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The International Treaty

ON PLANT GENETIC RESOURCES FOR FOOD AND AGRICULTURE



Item 10 of the Draft Provisional Agenda

FOURTH SESSION OF THE GOVERNING BODY

Bali, Indonesia, 14-18 March 2011

DRAFT BUSINESS PLAN FOR THE IMPLEMENTATION OF THE TREATY

Note by the Secretary

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- i) *By Resolution 3/2007, the Second Session of the Governing Body requested the Secretary, working with the Bureau, to prepare and submit a Business Plan for the implementation of the Treaty, for consideration by the Governing Body at its Third Session and decision at its Fourth Session.*
- ii) *At its Third Session, the Governing Body agreed on the further development of the Draft Business Plan.*
- iii) *This document contains the updated Draft Business Plan, based on comments received from Contracting Parties, the Bureau and Ad Hoc committees of the Governing Body.*
- iv) *The Governing Body is invited to consider the draft Business Plan and provide its guidance on the next steps.*
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Appendix – Draft Business Plan of the Governing Body

I. INTRODUCTION

1. By Resolution 3/2007, the Second Session of the Governing Body requested the Secretary, working with the Bureau, to prepare and submit a *Business Plan* for the implementation of the Treaty, for consideration by the Governing Body at its Third Session and decision at its Fourth Session.¹ The Third Session of the Governing Body agreed on further development of the draft *Business Plan* and urged Contracting Parties to submit comments, based on which the Bureau, working with the Secretary, would revise the draft *Business Plan* for consideration at the Fourth Session of the Governing Body.²
2. At its first meeting, the Bureau of the Fourth Session of the Governing Body considered a further draft *Business Plan*, which was updated based on comments received from Contracting Parties, and agreed that further comments and inputs should be sought from Contracting Parties.
3. The Bureau also recommended that, in order to receive the widest possible expert input into the preparation of the *Business Plan*, it should be included as a standing item on the agenda of relevant subsidiary bodies of the Governing Body, in particular the *Ad Hoc* Advisory Committee on the Funding Strategy and the *Ad Hoc* Technical Advisory Committee on the Multilateral System and the SMTA.
4. Following the recommendation of the Bureau, the Secretary presented the draft *Business Plan* to the *Ad Hoc* Advisory Committee on the Funding Strategy, and the *Ad Hoc* Technical Advisory Committee on the Multilateral System and the SMTA, as well as the *Ad Hoc* Third Party Beneficiary Committee, respectively, for their inputs and comments.
5. The updated draft of the *Business Plan*, which was presented to the Bureau at its third meeting, incorporated comments and inputs provided by Contracting Parties, including the suggestions of the *Ad Hoc* Advisory Committee on the Funding Strategy, and the *Ad Hoc* Technical Advisory Committee on the Multilateral System and the SMTA. Due to lack of time, the *Ad Hoc* Third Party Beneficiary Committee was unable to consider the issue during its meeting, but agreed to consider it again at another meeting, back-to-back with this Fourth Session of the Governing Body.
6. The Bureau considered the updated draft Business Plan and agreed that it should be further streamlined and significantly shortened, keeping it at a more generic level, for submission to the Governing Body.
7. The Bureau, however, agreed that a broader discussion needs to be undertaken by the Governing Body on the substantive merit of the Business Plan. The discussion should include questions as to whether the Business Plan is still needed at this stage of the development and implementation of the Treaty or some other strategic document, which spells out a possible future direction of the Treaty.
8. Such a discussion should take place because of the developments within the Treaty during the past years, and in particular due to the developments with regard to activities for fund-raising, communication and planning and due to the existence of the Funding Strategy and the Strategic Plan for the Implementation of the Benefit-sharing Fund.

II. GUIDANCE SOUGHT

9. The Governing Body is invited to consider the draft *Business Plan* in the *Appendix* to this document in light of the above considerations in order to provide any further guidance that it may consider useful on the next steps.

¹ IT/GB-2/07/Report, *Resolution 3/2007*, paragraph (xix).

² IT/GB-3/09/Report, paragraph 32.

APPENDIX

DRAFT BUSINESS PLAN OF THE GOVERNING BODY

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I. Introduction

1.1 The International Treaty on Plant Genetic Resources for Food and Agriculture

The International Treaty on Plant Genetic Resources for Food and Agriculture³ is the only internationally agreed, legally binding framework governing conservation, sustainable use and benefit-sharing for agricultural and horticultural crops, with the aim of securing global food security. The Treaty addressed the erosion of agricultural crop diversity in the context of agricultural development, while also tackling new global challenges:

- a. the global food crisis by ensuring that a global genepool of crops is accessible to all for breeding more high-yielding and productive varieties;
- b. climate change adaptation by conserving and pooling genes for tolerance to altered climatic conditions and by exchanging these genes for breeding higher stress-tolerance in varieties;
- c. biodiversity loss and genetic erosion in agriculture by conserving plant genetic diversity in the fields, on the farms, and in genebanks;
- d. poverty alleviation for small-holder farmers through sharing benefits with them of the genetic diversity which they have conserved over millennia;
- e. agricultural development through ensuring equity in the exchange of genetic resources, through taking into account the specific roles of plant breeders and farmers in the conservation and sustainable use of plant genetic resources and contributing in particular to recognition of Farmers' Rights.

The Treaty is a governance system for plant genetic resources for food and agriculture (PGRFA) that recognises the features of PGRFA that contribute to meeting these challenges and, thus, addresses them simultaneously. It also recognises the way in which the features of PGRFA, and the problems faced in their effective management, make them distinct from other categories of biological resources. As a result, the Treaty operates at the nexus of environmental, agricultural, trade and development policies.

The opening of the period covered by this business plan sees the Treaty moving from its initial start-up phase to a critical building period. After the Treaty's entry into force in 2004, the basic elements of its main systems and mechanisms have been successfully launched: more than 1 million genetic samples of the world's major food crops are readily available under the Treaty and an international Benefit-sharing Fund is making its disbursements to share the financial benefits resulting from the use of these pooled genes.

Purposes of the business plan:

1. six year medium term planning tool.
2. Support to resource allocation decisions by FAO, Contracting Parties and other potential donors.
3. Successive business plans provide simple descriptions of the functions and progress of the Treaty.

³ It was adopted by the FAO Conference under Article XIV of the Constitution in November 2001. It entered into force after 40 ratifications on 29 June 2004. This constitutes the fastest rate of ratifications in the history of FAO of any Treaty housed in FAO. Hereinafter ITPGRFA o

1.2 Objectives and Structure of the Business Plan

1.2.1 Objectives

The vision of the Treaty is to ensure “equity and food for all” and its mission and overall objective are the conservation and sustainable use of plant genetic resources for food and agriculture and the fair and equitable sharing of the benefits of their use for sustainable agriculture and food security.

Within the scope of this vision, this business plan is intended to serve several purposes.

1. Foremost among these is that the business plan provides a **tool for the medium term planning** of Treaty implementation over a six year period. The business plan is a clear summary of what the Treaty should accomplish over a defined period of time and how to organize resources and capacities to meet the planned goals. It thus describes a roadmap for operating the Treaty’s business and to measure progress along the way. This will ensure the alignment of the Treaty’s mission and medium term targets with its more detailed biennial work programme activities, as described in the successive work programmes and budgets adopted by the Governing Body each biennium. The alignment between those work programmes and this business plan will, in turn, facilitate the efficient and transparent coordination and prioritisation of the work of the Governing Body, its related bodies, including the Bureau, Secretariat and any subsidiary bodies the Governing Body may decide to establish, and any other elements or components of the Treaty.
2. As a **resource mobilization tool**, by describing a roadmap for operating the Treaty and to measure progress along the way, the business plan will also become a valuable tool for presenting the Treaty to prospective donors. As a **resource mobilization tool**, the business plan provides a clear and accessible description of medium term activities that support the decision-making processes of FAO and Contracting Parties regarding resource allocation to the Treaty’s administrative and core activity budgets. Furthermore, it will be an essential tool to inform potential donors outside the Treaty about the midterm objectives and, in this role, support external fundraising activities.
3. The business plan is also intended to serve communication-related purposes, as an **awareness raising tool**, this and successive business plans explain the basic functioning and implementation of the Treaty to non-experts in a simple and non-technical language and, therefore, serve to increase awareness in the broader international community.

