



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 Bioversity International on 23 July 2019.

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

Bioversity International

Basic information:

Title of measure/practice:

Official guidelines for the registration of farmers' varieties in Nepal

Date of submission:

23 July 2019

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

Nepal

Responsible organizations

Nepal Agricultural Research Council (NARC)
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<http://narc.gov.np/>

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Local Initiatives for Biodiversity, Research and Development (LI-BIRD)
Pokhara, Nepal

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Bioversity International in Nepal
Katmandu, Nepal.

www.bioversityinternational.org

Contact person: Devendra Gauchan, d.gauchan@cgiar.org

Type of institution/organization (categories)

NARC: Public research organization

LI-BIRD: Non-governmental organization

Bioversity International: International Research Centre within CGIAR

Collaborating/supporting institutions/organizations/actors, if applicable

Swiss Development and Cooperation (SDC) and GEF and UNEP provided financial support.

Description of the examples

Mandatory information:

Short summary to be put in the inventory (max. 200 words)

In Nepal, provisions for the registration of farmers' local varieties were included in the Seed Regulation (2013; Rules 12, By-Rules 2: Annex D), with the aim to facilitate their conservation and sustainable. These provisions were expected to simplify the inscription of farmers' local varieties in the national catalogue, thereby facilitating the production and commercialization of seed of these varieties. However, a lack of clear procedures and technical officers' limited experience in dealing with farmers' traditional varieties limited the application of the provisions.

Working closely with farmers' organizations, the Nepal Agricultural Research Council (NARC) and Local Initiatives for Biodiversity, Research and Development (LI-BIRD), in cooperation with Bioversity International and several donors, developed an 'easy to fill' format/guidelines to facilitate the application of the provisions. The format was verified and tested during the 2nd National Workshop of Community Seed Banks (3-5 May 2018) in Kathmandu, based on consultation with key stakeholders (farmers, community seed bank members, seed certification agency, research and extension professionals). The revised guideline/format for local variety registration was considered by the Seed Quality Control Centre (SQCC) and the National Seed Board of the Government of Nepal and accepted as the officially recommended format for registration of farmers' local varieties.

Brief history (including starting year), as appropriate

For the last 20 years, NARC and LI-BIRD have collaborated with farmers and farmers' organizations in various parts of Nepal for the characterization, conservation and use of crop diversity. Partly thanks to these collective efforts, the current and potential value of farmers' traditional varieties has been recognized by national authorities and several policy measures have been adopted to promote their conservation and use. One of these measures was the introduction of relaxed provisions for the registration of farmers' local varieties in Nepal's Seed Regulation (2013; *Rules 12, By Rules 2: Annex "D"*). These relaxed provisions were expected to facilitate the introduction of farmers' local varieties in the national catalogues of commercial varieties and in this way regularize the seed production and commercialization of these varieties within the country. However, the lack of clear procedures for the application of these relaxed provisions and technical officers' limited experience in dealing with farmers' traditional varieties limited the application of the provisions. In practice, applications for registration of local varieties by farmers' organizations were treated and processed according to the standard procedures, which limited considerably the chances for successful registration. Working closely with farmers' organizations, NARC and LI-BIRD developed an "easy to fill" format/guidelines to facilitate the application of the relaxed provisions. The format was verified and tested during the 2nd National Workshop of Community Seed Banks (3-5 May 2018) in Kathmandu with the consultation of key stakeholders (farmers, community seed bank members, seed certification agency, research and extension professionals). The revised guideline /format for local variety registration was considered by the Seed Quality Control Centre (SQCC) and the National Seed Board of the Government of Nepal, and accepted as the officially recommended format for registration of farmers' local varieties. The format is available as "Proposal Format for Registration of Landraces" in SQCC website (in Nepali: <http://sqcc.gov.np/en/category/documents>).

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

Working closely with farmers' organizations, NARC and LI-BIRD developed an "easy to fill" format/guidelines to facilitate the application of the relaxed provisions. The format was verified and tested during the 2nd National Workshop of Community Seed Banks (3-5 May 2018) in Kathmandu with the consultation of key stakeholders (farmers, community seed bank members, seed certification agency, research and extension professionals). The revised guideline /format for local variety registration was accepted as the officially recommended format for registration of farmers' local varieties.

The format/template includes the following sections:

- Crop
- Common name
- Permanent accession number at the National Genebank: (this requires deposition of specified amount of seeds in genebank for ensuring the back up for registered accessions)
- Brief History on origin, importance, use
- Distinct characters
- Present status-four cell analysis
- Morphological Characteristics
- Agronomical Characteristics
- Cultivation practices/ Productivity
- Unique character
(All above information should be taken from 10 farmers for one season or by focus group discussions with 25 farmers)
- Responsible organization for maintenance of the variety and for seed production
- Reason for registration
- Photos
- Approval from local agriculture office

In parallel, NARC and LI-BIRD have worked with farmers in the characterization of local diversity and the most promising varieties have been identified for registration and further improvement. A key aspect in this process has been to explore options for guaranteeing proper conservation of the varieties proposed for registration and supply basic seed for multiplication once registered.

