



Food and Agriculture
Organization of the
United Nations



The International Treaty
ON PLANT GENETIC RESOURCES
FOR FOOD AND AGRICULTURE

**Views, Experiences and Best Practices as an example of possible options for
the national implementation of Article 9 of the International Treaty**

Note by the Secretary

At its [second meeting](#) of the Ad hoc Technical Expert Group on Farmers' Rights (AHTEG), the Expert Group agreed on a revised version of the [template](#) for collecting information on examples of national measures, best practices and lessons learned from the realization of Farmers' Rights

This document presents the updated information on best practices and measures of implementing Article 9 of the International Treaty submitted by Bangladesh on 17 July 2019.

The submission is presented in the form and language in which it was received.

Template for submission of

Measures, Best Practices and Lessons Learned from the Realization of Farmers' Rights as set out in Article 9 of the International Treaty

Basic Information

- **Title of measure/practice:** Plant Variety Protection Act, 2019.
- Date of submission
- **Names(s) of country/countries in which the measure/practice is taking place:** Bangladesh
- **Responsible institution/organization (name, address, website, (if applicable), email address, telephone number(s) and contact person)**
Ministry of Agriculture (MoA), Bangladesh Secretariat, Dhaka
- **Type of institution/organization (categories)**
Controlling Authority
- **Collaborating/supporting institutions/organizations/actors, if applicable (name, address, website (if applicable), email address, telephone number(s))**
Bangladesh Agricultural Research Council (BARC), Department of Agriculture Extension (DAE), Bangladesh Agricultural Research Institute (BARI), Bangladesh Rice Research Institute (BRRI), Bangladesh Agricultural Development Corporation (BADC), Bangladesh Institute of Nuclear Agriculture (BINA), Bangladesh Jute Research Institute (BJRI), Bangladesh Sugarcrop Research Institute (BSRI), Cotton Development Board (CDB), Bangladesh Agricultural University (BAU), Sher-e Bangla Agricultural University (SAU), Bangabandhu Sheikh Mujibur Rahman Agricultural University (BSMRAU).

Description of examples

Mandatory information:¹

- Short summary to be put in the inventory (max. 200 words) including
The Ministry of Agriculture, in cooperation with relevant government organizations and public research institutes, has engaged in a process to develop an act to provide protection of the rights of plant breeders and farmers with regard to plant varieties. This process resulted in the adoption of the Plant Variety Protection Act, 2019. This act sets rules for the establishment of a Plant Variety Protection Authority as well as for the registration of varieties, protection of breeders and farmers' rights and other related matters. This act recognizes the innovative farmers as 'plant breeder'. Now

¹ This mandatory information is required in order for the measure/practice to be included in the Inventory.

an innovative farmer got right to submit application for registration his variety (both developed and maintained). They will be rewarded for maintaining landraces and developing new plant variety. A certificate, a medal and some money will be paid to him as recognition of his contribution to crop improvement. They will also take part in making decision about management of landraces.

The act has passed the legislative procedure only recently; it is expected that the production of a wide variety of crops will continue to increase.

- **Brief history (including starting year), as appropriate**

After signing ITPGRFA in 2009, ministry of agriculture (MoA) formed a committee named “Plant Variety and Farmers’ Rights’ Protection Act Committee of MoA” Headed by Prof. Dr. Lutfur Rahman, Department of Genetics and Plant Breeding, Bangladesh Agricultural University, Mymensingh. Initially representative from BARC, MoA, BADC and Private Seed Company were included as member of the committee. The committee produced a draft report and submitted to the ministry. Later on, several meetings were arranged by MoA with all the organizations/institutes under the ministry. After long time threadbare discussion, it is approved by the Bangladesh National Parliament in 2019 as “Plant Variety Protection Act, 2019” with a view to formulating rule for “Establishment of Plant Variety Protection Authority, Plant Variety Protection, Registration, Protection of Breeder and Farmers Rights and other Related Matters”. The Act has been approved by the Honourable President of the People’s Republic of Bangladesh on 06 May, 2019, and the gazette was published on 09 May 2019.

- **Core component of the measure/practice (max. 200 words)**

Plant genetic resources are the most valuable and essential basic raw materials to meet the current and future needs of crop improvement programs. Bangladesh is characterized by tropical and sub-tropical environments, which provides favorable condition for numerous agri-horticultural crops. It is bestowed with immense agro-biodiversity and rich diversity of landraces, traditional/farmers’ varieties in several agro-horticultural crops. It is the abode of 7,000 species of vascular plants and is the secondary centre of origin of a good number of crop plants. Bangladesh farmers are maintaining these invaluable resources from time immemorial. But they were not getting any remuneration of their heartfelt job. Plant Variety Protection Act/2019 gave recognition to their great job and ensures legal rights. Farmers got right to submit application for registration and maintenance his variety (both developed and maintained). A farmer involved in maintenance and improvement of landraces will be rewarded certificate, financial support or medal. Farmer and farmers’ association will get recognition for maintaining traditional knowledge about landraces used as food, agriculture and medicinal purpose. If landraces maintained by farmers are exploited in variety development, he will have the right to get share of the benefit received from this variety. Farmers will also take part in making decision about plant genetic resources management and their sustainable utilization.

- **Description of the context and the history of the measure/practice is taking place (political, legal and economic framework conditions for the measure/practice) (max. 200 words):**

Based on the Plant Variety Protection Act-2019, Government will form “Plant Variety Protection Authority”. The major functions of the authority are as follows:

Identification, publication and dissemination of plant genus and species,

Registration and registration certificate for plant variety conservation,

Selection of application for plant variety conservation,

Development of liaison with regional and international organizations,

Take necessary action to implement farmers and breeders rights,

Make necessary arrangement for rewarding Certificate and award in recognition of variety development.

