



Food and Agriculture
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The International Treaty
ON PLANT GENETIC RESOURCES
FOR FOOD AND AGRICULTURE

**INTERNATIONAL TREATY ON PLANT GENETIC RESOURCES
FOR FOOD AND AGRICULTURE**

**THIRD MEETING OF THE AD HOC TECHNICAL EXPERT GROUP ON
FARMERS' RIGHTS**

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**OPTIONS FOR ENCOURAGING, GUIDING AND PROMOTING THE
REALIZATION OF FARMERS' RIGHTS AS SET OUT IN ARTICLE 9 OF THE
INTERNATIONAL TREATY**

INTRODUCTION

1. At its Eighth Session, the Governing Body took note of the outline of the *Options for Encouraging, Guiding and Promoting the Realization of Farmers' Rights, as set out in Article 9 of the International Treaty*, as prepared by the Ad Hoc Technical Expert Group on Farmers' Rights (Expert Group) at its second meeting, and decided that it would form the basis for the completion of the task of the Expert Group. The Governing Body also requested the Secretary to prepare the documentation to facilitate the work of the Expert Group.
2. Following the structure developed by the Expert Group and approved by the Governing Body, as well as on the basis of the *Inventory of National Measures, Best Practices and Lessons Learned on the Realization of Farmers' Rights*, the Secretary accordingly prepared a draft of the *Options for Encouraging, Guiding and Promoting the Realization of Farmers' Rights, as set out in Article 9 of the International Treaty*.
3. This draft is contained in the *Appendix* to this document for the consideration and finalization by the Expert Group.

Options for encouraging, guiding and promoting the realization of Farmers' Rights as set out in Article 9 of the International Treaty

I. Background and rationale

1. According to Article 9.2 of the ITPGRFA, the responsibility for realizing Farmers' Rights, as they relate to plant genetic resources for food and agriculture (PGRFA), rests with national governments. In accordance with their needs and priorities, each Contracting Party should, as appropriate, and subject to its national legislation, take measures to protect and promote Farmers' Rights.

2. To draw from the experiences that have been attained so far, the Governing Body of the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA or International Treaty) continually invites Contracting Parties and relevant Stakeholders, especially farmers' organizations, to submit views, experiences and best practices as examples of possible options for the national implementation of Farmers' Rights, as set out in Article 9 of the International Treaty.

3. At its Seventh Session, the Governing Body established the Ad hoc Technical Expert Group on Farmers' Rights (AHTEG or Expert Group) with the mandate to produce an inventory of national measures that may be adopted, best practices and lessons learned from the realization of Farmers' Rights, as set out in Article 9 of the International Treaty; and based on the inventory, to develop options for encouraging, guiding and promoting the realization of Farmers' Rights, as set out in Article 9 of the International Treaty.¹

4. The Expert Group, with the support of the Secretariat, developed the *Inventory of National Measures, Best Practices and Lessons Learned on the Realization of Farmers' Rights* (the Inventory), which is a compilation of measures/practices that were submitted by Contracting Parties and Stakeholders in various countries.

5. However, the Expert Group was unable to finish its task of developing *the Options*, due to the volume of work and time constraints, and considering the significant progress made so far, recommended that the Governing Body reconvene the Expert Group to enable it to finalize its tasks.

6. At its Eighth Session, the Governing Body reconvened the Expert Group for the 2020–2021 biennium in order for it to complete its tasks, based on the Terms of Reference established at the Seventh Session of the Governing Body, and requested the Secretary to prepare the relevant documentation to facilitate the work.

7. The draft *Options for Encouraging, Guiding and Promoting the Realization of Farmers' Rights, as set out in Article 9 of the International Treaty* (the Options) have been developed on the basis of *the Inventory*; each option represents typical measures that have been shared by Contracting Parties and Stakeholders as examples of possible options.

II. Objective

8. The purpose of *the Options* is to encourage, guide and promote the realization of Farmers' Rights as set out in Article 9 of the International Treaty.

¹ See Appendix A.7 of the Report of the Seventh Session of the Governing Body: <http://www.fao.org/3/MV606/mv606.pdf>

9. They aim to *encourage* the realization of Farmers' Rights by showing the range of Options that are available, based on the experiences that have been attained and shared by Contracting Parties and relevant Stakeholders, including in different regions and contexts.

10. They aim to *guide* the realization of Farmers' Rights by explaining how these Options relate to Article 9 of the International Treaty; why they can be regarded as Options for encouraging, guiding and promoting the realization of Farmers' Rights; and what types of measures would typically be involved.

11. They aim to *promote* the realization of Farmers' Rights, recognizing the enormous contribution that the local and indigenous communities and farmers of all regions of the world have made and will continue to make to the conservation and development of plant genetic resources, which constitute the basis of food and agriculture production throughout the world.

III. Nature and scope

12. In the process of developing *the Options*, the Expert Group had reflected on what could be understood by options and how they differed from guidelines. The word "options" means the act or opportunity of choosing, or a thing that can be or is chosen. It implies that there is a discretion or right to choose, and that several alternatives exist from which a choice can be made.²

13. Several international organizations use the term "options" when they want to present courses of actions or possible measures to achieve a desired objective. Options are thus understood as examples of actions or measures that *may be* taken to achieve an anticipated objective, whereas "guidelines" are intended to advise on how something *should be* done.

14. Contracting Parties of the International Treaty have committed themselves to take measures to protect and promote Farmers' Rights, in accordance with their needs and priorities, as appropriate and subject to national legislation. The measures to be taken by each Contracting Party may differ from one another, given the fact that different countries' needs, priorities, legal frameworks and general conditions vary.

15. In that they build on national measures that are already implemented or are in the process of being implemented in various countries, *the Options* include a range of possibilities to address different situations, priorities and needs. Several of the options may be related to one another and could be combined.

IV. Intended users/target groups

16. Contracting Parties of the International Treaty are the primary target group, based on the commitment they have made to implement the Treaty and comply with its provisions.

17. Other Stakeholders who may be involved in the realization of Farmers' Rights are also potential users, especially farmers' organizations including their respective national and international federations, as well as governmental, inter-governmental and non-governmental organizations operating at various levels and scales, such as research and extension-, and community-based organizations.

18. The same applies for private sector entities and their respective national and international organizations aiming to support the realization of Farmers' Rights, as set out in Art. 9 of the International Treaty, including through partnerships, own initiatives, or corporate responsibility programmes.