Short description of the context and the history of the measure/practice is taking place

The relaxed provision in the Seed Act had not been internalized by the Variety Release and Registration sub Committee (VRRC) -a technical committee of the National Seed Board of the Government of Nepal in charge of testing and registering new varieties. Other stakeholders like farmers, development workers, extension agents, researchers and policy makers were not aware about the existing flexibilities for the registration of farmers' varieties or lacked knowledge and experience for implementing them. When landraces and farmer varieties were presented for registration, the classic format and procedures were requested. This resulted in the most important and crucial information not being taken into consideration in relation to landraces. NARC, through the National Genebank, decided to champion the adaptation of the new format so that it could be used for the registration of traditional and local varieties, and be friendly for farmers and other users. The new format incorporates methods and approaches that are common in participatory work with farmers such as four-cell analyses and focus group discussions.

In addition to addressing the format, national authorities, the national genebank, the farmers and other actors involved wanted to address uncertainties concerning who has responsibility for the maintenance of registered farmers varieties/ landraces. While for new varieties it is implied that the breeder will maintain them in the form of breeder's seed, for landraces and local varieties, this responsibility was not entirely clear. Discussions led to the agreement that for registered traditional and local varieties, safety maintenance in the National Genebank would be mandatory, and a local organization in charge of providing basic seed would have to be designated.

Finally, the question about the level of distinctiveness, uniformity and stability that should be applied to landraces and farmers' varieties required discussion. It is not completely resolved yet.

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

Art. 9.1

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	Also relevant
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		X
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		X
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		
6	Facilitation of farmers' access to a diversity of PGRFA through community seed banks ¹ , seed networks and other measures improving farmers' choices of a wider diversity of PGRFA.	X	
7	Participatory approaches to research on PGRFA, including characterization and evaluation, participatory plant breeding and variety selection		X

¹ Including seed houses.

8	Farmers' participation in decision-making at local, national and sub-regional, regional and international levels		X
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	X	

In case you selected 'other measures', would you like to suggest a description of this measure, e.g. as a possible new category? Registration of farmers' varieties in national catalogues of commercial varieties.

Lessons learned

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

By registering farmers' local varieties, the national catalogues of commercial varieties can be diversified, and varieties which are better adapted to particular local environments can be promoted and commercialized by a wider range of actors. This is particularly true for crops and geographical areas where seed enterprises are absent.

Often, the introduction of alternative, flexible and relaxed systems in seed laws for the registration of traditional, local and farmers' varieties is not enough for facilitating the registration of these varieties. Technical guidelines on the implementation of these flexibilities may be necessary for the national bodies in charge of testing and registering the varieties.

Similarly, support for farmers in the form of capacity building events and guiding tools like the template presented in this note may be required for farmers to be able to apply for registration and follow the necessary procedures.

Researchers' direct field observations of farmers' varieties' combined with the project team's and farmers' interactions with the technical team of the VRRRC convinced the VRRRC about the benefits of registering and releasing farmers' varieties as commercial varieties.

At the time of applying for registration of farmers' local varieties, the implications of such registration must be taken into consideration, in particular the commitments of: a) long-term conservation and availability of the varieties; and b) supply of good quality basic seed for multiplication.

Registration of farmers' local varieties only makes sense if and when the existing seed system has the capacity to produce and distribute seed of such varieties with the necessary quality and in the necessary quantities. When farmers' associations are the ones producing and selling the seed, they have an opportunity for improving their livelihoods.

Registration requires some uniformity and stability in the varieties, even if these requirements are relaxed for farmers' varieties. In the process of selecting and purifying populations part of the genetic diversity is lost.

What challenges encountered along the way (if applicable) (max 200 words)

Revision of the format in a way that was understood by, and acceptable to, the most relevant stakeholders required to accommodate both the exigencies of the VRRRC in charge of registering the varieties and the needs and expectations of the farmers as the expected users of the new format. Several rounds of discussions and sometimes negotiations took place, requiring both actors to think outside their usual box and understanding each other's realities and points of view.

Some challenging questions are still to be resolved:

- How to ensure benefit-sharing with individual farmers and with farmers' communities once landraces and/or farmers' varieties are registered and commercial benefits are generated?
- What criteria should be applied to assess farmers' varieties? How distinct and stable should they be? How much uniformity should be required as a condition of registration of a farmer variety?

What would you consider conditions for success, if others should seek to carry out such a (max 100 words)

Technical expertise, sound research base of the organization or organizations leading the effort. Good communication and understanding with national authorities in charge of variety registration and seed quality control.

Clarity of all actors involved about the advantages of registering farmers' local varieties. Farmers' trust and interest in the registration process as part of a seed system where they have a role to play and from which they can obtain benefits.

Farmers' knowledge of local varieties, and their capacity to describe and prioritize their own varieties.

Bottom up approach is probably most effective.

Organization interested in championing the initiative and the process. Linkage with the national genebank or other recognized institution at the national level for conservation backup is an important aspect for maintaining the landraces.

The local level organizations' capacity should be carefully assessed.