1.2.2 Structure

The environment in which the Treaty operates is complex and, to maintain focus within its broad vision and mission, this business plan identifies six medium term targets for the period [2011-2017]. These targets have been identified according to: the Treaty text; decisions and resolutions of the Governing Body, including work plans agreed to date; the advice of the Bureau; and, on the basis of established principles for the development of business plans in the UN system and elsewhere.

Each **medium term target** describes its key goals and the elements projected as necessary for the completion of specified **deliverables**, in particular **priority objectives**, **partnerships** and **resources**. Each medium term target also highlights the **principal Treaty articles** to which it relates. This approach provides a clear overview of priorities and aligns the central aspects of any target, i.e. how the **priority objectives reflect the targets** and how, in turn, **resource mobilisation reflects priority targets**. In this light, it is important to note that, just as priority objectives and the resources required to achieve those priority objectives are inseparable elements, the priority objectives are designed to cumulatively contribute to the achievement of goals and targets and should not be viewed as lists of options. All parts of the business plan are

based on **established principles** regarding resource mobilization and utilization, which have already been successfully applied by the Treaty Secretariat in the early implementation phase of the Treaty.

Principles of resource mobilisation:

- No results without resources.
- Alignment of targets for resource mobilization and their utilization.
- Sustainability.
- Predictability.
- Resource-based workload planning.
- Result-based management.
- Transparency and recognition.

Principles of resource utilisation:

- Resources demand results.
- Alignment of contracting party and other stakeholder efforts to achieve Governing Body's targets.
- Contracting Party-guidance.
- Consensus.
- Coherence.
- Coordination.
- Cooperation.

This business plan has been developed with the experience of having developed three biennial work programmes and budgets. It aims to create a harmonious relationship between short-term targets and activities, as spelled out in the biennial work programme and budgets, and their respective medium-term targets, as outlined in the Business Plan.

II. [2011 – 2017] Business plan for the International Treaty

The overall goal of the current business plan is to complete the building phase of the essential systems, strategies and mechanisms of the International Treaty and, where possible, make the transition to maintaining and overseeing these systems, strategies and mechanisms in a stable manner.

Overall Goal for [2011 – 2017] Business Plan:

Complete the building phase of the essential systems, strategies and mechanisms of the International Treaty

It is projected that the subsequent business plan will focus on the consolidation of the essential systems, strategies and mechanisms developed during the current period and moving towards supplementing them with supporting components and other optional elements.

2.1 Target 1: Consolidating the Establishment of the Core Systems and Processes of the Multilateral System

2.1.1 Background

The Multilateral System of Access and Benefit-sharing (MLS) is one of the cornerstones of the Treaty and its most innovative mechanism. Its implementation has meant no less than establishing a new global system of access and benefit-sharing (ABS) and making it work on a daily basis down to the level of individual genetic resource-transfers and the transfer of individual monetary and other benefits. The establishment of the Multilateral System has progressed at a

rapid pace and its basic structure is in place. However, substantial work remains if the Multilateral System is to be fully effective at both national and international levels.

2.1.2 Relevant Articles

Article 10, Multilateral System of Access and Benefit-sharing;

Article 11, Coverage of the Multilateral System;

Article 12, Facilitated access to plant genetic resources for food and agriculture within the Multilateral System;

Article 13, Benefit-sharing in the Multilateral System;

Article 15, Ex Situ Collections of Plant Genetic Resources for Food and Agriculture held by the International Agricultural Research Centres of the Consultative Group on International Agricultural Research and other International Institutions, and

Article 16, International Plant Genetic Resources Networks.

2.1.3 Goals

Goal 1: Identification, Inclusion of, and facilitation of access to Material in the Multilateral System, including through the development of relevant information technology tools.

Goal 2: Frameworks for the Promotion of Benefit Sharing

Goal 3: Frameworks for the Operations of the Third Party Beneficiary

Goal 1: Identification, Inclusion of, and facilitation of access to Material in the Multilateral System, including through the development of relevant information technology tools.

The availability of plant genetic resources for facilitated access is the foundation of the Multilateral System.

In the first five years of the existence of the Treaty, only a limited number of Contracting Parties have provided information regarding the collections that are available through the Multilateral System. Less information is available regarding measures taken to encourage the inclusion of material by natural and legal persons. In addition, at the time of writing, two collections of plant genetic resources for food and agriculture had been notified according to the procedure of Article 11.3. Moreover, in official communications and through informal contacts, a number of Contracting Parties, including both developing and developed countries, have brought to the notice of the Secretary a variety of difficulties they are facing in interpreting the relevant provisions of the Treaty, and a number of them have asked for advice and assistance, which, as far as possible, the Secretary has provided, on an *ad hoc* basis.

The Governing Body and the Secretary will, therefore, continue to encourage Contracting Parties to provide information on material that is available through the Multilateral System and regarding measures that they have taken to encourage legal and natural persons holding material to include that material in the Multilateral System. This information will then be made publicly available, primarily through the Treaty's website, as a key element in providing facilitated access to plant genetic resources for food and agriculture through the Multilateral System.

- *Priority Objectives*

- ❖ **Review the level of information**, including both notifications of material available by **Contracting Parties** and submissions of material by **natural and legal persons**..

- ❖ **Review the submission of collections held by natural or legal or persons** and determine action to facilitate these submissions. The Treaty provides for a **review of the submission of collections held by natural or legal persons** and it is projected that periodic reviews will be needed on a continuing basis.
 - ❖ Review the status of the Multilateral System with respect to ***in situ* material**, in the light of the provisions of *Article 12.3h* of the Treaty. This exercise is to understand and promote the linkages between the operation of the Multilateral System and PGRFA found in *in situ* conditions. The exercise may also feed into a process for the elaboration of standards by the Governing Body under *Article 12.3h* of the Treaty. The exercise shall be carried out through a participatory process involving a wide and representative range of stakeholders as appropriate and under the guidance of the Governing Body.
 - ❖ **Publicity on need to provide and update information on material available** under the Multilateral System, including in *in situ* conditions. It appears that many holders of material are not aware of the need to provide information regarding the availability of that material through the Multilateral System. Similarly, information that has been submitted may need to be periodically updated, as collections of material are rarely static.
 - ❖ **Liaison with holders of plant genetic resources for food and agriculture** as an active follow up to more passive publicity approaches. This will target holders of significant collections or those that are considered otherwise strategically significant as a priority.
 - ❖ **Further development and deployment of information technology systems to support the implementation of the Multilateral System**, *inter alia*, to assist users of the Multilateral System to fulfil their obligations; to facilitate identification, inclusion of and access to material; to provide practical support to the user of the Standard Material Transfer Agreement; and, in general, to bring the Multilateral System into full and effective operation.
- *Partnerships and Responsibilities*

The Governing Body will periodically review the information provided to the Secretary to determine what action, if any, is needed to further encourage Contracting Parties to act. As required by Article 11.4, **the Governing Body** will also periodically review the situation regarding the submission of collections held by natural or legal persons and determine any action that may be necessary to facilitate these submissions. **The Secretary** will publicise the need for, and means to, the provision of information on material available under the Multilateral System and maintain and regularly update the availability of this information online. **The Secretary** will liaise with **plant genetic resources networks, private sector actors, non-governmental organisations and other actors that may hold plant genetic resources for food and agriculture** that might be included in the Multilateral System. **The Secretary** will also act on any decisions that the Governing Body may make in this area. Information systems will be developed in close cooperation with international, regional and national institutions managing collections, and maintaining and publishing data.

- *Resources*

The principal resource required for this activity is staff time, with USD_____ being required to collate information received from Contracting Parties and to make this information available online, for the development of the relevant information technology systems that provide support to users of the Multilateral System. Staff time will also be required for the preparation of periodic communications to Contracting Parties and for liaison with partners. It is expected that these demands on staff time will be relatively consistent throughout the planning period.

Estimated overall resource requirements for the planning period: USD_____

- *Outcomes*

By the close of the current planning period, information regarding the material available under the Multilateral System should be available through the Treaty website. The information technology systems that will facilitate SMTA operations, including in support of the operations of the Third Party Beneficiary should also be completed and deployed.

