The Global Consultation on Farmers’ Rights
Bali, Indonesia,
27 – 30 September 2016

Presentation at the Third Meeting of the Ad Hoc Technical Committee on Sustainable Use of PGRFA
Vienna, Austria, 24 – 25 October 2016

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FARMERS’ RIGHT GLOBAL CONSULTATION
27 - 30 SEPTEMBER 2016, BALI - INDONESIA
Brief FR-consultation history

- 2006, GB1: Farmers’ Rights on the working agenda of the Governing Body

- Followed up with an informal consultation on Farmers’ Rights in Lusaka, Zambia, September 2007, co-organized by the governments of Zambia and Norway together with the Fridtjof Nansen Institute
The 2007 Lusaka informal consultation
Brief FR-consultation history

- 2007, GB2 with resolution: the ITPGRFA Secretariat to collect views and experiences from countries/organizations

- Centre for Genetic Resources, the Netherlands, and The Community Development Trust, Zimbabwe, carried out an on-line conference: 'Options for Farmers’ Rights’
GB3, Tunis: Resolution 6/2009

- CPs invited to review/adjust national measures affecting the realization of FR
- CPs and other organizations encouraged to continue submitting views and experiences
- The Secretariat requested to convene regional workshops on Farmers’ Rights, subject to availability of funds
- The Secretariat requested to collect views and experiences, & reports of the regional workshops as basis for agenda item at GB4
- Appreciation of involvement of farmers org.
The 2010 Global Consultations

- To phases – organized by the F. Nansen Institute:
  - Phase 1: E-mail survey (July – September 2010)
  - Phase 2: Conference in Addis Abeba hosted by the Institute of Biodiversity Conservation, Ethiopia, 23–25 November 2010

- All together 171 participants from 46 countries
  - Covering Africa, Asia, Near East, Latin America and the Caribbean, North America and Europe
  - Farmer organizations, government institutions, the seed industry, NGOs, IGOs, research and others

- Regional and global consultations in one conference
Global Consultation on Farmers’ Rights
in Addis Abeba, Ethiopia, 2010

Global Consultations on Farmers’ Rights in 2010

Report compiled by
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The 2010 Global Consultations on Farmers’ Rights:
Results from an Email-based Survey

Regine Andersen and Tone Winge

FNI Report 1/2011

January 2011

The International Treaty
on Plant Genetic Resources for Food and Agriculture

Fourth Session of the Governing Body

Item 13 of the Provisional Agenda

GLOBAL CONSULTATIONS ON FARMERS’ RIGHTS IN 2010

Note by the Secretary

1. The attached document entitled “joint paper submitted by Ethiopia based on Global Consultations on Farmers’ Rights in 2010” is included in the report of the Governing Body of Ethiopia in the language and form in which it was received.

2. The draft paper submitted by Ethiopia, through its National Focal Point, was reviewed by the Secretary of the International Treaty in January 2011 and was “developed in support of the discussions on the implementation of ITPGRFA Article 9 on Farmers’ Rights in the Fourth Session of the Governing Body”.

3. In its letter to the Secretary, the National Focal Point of Ethiopia stated that “the document reflects the outcomes from the Global Consultations on Farmers’ Rights 2010, including an e-mail based consultation process from July to September 2010 and the consultation conference held in Addis Ababa in November 2010. The consultations were organized with regional’s consultation as a companion to Governing Body resolution G20/9, which called for regional workshops on Farmers’ Rights. In the two phases of the consultations, a total of 173 experts and stakeholders participated from 40 countries in Africa, Asia, the Near East, Latin America and the Caribbean, North America and Europe, and from four organisations, government institutions, the seed industry, NGOs, IDPs, research and other relevant groups. Most of them participated in their personal capacities, whereas 45 participants to the e-mail consultation responded on behalf of their organisations”.

4. The National Focal Point further clarified that it is “not a consensus document or a negotiated paper. It contains important domestic and recommendations that were proposed and discussed during the consultations and that might be useful for the further consideration by the Governing Body”.

Annex 1: Joint paper submitted by Ethiopia based on Global Consultations on Farmers’ Rights in 2010
Since then…

- GB5 in Oman, 2013 and GB6 in Rome, 2015
- Resolution 5/15, some of the topics:
  - Information gathering and knowledge exchange
  - National action plans
  - Reviewing and adjusting national measures
  - Identify interrelations with UPOV/WIPO
  - Engaging farmers’ organizations
  - Regional workshops and other consultations
  - Prepare a study on lesson learned to GB7
  - Consider success stories and how to promote FR
Objectives of the Bali Consultation

- Exchange of views, experiences and best practices
- Inspiration and ideas on how to protect and promote Farmers’ Rights
- Creating a common ground of understanding of Farmers’ Rights
- A set of joint recommendations to be presented at GB7
Participants

- 95 participants - 37 countries covering all regions
- Stakeholder groups:
  - Contracting Parties
    - 4 members of the Bureau
  - Farmers’ organizations
  - NGOs and IGOs
  - Seed industry organizations
  - UPOV
  - Research institutions
Organization

- Organized by Indonesia and Norway, in collaboration with the Treaty Secretariat
- Supported by Norway, Indonesia, Switzerland, Italy and several organizations supporting travel and accommodation of some of the participants.
Process of the Global Consultation

