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# COMMISSION ON GENETIC RESOURCES FOR FOOD AND AGRICULTURE

## Item 9 of the Provisional Agenda

### Fifteenth Regular Session

Rome, 19 – 23 January 2015

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

### TABLE OF CONTENTS

	Paragraphs
I. Introduction .....	1 - 3
II. Working Group to Enhance the Functioning of the Multilateral System of Access and Benefit-Sharing .....	4 - 9
III. Sustainable use .....	10 - 12
IV. Farmers' Rights .....	13 - 14
V. Global Information System .....	15 - 20
VI. Cooperation with other bodies and international organizations .....	21 - 23
VII. Third project cycle of the Benefit-Sharing Fund .....	24 - 26
VIII. Conclusion .....	27 - 28

*Annex: Resolution 4/2013, Cooperation with the Commission on Genetic Resources for  
Food and Agriculture*

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Other documents can be consulted at [www.fao.org](http://www.fao.org)*



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## I. INTRODUCTION

1. By Resolution 4/2013, the Governing Body of the International Treaty on Plant Genetic Resources for Food and Agriculture (International Treaty) requested its Secretary to continue providing information to the Commission on Genetic Resources for Food and Agriculture (the Commission) on the importance of on-going work of the Governing Body that is supportive to the work of the Commission, and invited the Commission to enhance synergies and avoid duplication of efforts. *Resolution 4/2013* of the Governing Body of the International Treaty, specifically on Cooperation with the Commission, is contained in the *Annex* to this document.
2. This brief report is prepared by Secretariat of the International Treaty for the information of the Fifteenth Regular Session of the Commission on activities carried out by the International Treaty since the Fourteenth Regular Session of the Commission.
3. It focuses on major outcomes of the Fifth Session of the Governing Body of the International Treaty, which was held in Muscat, Oman, on 24-28 September 2013, and provides information on the implementation of the relevant Resolutions to date. The information provided in this document will be supplemented by any necessary updates or elaboration by the Secretariat of the International Treaty during the session of the Commission.

## II. WORKING GROUP TO ENHANCE THE FUNCTIONING OF THE MULTILATERAL SYSTEM

4. A major breakthrough made at the Fifth Session of the Governing Body was the establishment of the “*Ad Hoc* Open-ended Working Group to Enhance the Functioning of the Multilateral System of Access and Benefit-sharing” (Working Group). The Working Group was mandated to develop a range of measures for consideration and decision by the Governing Body at its Sixth Session that will:
  - (i) increase user-based payments and contributions to the Treaty’s Benefit-sharing Fund in a sustainable and predictable long-term manner, and
  - (ii) enhance the functioning of the Multilateral System (MLS) by additional measures.
5. For this purpose and in accordance with the request of the Governing Body, the Treaty Secretariat prepared a number of short strategic preliminary studies. On the basis of these studies and other inputs from Contracting Parties and other stakeholders, the Working Group will continue to:
  - (i) review the functioning of the MLS and the Standard Material Transfer Agreement (SMTA), in particular, the benefit-sharing provisions of the SMTA;
  - (ii) analyse the options to enhance the functioning of the MLS;
  - (iii) consult with relevant Stakeholder Groups; and
  - (iv) draft and prepare the range of measures for consideration and decision by the Governing Body at its Sixth Session.
6. The first meeting of the Working Group was held in Geneva, Switzerland, on 14-16 May 2014, and Mr Modesto Fernandez (Cuba) and Mr Bert Visser (The Netherlands) were elected Co-Chairpersons. The Working Group is composed of 27 regional representatives as well as of two representatives each of four stakeholder groups (farmers’ organizations, civil society organizations, CGIAR centers, seed industry), and is being followed by a number of observers from interested countries, sectors and institutions.
7. During its first meeting, the Working Group reviewed, first, the factors leading to the current short-fall of user-based income to the Benefit-sharing Fund. It then reviewed the six innovative approaches for generating income for the Benefit-sharing Fund that were identified during the last biennium. The Working Group agreed to keep all approaches under review, in preparation for the second meeting, and identified a number of factors to assist in further evaluating and developing

the innovative approaches.<sup>1</sup>

8. During the intersessional period the Co-Chairs, in accordance with the request of the Working Group and established practice, consulted with stakeholder groups, in a formal, transparent and inclusive manner, to assist in the development of innovative approaches, and reported back on progress at the second meeting of the Working Group. Regional Groups enabled consultations amongst Contracting Parties and with stakeholders in preparation for the second meeting.