- **To which provision(s) of Article 9 of the International Treaty does this measure relate**

Art. 9.1 ✓

Art. 9.2a ✓

Art. 9.2b ✓

Art. 9.2c ✓

Art. 9.3 ✓

Other information, if applicable

- Please indicate which category of the inventory is most relevant for the proposed measure, and which other categories are also relevant (if any):

No.	Category	Most relevant ²	Also relevant ³
1.	Recognition of local and indigenous communities’, farmers’ contributions to conservation and sustainable use of PGRFA, such as awards and recognition of custodian farmers	-	-
2.	Financial contributions to support farmers conservation and sustainable use of PGRFA such as contributions to benefit sharing funds	-	-
3.	Approaches to encourage income-generating activities to support farmers’ conservation and sustainable use of PGRFA	-	-
4.	Catalogues, registries and other forms of documentation of PGRFA	-	-

²Please select only one category that is most relevant, under which the measure will be listed

³Please select one or several categories that may also be relevant (if applicable)

	and protection of traditional knowledge		
5.	In-situ/on-farm conservation and management of PGRFA, such as social and cultural measures, community biodiversity management and conservation sites	-	-
6.	Facilitation of farmers' access to a diversity of PGRFA through community seed banks ⁴ , seed networks and other measures improving farmers' choice of a wider diversity of PGRFA	-	-
7.	Participatory approaches to research on PGRFA, including characterization and evaluation, participatory breeding and variety selection	-	-
8.	Farmers' participation in decision-making at local, national and sub-regional, regional and international levels	-	-
9.	Training capacity development and public awareness creation	-	-
10.	Legal measures for the implementation of Farmers' Rights, such as legislative measures related to PGRFA	X	-
11.	Other measures / practices	-	-

- In case you selected 'other measures', would you like to suggest a description of this measure, e.g. as a possible new category? _____

- **Objective(s)**

(i) To inspire the farmers to continue maintenance of their own seeds

(ii) To remunerate the scientists involved in HYV and hybrid development exploiting PGRs.

- **Target group(s) and numbers of involved and affected farmers⁵**

Aboriginal/Ethnic people living nearby the centre of origin of agri-horticultural crops.

- **Location(s) and geographical outreach**

Whole areas of Bangladesh with special attention to Hilly areas, Coastal areas, Char areas (accreted land beside and inside big river), Low lying areas. Eastern, North eastern and Southern parts of the country.

- **Resource used for implementation of the measure/practice**

Introduction of HYVs and Hybrids developed through utilization of land races, and other modern agricultural practices and inputs like mechanization, irrigation, chemical and organic fertilizers etc. increased productivity and cropping intensity, and ultimately crop production. Government provides agricultural inputs to the farmers in subsidized rate, which expedited increasing crop productivity.

⁴Including seed houses

⁵Any classification, e.g. of the types of farmer addressed, may be country-specific

- **How has the measure/practice affected the conservation and sustainable use of plant genetic resources for food and agriculture?**

(i) Land races have been replaced by modern varieties and ultimately lost from farmers' field.

(ii) Destruction of habitats through deforestation, industrialization, land slide, river erosion caused loss of cultivated crops and wild relatives.

- **Please describe the achievements of the measure/practice so far (including quantification) (max. 200 words)**

PGR collection and management programme of relevant institutes/organizations has been strengthened following commencement of the Act. At present more than 11 thousand accessions of 137 crops in BARI gene bank; more than 8 thousand accessions of rice including wild relatives in BRRI gene bank; around 6 thousand accessions of jute and allied fibre crops in BJRI gene bank; about three thousand accessions of cotton in CDB gene bank and a considerable number of germplasm of various crops are being conserved. (ii) variety development programme of every research institute has been strengthened exploiting local PGR.

- **Other national level instruments that are linked to the measure/practice**

Non-government Organizations (NGOs) and private seed companies like Lal Teer, Supreme Seeds, ACI Seeds etc. and horticultural nursery owners.

- Are you aware of any other international agreements or programs that are relevant for this measure/practice?

Bangladesh is a signatory of Nagoya Protocol, CBD and signed Regional Agreement with Asian Food and Agriculture Cooperation Initiative (AFACI).

- Other issues you wish to address, that have not been covered, to describe the measure/practice

Lesson learned

- Describe lessons learned which may be relevant for others who wish to do the same or similar measure/practice (max. 250 words)

Bangladesh is a densely populated country. To ensure food and nutrition security, agrarian agriculture is being transformed to semi-commercial mode in recent days, which instigated the farmers to use HYVs and hybrids from formal and informal seed supply system. This phenomenon enhances loss of farmers own seeds i.e. land races. But genetic resources of numerous agri-horticultural crops are still prevailing in remote areas like hills and coasts, and in areas not suitable for modern varieties like low lying areas, char areas.

- What would you consider for success, if others should seek to carry out such measure or organize such an activity? (max. 100 words)
 - (i) Detail survey on PGR of agri-horticultural crops available in different agro-ecological zones (AEZs) of the country.
 - (ii) Action plan for PGR collection and *in situ* maintenance.
 - (iii) Arrangement of remuneration for participating farmers.
 - (iv) Mission oriented PGR collection exploration following GIS Map.
 - (v) *In situ* and *ex situ* conservation of both orthodox and recalcitrant seeds.
 - (vi) Characterization, exploitation and sharing.

Further information

Link(s) to further information about the measure/practice