Goal 2: Frameworks for the Promotion of Benefit-sharing

Benefit sharing is the second of the two pillars of the Multilateral System and comes in a range of forms that are provided for in Article 13 of the Treaty. Article 13.2 provides that

The Contracting Parties agree that benefits arising from the use, including commercial, of plant genetic resources for food and agriculture under the Multilateral System shall be shared fairly and equitably through the following mechanisms: the exchange of information, access to and transfer of technology, capacity-building, and the sharing of the benefits arising from commercialization, taking into account the priority activity areas in the rolling Global Plan of Action, under the guidance of the Governing Body.

The different forms of benefit-sharing mechanisms in the Treaty are all exclusively the concern of Contracting Parties and the parties to individual standard material transfer agreements. Given the Governing Body's oversight role, information on all forms of benefit-sharing activity is a necessity, while this same information may also provide users of the Multilateral System with a resource on options for the development of future benefit-sharing related activities.

Activities relating to financial benefit-sharing are considered in target 2 within the scope of the funding strategy.

- *Priority Objectives*

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- ❖ **Benefit-sharing in the Multilateral System includes both non-commercial and commercial benefit-sharing mechanisms.** While the SMTA provisions operationalize two options for **commercial benefit-sharing**, much **additional work will be required to implement the non-commercial benefit-sharing mechanisms**, namely **exchange of information, technology transfer and capacity building** for plant genetic resources for food and agriculture. The implementation of these mechanisms will have to move towards the identification of options and **practical implementation** of the mechanisms.
 - ❖ **Review progress in benefit-sharing arrangements.** The Treaty is the first international legal instrument to make benefit-sharing fully and practically operational worldwide through its benefit-sharing mechanisms. It is thus at the forefront of benefit-sharing for plant genetic resources. Given the newness of the mechanisms, the Governing Body has requested the Secretary to **review the operation of the benefit-sharing arrangements** and this review will require an extensive information gathering and analytical exercise, in order to provide the relevant information and analysis to the Governing Body. **Based on this progress review the Governing Body will be able to take further policy decisions** and other relevant organizations may model their benefit-sharing mechanisms on the experiences of the Treaty.
 - ❖ **Review of the modalities of benefit-sharing.** The Treaty foresees that at certain points in time, the Governing Body will review the modalities of benefit-sharing such as levels of payment in commercial benefit-sharing and whether the mandatory payment requirement shall apply also in cases where such commercialized products are available without restriction to others for further research and breeding. The Governing Body might

undertake such reviews in due course during the planning period or beyond, which, if it was to be undertaken, would require **preparatory research, analysis and information gathering**.

- *Partnerships and Responsibilities*

The Secretary with the assistance of **Contracting Parties**, particularly through the *Ad Hoc Advisory Technical Committee on the Standard Material Transfer Agreement and the Multilateral System*, and **other users of the Multilateral System** will gather information on non-commercial benefit sharing and develop recommendations for conceptual frameworks for the exchange of information, technology transfer and capacity building. **The Secretary** and the *Ad Hoc Advisory Technical Committee on the Standard Material Transfer Agreement and the Multilateral System* will review the operation of the benefit sharing arrangements under the Treaty and report to the Governing Body. **The Secretary** will, as necessary, convene workshops and consultation meetings for the purposes of information gathering and obtaining the input of stakeholders. **The Governing Body** will consider the review provided by the Secretary and make appropriate policy decisions. **The Secretary** will undertake preparatory research, analysis and information gathering on the specific modalities of benefit sharing, such as the levels of payment in commercial benefit sharing and the applicability of mandatory payments. **The Governing Body** will periodically review the specific modalities of benefit sharing and make such decisions as it may deem appropriate.

- *Resources*

Resources in the form of staff time will be required to conduct the extensive exploratory exercises and subsequent implementation work to make the non-commercial benefit-sharing options functional. Consultants and expertise of specialized institutions will be required to develop options and strategies to put these mechanisms into practice. Additional resources will be required to hold exploratory workshops and consultation meetings in the early part of the planning period. In the latter part of the planning period, resources required might include funds needed for the establishment of relevant infrastructure and the establishment of operational partnerships.

Estimated overall resource requirements for the planning period: USD _____

- *Outcomes*

At the end of the planning period a clear understanding should exist of how all four benefit-sharing mechanisms can be made functional and initial, perhaps purely exploratory, progress should have been made towards the implementation of each one.

Goal 3: Framework for the Operations of the Third Party Beneficiary

The Standard Material Transfer Agreement makes provision for a Third Party Beneficiary.

The establishment of the procedures for the Third Party Beneficiary concluded the basic foundational tasks in this area. However, at the opening of this planning period, it remains necessary to develop operational guidelines for the commencement and management of amicable dispute resolution and mediation proceedings under the Third Party Beneficiary Procedures. It is projected that this process should be completed by the mid point of the planning period, allowing the Third Party Beneficiary to then focus its attention on the practical implementation of these procedures and operational guidelines, in particular as they relate to the movement and effective maintenance of information.

- *Priority Objectives*

- ❖ **Development and review of draft Operational Guidelines** to supplement the Third Party Beneficiary Procedures, particularly in the area of alternative dispute resolution. This will **reduce the costs** of dispute resolution and provide a high degree of transparency and predictability, which will promote the objective of **resolving disputes at the most consensual level** possible as a means of increasing efficiency, encouraging collaboration.
- ❖ **Provision of information for use by the Third Party Beneficiary.** Effective dispute resolution is highly dependent on the availability of information and the more that this information can be available to the Third Party Beneficiary, the more **cost-effective and efficient** the dispute resolution process is likely to be. Ensuring that, when requested, the **confidentiality of sensitive information is guaranteed** is also of utmost importance as a measure that promotes confidence in the System.
- ❖ **Review of the operations of the Third Party Beneficiary.** The Third Party Beneficiary acts on behalf of the Governing Body and the Treaty. In order to ensure confidence in the System and good governance, it is imperative that the **Governing Body periodically review the operations of the Third Party Beneficiary** to ensure that they contribute to fulfilling the objectives of the Treaty and the relevant decisions of the Governing Body.

- *Partnerships and Responsibilities*

Once the Operational Guidelines have been established, **the Governing Body**, supported by **the Secretary**, will collate and maintain information required by the **Third Party Beneficiary** and submitted by the parties to standard material transfer agreements as required for cost-effective and efficient Third Party Beneficiary operations. **The Governing Body** will review the operations of the Third Party Beneficiary to ensure that the established procedures are effective in meeting the Governing Body's policy objectives.

- *Resources*

It is not projected that more than minimal staff time will be needed to maintain the Third Party Beneficiary function once the Operational Guidelines have been formally agreed, although substantive additional research and administrative support might be required in the event of a dispute. Financial resources will be needed to establish the operating reserve for the Third Party Beneficiary and, depending upon events, perhaps to periodically replenish this reserve.

Estimated overall resource requirements for the planning period: USD_____

- *Outcomes*

By the close of the planning period the procedures of the Third Party Beneficiary and their application, including the necessary collection and maintenance of information, should be implemented in a routine manner.

2.2 Target 2: Operating and Developing the Multilateral System

2.2.1 Background

As noted under Target 1, the Multilateral System of Access and Benefit-sharing (MLS) is a cornerstone of the Treaty. Given this unique position, it is important that advice and other

assistance is readily available to Contracting Parties and other users of the Multilateral System. It is also important that the Governing Body has access to reliable information on the operations of the Multilateral System to support rational decision making.

2.2.2 Relevant Articles

Article 10, Multilateral System of Access and Benefit-sharing;

Article 11, Coverage of the Multilateral System;

Article 12, Facilitated access to plant genetic resources for food and agriculture within the Multilateral System;

Article 13, Benefit-sharing in the Multilateral System;

Article 15, Ex Situ Collections of Plant Genetic Resources for Food and Agriculture held by the International Agricultural Research Centres of the Consultative Group on International Agricultural Research and other International Institutions, and

Article 16, International Plant Genetic Resources Networks.