9. The Working Group held its second meeting from 9 to 11 December 2014 in Geneva, Switzerland. The meeting was preceded by an information seminar on the major results of the Studies that the Secretariat of the International Treaty had prepared at the request of the Governing Body.<sup>2</sup> The Working Group continued its review of the innovative approaches to generate a sustainable and predictable flow of user-based payments and other contributions to the Benefit-sharing Fund. It made substantial progress in further developing the measures that will eventually be proposed to the Governing Body at its Sixth Session, including an initial discussion on the potential expansion of the access and benefit-sharing provisions of the International Treaty. The Working Group will hold its third meeting in April 2015, in Brazil.

### III. SUSTAINABLE USE

10. By Resolution 6/2013, the Governing Body of International Treaty endorsed the Programme of Work on Sustainable Use of Plant Genetic Resources for Food and Agriculture (PGRFA), under Article 6 of the International Treaty, and Supporting Initiatives. The Programme of Work will be implemented in cooperation with relevant FAO technical units and other institutions such as the CGIAR and the Convention on Biological Diversity (CBD). The Resolution also requested Contracting Parties and stakeholders to report on their implementation of Article 6 of the International Treaty to the Governing Body.

11. The Governing Body has also decided, subject to the availability of financial resources, to reconvene the *Ad Hoc* Technical Committee on Sustainable Use of PGRFA (ACSU). The ACSU will provide advice to the Secretary on the (i) coordination of the Programme of Work, (ii) cooperation with the CBD and other international processes and institutions, and (iii) development of the toolbox on sustainable use of PGRFA to assist Contracting Parties in the implementation of Article 6 of the Treaty, taking into consideration appropriate provisions of Article 5 that include *in situ*, on farm and *ex situ* conservation strategies, including wild relatives and neglected and underutilized species of local and regional importance for food security and sustainable development. The next meeting of the ACSU will be held on 3 and 4 March 2014, in Rome.

12. The recognized elements of the Supporting Initiatives of the Programme of Work are:

- the Platform for the Co-Development and Transfer of Technology which, since the Fifth Session of the Governing Body, is rapidly piloting a first information-sharing and capacity-building facility, and
- the Public-Private Partnerships for Pre-Breeding, intended as a policy forum with the aim of promoting the widest possible access to high-potential, stabilized, pre-commercial breeding material, in recognition that the International Treaty offers a well-tailored framework to ensure the establishment of such a partnership.

### IV. FARMERS' RIGHTS

13. By Resolution 8/2013, on Farmers' Rights, the Governing Body requested the Secretariat, *inter alia*, to (i) review the submissions made by Contracting Parties and relevant stakeholders on the implementation of Farmers' Rights, (ii) derive examples, in a systematic way, as options for national implementation of Article 9 of the Treaty, and contact organizations and possible peer reviewers of

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<sup>1</sup> The Report of the first meeting of the Working Group is available at: [http://www.planttreaty.org/sites/default/files/OWG-EFMLS-1\\_RE.pdf](http://www.planttreaty.org/sites/default/files/OWG-EFMLS-1_RE.pdf)

<sup>2</sup> The Studies and the related research papers can be accessed at <http://www.planttreaty.org/content/second-meeting-ad-hoc-open-ended-working-group-enhance-functioning-multilateral-system-acces>.

the document on examples, (iii) report on relevant discussions that relate to Farmers' Rights within FAO fora, including the Committee on Food Security, (iv) invite UPOV and WIPO to jointly identify possible areas of interrelations among their respective international instruments. Contracting Parties are also invited to take initiatives to protect and promote Farmers' Rights, such as considering reviewing and/or developing national action plans for the implementation of Article 9, convening workshops and consultations for the exchange of knowledge, views and experience.

14. The Secretariat of the International Treaty will provide a report on the submissions of Contracting Parties and relevant stakeholders, and on the outcomes of the various Party-led initiatives on Farmers' Rights to the Governing Body at its Sixth Session.

## V. GLOBAL INFORMATION SYSTEM

15. Article 17 of the International Treaty provides that "Contracting Parties shall cooperate to develop and strengthen a global information system to facilitate the exchange of information, based on existing information systems, on scientific, technical and environmental matters related to plant genetic resources for food and agriculture".

16. The large number of ongoing initiatives, their diverse nature and scope, and the variety of stakeholders involved makes it challenging to exchange information on PGRFA in an efficient and coordinated way. A fully effective and efficient global information system would contribute greatly to the use and conservation of PGRFA and would support the Multilateral System of Access and Benefit-sharing. Consequently, the Governing Body of the International Treaty has highlighted the need for stronger partnerships and practical collaboration at the technical, operational, political and financial levels.

17. Given the importance of the development of a global information system to facilitate the exchange of information on scientific, technical and environmental matters related to PGRFA, the Governing Body of the International Treaty, by Resolution 10/2013, requested the Secretary to continue strengthening collaboration with relevant FAO departments and other stakeholders, especially with the Convention on Biological Diversity, to promote greater access to relevant data and information by Contracting Parties and other stakeholders.