19. A further target group includes donors who may be inclined to support the realization of Farmers' Rights as set out in Art. 9 of the International Treaty, for example by providing financial, as

² See IT/GB-8/AHTEG-FR-2/19/4 Rev.1; <https://www.merriam-webster.com/dictionary/option> (18 April 2020)

well as non-monetary, resources or by considering Farmers' Rights in their own programmes and initiatives.

20. Furthermore, Non-Contracting Parties and all other types of organizations working towards the realization of Farmers' Rights could also use *the Options* as a source of inspiration and guidance.

V. Guide to the document

Options

21. The description of each Option follows a uniform pattern, following the outline the Expert Group has agreed upon. For each Option, there is explanation of what the Option is about, and what types of measures are typically involved.

Categories

22. A set of eleven categories was used to structure *the Options*, so that several Options are presented under each category. For each category, the reference to relevant provisions of Article 9 of the International Treaty is provided, with explanation of why measures under this category can be regarded as Options to encourage, guide and promote the realization of Farmers' Rights. The same categories were also used in the Inventory: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;
6. Facilitation of farmers' access to a diversity of PGRFA through community seed banks⁴, 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.

Type(s) of measures

23. The description of each Option includes information on type(s) of measures that may be involved. Measures are classified here into "technical", "legal", "administrative" and "other" types of measures, based on the following criteria:

- Technical measures refer to initiatives/programmes/project activities that strengthen individual farmers' or farming communities' contributions to on farm, *in situ* and *ex situ* conservation and/or sustainable use of PGRFA (e.g. documentation of PGRFA and related traditional

³ See IT/GB-8/AHTEG-FR-2/19/Report

⁴ Including seed houses.

knowledge, training and capacity development, community seed banks, seed-saver networks and seed fairs, participatory plant breeding and variety selection, farmer field schools);

- Administrative measures refer to executive orders, ministerial, inter-ministerial, departmental instructions/circulars/memoranda, awards/recognition, establishment of protocols, codes, guidelines, etc.;
- Legal measures refer to national/regional laws, policies and any other legal instruments (act, law, bill etc.);
- Other measures refer to all other measures or practices, including studies, advocacy work, financial instruments.

The same criteria were also used to classify the type(s) of measures in the Inventory.

Relation with the Submissions and the Inventory

24. The Submissions of Contracting Parties and Stakeholders, through which they have shared their experiences from the realization of Farmers' Rights in various countries, form the basis of both *the Inventory* and *the Options*.

25. In *the Inventory*, measures/practices that have been proposed by Contracting Parties and Stakeholders as examples of possible options are listed, each with a link to the original submission, where they are described in detail, including with specific information on history and context, core components, key outcomes, and lessons learned.

26. *The Options* present this information in a more general and summarized form, with the description of each Option being based on several of the submitted examples. Some illustrative examples from *the Inventory* are listed after each Option. For further empirical experiences related to each Option, the reader is encouraged to consult *the Inventory*.

Category 1: Recognition of local and indigenous communities' and farmers' contributions to the conservation and sustainable use of PGRFA, such as awards and recognition of custodian/guardian farmers

Reference to relevant provision/s of Article 9 of the International Treaty

- Art. 9.1
- Art. 9.2a
- Art. 9.2b
- Art. 9.2c
- Art. 9.3

Why can measures under this category be regarded as options to encourage, guide and promote the realization of Farmers' Rights?

In Article 9.1 of the International Treaty, the Contracting Parties recognize the enormous contribution that the local and indigenous communities and farmers of all regions of the world have made and will continue to make for the conservation and development of PGRFA. The role of farmers in centres of origin and crop diversity is particularly highlighted.

The past, present and future contributions of farmers in all regions of the world in conserving, improving and making available PGRFA are also referred to in the Preamble of the International Treaty. These contributions of farmers are stated to be the basis of Farmers' Rights.

Contracting Parties and relevant stakeholders may thus like to make these contributions of farmers and farming communities visible, raise public awareness of their importance, express recognition and appreciation, and/or encourage farmers and farming communities to continue their efforts for conserving and sustainably using PGRFA.

Option 1A: Establish prizes and awards to honour custodian/guardian farmers and/or farming communities who contribute to the conservation and sustainable use of PGRFA in an outstanding manner

Prizes and awards may be established to honour custodian/guardian farmers and farming communities for outstanding contributions to the conservation and sustainable use of PGRFA. Such prizes and awards may be conferred, for example, at the occasion of events that attract public attention; they may include cash prizes, certificates, plaques, medals, or token gifts.

Prizes and awards can help raise public awareness of the importance of conserving and sustainably using PGRFA and encourage awardees to continue and further expand their work. In the longer term, public awareness may result in opportunities for custodian/guardian farmers and farming communities to generate additional income from the conservation and use of PGRFA and/or raise additional funds for their activities.

Type(s) of measures that may typically be involved

- Technical
- Administrative *
- Legal *
- Other

*Administrative and legal measures may be involved if governments create such prizes and awards as part of specific legislation.

Example(s) of possible measures

- Recognition and rewards to farmers and farmer-breeders under the PPV&FR Act, 2001 (India/Asia) <http://www.fao.org/3/ca7946en/ca7946en.pdf>
- The Golden Pea Award (Sweden/Europe) <http://www.fao.org/3/ca8217en/ca8217en.pdf>

Option 1B: Highlight the role and expertise of farmers and farming communities in the conservation and/or development of PGRFA by mentioning their names in official records

To express recognition for the contribution of a farmer or farming community to the conservation and/or development of a variety, the name of the farmer or the community may be mentioned in official records, such as variety registers, with their consent. Such cases may occur if varieties were conserved or developed by dedicated individuals or communities, or if they were co-developed in participatory breeding projects or programs.

By mentioning the name(s) of the farmers or communities, their contribution becomes more visible, thus raising awareness of their role as farmer-breeders and local experts. It may also be a way of collectively memorizing such contributions.

Type(s) of measures that may typically be involved

- Technical
 Administrative *
 Legal
 Other

*Administrative measures may be involved if a variety is officially registered under the name of the farmer or community, for example on a national variety catalogue.