2.2.3 Goals

Goal 1: Generating policy support and further guidance on the development of the Multilateral System

Goal 2: Monitoring the operations of the Multilateral System

Goal 1: Generating Policy Support and Further Guidance on the Development of the Multilateral System

Article 19.3 provides that a function of the Governing Body is to “provide policy direction and guidance [...] in particular for the operation of the Multilateral System”. It should be noted that, in addition to Contracting Parties, a number of potential Providers and Recipients have also brought to the attention of the Secretary various legal and technical questions regarding the international application of the Standard Material Transfer Agreement and the implications for the rights and obligations deriving from the answers to these questions. This has highlighted that the Governing Body’s guidance will be central in ensuring coherence in the Multilateral System.

In the early stages of the operation of the Multilateral System, which will occur during this planning period, the focus of the Governing Body is expected to be on two main forms of policy guidance. The first is a general form that will develop guidelines for providers and recipients of material under the Multilateral System and seek to compile experiences in the System’s operation that can be shared among all users. In contrast, the second form of policy guidance by the Governing Body is expected to focus on detailed substantive questions regarding the operation, coverage and evolution of the System that will respond directly to queries raised by users.

- *Priority Objectives*

- ❖ Reconvene the ***Ad Hoc Advisory Technical Committee on the Standard Material Transfer Agreement and the Multilateral System*** to, *inter alia*, continue to consider questions and issues raised by Contracting Parties and other users of the Multilateral System and continue to advise the Secretary on them.. By the opening of this planning period, a number of questions and issues that cannot be easily addressed have continued to be raised. In order to ensure that these questions are addressed in a manner which combines cost-effectiveness and operational efficiency with legal certainty and the development of policy with transparency and multilateral governance, it is desirable and

valuable for the overall effective implementation of the MLS, for the Committee to again be convened in the forthcoming biennium, to advise the Secretary regarding the many matters that arise in this stage of the early development of the MLS.

- ❖ **Conduct and complete the reviews and assessments and take the decisions on the operation of the Multilateral System** required by Articles 11.4 and 13.2d of Treaty. A number of reviews are foreseen by the Treaty, when the Governing Body so decides: following an assessment of the progress in the inclusion of plant genetic resources by natural and legal persons, a decision in accordance with Article 11.4 on whether access shall continue to be facilitated to those natural and legal persons; under Article 13.2d a review of the levels of payment, with a view to achieving fair and equitable sharing of benefits, and a decision on whether the mandatory payment requirement in the MTA shall apply also where commercialized products are available to others for further research and breeding. Preparatory work will be carried out inter-sessionally for the reviews, assessments and decisions to be undertaken by the Governing Body.
 - ❖ **Develop a handbook to practices and procedures for the implementation of the Treaty.** As a body of knowledge is developed regarding the types of challenges that occur in the implementation of the Multilateral System is developed, this body of knowledge can be categorised and compiled in a manner that provides an in-depth reference for implementing authorities, users of the Multilateral System, and other stakeholders.
 - ❖ **Develop Provider and Recipient Procedures for the Multilateral System.** As the body of knowledge regarding the types and specifics of challenges that occur in the implementation of the Multilateral System is gradually validated through continued experience, it may be possible to **loosely codify this knowledge and these experiences into summary procedures** that can be used as ready guides for providers and recipients using the Multilateral System. These procedures may also be useful to implementing authorities to inform their policy and regulatory development processes.
 - ❖ **Conduct stakeholder consultations**, particularly in developing countries to ensure that the information and materials are of optimum relevance to all of their primary audiences.
 - ❖ **Capacity-building and awareness-raising** will be required to ensure that those with limited access to information or other constraints are able to access the information generated and materials developed to the maximum extent possible. This will serve the objectives of the Treaty by **promoting informed access to the Multilateral System and by broadening active participation** in the System.
- *Partnerships and Responsibilities*

The Governing Body will reconvene the *Ad Hoc Advisory Technical Committee on the Standard Material Transfer Agreement and the Multilateral System*. **The Secretary** will compile and forward relevant queries regarding the implementation of the Multilateral System to the *Ad Hoc Advisory Technical Committee on the Standard Material Transfer Agreement and the Multilateral System* for its consideration. **The Secretary** will use the information provided by Contracting Parties, supplemented by the deliberations of the *Ad Hoc Advisory Technical Committee on the Standard Material Transfer Agreement and the Multilateral System*, on national practices and procedures as necessary, to prepare a draft handbook to practices and procedures for the implementation of the Multilateral System. **The Secretary** will use the handbook to develop Provider and Recipient Procedures for the Multilateral System. The *Ad Hoc Advisory Technical Committee on the Standard Material Transfer Agreement and the Multilateral System* will review the draft Provider and Recipient Procedures for the Multilateral System and forward them to **the Governing Body** for its consideration. **The**

Secretary will collaborate with **relevant individuals and organizations**, particularly **national focal points, farmers' organizations** and **national and international research centres**, to conduct stakeholder consultations.

- *Resources*

Significant staff time and additional funds will be required for the collation, synthesis and supplementing of information provided on practices and procedures. The *Ad Hoc* Technical Committee on the Standard Material Transfer Agreement and the Multilateral System will require funds and legal and administrative support for its meetings. The guide and the Provider and Recipient Procedures will require significant amounts of staff time and funds to support research, legal drafting and consultation activities, as well as needing funds for publication and dissemination activities. Stakeholder consultations, capacity building and awareness raising activities will all depend upon the availability of staff time and funds for each individual activity.

Estimated overall resource requirements for the planning period: USD_____

- *Outcomes*

The ready availability of accurate information and legal assistance that promote harmonised approaches to the implementation of the Multilateral System and create transparency, certainty and predictability for users.

Goal 2: Monitoring the Operations of the Multilateral System

Article 19.3(a) provides that the first function of the Governing Body is “to monitor ... the operation of the Multilateral System”. Monitoring is a major exercise, particularly because, at the start of the planning period, what is happening in the System is not known in transparent, reliable and empirically verified terms. Information is very limited on all key aspects of the Multilateral System, including: how much material is in the System; what material is it; how was it included; and, what is happening to it in the Multilateral System? Reliable data on these questions will be critical for: (1) the credibility of the System, (2) the planning and operation of the System, (3) the monitoring and review of the operation of the System by the Governing Body; and, (4) a sound information basis for policy decisions of the Governing Body on the future evolution of the Multilateral System, such as addressing climate change, changes in the regulatory environment, etc.

Significant quantitative data will be provided through the natural functioning of the Multilateral System and its Third Party Beneficiary. For example, information on material included in the Multilateral System will be generated as Contracting Parties and natural and legal persons make their respective notifications on this issue to the Secretary. Similarly, a certain level of aggregate statistics may be extracted from the records to be held by the Third Party Beneficiary, recognising the need to maintain strict confidentiality regarding some aspects of these records. The information gathered by the Third Party Beneficiary will include much information that will be relevant to the Governing Body's duty to review the operations of the Multilateral System as a whole. Duplicating information gathering efforts would create unnecessary costs as well as a burden on those submitting and processing information. If handled with the appropriate sensitivity, the development of statistical overviews and synthesis of relevant information will create a valuable information base for the Governing Body to fulfil its governance function under Article 19. Furthermore, submissions on experiences in the operation of the Multilateral System will continue to be sought from Contracting Parties and relevant organizations. However, it will be necessary to supplement these submissions with more active efforts to gather the necessary information.

- *Priority Objectives*

- ❖ **Documentation of measures** by which Contracting Parties are implementing the Multilateral System. The documentation of measures taken will highlight the **various administrative and legislative options available**.
- ❖ **Statistical synthesis of SMTA operations for the Governing Body with appropriate measures to protect confidentiality**. Provision of adequate information will be valuable for the Governing Body's reviews of SMTA operations and the Multilateral System as a whole.
- ❖ **Reviews of the implementation and operation of the Standard Material Transfer Agreement**. A number of stakeholders have indicated that they have had queries or uncertainties about the use of the Standard Material Transfer Agreement. Reviews of its implementation will, therefore, allow the **tailoring of information sharing, awareness raising and capacity building efforts** to address these queries and uncertainties. In the event of any more serious problems emerging, **periodic reviews of the implementation and operation of the Standard Material Transfer Agreement** will also facilitate the initiation of any **remedial action** that might be required.