18. Based on the Resolution of the Governing Body of the International Treaty, the first meeting of the Expert Consultation on the Global Information System of Article 17 of the Treaty (COGIS) will be held on 7 and 8 January 2015 in San Diego, USA.<sup>3</sup> The Consultation is being organized back-to-back with the XXIII International Plant and Animal Genome Conference and will be followed by a series of meetings and presentations under the umbrella of the Diversity Seek (DivSeek) Initiative.<sup>4</sup> A major step forward in the implementation of Article 17 of the International Treaty at the operational level is the support that the Secretariat of the International Treaty is currently providing to the DivSeek Initiative, which seeks to aggregate and provide information in the area of plant genomics. The Global Crop Diversity Trust hosts and implements the facilitation unit jointly with the Secretariat of the International Treaty on Plant Genetic Resources for Food and Agriculture, and operates it on a day to day basis with additional inputs provided by the CGIAR consortium, the Global Plant Council and other experts/organizations. In addition, based on the wide-ranging survey undertaken as part of the Consultation on the Global Information System, the Treaty Secretariat also issued a Background Study Paper on Genomics and Plant Genetic Resources for Food and Agriculture, as a basis for developing the implementation of the Global Information System in this domain.

19. In preparation for the consultations and following the issuance of a notification calling for inputs and a series of surveys, the Secretariat of the International Treaty has gathered comprehensive information, including by partnering with the academic sector, to map out the current landscape of projects, initiatives as well as gaps and needs at country and regional levels.

20. Based on the inputs from the expert consultation, a vision paper will be prepared to serve as the basis for a detailed work programme for the Global Information System in line with Article 17 of

<sup>3</sup> The documents of COGIS-I are available at: <http://www.planttreaty.org/content/cogis1>.

<sup>4</sup> Further information on the Divseek Initiative is available at: <http://www.divseek.org/>.

the Treaty. It is expected that the experts will discuss a roadmap to implement the Global Information System, which together with the vision paper will be presented for consideration by the Governing Body at its Sixth Session.

## **VI. COOPERATION WITH OTHER BODIES AND INTERNATIONAL ORGANIZATIONS**

21. By Resolution 6/2013, the Governing Body of the International Treaty requested its Secretary to continue to explore areas of cooperation with other relevant international organizations to further develop synergies and mutual supportiveness in the overall implementation of the Treaty and ensure that the Treaty is taken into account in their processes.

22. In accordance with the request, the Secretary has been enhancing close cooperation with a number of relevant organizations and institutions, including the CBD, the Global Crop Diversity Trust, and the International Agricultural Research Centres of the CGIAR. These efforts reflect the growing significance of the International Treaty as the specific international instrument responsible for the plant genetic resources for food and agriculture within the global governance of genetic resources.

23. In the context of the enhancing cooperation between the International Treaty and the CBD, and based on the Memorandum of Cooperation between their two Secretariats, they agreed on a Joint Initiative for the Harmonious Implementation of the International Treaty and the Convention and its Nagoya Protocol on Access and Benefit-sharing. The Joint Initiative also identifies a number of concrete actions related to access and benefit-sharing; on-farm conservation, and the sustainable use of plant genetic resources for food and agriculture.

## **VII. THIRD PROJECT CYCLE OF THE BENEFIT-SHARING FUND**

24. The Benefit-sharing Fund is a key operational mechanism of the Treaty. It holds financial resources for benefit-sharing that are under the direct control of the Governing Body of the Treaty, and invests in high impact projects supporting smallholder farmers in developing countries who conserve and sustainably use plant genetic resources for food and agriculture. To ensure sustainability of efforts, the Fund focuses on building the capacities of developing countries, enhancing the exchange of information and making the appropriate technology available for the conservation and use of crop genetic diversity.

25. Following to approval of the Fifth Session of the Governing Body, the Bureau of the Governing Body opened the Third Call for Proposals under the Benefit-sharing Fund on 7 March 2014 with a target of approving, by the end of 2014, a global project portfolio of more than USD 10 million. The third funding cycle of the Benefit-sharing Fund aims at improving food security, climate change adaptation and conservation of agricultural biodiversity. It will place special emphasis on strengthening international collaboration among Contracting Parties in support of Treaty implementation, in particular through South-South cooperation.

26. Within the three agreed priorities of the Benefit-sharing Fund: (i) Managing and conserving plant genetic resources on farm; (ii) Sustainable use of plant genetic resources; and (iii) Information exchange, technology transfer and capacity-building, the thematic focus of the Third Call for Proposals will help to ensure sustainable food security by assisting farmers to adapt to climate change through a targeted set of high impact activities on the conservation and sustainable use of PGRFA. The Third Call for Proposals includes a new funding window that focuses on the co-development and transfer of technologies and related information and capacity building.