Example(s) of possible measures

- Recognizing farmers' contributions by registering traditional varieties in the National Register of Varieties of Cuba (I & II)
(Cuba/Latin America and the Caribbean) <http://www.fao.org/3/ca4347en/ca4347en.pdf>
- Register varieties developed in a participatory plant breeding program under the name of a farmer to highlight his role⁵
(Sudan/Africa) <http://www.fao.org/3/ca8212en/ca8212en.pdf>

Option 1C: Designate locally, nationally or globally important heritage sites for the conservation and sustainable use of PGRFA

The designation of heritage sites could be a way to leverage recognition of the importance of such sites for the conservation and sustainable use of PGRFA and other agricultural and associated biodiversity.

Such heritage and conservation sites are typically long-term initiatives that may combine conservation with economic development, scientific studies and/or educational work. Local actors' roles and networks may be strengthened through such initiatives, for example through linkages with global initiatives and programmes, such as Biosphere Reserves or Globally Important Agricultural Heritage Systems (GIAHS).

Type(s) of measures that may typically be involved

- Technical
 Administrative
 Legal
 Other

Example(s) of possible measures

- Declaration of the territory of the Cotacachi canton, Ecuador, as cultural heritage for agrobiodiversity
(Ecuador/Latin America and the Caribbean) <http://www.fao.org/3/ca7934en/ca7934en.pdf>
- Recognition of farming communities through Globally Important Agricultural Heritage Systems (Iran/Near East) <http://www.fao.org/3/ca8721en/ca8721en.pdf>

⁵ This example is described in the Inventory under the following measure/practice: "Participatory plant breeding to develop and release millet varieties for rain-fed areas of Sudan."

Category 2: Financial contributions to support farmers' conservation and sustainable use of PGRFA such as contributions to benefit-sharing funds

Reference to relevant provision/s of Article 9 of the International Treaty

Art. 9.1

Art. 9.2a

Art. 9.2b

Art. 9.2c

Art. 9.3

Why can measures under this category be regarded as options to encourage, guide and promote the realization of Farmers' Rights?

Contracting Parties have agreed to take measures to protect and promote Farmers' Rights, including the right to equitably participate in sharing benefits arising from the utilization of PGRFA (Art. 9.2b). It is also stated in the Preamble that rights recognized in Treaty, including the fair and equitable sharing of the benefits, are fundamental to the realization of Farmers' Rights.

Financial contributions to support farmers' activities for the conservation and sustainable use of PGRFA as well as contributions to benefit-sharing funds may thus be possibilities for Contracting Parties and Stakeholders to work in this direction. Depending on how they are set up, such measures could also be understood as a way of expressing recognition for farmers' and farming communities' activities for the conservation and sustainable use of PGRFA (Art. 9.1).

Option 2A: Provide funds for farmers and farming communities who conserve, develop and sustainably use PGRFA

Funds for farmers and farming communities who conserve, develop and sustainably use PGRFA may be provided through national programmes, international cooperation or other types of partnerships, including private sector and local initiatives.

Such funds may rely, for example, on public budgetary resources, donor support or resources of private enterprises, e.g. based on corporate responsibility projects. They may be made available in various forms, including via contributions to the budgets of implementing organizations or as competitive funds for which farmers or farmer organizations may apply.

Funded activities may include, for example, conservation and use of specific PGRFA, research, capacity development, or market- and value-chain development.

Type(s) of measures that may typically be involved

Technical

Administrative

Legal

Other

Example(s) of possible measures

- AGUAPAN (Asociación de Guardianes de Papa Nativa del Centro de Perú) (Peru/Latin America and the Caribbean) <http://www.fao.org/3/ca8101en/ca8101en.pdf>
- Rolling the National Plan of Action for the Conservation and Sustainable Use of Plant Genetic Resources for Food and Agriculture (NAP-PGRFA) together with farmers' organizations (Switzerland/Europe) <http://www.fao.org/3/ca8226en/ca8226en.pdf>

Option 2B: Contribute to the Benefit-sharing Fund (BSF) of the International Treaty

The Benefit-sharing Fund of the International Treaty invests directly in projects supporting farmers in developing countries in conserving crop diversity on farm; it also supports projects and innovative partnerships aiming to adapt PGRFA to changing needs. All developing countries that are Contracting

Parties to the International Treaty are eligible to apply for funding under the Benefit-sharing Fund (BSF)⁶.

The Benefit-sharing Fund relies on payments made by users of PGRFA obtained through the Multilateral System. In addition to such use(r)-based payments, Contracting Parties and Stakeholders may also decide to make voluntary contributions to the Benefit-sharing Fund to share benefits that arise more generally from the use of PGRFA in the breeding and seed sector, or beyond (e.g. agriculture and food industry).

To illustrate the idea of sharing benefits, such payments may correspond to a specific share of the value that is created in the economic sector that is being referred to. Alternatively, a fixed amount may be pledged as an annual support.

Type(s) of measures that may typically be involved

Technical

Administrative

Legal

Other

Example(s) of possible measures

- Voluntary annual contribution of the French Interprofessional Organisation for Seeds and Plants (GNIS)⁷
(France/Europe) <http://www.fao.org/3/ca8726en/ca8726en.pdf>
- Annual support to the Benefit-sharing Fund (BSF)
(Norway/Europe) <http://www.fao.org/3/ca8154en/ca8154en.pdf>

⁶ A list of eligible countries is available at www.fao.org/fileadmin/user_upload/faoweb/plant-treaty/cfp4/cfp_4_2017_a3_en.pdf. It has been established based on the World Bank's classification of economies, following a decision of the Governing Body at its Third Session (IT/GB-3/09/Report, Appendix A.3, Resolution 3/2009).

⁷ This example is described in the Inventory under the following measure/practice: "External funding – public and private sources."

Category 3: Approaches to encourage income-generating activities to support farmers' conservation and sustainable use of PGRFA

Reference to relevant provision/s of Article 9 of the International Treaty

- Art. 9.1
 Art. 9.2a
 Art. 9.2b
 Art. 9.2c
 Art. 9.3

Why can measures under this category be regarded as options to encourage, guide and promote the realization of Farmers' Rights?

In Art. 9.1 of the International Treaty, the Contracting Parties recognize the enormous contribution that the local and indigenous communities and farmers of all regions of the world have made and will continue to make for the conservation and development of PGRFA, which constitute the basis of food and agriculture production (Art. 9.1). Approaches that facilitate income generation from conservation and sustainable use of PGRFA could thus act as an incentive for farmers to continue or expand their activities in this regard.