- *Partnerships and Responsibilities*

Contracting Parties, members of the Ad Hoc Advisory Technical Committee on the Standard Material Transfer Agreement and the Multilateral System, farmers' organizations and other relevant organizations will be requested to document measures taken to implement the Multilateral System. **The Secretary** will request **international, regional, national, non-government, and other relevant organizations** to submit case studies on the operation and implementation of the Multilateral System. **The Secretary** will commission case studies regarding key aspects of the operation and implementation of the Multilateral System. **Contracting Parties and relevant organizations**, particularly the **International Agricultural Research Centres of the Consultative Group on International Agricultural Research**, will be requested to provide information on the implementation and operation of the standard material transfer agreement. **The Governing Body** will periodically review the available information on the operation of the Multilateral System and, as necessary, make recommendations on future information gathering in addition to its reviews of the operations of the Multilateral System.

- *Resources*

Significant staff time will be needed to develop the terms of reference or guidelines for the several information requests and case studies planned in this area. It will also be necessary to devote significant time to reviewing the information that is submitted to provide preliminary analyses to the Governing Body. The Secretary will also need to encourage the support of research to be undertaken independently by partners and to secure funds to support commissioned work.

Estimated overall resource requirements for the planning period: USD_____

- *Outcomes*

By the close of the planning period, sufficient information should be generated, and regularly updated, to allow the Governing Body to periodically review the operations of the Multilateral System confident in the direct and representative values of the information on which these reviews will be based.

2.3 Target 3: Implementing the Funding Strategy

2.3.1 Background

Article 18.1 of the Treaty provides that [t]he Contracting Parties undertake to implement a funding strategy for the implementation of this Treaty while Article 18.2 provides that:

The objectives of the funding strategy shall be to enhance the availability, transparency, efficiency and effectiveness of the provision of financial resources to implement activities under this Treaty.

By Resolution 1/2006, the Governing Body adopted the Funding Strategy for the Implementation of the International Treaty, as contained in *Appendix F* of the Report of its First Session. In adopting its Funding Strategy, the Governing Body, *inter alia*, recognized “that an effective Funding Strategy is critical to the implementation of the Treaty.” The Governing Body also noted that “the Funding Strategy should enhance the availability, transparency, efficiency and effectiveness of the provision of financial resources to implement activities under the Treaty”, in accordance with the Treaty.

The Funding Strategy is key to the success of the entire Treaty, as Article 18.4 states that:

(b) The extent to which Contracting Parties that are developing countries and Contracting Parties with economies in transition will effectively implement their commitments under this Treaty will depend on the effective allocation, particularly by the developed country Parties, of the resources referred to in this Article. Contracting Parties that are developing countries and Contracting Parties with economies in transition will accord due priority in their own plans and programmes to building capacity in plant genetic resources for food and agriculture.

In recognizing that the implementation of the Treaty depends upon the availability of funds, the Governing Body, in Resolution 1/2006, noted “that the Funding Strategy should seek to attract financial resources from all possible sources” and recognized “the importance of cooperation with relevant international mechanisms, funds and bodies to the successful implementation of the Funding Strategy”.

The Governing Body has subsequently adopted annexes to the funding strategy addressing priorities, eligibility criteria and operational procedures for the use of resources under its direct control. Through its *Ad Hoc* Advisory Committee on the Funding Strategy the Governing Body has also developed a ‘Strategic Plan for the Implementation of the Benefit-sharing Fund of the Funding Strategy’.

2.3.2 Relevant Articles

Article 13, Benefit-sharing in the Multilateral System;

Article 18, Financial Resources;

Article 19.3(f), The Governing Body.

2.3.3 Goals

Goal 1. Mobilizing Resources for the Benefit-sharing Fund

1. Mobilizing Resources for the Benefit-sharing Fund
2. Operating the Benefit-sharing Fund
3. Facilitating the implementation of the Funding Strategy through other channels (bilateral, regional and multilateral)

The mobilisation of resources for the Benefit-sharing Fund is an important element in the Funding Strategy and the level of success in this area, consequently, will influence the shaping of other Funding Strategy goals as well as the profile and activities of the Treaty more generally.

- *Priority Objectives*

- ❖ **Establish fund raising systems and prepare core materials..**
- ❖ **Encourage the championing of the Treaty by leading donors and stakeholders** and otherwise **maintain the profile of the Treaty** and the Funding Strategy. Ensuring that the **Treaty's message is delivered by a diversity of its supporters** and advocates will provide an accurate picture of its objectives, needs and achievements.
- ❖ **Conduct donor cultivation and stewardship programmes to recognise existing donors**, encourage new ones and generally expand the base of support for Treaty related activities.
- ❖ Implement and steadily enhance **customized communication programmes for the various interested audiences** to maximise the relevance of information conveyed and highlight how different stakeholders can most effectively support the Treaty.
- ❖ **Review the implementation of the Funding Strategy and Strategic Plan** to ensure the most effective fulfilment of its objectives and targets for the benefit of the Treaty and its stakeholders.

- *Partnerships and Responsibilities*

The Governing Body will continue the *Ad Hoc* Committee on the Funding Strategy to provide ongoing advice to ensure smooth and transparent implementation of the Funding Strategy and the Strategic Plan during intersessional periods. The *Ad Hoc Committee on the Funding Strategy* will also provide advice on operational aspects of the Benefit-sharing Fund. **Members of the Committee** will need to be actively engaged in implementing the Strategic Plan. **The Secretary** will establish structured fund raising systems and undertake activities according to the Strategic Plan and, where appropriate, will partner with **other relevant organizations** or secure through **consultants** the implementation of particular activities. **The Secretary** will identify, and establish partnerships with, **leading donors and advocates** of the Treaty, **including from among Contracting Parties**, who will support the implementation of the Strategic Plan. **Other stakeholders** will play a role in implementing the Strategic Plan according to their capacities.

In addition to its other intersessional functions, the *Ad Hoc Committee on the Funding Strategy* will report to the Governing Body to facilitate **the Governing Body's** periodic review of the implementation of the Funding Strategy and the Strategic Plan.

- *Resources*

The Strategic Plan envisages the investment of significant resources to staffing and implementing the resource mobilisation effort. The level of resources required will increase as the scale of resource mobilisation does but is expected to decrease as a proportion of the funds raised, as the Strategic Plan is progressively implemented. As a preliminary investment a dedicated senior staff member with an appropriate implementation budget will be required and staffing levels will need to be progressively reinforced throughout the planning period.

Estimated overall resource requirements for the planning period: USD_____

- *Outcomes*

A structured rolling resource mobilization plan being implemented according to the Strategic Plan and further updated as necessary according to circumstances. Interim working targets and overall objectives for resource mobilisation set and achieved.

Goal 2. Operating the Benefit-sharing Fund

The Benefit-sharing Fund constitutes one of the pillars of the Treaty by providing a mechanism for fair and equitable benefit-sharing from the use of plant genetic resources for food and agriculture. Further, it supports a second pillar by encouraging facilitated access and contributes to the third pillar of the Treaty by making a substantial and meaningful contribution to globally agreed programmes for the conservation and sustainable use of plant genetic resources for food and agriculture. Accordingly, it is vital to establish an efficient, transparent and effective system to manage the financial and operational aspects of the Benefit-sharing Fund. The systems will have to account for each step of the Benefit-sharing Fund's project cycle and give confidence to all key stakeholder groups and donors.

- *Priority Objectives*

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- ❖ **Report on monitoring and evaluation of projects funded by the Benefit-sharing Fund** to the Governing Body in the framework of the project cycle.
 - ❖ **Establish a project management and information system to guide the entire project cycle** from calls for proposals through to final reviews and evaluation. This will primarily consist of **tailored information management systems** that will be adapted from those that are commercially available.
 - ❖ **Finalise administrative policies and procedures for the day-to-day management of the project cycle** and of funds. A predictable system for the day-to-day management of the project cycle and of funds will increase the confidence of donors and recipients of the Benefit-sharing Fund and will streamline its operations.
 - ❖ **Manage the project cycle on a day-to-day basis** in a manner that reflects the letter and spirit of the administrative policies and procedures developed and makes maximum use of the project management and information system that will be put in place.
 - ❖ **Establish a framework for the periodic review of the operations of the Benefit-sharing Fund** that will consider the impact and sustainability of its programme and of the Funding Strategy.