## **VIII. CONCLUSION**

27. Based on the provisions of the International Treaty, the Governing Body considers it of utmost importance to sustain and enhance the harmonious relationship between the International Treaty and the Commission, and considers the cooperation with the Commission at every Session.

28. Pursuant to the requests of the Governing Body of the International Treaty, and taking into

account the provisions of the International Treaty, the Secretariat of the International Treaty has actively coordinated and will continue to coordinate with the Secretariat of the Commission.

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**ANNEX****RESOLUTION 4/2013  
COOPERATION WITH THE COMMISSION ON GENETIC RESOURCES FOR  
FOOD AND AGRICULTURE\***

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**THE GOVERNING BODY,**

**Recalling** Resolution 7/2009 and Resolution 8/2011 referring to cooperation with the Commission on Genetic Resources for Food and Agriculture;

**Welcomes** the *Second Global Plan of Action for Plant Genetic Resources for Food and Agriculture (Second Global Plan of Action)* as adopted by the FAO Council, at its Hundred and Forty-third Session;

**Notes** that the *Second Global Plan of Action* specifies that the extent to which developing countries and countries with economies in transition will effectively meet their commitments under the *Second Global Plan of Action* will largely depend on the effective implementation of the International Treaty and its Funding Strategy;

1. **Notes** that the *Second Global Plan of Action* specifies that through the monitoring of the Funding Strategy of the International Treaty, the Governing Body will be able to monitor resources available for the implementation of the *Second Global Plan of Action*;

2. **Welcomes** the invitation by the Commission to provide, “in its review report on the implementation of the Funding Strategy, an assessment of achievements, the gaps and financial and other needs for the implementation of the *Second Global Plan of Action*, in order to strengthen the Funding Strategy, in particular the Benefit-sharing Fund,” and **agrees** to provide this assessment to the Commission’s Sixteenth Regular Session;

3. **Welcomes** the invitation from the Commission to support work in the area of on-farm management of plant genetic resources for food and agriculture, and **invites** the Commission to take into account the work being carried on by the Governing Body in this area, and further **requests** that work in preparation of a global network be coordinated with the Secretariat of the Governing Body;

4. **Welcomes** the invitation by the Commission to the Governing Body, in its continued governance of plant genetic resources for food and agriculture, to continue to closely coordinate with the Commission, in order to address in a complementary way the distinctive features of plant genetic resources for food and agriculture, especially in the light of the development of access and benefit-sharing measures at both national and international levels and **requests** the Secretary to cooperate with the Secretary of the Commission in the development of awareness-raising activities and targeted capacity-building and technical assistance activities at national level with regard to access and benefit-sharing for different subsectors of genetic resources for food and agriculture, and **notes** that the Commission will consider, at its next Session, Draft Elements to Facilitate Domestic Implementation of Access and Benefit-Sharing for Different Subsectors of Genetic Resources for Food and Agriculture, taking into account relevant international instruments on access and benefit-sharing;

5. **Requests** the Secretary and the Chair of the Governing Body and, as necessary, the Bureau to maintain contact between sessions with their respective counterparts, in order to promote synergy in the implementation of the programmes of work of the two bodies, including in the area of access and benefit-sharing;

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\* Adopted by the Government Body of the International Treaty at its Fifth Session (24 – 28 September 2013).

6. **Welcomes** the *Genebank Standards for Plant Genetic Resources for Food and Agriculture* as endorsed by the Commission, at its Fourteenth Regular Session;
7. **Requests** the Secretary to continue providing information to the Commission on the importance of on-going work of the Governing Body that is supportive to the work of the Commission, and **invites** the Commission to enhance synergies and avoid duplication of efforts;
8. **Requests** the Secretary to continue strengthening collaboration with the Secretary of the Commission to promote coherence in the development and implementation of the respective programmes of work of the two bodies, and with the FAO technical services and decentralized offices to support of capacity building for plant genetic resources for food and agriculture, in particular at regional level;
9. **Encourages** again a close cooperation between the Commission and the Governing Body, and agrees to keep the matter of a functional division of tasks and activities between the Commission and the Governing Body, within their respective mandates, under review;
10. **Requests** the Secretary to provide, in collaboration with the Secretary of the Commission, the additional information, particularly in respect of financial and administrative implications, that is necessary to take a decision on the transfer of tasks or activities;
11. **Requests** the early circulation of documents providing the additional information necessary to facilitate the decision-making process and requests the Bureau, in consultation with the Bureau of the Commission, to continue exploring options for close cooperation between the Commission and the Governing Body.