



Food and Agriculture
Organization of the
United Nations



The International Treaty
ON PLANT GENETIC RESOURCES
FOR FOOD AND AGRICULTURE

Item 15 of the Provisional Agenda

SEVENTH SESSION OF THE GOVERNING BODY

Kigali, Rwanda, 30 October - 3 November 2017

**Submission from Norway and Indonesia containing the Co-Chairs proposal
from the Global Consultation on Farmers' Rights**

Note by the Secretary

This document presents the submission of the Governments of Norway and Indonesia containing the Co-Chairs recommendation to the Governing Body of the International Treaty on Plant Genetic Resources for Food and Agriculture from the Global Consultation on Farmers' Rights, which was held from 27-30 September 2016, in Bali, Indonesia.

The Consultation was organized by the Governments of Indonesia and Norway and co-chaired by Regine Andersen from Norway and Carlos Correa from Argentina.

The proceedings of the Consultation are contained in document IT/GB-7/17/Inf.10.



Bogor and Oslo, 19 June 2017

Considerations of the outcome of the Global Consultation on Farmers' Rights 2016

Dear Dr Nnadozie,

At its Sixth Session, in October 2015, the Governing Body adopted Resolution 5/2015, which among other things “*invites Contracting Parties and relevant organizations to take initiatives to convene regional workshops and other consultations including with farmers’ organizations, for the exchange of knowledge, views and experiences to promote the realization of Farmers’ Rights as set out in Article 9 of the Treaty, and present results at the next session of the Governing Body*”. Against this background, the Government of Indonesia invited the Government of Norway to co-host a Global Consultation on Farmers’ Rights in Indonesia.

We are grateful to the Governments of Italy, Switzerland and other organisations who provided financial support for the participants and to cover other costs of organising this event, which took place in Bali, Indonesia 27-30 September 2016. We also appreciated the collaboration with the Treaty Secretariat and their facilitation of the consultation.

The objectives of the consultation were to develop common ground for understanding Farmers’ Rights, to find inspiration in the exchange of best practices on realization of Farmers’ Rights, and to gather ideas on how to strengthen implementation of Farmers’ Rights by bringing together a broad range of stakeholders. The consultation brought together about 95 participants from 37 countries in Africa, Asia, Europe, Latin America and the Caribbean, the Near East, North America and Southwest Pacific. The participants were drawn from farmers’ organizations, non-governmental organizations (NGOs), intergovernmental organizations (IGOs), Contracting Parties, seed industry organizations and research institutions. The event was co-chaired by Regine Andersen from Norway and Carlos Correa from Argentina.

The consultation addressed the following issues in particular: (i) why Farmers’ Rights matter; (ii) different challenges for the realization of Farmers’ Rights; and (iii) possible ways of further strengthening the realization of Farmers’ Rights. During the consultation, participants actively engaged and shared views, experiences and examples of best practices related to the implementation of Farmers’ Rights, as addressed in the International Treaty on Plant Genetic Resources for Food and Agriculture. They also identified a range of issues that may affect the realization of Farmers’ Rights and discussed a possible set of recommendations to the Governing Body in this regard.

Due to the large number of participants, limitation of time and that some participants represented organizations without a mandate to adopt recommendations, it was agreed to request the Co-chairs to make a summary reflecting their interpretation of the discussions at the Consultation. Indonesia and Norway hereby request the Secretariat to appropriately inform the seventh session of the Governing Body about the outcome of the Global Consultation on Farmers' Rights 2016 so that the Governing Body could consider these recommendations and possibly adopt a resolution on Farmers’ Rights reflecting these considerations. The full report of the consultation is available at:

<http://www.fao.org/plant-treaty/meetings/meetings-detail/en/c/414974/>

Dr Kent Nnadozie
Secretary *ad interim*
International Treaty on
Plant Genetic Resources for Food and Agriculture
FAO Headquarters
Viale delle terme di Caracalla
00153 Rome, Italy

Yours sincerely,

Muhamad Sabran, Researcher, Indonesian Center for Agricultural Biotechnology and Genetic Resources Research and Development (ICABIOGRAD)-Indonesian Agency for Agricultural Research and Development, Ministry of Agriculture

Svanhild-Isabelle Batta Torheim, Senior Advisor, Ministry of Agriculture and Food, Norway

***Global Consultation on Farmers' Rights,
Bali, Indonesia 27th – 30th September 2016¹***

The Co-chairs' recommendations to the Governing Body of the International Treaty on Plant Genetic Resources for Food and Agriculture

Participants at the Global Consultation on Farmers' Rights at Bali, Indonesia, 27–30 September 2016, shared views, experiences and examples of best practices related to the implementation of Farmers' Rights as addressed in the International Treaty on Plant Genetic Resources for Food and Agriculture ('the International Treaty'). They also identified a range of issues that may affect the realization of Farmers' Rights, and discussed a draft list of recommendations to the Governing Body in this regard. Due to the large number of participants, limitation of time and that some participants represented organizations without a mandate to adopt recommendations, it was agreed to request the Co-chairs to make a summary reflecting their interpretation of the discussions at the Consultation.