Contracting Party have also agreed to take measures to protect and promote Farmers' Rights, including the protection of traditional knowledge relevant to PGRFA (Art. 9.2a) and to equitably participate in sharing benefits arising from the utilization of PGRFA (Art. 9.2b).

Through income-generating activities, such as value-chain development, farmers may be able to continue cultivating PGRFA that would otherwise be at risk of being lost. They may thus also be able to continue using, sharing and disseminating related traditional knowledge. Depending on how activities are set up, benefits arising from the use of PGRFA, e.g. through sales of specific products, may be shared among actors along the chain, including farmers.

Income-generating activities may also enable farmers to continue saving, using, exchanging and selling seed of specific PGRFA that are covered by the activities (Art. 9.3).

Option 3A: Conduct and/or support promotional activities to strengthen consumer demand for products derived from the conservation and sustainable use of PGRFA

Promotional activities to strengthen consumer demand for products derived from the conservation and sustainable use of PGRFA may include food, agrobiodiversity or culinary fairs, traditional food festivals, exhibitions, or similar events.

The general aim of such activities is to raise interest of consumers and professionals, such as restaurant chefs and hoteliers, for traditional and/or new products made from PGRFA and stimulate demand. Promotional activities may also strengthen initiatives for promoting food diversity and healthy diets, from which farmers and farming communities may eventually benefit.

Stronger demand may, in the longer term, increase marketing opportunities for farmers and farming communities, thus enabling them to continue cultivating PGRFA that would otherwise be at risk of being lost. They may also be enabled to continue using, applying and disseminating related traditional knowledge, and to continue saving, using, exchanging and selling seed of local crops and varieties.

Type(s) of measures that may typically be involved

- Technical
 Administrative
 Legal
 Other

Example(s) of possible measures

- Crop contest at the Genetic Diversity Fair (G-Difa)
 (Indonesia/Asia) <http://www.fao.org/3/ca7981en/ca7981en.pdf>

- Food Forever Initiative
(Global) <http://www.fao.org/3/ca4161en/ca4161en.pdf>

Option 3B: Develop value-chains for local crops, varieties and populations with specific adaptation, uses or other benefits

Developing value-chains for local crops, varieties and populations may be a way of creating incentives for farmers and their market partners to continue or expand their joint efforts to conserve and use PGRFA, also with a view to income generation and employment in rural areas.

Value-chain development is based on cooperation among various actors, including farmers, food processors, chefs and hoteliers, retailers, and consumers. In the case of traditional or rarely used PGRFA, it may involve research and/or pilot activities to develop the necessary expertise at all levels of the chain and to communicate the advantages and specific quality of products to consumers.

Value-chain development may thus contribute to reviving and/or enriching traditional knowledge relating to PGRFA and, depending on how activities are set up, sharing benefits among the partners of the chain. Farmers may also continue saving, using, exchanging and selling seed of local crops and varieties.

Type(s) of measures that may typically be involved

- Technical
- Administrative
- Legal
- Other

Example(s) of possible measures

- Creation of a micro value-chain for a local variety of rye, the “Iermana”
(Italy/Europe) <http://www.fao.org/3/ca8108en/ca8108en.pdf>
- Heirloom Rice Project
(Philippines/Asia) <http://www.fao.org/3/ca7901en/ca7901en.pdf>

Option 3C: Use tools such as Geographical Indications, certification schemes, seals of origin etc. to facilitate value creation and marketing of products made from local/under-utilized PGRFA

Geographical indications, seals of origin or certification schemes may be used to highlight the connections of specific products, including those derived from PGRFA, with specific areas of origin and/or practices of production, processing and marketing.

Such measures may rely on the application of intellectual property tools or trademarks to facilitate the communication of value(s) that may be attached to a product, e.g. by giving it a clear visual identity.

Geographical Indications and similar tools may support the sharing and continued use of traditional knowledge, e.g. relating to traditional cultivation and processing practices, and allow farmers and other value-chain actors to get premium prices for products thus identified. This may serve as an incentive for farmers to continue cultivating PGRFA that are covered by such initiatives.

Type(s) of measures that may typically be involved

- Technical
- Administrative
- Legal
- Other

Example(s) of possible measures

- Seal of Origin programme
(Chile/Latin America and the Caribbean) <http://www.fao.org/3/ca7910en/ca7910en.pdf>
- Geographical Indication
(France/Europe) <http://www.fao.org/3/ca7942en/ca7942en.pdf>

Category 4: Catalogues, registries and other forms of documentation of PGRFA and protection of traditional knowledge

Reference to relevant provision/s of Article 9 of the International Treaty

- Art. 9.1
 Art. 9.2a
 Art. 9.2b
 Art. 9.2c
 Art. 9.3

Why can measures under this category be regarded as options to encourage, guide and promote the realization of Farmers' Rights?

Contracting Party have agreed to take measures to protect and promote Farmers' Rights, including for the protection of traditional knowledge relevant to PGRFA, as appropriate and subject to national legislation (Art. 9.2a).

Measures for collecting and documenting, sharing and disseminating traditional knowledge may be useful to increase overall awareness and recognition of its importance and to prevent loss. Measures such as Community Biodiversity Registers or Biocultural Community Protocols may protect traditional knowledge from unagreed use or appropriation.

Option 4A: Collect and document traditional knowledge on PGRFA, including knowledge relating to cultivation and use

Traditional knowledge on PGRFA, their cultivation and use, may be documented through Community Biodiversity Registers, inventories, catalogues and databases, including for example general germplasm catalogues or specialised databases focusing on farmer varieties or landraces only. Gatherings such as agrobiodiversity, seed and culinary fairs or exhibitions can also provide opportunities for documenting and collecting traditional knowledge.

Format, structure and content of such knowledge collections may depend on the anticipated user group(s); for example, variety catalogues that are intended to be used by farmers could rely on descriptors farmers commonly use. Besides documenting knowledge relating to specific PGRFA, such as crop varieties, collections may also extent to broader cultural concepts, in which such knowledge may be embedded, including general worldviews or classification systems.

Collections of traditional knowledge may be recognized by local governments or deposited with national institutions as a public record of the knowledge held by local farmers and/or farming communities.

Type(s) of measures that may typically be involved

- Technical
 Administrative
 Legal
 Other

*Administrative measures may be involved if catalogues, registers etc. are officially administered, e.g. by public institutions or genebanks.

