



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 Oxfam Novib on 31 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:
Sowing Diversity=Harvesting Security (SD=HS) Program (2/2) – Policy Work
- Date of submission
15/07/2019
- Name(s) of country/countries in which the measure/practice is taking place
2014-2018: Laos, Myanmar, Peru, Vietnam and Zimbabwe
2019-2022: China, Guatemala, Laos, Nepal, Peru, Uganda, Zambia and Zimbabwe
- Responsible institution/organization (name, address, website (if applicable), e-mail address, telephone number(s) and contact person)
Oxfam Novib, Mauritskade 9, 2514 HD the Hague, the Netherlands, +31 70 3421777, email sdhsprogram@oxfamnovib.nl, website www.sdhsprogram.org
- Type of institution/organization (categories)
NGO
- Collaborating/supporting institutions/organizations/actors, if applicable (name, address, website (if applicable), e-mail address, telephone number(s))

Phase 1 (2013-2018)

Coordinator: Oxfam Novib

Laos: National Agriculture and Forestry Research Institute (NAFRI); Ministry of Agriculture and Forestry (MAF); Lao Farmers Network (LFN); Southeast Asia Regional Initiatives for Community Empowerment (SEARICE)

Myanmar: Metta Development Foundation; Southeast Asia Regional Initiatives for Community Empowerment (SEARICE)

Peru: ANDES

Vietnam: Mekong Delta Development Research Institute (MDI); Center for Initiatives on Community Empowerment and Rural Development (ICERD); Southeast Asia Regional Initiatives for Community Empowerment (SEARICE)

Zimbabwe: Community Technology Development Trust (CTDT); Champion Seeds Co-op

International partners: ETC Group; GRAIN; South Centre; Third World Network (TWN)

Phase 2 (2019-2022)

Coordinator: Oxfam Novib

China (Linking and Learning partner): Centre for Chinese Agricultural Policy - Chinese Academy of Sciences; Farmers' Seed Network in China (FSN); Oxfam in Hongkong

Guatemala: Asociación de Organizaciones de los Cuchumatanes (ASOCUCH); Oxfam in Guatemala



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Laos: National Agriculture and Forestry Research Institute (NAFRI); Ministry of Agriculture and Forestry (MAF), Lao Farmers Network (LFN); Oxfam in Laos

Nepal: Local Initiatives for Biodiversity Research and Development (Li-Bird); Oxfam in Nepal

Peru: ANDES; Oxfam in Peru

Uganda: Eastern and Southern Small-Scale Farmers Forum (ESAFF Uganda); Participatory Ecological Land Use Management (PELUM Uganda); Oxfam in Uganda

Zambia: Community Technology Development Trust (CTDT); Zambia Alliance for Agroecology and Biodiversity (ZAAB); Oxfam in Zambia

Zimbabwe: Community Technology Development Trust (CTDT); Champion Seeds Co-op; Oxfam in Zimbabwe

Description of the examples

Mandatory information:¹

- Short summary to be put in the inventory (max. 200 words) including:
 - Implementing entity and partners
 - Start year
 - Objective(s)
 - Summary of core components
 - Key outcomes
 - Lessons learned (if applicable)

The Sowing Diversity=Harvesting Security (SD=HS) program is a joint effort of the civil society organization Oxfam, acting as coordinator, and its partners, including NGOs, farmers organisations, public institutions and government agencies, in the field of plant genetic resources. Its main objective is that indigenous peoples and small-holder farmers enjoy their Farmers' Rights and have the capacity to access, develop and use PGRFA to improve their food and nutrition security under conditions of climate change. The core components of the programme are described in SD=HS submission 1/2. In this second part, SD=HS' local-to-global policy work and the policy and legal measures that can support the implementation of Farmers' Rights are described. One key finding is that Farmers' Rights cannot be realised if the role of farmers' seed systems is not fully understood and supported by (inter)national policies, legislation and mechanisms. For example, some country seed laws only allow certified seeds of registered varieties to be marketed or exchanged. This negatively effects farmers' seed systems and is a missed opportunity to leverage the skills and entrepreneurship of smallholder seed producers. Establishing legal frameworks that suit the needs and capacities of smallholder farmers can enhance the production of quality seed of both modern and traditional varieties most preferred by farmers, providing a major pathway to increase crop diversity in farmers' fields and contributing to the SDGs to end poverty, hunger and malnutrition, and to adapt to climate change.

- Brief history (including starting year), as appropriate
The first phase of SD=HS started in 2014. The program is made possible because of multiple donors, including Sida, IFAD, Dutch MoFA, NPL, and private donors from the Netherlands.