The following constitutes the Co-chairs' recommendations, which Indonesia and Norway are presenting to the Governing Body of the International Treaty on Plant Genetic Resources for Food and Agriculture:

- i. Recalling the Resolutions 2/2007, 6/2009, 6/2011, 8/2013 and 5/2015 of the Governing Body of the International Treaty;
- ii. Recalling also the Informal International Consultation on Farmers' Rights in Lusaka, Zambia, in 2007 and the Global Consultation on Farmers' Rights in Addis Ababa, Ethiopia, 2010, which resulted recommendations that were presented to the Governing Body at its sessions in 2007 and 2011;
- iii. Noting that further progress in the implementation of Article 9 on Farmers' Rights is urgent as:
 - a. Farmers' Rights is a cornerstone in the International Treaty; their realization is essential for the conservation and sustainable use of crop genetic resources and traditional knowledge, as farmers are custodians and innovators of crop genetic diversity;
 - b. Farmers' seed systems provide reservoirs of plant genetic resources of great importance to agricultural production in light of climate change and other challenges in agriculture, such as emerging pests and diseases;
 - c. Farmers' seed systems constitute the backbone of agricultural production in many parts of the world, and are thus crucial to food security of local communities in many countries;
 - d. Farmers' seed systems are embedded in local cultures and provide important means to maintain identity and traditions;

the Governing Body is invited to consider:

1. Calling upon all Contracting Parties to adopt legislation, build capacity and create the institutional framework necessary for the realization of Farmers' Rights as provided in the International Treaty;
2. Establishing an *ad hoc* Working Group to guide and assist Contracting Parties in the implementation of Farmers' Rights. The terms of reference for the *ad hoc* Working Group may include:

¹ The consultation was organized by Indonesia and Norway with assistance from the Secretariat of the International Treaty. It was co-chaired by Dr. Regine Andersen from Norway and Dr. Carlos Correa from Argentina.

- a. Producing an inventory of national measures that may be adopted to enhance the realization of Farmers' Rights, including the right to save, use, exchange and sell farm-saved seed, subject to national law.
 - b. Developing, in an inclusive and participatory manner, voluntary guidelines on the realization of Farmers' Rights at the national level, having in view submissions of Contracting Parties and other stakeholders;
3. Requesting the Secretariat to provide organizational assistance to the *Ad Hoc* Working Group on Farmers' Rights, in particular to effectively involve in their work farmers' organizations and other relevant stakeholders from all regions;
4. Inviting Contracting Parties to contribute to the work of the *Ad Hoc* Working Group on Farmers' Rights by organizational and financial support and by facilitating the participation of farmers' organizations and other relevant stakeholders.
5. Inviting Contracting Parties to provide the Secretariat with electronic copies of legislation and other regulations they have adopted relating to the implementation of Farmers' Rights.
6. Encouraging Contracting Parties and relevant organizations to take initiatives to convene biannual global consultations on the realization of Farmers' Rights, to bring together all relevant stakeholders, including policy-makers, farmers' and indigenous peoples' organization, government officials, scientists, consumers, public and private research institutions, civil society organizations and the seed industry.
7. Calling on Contracting Parties to revise, as necessary, seed laws, intellectual property laws and other legislation that may limit the legal space or create undue obstacles for the realization of Farmers' Rights.
8. Encouraging Contracting Parties to take measures, including in their legislation and national policies, to protect and promote traditional knowledge that is relevant to plant genetic resources for food and agriculture (PGRFA), recognizing its dynamic nature and the need for a holistic approach that considers factors including livelihoods, cultures and landscapes.
9. Adopting procedures to strengthen the participation of representatives of farmers as well as local and indigenous communities that contribute to the conservation and sustainable use of PGRFA in processes and initiatives relating to the International Treaty;
10. Encouraging Contracting Parties to promote participatory approaches such as community seed banks, community biodiversity registries, participatory plant breeding and seed fairs as tools for realizing Farmer's Rights;
11. Instructing the Secretariat of the International Treaty to provide inputs about Farmers' Rights to the Commission on Human Rights in the context of the ongoing negotiation of a UN declaration on the rights of peasants and other people working in rural areas.
12. Requesting the Secretariat of the International Treaty to also provide information about Farmers' Rights, as appropriate, to UN fora dealing with the rights of indigenous people, such as the ILO Convention 169, the United Nations Declaration on the Rights of Indigenous Peoples, the United Nations Permanent Forum on Indigenous Issues.
13. Recommending the United Nations to designate an annual international day to celebrate farmers of all regions who contribute to the conservation and sustainable use of crop genetic resources for food and agriculture and to the achievement of food security.

14. Requesting the assistance of FAO and other relevant international and national organizations in the provision of technical and financial support to national governments and organizations for the realization of Farmers' Rights.