Example(s) of possible measures

- Community Biodiversity Register
(Nepal/Asia) <http://www.fao.org/3/ca8142en/ca8142en.pdf>
- Spanish Inventory of Traditional Knowledge related to Agricultural Biodiversity
(Spain/Europe) <http://www.fao.org/3/ca8204en/ca8204en.pdf>

Option 4B: Conduct and/or support activities for sharing and disseminating traditional knowledge relating to PGRFA

Sharing and disseminating traditional knowledge relating to PGRFA may take place through gatherings and events, such as workshops and seminars, seed festivals or fairs; or it may be facilitated through the

formation of networks, associations or groups of custodian/guardian farmers, seed savers, etc. Such activities may also include cultural activities relating to PGRFA, such as for example storytelling as a way of collectively recalling and passing on traditional knowledge.

Besides facilitating contacts and a general exchange of knowledge and experiences, a focus may also be on passing on or reviving practical skills, such as specific propagation techniques that are used for some crops, or the preparation of typical dishes.

Type(s) of measures that may typically be involved

- Technical
 Administrative
 Legal
 Other

Example(s) of possible measures

- Knowledge sharing and exchange of experiences between and among farming communities (Peru/Latin America and the Caribbean) <http://www.fao.org/3/ca8170en/ca8170en.pdf>
- Kålotsakademien (The Swede Academy) (Sweden/Europe) <http://www.fao.org/3/ca8219en/ca8219en.pdf>

Option 4C: Create instruments for farmers and farming communities to govern access to traditional knowledge relating to PGRFA based on self-determined rules

Creating instruments for farmers and farming communities to govern access to traditional knowledge relating to PGRFA may build on activities for collecting and documenting of such knowledge. Protocols may be established that articulate self-determined rules, procedures, terms and conditions for access that may be used as a basis for individual and/or community interactions with external actors, such as representatives of government, companies or research organizations, regarding their access to PGRFA and related traditional knowledge in a community's territory.

Such tools can help build links between actors and institutions operating at different scales, from local to national and/or international, and establish a clear basis for their interactions. They may further help farmers and farming communities to take advantage of their countries' commitments under international agreements, such as the ITPGRFA and Nagoya Protocol, and strengthen their role in the process of implementing such international agreements, especially with a view to the protection of traditional knowledge.

Type(s) of measures that may typically be involved

- Technical
 Administrative
 Legal
 Other

Example(s) of possible measures

- Biocultural Community Protocols (BCP) (Madagascar/Africa) <http://www.fao.org/3/ca4148en/ca4148en.pdf>

Category 5: In situ on-farm conservation and management of PGRFA, such as social and cultural measures, community biodiversity management and conservation sites

Reference to relevant provision/s of Article 9 of the International Treaty

- Art. 9.1
 Art. 9.2a
 Art. 9.2b
 Art. 9.2c
 Art. 9.3

Why can measures under this category be regarded as options to encourage, guide and promote the realization of Farmers' Rights?

In the International Treaty, Contracting Parties recognize the enormous contribution that the local and indigenous communities and farmers of all regions of the world, particularly those in the centres of origin and crop diversity, have made and will continue to make for the conservation and development of PGRFA (Art. 9.1). Supporting in situ/on-farm conservation and management could thus be one way of expressing recognition and encouraging farmers and communities to continue or expand their efforts.

In situ/on-farm conservation and management of PGRFA is a holistic approach that relies on complex social-ecological systems that developed in specific localities. It depends on traditional and continuously evolving cultural values, knowledge and social practices, including those related to seed and other propagating materials. Therefore, measures under this category may also contribute to the realization of Farmers' Rights to the protection of traditional knowledge (Art. 9.2.a) and to save, use, exchange and sell seed (Art. 9.3).

Option 5A: Support community biodiversity management and/or other practical activities of farmers and farming communities for in situ/on-farm management of PGRFA

Community biodiversity management is an integrated approach to the conservation and sustainable use of PGRFA, which combines practical activities with empowerment of farming communities to strengthen them in their role as local managers of PGRFA. Activities may include documentation, monitoring and exchange of local PGRFA as well as their use in breeding and/or value creation. Similar activities may also be pursued in in situ/on-farm conservation projects.

Approaches for community biodiversity management or in situ/on-farm conservation may be considered in national or communal/local action plans, including in the context of biodiversity conservation, rural and agricultural development. Funds may be provided through national programmes and/or donors to address identified needs of farmers and farming communities and enable them to continue and expand their activities, e.g. through capacity development, sharing of good practices, income-generation or investments in education and rural infrastructure, such as locally based training centres.

Type(s) of measures that may typically be involved

- Technical
 Administrative
 Legal
 Other

Example(s) of possible measures

- Community based on-farm conservation and sustainable use of PGRFA (Bhutan/Asia) <http://www.fao.org/3/ca4346en/ca4346en.pdf>
- Community-based agrobiodiversity systems for the realisation of Farmers' Rights (Ethiopia, Guatemala, Honduras, Malawi, Nepal, Nicaragua/Africa, Latin America and the Caribbean, Asia) <http://www.fao.org/3/ca8708en/ca8708en.pdf>

Option 5B: Strengthen the role and identity of custodian/guardian farmers and communities through social and cultural activities

Custodian/guardian farmers and communities may play a key role for in situ/on-farm conservation and management of PGRFA, especially as holders of highly specific traditional knowledge. They pass on values and skills relating to the conservation and management of PGRFA, set examples by putting such values to practice and provide other farmers and communities with seed and planting materials.

Their role and identity may be strengthened, for example, by recognizing them as experts and knowledge holders, by supporting knowledge exchange activities among such farmers and communities, through the formation of networks and associations, or by providing funds for their activities.

Representatives of such farmers and communities may also be invited to public events to highlight their important contributions to societal goals, e.g. to achieve food and nutrition security, or to contribute to biodiversity conservation.

Type(s) of measures that may typically be involved

- Technical
- Administrative
- Legal
- Other

Example(s) of possible measures

- Strengthening the identity of custodian farmers as a way to increase food security (Brazil/Latin America and the Caribbean) <http://www.fao.org/3/ca7834en/ca7834en.pdf>

Option 5C: Support farmers in the management of conservation and heritage sites

Conservation and heritage sites are sites recognized to be of local, national or international importance for the conservation of biodiversity, including agrobiodiversity and PGRFA. They may be part of national, regional or international networks or programs, like in the case of Biosphere Reserves, Globally Important Agricultural Heritage Systems (GIAHS) or World Heritage Sites. Managing such sites usually requires cooperation of stakeholders operating at various scales.