- *Partnerships and Responsibilities*

The **Ad Hoc Committee on the Funding Strategy** will work with **relevant organizations** such as the United Nations Development Programme (UNDP), the International

Fund for Agriculture (IFAD) and Oxfam International **and stakeholders** to develop mechanisms for the expert review of proposals and external evaluation of completed projects. **The Secretary** will establish a project management and information system and administrative policies and procedures that it will implement on a day-to-day basis. The **Ad Hoc Committee on the Funding Strategy** will advise on operational aspects of the project management and information system and the administrative policies and procedures. The **Secretary** will periodically report to the Governing Body on the operations of the Benefit-sharing Fund.

- *Resources*

The financial resources that will be disbursed through the Benefit-sharing Fund are considered under the discussion of Goal 2.1, the Mobilisation of Resources. However, resources will also need to be allocated toward the operation of the Benefit-sharing Fund. As the Benefit-sharing Fund grows and the number of proposals, grants awarded, and grant amounts increase, a more robust grants administration programme will be needed. This will require dedicated staff time in the Secretariat to at least coordinate and oversee operations. Further staff time or funds will be required for the detail of day to day operations, the respective levels of each depending upon the project management and information system and administrative policies and procedures established.

Estimated overall resource requirements for the planning period: USD_____

- *Outcomes*

The Benefit-sharing Fund should complete, transparently and efficiently, a maximum of project cycles by the close of the planning period, according to the funds available. Positive impacts on food security levels ensured through the implementation of projects funded under the Benefit-sharing Fund.

Goal 3. Facilitating the Implementation of the Funding Strategy through Other Channels (Bilateral, Regional and Multilateral)

Activities under this goal are proposed to facilitate the task of Contracting Parties in achieving the objectives of the Funding Strategy and implementing their obligations. They would support Contracting Parties in ensuring that other international processes provide assistance that meets the criteria set by the Governing Body and take the Treaty's criteria into account in deciding on assistance. However, the Secretariat could facilitate preparatory work for adopted measures to encourage voluntary contributions.

- *Priority Objectives*

- ❖ Defining and maintaining a **calendar of events and appropriate measures which could be considered by Contracting Parties at meetings of relevant international mechanisms, funds and bodies**, including agreed and coordinated targets with possible assigned responsibilities. In support of such measures, preparing **background material on the objectives and activities of these mechanisms, funds and bodies** and how they relate to the objectives and provisions of the Treaty.
- ❖ **High-level outreach to relevant international mechanisms, funds and bodies** to encourage their support for Treaty related objectives and to promote coordination between their activities as they relate to Treaty objectives.
- ❖ **Monitoring activities at the bilateral, regional and multilateral levels** to develop a broader picture of the nature, focus and outcomes of the full range of activities that are based on, or otherwise relate to, Treaty implementation and associated objectives.

- ❖ **Reporting back to the Governing Body** on progress and achievements.
- ❖ **Providing a survey of efforts** to implement the Funding Strategy through other channels at the bilateral, regional and multilateral levels.

- *Partnerships and Responsibilities*

The Governing Body may mandate the *Ad Hoc Committee on the Funding Strategy* to coordinate and lead the implementation of activities under this Goal. **The Secretary** will provide a calendar of meetings of, and possible measures that might be taken in, relevant international mechanisms, funds and bodies and provide background research on, and materials targeting, these mechanisms, funds and bodies. **The Secretary** will establish contacts with the Secretariats of these mechanisms, funds and bodies as part of ongoing activities. **Contracting Parties** are invited to promote and otherwise raise the profile of the Treaty in relevant international mechanisms, funds and bodies and endeavour to ensure that their funding priorities and processes place adequate emphasis on the objectives of the Treaty and allow for support to contribute to the predictable implementation of the Funding Strategy. **Contracting Parties** will report on the financial resources they make available for the implementation of the Treaty through bilateral and regional and multilateral channels. The *Ad Hoc Committee on the Funding Strategy* and **individual Contracting Parties** will report to the Governing Body on their activities and progress.

- *Resources*

Staff time will be needed to allow the Secretary to undertake the necessary background work, which might be undertaken in conjunction with other efforts at resource mobilisation. Staff time and funds will be needed to facilitate the work of the Committee on the Funding Strategy, although this might be undertaken in conjunction with its other activities. Funds and staff time will also be required to allow for the cultivation of links with the secretariats of the relevant international mechanisms, funds and bodies. Further funds and staff time might be considered to host events targeting international mechanisms, funds and bodies, although these might be directly undertaken by Contracting Parties. Other planned activities will be undertaken by Contracting Parties and will be independently resourced.

Estimated overall resource requirements for the planning period: USD_____

- *Outcomes*

An increased level of funding from targeted international mechanisms, funds and other bodies to the conservation and sustainable use of plant genetic resources for food and agriculture.

2.4 Target 4: Conservation and Sustainable Use

2.4.1 Background

The Treaty establishes a framework for the conservation and sustainable use of plant genetic resources for food and agriculture, by promoting an integrated approach at national level and creating an international forum for cooperation.

Conservation and sustainable use of plant genetic resources for food and agriculture are two of the fundamental objectives of the Treaty. Ways and means to conserve and sustainably use such resources in order to ensure their continued availability are diverse and involve a wide range of stakeholders at different levels. The challenge before the Treaty is to translate these general provisions and diverse means of varying stakeholders into concrete and practice-oriented guidance instruments..

Recognising that the burden of implementing measures for the conservation and sustainable use of plant genetic resources for food and agriculture falls almost entirely at the

national level, with some support provided by international organizations, the role of the Treaty and Governing Body is primarily one of facilitating these national activities.

The achievement of this target is also supported by investment in the Funding Strategy, in particular the operation of the benefit-sharing trust fund, since on-farm conservation and sustainable use of plant genetic resources for food and agriculture form the two first priorities which the Governing Body has set for the Funding Strategy of the Treaty. This target also provides a basis for building bridges with related efforts under other instruments, such as the Convention on Biological Diversity.

2.4.2 Relevant Articles

Article 5, Conservation, Exploration, Collection, Characterization, Evaluation and Documentation of Plant Genetic Resources for Food and Agriculture;

Article 6, Sustainable Use of Plant Genetic Resources;

Article 7, National Commitments and International Cooperation;

Article 14, Global Plan of Action.

2.4.3 Goals

Goal 1. Monitoring and describing the range of activities in the exploration, conservation and sustainable use of plant genetic resources for food and agriculture

The range of activities occurring throughout the world that advance the exploration, conservation and sustainable use of plant genetic resources is enormous. While it is probably impossible, or at least not cost effective, to identify all activities, it is possible to develop a picture that can be considered sufficiently representative to extrapolate from and use for the drawing of policy conclusions.

Goal 1. Monitoring and describing the range of activities in the exploration, conservation and sustainable use of plant genetic resources for food and agriculture

Goal 2. Supporting the promotion of an integrated approach to the exploration, conservation and sustainable use of plant genetic resources for food and agriculture

- *Priority Objectives*
 - ❖ Submission of **information on national measures for the implementation of Articles 5 and 6** of the Treaty including administrative and legal measures as well as more direct activities at field level and initiatives for information gathering and dissemination..
 - ❖ **Collection of information from other sources relevant to the conservation and sustainable use** of plant genetic resources for food and agriculture.. The collection of this information will involve a **variety of activities** with possibilities including the review of publicly available information, **collaboration with key actors** in particular fields and the possibility of **convening ‘working groups’** on particular themes, whether of a virtual or physical character.

- *Partnerships and Responsibilities*

Contracting Parties will provide information on national measures for the conservation and sustainable use of plant genetic resources for food and agriculture to the Secretary. **The Secretary** will compile, and as necessary synthesise, information received. **The Secretary** will coordinate the activities of partners, in particular **specialist research institutions, universities, research networks, NGOs, farmers' organizations and breeders' organizations**, in identifying further sources of information that might be of relevance. **The Secretary** will coordinate and, where necessary, support the further efforts of **partners** to develop innovative information gathering mechanisms. **The Governing Body** will periodically review the effectiveness of information gathering mechanisms and efforts and, where necessary, make recommendations for their enhancement.

- *Resources*

The level of resources required for this goal will depend significantly on the amount, and frequency, of information submitted to the Secretary. There may, for at least the duration of this period, have to be more emphasis on active efforts to collect information through partners. This will require staff time for the compilation and synthesis of information and funds to support collaboration and to support the activities to be undertaken by partners. At a minimum, financial resources will be required for the virtual coordination of partners' efforts.

