



Food and Agriculture
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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 Bhutan on 17 July 2019.

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



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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

1. Community based *On-farm* Conservation and sustainable use of PGRFA
2. Legal Measures: Provisions of Farmers' Rights in Biodiversity Act of Bhutan 2003 and Access and Benefit Sharing Policy of Bhutan 2015.

Date of submission:

17th July 2018

Name(s) of country/countries in which the measure/practice is taking place:

Bhutan

Responsible institution/organization (name, address, website (if applicable), e-mail address, telephone number(s) and contact person)

National Biodiversity Centre, Ministry of Agriculture and Forests, Thimphu.
www.nbc.gov.bt
Post Box 875; Phone + 975 2 351417; Fax +975 2 351219
Dr.Tashi Yangzome Dorji

Type of institution/organization (categories)

Government

Collaborating/supporting institutions/organizations/actors, if applicable (name, address, website (if applicable), e-mail address, telephone number(s))

Regional Agriculture Research and Development Centres (Yusipang, Wengkar Bajo, Samtenling)



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Description of the examples

Mandatory information:¹

Short summary

Community based *On-farm* Conservation and sustainable use of PGRFA

Community based *on-farm* conservation and sustainable use of PGRFA was initiated in 2001. The activities are mainstreamed and implemented in collaboration with Agriculture Research and Development Centres (ARDC), Dzongkhag (District) Agriculture Sector and farming communities. Objectives of the initiatives are to conserve, develop and sustainably utilize diversity of PGRFA and associated traditional knowledge for livelihood, sustenance and adaptation to changing climate. In Bhutan, about 98% of seed requirements are covered through farmers' seed systems. To strengthen this system, seed selection, purification and rehabilitation of traditional crops (buckwheat, rice and maize) is being carried out and community seed banks with basic seed storage facilities have been established. During the last five years, over 36 rice, three buckwheat and four maize varieties have been rehabilitated and promoted. In recognition of farmers' contributions to crop conservation, farmers are recognised and awarded in kind and cash during biodiversity fairs held on important national days; in/ex-country educational visits to relevant institutes are facilitated through government and international supports. Around 5000 farmers have taken part in exchange visits and experience-sharing activities. To enhance production and promote sale of farm produce, cooperatives and farmers groups are established. 155 functional farm shops were opened; 61 cooperatives and 370 farmers groups were registered (11 Five Year Plan Terminal Report).

(199 words)

Legal Measures

The Biodiversity Act of Bhutan, 2003, was developed as key legislation after Bhutan became a member of the Convention on Biological Diversity in 1993, to establish sovereign rights over Bhutanese Genetic Resources and to promote their conservation and sustainable use as well as the fair and equitable sharing of benefits arising from their utilization. It is implemented by the National Biodiversity Centre. The Act covers biodiversity access and benefits, plant variety protection, protection of traditional knowledge, and offences and penalties. Both farmers' and breeders' rights are recognized and protected under the Act. It provides legal recognition of varieties that are not protectable under internationally existing patent and/or plant breeders' rights systems and includes a provision on benefit-sharing if farmers' or traditional varieties are used as breeding material for commercial purposes. The Competent Authority may restrict breeder's rights in order to permit small farmers to propagate seed which they have harvested on their holdings and to exchange it on a non-commercial basis. The Access and Benefit Sharing

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



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Policy of Bhutan, 2015, supports local communities to develop community protocols on which they can grant prior informed consent (PIC) and negotiate mutually agreed terms (MAT); it also establishes a Benefit-sharing Fund.

(200 words)

Implementing entity and partners

For community based on-farm conservation and sustainable use of PGRFA, the activities such as crop improvement, participatory varietal selection, community seed bank are technically guided by the national collaborators from research and extension system in the country and implemented in the farmers field. The implementing partners are:

Regional Agriculture Research and Development Centres (Yusipang, Bajo, Samtenling, Wengkhar); Farming communities, Dzongkhang and Gewog Agriculture Extension Sector.

For Legal Measures: The National Biodiversity Centre leads the implementation of the Biodiversity Act of Bhutan 2003 and the ABS policy of Bhutan 2015, while implementing partners include, the Bhutan Agriculture Food and Regulatory Authority and the Department of Agriculture.

Start year

Community based on-farm conservation and sustainable use of PGRFA was initiated since 2001

Objective(s)

To conserve, develop and sustainably utilize PGR diversity and associated traditional knowledge for livelihood and sustenance

To contribute towards policies that is supportive of farmers' PGR-CDU

Summary of core components

The Biodiversity Act of Bhutan, 2003 was developed as key legislation, after Bhutan became a member of the Convention on Biological Diversity in 1993, to establish sovereign rights over Bhutanese Genetic Resources, and to promote the conservation and sustainable use of these resources as well as the fair and equitable sharing of Benefits arising from its utilization. The act covers biodiversity access and benefits, plant variety protection, protection of traditional knowledge, and offences and penalties. The act touches on environmental, cultural, and scientific considerations, property rights, economic implications, and trade and investment considerations.



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Key outcomes

Biodiversity Act in Place
Access and Benefit sharing policy in Place

Lessons learned (if applicable)

Conservation and sustainable use of PGRFA is becoming an increasing challenge with the rapid pace of socio-economic development in the country combined with other factors such as human-wildlife conflict, adoption of commercial crops, rural-urban migration, land fragmentation, urbanisation, land degradation, inadequate irrigation facilities and changing climate. There is a need to incentivize and ensure the continuity of PGRFA conservation through research interventions, value addition, awareness and education of farmers and consumers; and increased government support in terms of technical and financial resources. Global recognition and funding support for the conservation and sustainable utilisation of PGRFA is a must too.