Farmers and other land users may be considered key actors for conservation and management activities at the local level. They may thus be given a clear role in establishing and implementing conservation and management plans or development strategies, as well as in monitoring and evaluation activities.

Furthermore, farmers involved in the management of conservation and heritage sites may be supported through networking and knowledge exchange among participating farmers and communities, e.g. via seminars, workshops or social media applications.

Type(s) of measures that may typically be involved

- Technical
- Administrative
- Legal
- Other

Example(s) of possible measures

- Safeguard plan for the cultural heritage for agrobiodiversity in Cotacachi canton, Ecuador⁸ (Ecuador/Latin America and the Caribbean) <http://www.fao.org/3/ca7934en/ca7934en.pdf>
- Empowering small-scale farming/indigenous communities to manage and conserve Agricultural Heritage Systems (China, Philippines, Tunisia/Asia, Near East) <http://www.fao.org/3/ca8720en/ca8720en.pdf>

⁸ This example is described in the Inventory under the following measure/practice: “Declaration of the territory of the Cotacachi canton, Ecuador, as cultural heritage for agrobiodiversity.”

Category 6: Facilitation of farmers' access to a diversity of PGRFA through community seed banks, seed networks and other measures improving farmers' choices of a wider diversity of PGRFA

Reference to relevant provision/s of Article 9 of the International Treaty

- Art. 9.1
 Art. 9.2a
 Art. 9.2b
 Art. 9.2c
 Art. 9.3

Why can measures under this category be regarded as options to encourage, guide and promote the realization of Farmers' Rights?

In the International Treaty, Contracting Parties recognize the enormous contribution that the local and indigenous communities and farmers of all regions of the world, particularly those in the centres of origin and crop diversity, have made and will continue to make for the conservation and development of PGRFA (Art. 9.1). Facilitating farmers' access to a diversity of PGRFA, including for example genebank accessions, traditional and/or new varieties and populations, may encourage farmers and communities to continue and/or expand their efforts.

Measures under this category may also contribute to the realization of Farmers' Rights to the protection of traditional knowledge (Art. 9.2.a), for example by documenting, sharing, reviving or developing further farmers' knowledge relating to production, processing, storage and distribution of seed. They may also contribute to the realization of the rights mentioned under Art. 9.3 by strengthening farmers' traditional practices to save, use, exchange and sell seed or by developing new practices, in accordance with national law.

Option 6A: Establish and/or support community seed banks, seed clubs, seed-producer networks or similar approaches

Community seed banks, seed clubs, seed-producer networks or similar approaches may serve, *inter alia*, to provide farmers with good quality seed of a range of locally adapted crops and varieties, which may otherwise not be easily accessible.

Activities are based on local governance structures and collectively agreed rules. They may be conducted by informal groups or legal entities, such as associations, co-operatives or community-based organizations; several local initiatives may cooperate via networks or umbrella organizations. Seed is produced by the members of such organizations and may be selected, processed and stored centrally or in a decentralised manner. Distribution may be limited to members or extended to external users, for example if larger amounts of seed are marketed.

The focus may be on the conservation and/or re-introduction of local varieties, e.g. via cooperation with national genebanks, and/or on the dissemination of new varieties developed by public and/or participatory breeding programs.

Type(s) of measures that may typically be involved

- Technical
 Administrative
 Legal
 Other

Example(s) of possible measures

- Establishing and promoting Community Seed Banks and exchange networks (Cuba/Latin America and the Caribbean) <http://www.fao.org/3/ca4347en/ca4347en.pdf>
- Ejere Farmer Crop Conservation Association (FCAS) and Community Seed Bank (Ethiopia/Africa) <http://www.fao.org/3/ca4138en/ca4138en.pdf>

- 1000 seed self-reliant villages
(Indonesia/Asia) <http://www.fao.org/3/ca7983en/ca7983en.pdf>
- Norwegian Seed Savers (KVANN)
(Norway/Europe) <http://www.fao.org/3/ca8166en/ca8166en.pdf>
- Securing local seed systems through Farmers' Seed Clubs
(Vietnam/Asia) <http://www.fao.org/3/ca8197en/ca8197en.pdf>

Option 6B: Organize and/or support seed festivals and fairs

Seed festivals and fairs may be set up as one-off or regularly recurring events; they may be organized as part of traditional celebrations or commemoration days. Farmers may be invited to present farm-saved seed and propagating materials for exchange or selling to other participants. Visiting farmers may thus choose from to a great diversity of PGRFA, while also having a possibility to exchange knowledge and experiences with suppliers. By attracting participants from larger areas, e.g. various villages or provinces, such events can facilitate farmers' access to a wide range of PGRFA. They can thus represent an opportunity for farmers to increase the portfolio of crops and varieties that are of interest for them or to acquire seed of crops and varieties that may otherwise be difficult to obtain.

Type(s) of measures that may typically be involved

- Technical
- Administrative
- Legal
- Other

Example(s) of possible measures

- Karnataka State Farmers' Association (KRRS) seed festival and seed banks
(India/Asia) <http://www.fao.org/3/ca4144en/ca4144en.pdf>
- Seed fairs organized by Asociación de Organizaciones de los Cuchumatanes (ASOCUCH)⁹
(Guatemala/Latin America and the Caribbean) <http://www.fao.org/3/ca7799en/ca7799en.pdf>

Option 6C: Facilitate farmers' access to genebank material

Farmers may also be enabled to gain access a wide range of PGRFA by facilitating access to materials from national, regional or international genebanks. Genebanks are commonly used by plant breeders and researchers to obtain small quantities of seed or planting materials, but they may also serve interested individuals, including farmers and gardeners. Providing small quantities of seed or planting materials to interested farmers for direct use may also be of interest for genebanks to ensure dynamic conservation of such accessions.

Genebank materials that are of interest for farmers may include traditional varieties or landraces of certain crops, for example those collected in other parts of the world, as well as formerly popular varieties that are no longer commercially available, for example due to expiry of plant variety protection. Such varieties are sometimes made available through the MLS for further conservation and use.