- Field trip to rice breeding cooperative and traditional coffee processing destination
- Social dinners
- A program underpinning the importance of FR, highlighting core challenges, with lots of inspiring examples of best practices
- Constructive exchange and dialogue
- Participatory, inclusive and transparent development of recommendations
Core challenges:

- Variety release and seed distribution legislation
- Intellectual property rights
- Formal and local seed systems are complementary: there is a need to ensure legal space for each to contribute to the conservation and sustainable use of PGRFA
- Scaling up good practices
- Capacity, guidance, support
Best practices

- Community Seed Banks
- Linking up to national systems, scaling up
- Participatory plant breeding
- Participation in decision making related to the development of seed legislation
- Development cooperation to support and promote Farmers’ Rights

Salvatore Ceccarelli

Li-BIRD
Co-chairs’ recommendations

- Based on suggestions from the participants
- Discussed thoroughly in Bali
- Co-chairs given the mandate to produce Co-chairs recommendations, reflecting the views of the participants as they were expressed in Bali.
- Submitted to Norway and Indonesia for consideration with regard to proposing them at GB7 – not yet decided.
Co-chairs’ recommendations:

- Recalling also the Informal International Consultation on Farmers’ Rights in Lusaka, Zambia, in 2007 and the Global Consultation on Farmers’ Rights in Addis Ababa, Ethiopia, 2010, which resulted recommendations that were presented to the Governing Body at its sessions in 2007 and 2011;
Co-chairs’ recommendations:

- Noting that progress in the implementation of Article 9 on Farmers’ Rights has remained limited, whereas the need for such implementation is urgent, as Farmers’ Rights is a cornerstone in the International Treaty and their realization is essential for the conservation and sustainable use of crop genetic resources and traditional knowledge;

The Governing Body is invited to consider:
Co-chairs’ recommendations:

1. Calling upon all Contracting Parties to adopt legislation, build capacity and create the institutional framework necessary for the realization of Farmers’ Rights as provided in the International Treaty;

2. Establishing an *ad hoc* Working Group to guide and assist Contracting Parties in the implementation of Farmers’ Rights. The terms of reference for the *ad hoc* Working Group may include:
Co-chairs’ recommendations:

2. ToR for the *ad hoc* WG may include:

   a) Producing an **inventory of national measures** that may be adopted to enhance the realization of Farmers’ Rights, including the right to save, use, exchange and sell farm-saved seed, subject to national law.

   b) Developing, in an inclusive and participatory manner, **voluntary guidelines** on the realization of Farmers' Rights at the national level, having in view submissions of Contracting Parties and other stakeholders;
Co-chairs’ recommendations:

3. Requesting the Secretariat to provide organizational assistance to the *Ad Hoc* Working Group on Farmers’ Rights, in particular to effectively involve in their work farmers’ organizations and other relevant stakeholders from all regions;

4. Inviting Contracting Parties to contribute to the work of the *Ad Hoc* Working Group by organizational and financial support and by facilitating the participation of farmers’ organizations & other relevant stakeholders.
Co-chairs’ recommendations:

5. Inviting Contracting Parties to provide the Secretariat with electronic copies of legislation and other regulations they have adopted relating to the implementation of Farmers' Rights. *(To enable the development of an inventory of national measures, re. 2a)*
Co-chairs’ recommendations:

6. Encouraging Contracting Parties and relevant organizations to take initiatives to convene biannual global consultations on the realization of Farmers' Rights, to bring together all relevant stakeholders, including policy-makers, farmer’s and indigenous peoples’ organization, government officials, scientists, consumers, public and private research institutions, civil society organizations and the seed industry.
Co-chairs’ recommendations:

7. Calling on Contrating Parties to revise, as necessary, seed laws, intellectual property laws and other legislaton that may limit the legal space or create undue obstacles for the realization of Farmers Rights.
Co-chairs’ recommendations:

8. Encouraging Contracting Parties to take measures, including in their legislation and national policies, to protect and promote **traditional knowledge** that is relevant to plant genetic resources for food and agriculture (PGRFA), recognizing its dynamic nature and the need for a holistic approach that considers factors including livelihoods, cultures and landscapes.
Co-chairs’ recommendations:

9. Adopting procedures to strengthen the participation of representatives of farmers as well as local and indigenous communities that contribute to the conservation and sustainable use of PGRFA in processes and initiatives relating to the International Treaty;

10. Encouraging Contracting Parties to promote community seed banks, community biodiversity registries, participatory plant breeding and seed fairs as tools for realizing Farmer's Rights;
Co-chairs’ recommendations:

11. Instructing the Secretariat of the International Treaty to provide inputs about Farmers' Rights to the Commission on Human Rights in the context of the ongoing negotiation of a UN declaration on the rights of peasants.
Co-chairs’ recommendations:

12. Requesting the Secretariat of the International Treaty to also **provide information about Farmers’ Rights**, as appropriate, to UN fora dealing with the rights of indigenous people, such as the ILO Convention 169, the, United Nations Declaration on the Rights of Indigenous Peoples, the United Nations Permanent Forum on Indigenous Issues.
Co-chairs’ recommendations:

13. Recommending the United Nations to designate an annual international day to celebrate farmers of all regions who contribute to the conservation and sustainable use of crop genetic resources for food and agriculture and to the achievement of food security.
Co-chairs’ recommendations:

14. Requesting the assistance of FAO and other relevant international and national organizations in the provision of technical and financial support to national governments and organizations for the realization of Farmers’ Rights.
Thank you for your attention!