It is important for the formal and informal seed systems to co-exist, support and complement each other synergistically to ensure that the diversity of crops and quality of seeds are improved further for national and global food and nutrition security. This would require farming communities, genebanks, researchers, formal seed centres and on farm programs to work collaboratively.

Genebanks and on-farm conservation programs should not work in isolation but complement each other through utilisation of genebank collections to select and increase diversity in the farmers' fields.

Core components of the measure/practice (max 200 words)

In Bhutan, about 98% of seed requirement is covered through informal seed system mostly through farmers' own production. To strengthen this system, seed selection, purification and rehabilitation of traditional crops (buckwheat, rice and maize) is being carried out across the country by relevant agencies under the Ministry of Agriculture and Forests. During the last five years, over 36 rice varieties, 3 buckwheat varieties and 4 maize varieties have been rehabilitated and promoted across the country.

In recognition of the contribution of farmers in crop conservation, farmers are recognised and awarded prizes and incentives in kind (tools and implements) during biodiversity fairs held on important national days. Ten seed and food fairs were organized since 2004 across the country.

Community Seed Banks with basic seed storage facilities have also been established to conserve traditional crop diversity and build the resilience of farming communities in



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different sites in the country. Currently, there are six Community Seed banks in the country.

Recognizing the role of farmers as the custodian of seeds, ex-country educational visits to relevant institutes are facilitated through government funds and international support. Over 50 farmers were provided educational visits to various countries in the region and abroad since 2003. At a national level, around 5000 farmers have taken part in exchange visits and experience sharing activities in the last five years.

To enhance production and promote sale of farm produce, cooperatives and farmers groups are established by the government. During the last five years, 155 functional farm shops were established across the country and 61 cooperatives and 370 farmers groups were registered.

The Access and Benefit Sharing Policy of Bhutan 2015 supports local communities to develop community protocols based on which they can grant Prior Informed Consent (PIC) and negotiate Mutually Agreed terms (MAT) where they have established rights to grant access to genetic resources and/or associated traditional knowledge. It also recognises communities that have sustained genetic resources and/or associated traditional knowledge as the custodians of such resources and knowledge.

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)

Bhutan became a member of the CBD in 1995 and subsequently the National Biodiversity Centre (NBC) was established in 1998 in order to coordinate biodiversity conservation and sustainable utilization programs in the country and regulate ABS. Following the establishment of NBC, The Biodiversity Act of Bhutan, 2003 was developed to support biodiversity conservation and sustainable utilization as well as ABS implementation in the country. Subsequently, the Agro biodiversity conservation program was initiated and strengthened through multiple project funding support from international and national sources. The Agro biodiversity Program was further mainstreamed in the national Five Year Plans featuring as the National Biodiversity Conservation Program in the 10th FYP (2008-2013) and contributing to *Synergizing Integrated Rural-Urban Development for poverty reduction, food security and improved rural livelihoods through biodiversity conservation* and in the 11th FYP (2013-2018), featuring as Biodiversity Conservation and Sustainable Utilization program and contributing to sectoral key result area *to enhance plant and animal genetic resources and natural heritage sites*. In the 12th FYP (2018-2023), it is featured under Agency Key Result Area on *Management of Natural Resources for Sustainable Utilization of ecosystem goods and services Enhanced*, which in turn contributes to National Key Result Area *Healthy Ecosystem Maintained*.

The Access and Benefit Sharing Policy of Bhutan 2015 supports local communities to develop community protocols on which they can grant prior informed consent (PIC) and



negotiate mutually agreed terms (MAT) where they have established rights to grant access to genetic resources and /or associated traditional knowledge; recognize communities that have sustained genetic resources and/or associated traditional knowledge as the custodians of such resources and knowledge. It also establishes a Benefit sharing Fund called the Bhutan ABS Fund *to receive monetary benefits derived from the research and commercial utilization of Bhutan's genetic resources and/or associated traditional knowledge, which shall be utilized for the benefit of conservation and sustainable use of Bhutan's biodiversity and enhancement of rural livelihoods.*

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/guardian 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 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		

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).



6	Facilitation of farmers' access to a diversity of PGRFA through community seed banks ⁴ , seed networks and other measures improving farmers' choices of a wider diversity of PGRFA.		
7	Participatory approaches to research on PGRFA, including characterization and evaluation, participatory plant 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.		✓
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)
- Target group(s) and numbers of involved and affected farmers⁵
- Location(s) and geographical outreach
- Resources used for implementation of the measure/practice
- How has the measure/practice affected the conservation and sustainable use of plant genetic resources for food and agriculture?
- Please describe the achievements of the measure/ practice so far (including quantification) (max 200 words)
- Other national level instruments that are linked to the measure/practice
- Are you aware of any other international agreements or programs that are relevant for this measure/practice?
- Other issues you wish to address, that have not yet been covered, to describe the measure/practice

Lessons learned

- Describe lessons learned which may be relevant for others who wish to do the same or similar measures/practices (max 250 words).
- What challenges encountered along the way (if applicable) (max 200 words)
- What would you consider conditions for success, if others should seek to carry out such a measure or organize such an activity? (max 100 words)

Further information

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

⁴ Including seed houses.

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



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