

## RESOLUTION 2/2006

### The Standard Material Transfer Agreement

#### THE GOVERNING BODY:

- (i) **Recalling** that the objectives of the International Treaty on Plant Genetic Resources for Food and Agriculture are the conservation and sustainable use of plant genetic resources for food and agriculture and the fair and equitable sharing of the benefits arising out of their use, in harmony with the Convention on Biological Diversity, for sustainable agriculture and food security;
- (ii) **Recalling**, that, in furtherance of the objectives of conservation and sustainable use of plant genetic resources for food and agriculture and the fair and equitable sharing of benefits arising out of their use, Part IV of the Treaty establishes a Multilateral System of Access and Benefit-sharing, which is efficient, effective, and transparent, both to facilitate access to plant genetic resources for food and agriculture, and to share, in a fair and equitable way, the benefits arising from the utilization of these resources, on a complementary and mutually reinforcing basis, in order to receive the full support of the International Community;
- (iii) **Recalling** further that under Article 12.4 of the Treaty, facilitated access to the Multilateral System shall be provided pursuant to a Standard Material Transfer Agreement adopted by the Governing Body;
- (iv) **Recalling** further that, under the same provision, the Standard Material Transfer Agreement shall contain the provisions of Articles 12.3a, 12.3d and 12.3g, as well as the benefit-sharing provisions set forth in Article 13.2d(ii), and other relevant provisions of the Treaty, and the provision that the recipient of plant genetic resources for food and agriculture shall require that the conditions of the Standard Material Transfer Agreement shall apply to the transfer of plant genetic resources for food and agriculture to another person or entity, as well as any subsequent transfer of those plant genetic resources for food and agriculture;
- (v) **Noting** that the Standard Material Transfer Agreement should be in conformity with the Treaty, be effective, and should ensure the efficient and transparent implementation of the Multilateral System;
- (vi) **Emphasizing** that the Standard Material Transfer Agreement is crucial for the implementation of the Treaty;
- (vii) **Recognizing** that the terms of the Standard Material Transfer Agreement should be attractive to both providers and recipients of plant genetic resources for food and agriculture accessed from the Multilateral System, in order to encourage their participation in the Multilateral System;
- (viii) **Emphasizing** that, in addition to the mandatory sharing of benefits arising from commercialization, the voluntary sharing of monetary and non-monetary benefits is also crucial for the effective implementation of the Multilateral System;
- (ix) **Recognizing** that, under the Multilateral System, Contracting Parties shall share the benefits arising from the use of plant genetic resources through the mechanisms of information exchange, access to and transfer of technology, and capacity-building;
- (x) **Recognizing** that the Contracting Parties agree that benefits arising from the use of plant genetic resources for food and agriculture that are shared under the Multilateral System should flow primarily, directly and indirectly, to farmers in all countries, especially in developing

countries, and countries with economies in transition, who conserve and sustainably utilize plant genetic resources for food and agriculture;

1. **Adopts** the Standard Material Transfer Agreement;<sup>1</sup>
2. **Requests** the Secretary of the Treaty to review the implementation and operation of the Standard Material Transfer Agreement, and report to the Governing Body at its third session, in particular on the benefit-sharing provisions and the modalities of payment;
3. **Urges** Contracting Parties to the Treaty to take measures necessary for the implementation of the Standard Material Transfer Agreement;
4. **Urges** Contracting Parties to take the steps necessary to implement the non-monetary benefit-sharing provisions of the Treaty, as articulated in Article 13 of the Treaty;
5. **Invites** users of material received under the Standard Material Transfer Agreement to make voluntary contributions to the Multilateral System, and to share the non-monetary benefits arising from the use, including commercial, of plant genetic resources for food and agriculture fairly and equitably, through the exchange of information, access to and transfer of technology, and capacity-building, taking into account the Priority Activity Areas in the rolling *Global Plan of Action for the Conservation and Sustainable Utilization of Plant Genetic Resources for Food and Agriculture*;
6. **Welcomes** the decisions of the International Agricultural Research Centres of the Consultative Group on International Agricultural Research that hold *ex situ* collections in trust to sign agreements with the Governing Body of the Treaty, under which the Centres shall make available material included in the Multilateral System, in accordance with the Standard Material Transfer Agreement, and **invites** other relevant international institutions to enter into similar agreements with the Governing Body;
7. **Urges** all other holders of the plant genetic resources for food and agriculture listed in *Annex I* to the Treaty to include these plant genetic resources in the Multilateral System, and **urges** Contracting Parties to take appropriate measures, in accordance with Article 11.3 of the Treaty;
8. **Invites** the Food and Agriculture Organization of the United Nations, as the Third Party Beneficiary, to carry out the roles and responsibilities as identified and prescribed in the Standard Material Transfer Agreement, under the direction of the Governing Body, in accordance with the procedures to be established by the Governing Body at its next session;
9. **Decides** to review the levels of payment periodically, in conformity with Article 13.2d(ii) of the Treaty, starting from the third session of the Governing Body.

(Adopted on 16 June 2006)

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<sup>1</sup> Contained in *Appendix G* to this Report.