To facilitate farmers' access to genebank materials, Contracting Parties and stakeholders may consider creating specific procedures for farmers to obtain such materials, including for example by presenting information in a way that facilitates direct use by farmers, or by creating simplified Material Transfer Agreements.

Type(s) of measures that may typically be involved

- Technical
- Administrative
- Legal
- Other

⁹ This example is described in the Inventory under the following measure/practice: "Access to seed through a network of community seed banks in la Sierra de los Cuchumatanes, Guatemala."

Example(s) of possible measures

- Farmers' access to genebank material
(Norway/Europe) <http://www.fao.org/3/ca8160en/ca8160en.pdf>
- Germplasm Resources Information Network (GRIN)
(USA/North America) <http://www.fao.org/3/ca8458en/ca8458en.pdf>

Category 7: Participatory approaches to research on PGRFA, including characterization and evaluation, participatory plant breeding and variety selection

Reference to relevant provision/s of Article 9 of the International Treaty

- Art. 9.1
- Art. 9.2a
- Art. 9.2b
- Art. 9.2c
- Art. 9.3

Why can measures under this category be regarded as options to encourage, guide and promote the realization of Farmers' Rights?

In the International Treaty, Contracting Parties recognize the enormous contribution that the local and indigenous communities and farmers of all regions of the world, particularly those in the centres of origin and crop diversity, have made and will continue to make for the conservation and development of PGRFA (Art. 9.1). Involving farmers and farming communities in participatory research on PGRFA may be one way of expressing recognition.

Measures under this category may also contribute to the realization of the right to the protection of traditional knowledge (Art. 9.2.a), as activities for documenting, sharing and applying traditional knowledge are of great importance for the success of participatory research projects. Furthermore, participatory research may contribute to the right to equitably participate in sharing benefits arising from the utilization of PGRFA (Art. 9.2.b), since results and practical outcomes of such projects may be directly used and applied by farmers, which may imply monetary as well as non-monetary benefits.

Depending on how such projects are designed and set up, they may also contribute to the right to participate in making decisions on matters related to the conservation and sustainable use of PGRFA (Art. 9.2c), for example if farmers can participate in setting objectives and priorities of the research.

Participatory research projects may further contribute to the realization of rights mentioned in Art. 9.3 of the International Treaty, if research activities cover directly or indirectly issues relating to farmers' practices to save, use, exchange and sell seed. For example, they could help enhance scientific understanding of the importance of such activities for the conservation and sustainable use of PGRFA; or they could focus on improving methods applied by farmers, e.g. by identifying or developing good practices.

Option 7A: Involve farmers in the characterization, evaluation and selection of PGRFA, including local and/or new varieties, populations and genebank accessions

Involving farmers in the characterization, evaluation and selection of PGRFA involves growing larger sets of PGRFA for testing purposes, with the aim to identify those that are most suitable for direct use and/or further breeding.

Genebank accessions, traditional or farmer varieties, evolutionary populations, newly bred varieties or variety "candidates" from breeding programs may all be included in such trials. The focus may also be on introducing new crops or species that have so far not been cultivated by farmers in a given area.

Through joint activities for the characterization, evaluation and selection of PGRFA, both farmers and researchers may apply, share, deepen and enrich their knowledge. Farmers may make choices based on their own observations and judgement and, depending on how the activities are set up, access seed or planting material for further evaluation or direct use. They may also participate in making decisions on a further course of action.

Type(s) of measures that may typically be involved

- Technical
- Administrative

Legal
Other

Example(s) of possible measures

- Potato Accelerated Release Program
(Canada/North America) <http://www.fao.org/3/ca7839en/ca7839en.pdf>
- Participatory plant variety selection
(Malawi/Africa) <http://www.fao.org/3/ca8149en/ca8149en.pdf>
- Farmer participatory approach in increasing genetic diversity in farmers' fields with exotic taro plant genetic resources
(Papua New Guinea/South West Pacific) <http://www.fao.org/3/ca6369en/ca6369en.pdf>

Option 7B: Develop participatory plant breeding programmes or projects

Participatory plant breeding programs or projects are based on close collaboration between farmers and researchers at various stages of breeding project or program. Farmers may thus contribute to setting breeding objectives, assembling parental materials, making crosses, selecting in early generations, testing and evaluating experimental varieties and, depending on how activities are set up, in the production and distribution of seed.

Through joint activities, both farmers and researchers may apply, share, deepen and enrich their knowledge and contribute to the development of varieties that respond to the needs and requirements of farmers and consumers or other market partners. Participatory plant breeding may also be a way to adapt the portfolio of varieties that are available to farmers to changing conditions, e.g. climate change.

In that farmers may use the varieties that are developed through such projects and programs, they can participate in sharing benefits arising from the utilization of PGRFA.

Type(s) of measures that may typically be involved

Technical
Administrative
Legal
Other

*Administrative measures may be involved if varieties developed through participatory plant breeding projects or programs are officially registered and/or released.

Example(s) of possible measures

- Participatory plant breeding in Cuba
(Cuba/Latin America and the Caribbean) <http://www.fao.org/3/ca4347en/ca4347en.pdf>
- Increasing genetic diversity and realizing Farmers' Rights through Evolutionary Participatory Plant Breeding (EPPB)
(Iran/Near East) <http://www.fao.org/3/ca4109en/ca4109en.pdf>
- Landrace enhancement ('grassroots breeding')
(Nepal/Asia) <http://www.fao.org/3/ca8145en/ca8145en.pdf>

Option 7C: Conduct participatory research on other aspects of PGRFA

Participatory research may also focus on other aspects of PGRFA, including social, economic or cultural dimensions. It may for example, focus on cultural values or traditional knowledge underlying farmers' conservation and management of PGRFA. It may also include studying broader social-ecological systems, of which the conservation and sustainable use of PGRFA may be part, or institutional issues of relevance for the governance of PGRFA.

Such studies may be designed in a way that farmers and researchers collaborate throughout the project, including by sharing, applying and integrating diverse types of knowledge and co-creating results.

