Enhance the Functioning of the Multilateral System of Access and Benefit Sharing (OWG-EFMLS-9)	Q1 of 2019 (tbc)
<b><u>MAY</u></b>	
11th meeting of the <i>Ad Hoc</i> Advisory Committee on the Funding Strategy and Resource Mobilization (ACFSRM-11)	Q2 of 2019 (tbc)
<b><u>OCTOBER</u></b>	
<b>8<sup>th</sup> Session of the Governing Body</b> (+ pre-consultations)	11–16 Nov in Rome, Italy

<sup>14</sup> The updated list can be found online at <http://www.fao.org/plant-treaty/meetings/en/>