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



- Core components of the measure/practice (max 200 words)
SD=HS employs an evidence-based, bottom-up approach to national and global policy engagement. By aggregating diverse experiences and evidence from marginalized local and indigenous communities in the programme countries, the programme aims to inform policy makers on the position of farmers and the importance of farmers’ seed systems for increased food and nutrition security and climate change adaptation. Simultaneously, the programme aims to help farmers to analyse the consequences of existing national laws for their activities; to develop proposals to improve these laws; and to engage in promoting policy reforms that effectively implement Farmers’ Rights and support farmers’ seed systems.
- 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)
Seed systems in the developing world are predominantly farmer-managed, meaning that most seed are produced by farmers and circulated amongst them. These farmers’ seed systems are, however, hardly recognized and supported by governments, which seed policies predominantly aim to strengthen formal institutions and commercial seed trade. This is a missed opportunity to leverage the skills and entrepreneurship of smallholder seed producers and their contributions to food security, agrobiodiversity conservation and climate change adaptation. In order to achieve the Sustainable Development Goals (SDGs) to end poverty, hunger and malnutrition, and halt and reverse the loss of biodiversity, governments need to strengthen their support for smallholder farmers and indigenous peoples and the farmers’ seed systems they operate in. SD=HS implements Farmers’ Rights by assisting rural communities to reclaim their leading roles in PGRFA management, and by connecting ‘traditional’ and ‘modern’ knowledge and stakeholders in order to create resilient seed and food systems.
- 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		X

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

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



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		X
5	In-situ/on-farm conservation and management of PGRFA, such as social and cultural measures, community biodiversity management and conservation sites		X
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.		X
7	Participatory approaches to research on PGRFA, including characterization and evaluation, participatory plant breeding and variety selection		X
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		X
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)
SD=HS aims to realise Farmers' Rights by empowering indigenous peoples and smallholder farmers to uphold their role in contributing to food security and strengthening their adaptive capacities. The Treaty recognizes the strong and essential link between Farmers' Rights (Article 9) and the practices of sustainable use and conservation of PGRFA (Articles 5 & 6). This link is at the core of the SD=HS programme: Only through empowerment in all these areas can smallholder farmers and indigenous peoples truly participate in shaping and managing their food and seed systems and fully exercise their rights. The programme's policy component aims to promote an enabling policy and institutional environment that supports smallholder farmers to access, develop and use plant genetic resources to improve their food and nutrition security under conditions of climate change.
- Target group(s) and numbers of involved and affected farmers⁵
The SD=HS program focusses on indigenous peoples and small-holder farmers, in particular women and youth. During phase 1 (2014-2018), SD=HS worked with approximately 150,000 households in Asia, Africa and Latin America. In phase 2 (2019 – 2022) SD=HS aims to directly reach 200,000

⁴ Including seed houses.

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



households within indigenous and farming communities in 8 countries, benefiting approximately 1 million men, women and youth. At least 50% of these beneficiaries will be women and girls.

- Location(s) and geographical outreach
Phase 1 (2014-2018): Laos, Myanmar, Peru, Vietnam and Zimbabwe
Phase 2 (2019-2022): China (Linking & Learning partner), Guatemala, Laos, Nepal, Peru, Uganda, Zambia and Zimbabwe
- Resources used for implementation of the measure/practice
Phase 1 (2014-2018) operated on a core budget of € 11.3 million.
Phase 2 (2019 – 2022) operates on a core budget of € 12.3 million.
- How has the measure/practice affected the conservation and sustainable use of plant genetic resources for food and agriculture?
One example of how SD=HS' policy interventions can positively contribute to the conservation and sustainable use of PGRFA comes from Peru, where ANDES facilitated the inclusion of indigenous peoples and smallholder farmers in local and national debates towards the development of the Supreme Decree on Seed Potato Certification which was approved in 2018.⁶ The Decree includes a category for Traditional Seed and provides space for recognizing Traditional Resource Rights,⁷ which allows for stronger recognition and support for the conservation practices of these farmers and the huge agrobiodiversity they manage on a daily basis. Similar activities are undertaken in the other SD=HS program countries.⁸
- Please describe the achievements of the measure/ practice so far (including quantification) (max 200 words)

During Phase 1 (2014-2018), the SD=HS program through its various (inter)national partners contributed to several policy achievements, such as:

- The formulation and adoption of FAO's Voluntary Guide for National Seed Policy Formulation (2015), which can support countries in drafting policies that recognize both formal and farmers' seed systems.⁹
- The United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas, which was adopted in December 2018 and which constitutes a clear example of increased recognition and support for the rights of smallholder farmers and indigenous peoples.¹⁰
- Several influential reports such as 'Who Will Feed Us?'¹¹ and 'Too Big To Feed'¹² that raise awareness of smallholder farmers' important contributions to feeding the world and critically monitor the ongoing consolidation in the agri-food sector.