Estimated overall resource requirements for the planning period: USD_____

- *Outcomes*

By the close of the planning period, the Treaty should be recognised as one of the leading sources of information on measures for the conservation and sustainable uses of plant genetic resources for food and agriculture. The emphasis will be on the Treaty acting as a clearing house that can direct interested parties to information generated and held by partners.

Goal 2. Supporting the Promotion of an Integrated Approach to the Exploration, Conservation and Sustainable Use of Plant Genetic Resources for Food and Agriculture

The Treaty is the primary framework and forum for the development of policy on the conservation, characterisation and sustainable use of plant genetic resources for food and agriculture.

- *Priority Objectives*

- ❖ **The dissemination of information** gathered. In addition to providing policy guidance, **national policy efforts can be supported** through the effective dissemination of information through electronic means and through awareness raising initiatives.
- ❖ **Analysis of information gathered.** Compiled and synthesised information can be an important resource for policy making to **identify particular issues that need to be addressed and to develop options for addressing them..**
- ❖ **Meetings held to discuss the analyses** developed with a view to the development of policy guidance on **national options for the implementation of measures** for the conservation and sustainable use of plant genetic resources for food and agriculture..
- ❖ **Develop policy guidance on the implementation of measures** for the conservation and sustainable use of plant genetic resources for food and agriculture at the national level.

- *Partnerships and Responsibilities*

The Secretary will develop means to make information submitted and that held by partners readily available in a logical and accessible manner to stakeholders and supplement these activities with awareness raising activities as necessary. **The Secretary** will identify and coordinate the work of **partners** to develop preliminary analyses of issues and possible measures to address these issues that can be extrapolated from the information available. **The Governing Body**, with the support of **the Secretary**, will convene meetings to review the analyses developed and identify possible priorities. **The Governing Body**, with the support of **the Secretary**, will convene meetings to develop guidance on policy options that **Contracting Parties** may consider for the implementation of Articles 5 and 6 of the Treaty. **The Governing Body** will recommend the use of the policy options identified for use by **Contracting Parties** in the development of measures at the national level.

Resources

The bulk of resources required for this goal will be concentrated in its later activities, projected to occur in the mid to later biennia of this planning period. In its early stages, some staff time and funds will be required for information dissemination work and to support preliminary analytical work. More significant funds will be needed to support meetings to review the analyses and to develop guidance on policy options. Staff time will be needed to support these meetings.

Estimated overall resource requirements for the planning period: USD_____

Outcomes

The availability of a broad range of information on the conservation and sustainable use of plant genetic resources for food and agriculture and the provision of guidance on policy options for national measures to implement Articles 5 and 6 of the Treaty.

2.5 Target 5: Farmers' Rights

2.5.1 Background

Pursuant to Article 9 of the Treaty, the responsibility for realizing Farmers' Rights lies with national governments. Contracting Parties, in accordance with their needs and priorities, should, as appropriate, and subject to national legislation, take measures to protect and promote those rights, including the protection of relevant traditional knowledge, the right to participate equitably in sharing benefits, and the right to participate in relevant decision-making at national level. With the entry into force of the Treaty, and the adoption of enabling measures by Contracting Parties, the article on Farmers' Rights provides a legal framework that they may draw upon as a basis for giving recognition and protection of indigenous and local communities and farmers in accordance with national legislation.

2.5.2 Relevant Articles

Article 9, Farmers' Rights.

2.5.3 Goals

Goal 1. Gathering and disseminating information on national measures to protect and promote Farmers' Rights

The gathering of information is a necessary pre-requisite for the Governing Body to undertake any review of the situation regarding Farmers' Rights and must form the central

element of any action that the Governing Body may consider in support of national implementation..

- *Priority Objectives*

- ❖ Promote the rate and frequency of the **submission by Contracting Parties and relevant organizations of information on national measures** for the promotion and protection of Farmers' Rights.
- ❖ Receive and **collate, and** as necessary **synthesise, information for consideration** by the Governing Body and for general dissemination.
- ❖ **Review measures for the dissemination of information.** As the volume and diversity of information available increase, it will be necessary to **consider alternative dissemination mechanisms**, including options targeting particular stakeholder groups.
- ❖ **Promoting the participation of farmers' organizations in the Governing Body sessions** has been identified by the Governing Body as an issue requiring action and will continue to be pursued in this planning period.

- *Partnerships and Responsibilities*

The Governing Body will consider means to increase the rate and frequency at which Contracting Parties and relevant organizations provide the Secretary with information on national measures for the promotion and protection of Farmers' Rights. **The Governing Body** will continue to encourage the participation of **farmers' organizations** in the sessions of the Governing Body. **The Governing Body** will review the information available regarding the promotion and protection of Farmers' Rights and consider the development of further measures for the dissemination of this information as may become justified. **The Secretary** will continue to receive Contracting Parties' and other organizations' submissions on national measures to realise Farmers' Rights and to make these submissions available to the Governing Body. **Contracting Parties** should endeavour to make submissions regarding any measures they have taken to protect and promote Farmers' Rights in their jurisdictions and, periodically as appropriate, on experiences in the implementation of these measures. **Relevant organizations, particularly farmers' organizations**, should make submissions on their experiences in the protection and promotion of Farmers' Rights, in particular regarding activities that are directly undertaken by, or engage, farmers' organizations.

- *Resources*

The bulk of the resources required in association with the promotion and protection of Farmers' Rights are required for the development and implementation of measures at the national level. In the short term, the Secretary needs to assign responsibility for the collation and synthesis of information received to a professional staff member. The Secretary also requires the relatively modest resources associated with maintaining and updating the website. As the volume and complexity of information received increases, human and financial resources will be needed to further develop the website to accommodate these changes. It may also be necessary, either through the use of consultants or in partnership with relevant organizations, to undertake research into options for the most effective means for the dissemination and use of the information gathered.

Estimated overall resource requirements for the planning period: USD_____

- *Outcomes*

By the close of the planning period, the Secretary should have received at least preliminary information on measures taken to promote and protect Farmers' Rights in a majority of

Contracting Parties. This information will be made available through the website established by the Secretary, which will be further developed as necessary. The process of Contracting Parties periodically updating preliminary information according to experiences in the implementation of measures they have taken will have begun.

Target 6: Capacity Building and Awareness Raising for Treaty Implementation

2.6.1 Background

Effective national implementation of the Treaty by all Contracting Parties is particularly crucial for the coherent functioning of the global systems of the Treaty, in particular the Multilateral System and the Funding Strategy. In countries where current capacity for Treaty implementation is limited, capacity building support should be available for the Contracting Party to be able to effectively implement the Treaty systems and objectives. This should include the empowerment of and support to national, regional and local organizations to implement the Treaty systems and strategies, including governmental, inter-governmental, parastatal and non-governmental institutions. The Treaty is an inter-governmental instrument and process. Therefore, the emphasis should be on the fact that governmental institutions of Contracting Parties have to be strengthened to take an active part in the implementation, governance, monitoring and further development process of the Treaty and its operational systems.

2.6.2 Relevant Articles

Article 5, Conservation, Exploration, Collection, Characterization, Evaluation and Documentation of Plant Genetic Resources for Food and Agriculture;

Article 6, Sustainable Use of Plant Genetic Resources;

Article 7, National Commitments and International Cooperation;

Article 8, Technical Assistance;

Article 13, Benefit-sharing in the Multilateral System;

Article 14, Global Plan of Action;

Article 17, The Global Information System on Plant Genetic Resources for Food and Agriculture.

2.6.3 Goals

Goal 1: Capacity building on the national and regional implementation of the Treaty

Goal 2: Awareness raising, training and promotion of the International Treaty

Goal 1: Capacity Building on the National and Regional Implementation of the Treaty

Experience in the implementation of the Treaty to date has highlighted the need to devote significant effort to consolidating the capacity of national and regional authorities and relevant organizations. Recognising that most Contracting Parties have some level of capacity building need and that these needs may vary significantly between regions and countries, it is obvious that a distributed approach to capacity building is required. The Secretary will develop partnerships with those FAO units, international institutions and organizations who have expertise and capacities relevant to the implementation of the Treaty. The attention of the Secretary will, therefore, focus on the Coordinating Mechanism, which ensures that the Treaty can offer Contracting Parties a package of capacity building for implementation of the Treaty - while delivered through the distributed mechanism of various national and international organizations and networks each with their own particular approaches and interests - retains a coordinated and

integrated character reflecting the Treaty text and the subsequent decisions and interpretations of the Governing Body.

While there has been significant progress in building human capacity in the conservation of plant genetic resources in many developing countries, the human capacity required for the implementation of the Treaty's systems and strategies is highly specialized and specific. Further improvement will be needed in the number and technical quality of the personnel, as well as in the capacity for priority setting, programme planning, management and governance. The human capacity building activities will be targeted to decision-makers at the policy and planning level in national and regional institutions; managers/administrators of gene banks and breeding associations; farmers' organizations. The modalities for capacity building envisaged will include training programmes based on identified training needs and priorities and delivered through knowledge networks and centres of excellence among specialized higher educational and training institutions.

- *Priority Objectives*

- ❖ **Operating the Coordinating Mechanism** for implementation of the Treaty to ensure that capacity building follows the guidance of the Governing Body and that capacity is built in a **coherent, coordinated, equitable and regionally balanced** way which reflects the actual needs of Contracting Parties and stakeholders.
- ❖ **Developing the capacity building materials**, to include, inter alia, guides, toolkits, decision support tools and technical courses, in accordance with the guidance of the Governing Body, which shall be used by partners for a coordinated approach to capacity building for implementation of the Treaty (i.e., in the form of training, information and policy materials)
- ❖ **Maintaining and building the network of National Focal Points** for the Treaty in Contracting Parties and **strengthening** their technical, coordination, policy and infrastructural **capacities**;
- ❖ Upon request from countries or regions, supporting the **provision of legal assistance** for the implementation of the Treaty. This will enable Contracting Parties to meet their obligations under the Treaty in accordance with their own national needs, interests and legal frameworks.
- ❖ Providing a **forum** for the development of the **Global Information System**.

- *Partnerships and Responsibilities*

The Secretary will operate the Coordinating Mechanism and host its activities as necessary. **The Secretary** will coordinate the development of training materials in collaboration with, and outsourcing to, **relevant departments in FAO and other international organizations and institutions**, including the Convention on Biological Diversity, Centres of the Consultative Group on International Agricultural Research, the International Union for Conservation of Nature, The United Nations Environment Programme, the United Nations International Computing Centre, the United Nations University – Institute for Advanced Studies, the United Nations Institute for Training and Research, all universities and similar institutions.

The Secretary will facilitate communications among the network of national focal points and link them to the activities of partners in the Coordinating Mechanism as appropriate. **The Secretary** will support the work of the FAO Development Law Service and other relevant international organizations in the provision, upon request, of legal assistance for the implementation of the Treaty. **Contracting Parties** will develop the Global Information System on the basis of existing institutional, national and regional systems. **The Governing Body** will provide a forum for the development of the Global Information System.

- *Resources*

In the Coordinating Mechanism, the Secretary's role is expected to focus exclusively on coordination and information activities and, therefore, its resource needs will primarily consist of staff time with the addition of some financial resources to support collaboration and the development of internet based information databases and tools. The convening of consultative sessions or workshops may be required to support the coordination of partners' work. The Secretary will also need extensive staff time and financial resources to be able to support the network of national focal points, particularly for the convening of periodic meetings among focal points. The resources necessary for the provision of legal support to Contracting Parties are, at the opening of the planning period, being provided through the mechanism of the Joint Implementation Programme for the Treaty; a collaborative project between the Secretary, FAO and Bioversity International. Contracting Parties are expected to provide the bulk of resources for the development of the Global Information System. However, the Secretary will need some staff time and financial resources to be able to fulfil the coordinating role and to provide support to the Governing Body as a forum for the development of the Global Information System. The Governing Body may be able to address its role as a forum for the development of the Global Information System in its regular sessions but may need some additional financial resources to support the participation of developing countries and in the event that it decides to hold intersessional consultations on the matter.

Estimated overall resource requirements for the planning period: USD_____

- *Outcomes*

Developing the capacity needed for all legal, policy and practical implementation measures required to give effect to the Treaty at the national and regional levels. The integrated or coordinated development of national and regional information systems supporting a harmonious Global Information System.

Goal 2: Awareness Raising, Training and Promotion of the International Treaty

An initial set of information and awareness raising materials has been produced by the Secretary prior to this planning period as part of a larger communication strategy for the Treaty. During this planning period, the communication strategy for the Treaty will be expanded to achieve wider outreach to the media and will involve a broader set of information products. Training activities will also be expanded beyond those directly implementing the Treaty at the national level as a means of creating broader awareness and a deeper capacity base.

The Treaty lives from its recognition as a major instrument representing agriculture in the environment, trade and intellectual property policy arenas. For the International Treaty to sustain and maintain its momentum it is critical to raise awareness about its objectives and relevance among broader audiences. Several key messages about the Treaty's importance have to be conveyed to other policy communities and the general public, in order, for example, to raise awareness, ensure recognition and facilitate voluntary contributions for the Treaty.

- *Priority Objectives*

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- ❖ **Information and publicity material support to all targets**, including the maintenance and updating of the Treaty website. This will focus on the development of clear messages that promote coherence among the various targets and activities of the Treaty.
 - ❖ **Outreach to media and the general public** in developed and developing countries. This may include image management, branding, media campaigns, short films on the Treaty, publicity, public relations, etc. Outreach efforts will seek to cultivate multiplier effects where local media use material directly or generate their own.
 - ❖ **Mainstreaming of the Treaty** in formal academic training and education curricula by establishing a network of education institutions that deliver in-depth training on the International Treaty and its Systems. These activities will seek to work through existing

education networks wherever possible, with an emphasis on tertiary education but promoting awareness raising activities at other levels as well.

- ❖ **Information material for, and outreach to, governments which are not yet Contracting Parties** regarding implications and benefits of accession to the Treaty. Expanding the membership of the Treaty is an obligation created in the Treaty text and will increase the value of the Treaty as the pool of plant genetic resources accessible through the Multilateral System increases and conservation and sustainable use activities can be further coordinated.

- *Partnerships and Responsibilities*

The Secretary will collaborate with **the relevant FAO units** to develop an expanded range of information and awareness materials that support the various targets established for this planning period. **The Secretary** will work with **relevant FAO units and other relevant organizations, including the International Centres of the Consultative Group on International Agricultural Research, NGOs, farmers' organizations and Contracting Parties** to develop national and international outreach programmes.

In partnership with **relevant international and national organizations** with experience in the development and use of targeted training materials, and with the support of **consultants** as necessary, **the Secretary** will develop materials to support a network of formal education institutions that will reach beyond the capacity building targeting the national systems for the implementation of the Treaty.

The Secretary will work the **relevant FAO units and Contracting Parties** to develop outreach materials and programmes targeting non parties; encouraging them to support the Treaty's objectives and accede at the earliest opportunity.

- *Resources*

While the majority of outreach work is projected to be undertaken by Contracting Parties and partners, there will still be a need for considerable staff time and funds to be devoted to awareness raising and the promotion of the Treaty, as well as the coordination of training activities on the Treaty. The complexity of developing and delivering materials and messages targeting particular groups is high and requires sustained effort over a period of time. Outreach activities will begin early in the planning period, as a continuation of earlier efforts, but the generation of new material and initiatives will need to continue throughout the planning period. This will require dedicated staff within the Secretariat to lead in coordinating efforts and monitoring progress as well as funds to support this coordination effort and, where necessary, the outreach efforts of partners.

Estimated overall resource requirements for the planning period: USD_____

- *Outcomes*

Progressively increasing knowledge about the International Treaty among stakeholders through educational and training networks, materials and resources about the Treaty and the Multilateral System.

III. Conclusions

This business plan for the implementation of the International Treaty aims to ensure that resource mobilization and resource utilization are optimally aligned to achieve the vision, mission and targets of the Treaty in an efficient, transparent, cost-effective, resource-based and results-oriented manner. It covers only the start-up phase of Treaty implementation in the medium term and will have to be reviewed and revised thereafter in accordance with experiences gained during

this period and taking into account the changes which are taking place in the overall global policy environment and economic system including the outcomes of any necessary evaluation.