⁶ <http://www.minagri.gob.pe/portal/decreto-supremo/ds-2018/21843-decreto-supremo-n-010-2018-minagri>

⁷ <http://www.andes.org.pe/program-indigenous-biocultural-heritage-about>

⁸ See for more information: <https://www.sdhsprogram.org/resources/>

⁹ <http://www.fao.org/3/a-i4916e.pdf>

¹⁰ <https://news.un.org/en/story/2018/12/1028881>

¹¹ <http://www.etcgroup.org/content/who-will-feed-us-industrial-food-chain-vs-peasant-food-web>

¹² <http://www.etcgroup.org/content/too-big-feed-short-report>



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- Research on the impact of seed laws on farmers' seed systems,¹³ and the extent to which plants are being patented in the global South,¹⁴ as well as promoting solutions regarding the interrelations between Farmers' and plant breeder's Rights.¹⁵
- Other national level instruments that are linked to the measure/practice
The core components of the SD=HS programme are described in SD=HS Submission 1/2 'Field Work'.
- 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).
The following are some of the program's key lessons from Phase 1 (2014-2018):¹⁶
 - **Strengthen support for Farmers' Seed Systems**
It will be impossible to realise Farmers' Rights if the role of farmers' seed systems is not fully understood and supported by (inter)national policies, legislation and mechanisms.
 - **Support farmer-led participatory plant breeding**
Promote partnerships between farming communities and (inter)national gene banks and research institutions in order to facilitate smallholder farmers' access to a portfolio of diverse crops and varieties and to stimulate participatory research. Special attention should go to the inclusion of women farmers.
 - **Amend seed laws to allow smallholders' seed production, including seed of farmers' varieties**
By establishing legal structures that support the involvement of farmers in quality seed production, including seed of farmers' varieties that are maintained mainly in small-scale systems, governments can facilitate the increase of crop diversity in farmers' fields and contribute to the SDGs to end poverty, hunger and malnutrition, and to adapt to climate change.
 - **Balance breeders' intellectual property rights with Farmers' Rights**
The implementation of intellectual property rights requires careful consideration in order not to weaken the role of IPSHF in their management of plant genetic resources for food and agriculture.
 - **Ensure the fair and equitable sharing of benefits arising from the utilisation of PGRFA**

¹³ See e.g. <https://www.sdhsprogram.org/publications/the-impact-of-national-seed-laws-on-the-functioning-of-small-scale-seed-systems-a-country-case-study/> or <https://www.grain.org/en/article/5175-seed-laws-that-criminalise-farmers-poster-map-tables-and-additional-country-cases> or https://www.southcentre.int/wp-content/uploads/2017/05/RP75_Implementing-Farmers-Rights-Relating-to-Seeds_EN-1.pdf

¹⁴ <https://www.sdhsprogram.org/publications/statusofpatentingplantsintheglobalsouth/>

¹⁵ See e.g. <http://www.apbrebes.org/news/plant-variety-protection-developing-countries-tool-design-sui-generis-plant-variety-protection> and <https://www.sdhsprogram.org/publications/reconciling-farmers-and-plant-breeders-rights/>

¹⁶ For more information on lessons learnt regarding the implementation of Farmers' Rights, see: <https://www.sdhsprogram.org/publications/the-power-to-exercise-choice-implementing-farmersrights-to-eradicate-poverty-and-adapt-to-climate-change-briefing-note/>



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Facilitated access to PGRFA most preferred by both women and men is itself an important aspect of benefit-sharing. Yet, access to PGRFA and the sharing of benefits needs to be fair and equitably balanced. The Treaty's benefit-sharing component needs to be strengthened to achieve this, and to stimulate farmers and countries to continue to share their crop diversity.

- What challenges encountered along the way (if applicable) (max 200 words)
Progress towards the full implementation of Farmers' Rights remains slow on both international and national levels. The main reason is that farmers' seed systems, and the needs and capacities of indigenous peoples and smallholder farmers in managing crop diversity and seed production, are still not fully understood, recognized and supported by most actors that drive policy-making processes in the seed sector at national and global levels. Patience and determination are needed to convince the powers of today that -with a conducive policy and institutional environment, smallholder farmers are well equipped to continue to feed the majority of people in the world while adjusting to the food security and climate needs of tomorrow.
- 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)
A very important condition is to secure the active participation of indigenous peoples and smallholder farmers in policy and decision-making relevant to the use and conservation of PGRFA. Inclusive decision-making processes, such as the participation of smallholder farmer representatives in national seed councils or during the formulation of research agenda's and breeding objectives of public researchers, are critical to strengthening farmers' seed systems and realising Farmers' Rights. Special attention should go to the inclusion of women farmers to ensure their participation and capture and respond to women's roles in seed and biodiversity management.¹⁷

Further information

- Link(s) to further information about the measure/practice
www.sdhsprogram.org

¹⁷ See for an example: <https://www.sdhsprogram.org/publications/opening-statement-of-7th-governing-body-meeting-of-the-international-treaty-on-plant-genetic-resources-for-food-and-agriculture-by-marjory-jeke/>