Type(s) of measures that may typically be involved

Technical

Administrative

Legal

Other *Example(s) of possible measures*

- Preparation of a biocultural identity map in the Sierra del Rosario Biosphere Reserve for agro-tourism purposes
(Cuba/Latin America and the Caribbean) <http://www.fao.org/3/ca4347en/ca4347en.pdf>
- Participatory research to facilitate collaboration of farmers, exporters and central market agents in developing fruit and vegetable value chains in the Jordan valley
(Jordan/Near East) <http://www.fao.org/3/ca8122en/ca8122en.pdf>

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

Reference to relevant provision/s of Article 9 of the International Treaty

Art. 9.1

Art. 9.2a

Art. 9.2b

Art. 9.2c

Art. 9.3

Why can measures under this category be regarded as options to encourage, guide and promote the realization of Farmers' Rights?

Contracting Parties to the International Treaty have agreed to take measures to protect and promote Farmers' Rights, including the right to participate in making decisions, at the national level, on matters related to the conservation and sustainable use of PGRFA, as appropriate, and subject to national legislation (Art. 9.2c).

Participation may include formal representation of farmers and/or their organizations in decision-making bodies and/or the organization of dialogue processes, for example to jointly assess needs or exchange views in preparation of decisions that may be taken in the future. As decisions at national level are often mutually dependant on decisions that are taken at other levels, including international, subnational or local levels, it may be useful to facilitate the participation of farmers in decision-making on relevant issues at all levels.

Option 8A: Ensure representation of farmers and/or their organizations in national advisory committees, commissions, councils or working groups addressing issues relating to the conservation, management and sustainable use of PGRFA

Farmers and/or their organizations may be represented in various decision-making or advisory bodies, such as national advisory committees, commissions, councils or working groups focusing on the conservation and sustainable use of PGRFA.

Depending on how such measures are set up, they may have a legal basis; rules and procedures may be established, including by drawing from norms, principles, and practices that have been developed in other contexts, such as the human rights framework.

Such bodies may be involved in the preparation and/or making of decisions, for example, relating to plant variety protection and seed, the design of national programmes or the distribution of funds for the conservation and sustainable use of PGRFA.

Type(s) of measures that may typically be involved

Technical

Administrative *

Legal *

Other

*Legal and administrative measures may be involved if representation of farmers in decision-making bodies is based, for example, on laws or administrative orders.

Example(s) of possible measures

- Participation of farmers in the decision-making process
(Japan/Asia) <http://www.fao.org/3/ca8117en/ca8117en.pdf>
- Advisory bodies to the national PGR programme
(Sweden/Europe) <http://www.fao.org/3/ca8221en/ca8221en.pdf>

Option 8B: Organize policy dialogue processes with participation of farmers and/or their representative organizations

Participation of farmers and their representative organizations in decision-making could also be ensured through policy dialogue processes that allow farmers and farmer representatives, including from a range of backgrounds and organizations or with specific expertise, to participate. The results of such processes may be used to inform decision makers, such as relevant ministries.

Possible measures may include, for example, consultations between government, agricultural, civil society and research organizations and/or private sector representatives. They may be organized as roundtables, conferences, multi-stakeholder platforms, etc., as one-off events or on a regular basis.

They may serve to develop strategic agendas, accompany change processes, address challenges and needs or develop possible solutions to identified problems, including those relating to policies and legal frameworks.

Type(s) of measures that may typically be involved

Technical

Administrative

Legal

Other

Example(s) of possible measures

- ‘SNP Semences Normes et Paysans’, a multi-stakeholder platform for dialogue and consultation between government, agricultural civil society and research to promote recognition of farmers’ seed systems
(Mali/Africa) <http://www.fao.org/3/ca6363en/ca6363en.pdf>
- Information and participation processes for the implementation of Farmers’ Rights in Sierra de los Cuchumatanes, Guatemala
(Guatemala/Latin America and the Caribbean) <http://www.fao.org/3/ca7818en/ca7818en.pdf>

Category 9: Training, capacity development and public awareness creation

Reference to relevant provision/s of Article 9 of the International Treaty

Art. 9.1	<input checked="" type="checkbox"/>
Art. 9.2a	<input checked="" type="checkbox"/>
Art. 9.2b	<input checked="" type="checkbox"/>
Art. 9.2c	<input checked="" type="checkbox"/>
Art. 9.3	<input checked="" type="checkbox"/>

Why can measures under this category be regarded as options to encourage, guide and promote the realization of Farmers' Rights?

The realization of all Farmers' Rights relies on societal actors operating at various scales (e.g. from local to international), and with different levels of knowledge and experience. Training, capacity development and public awareness creation could thus support the realization of Farmers' Rights as set out in all relevant provisions of Art. 9.

Capacity development may focus on raising awareness of the overall concept of Farmers' Rights and/or support the capacities of actors to fulfil their respective roles in the realization of Farmers' Rights, e.g. as rightsholders or representatives of executive and legislative bodies, civil society and private sector.

Option 9A: Promote understanding and raise awareness of the overall concept and importance of Farmers' Rights

A broad range of possible measures may be used to promote understanding and raise awareness of the overall concept and importance of Farmers' Rights. Such measures include, for example, global, regional and national consultations or dialogue platforms, awareness campaigns, use of media and capacity building materials, and various forms of presentations to representatives of organizations, producers, and citizens in general.

Further possibilities include to use conferences and public events focusing on the conservation and sustainable use of PGRFA to highlight the concept and importance of Farmers' Rights, or to set up alliances, partnerships and campaigns.

Type(s) of measures that may typically be involved

Technical	<input checked="" type="checkbox"/>
Administrative	
Legal	
Other	<input checked="" type="checkbox"/>

Example(s) of possible measures

- Presentation of Farmers' Rights to representatives of organizations, producers, and citizens in general in Nicaragua
(Nicaragua/Latin America and the Caribbean) <http://www.fao.org/3/ca6351en/ca6351en.pdf>
- Global consultations on Farmers' Rights
(Global) <http://www.fao.org/3/ca8153en/ca8153en.pdf>

Option 9B: Strengthen farmers' and their organizations' capacities to effectively participate in policy dialogue and decision-making processes

For farmers and their organizations to effectively participate in policy dialogue and decision-making processes, it may be necessary to strengthen their capacities, especially in situations where farmers lack experiences regarding interactions with policy makers and relevant institutions. Training, strategy or specific writing workshops as well as exchange and exposure visits or consultations may all be part of such initiatives.

Government, community-based, research and civil-society organizations as well as international donors may all play important roles in supporting such initiatives, e.g. by funding and/or organizing such measures.

Type(s) of measures that may typically be involved

- Technical
 Administrative
 Legal
 Other

Example(s) of possible measures

- Farmer-codeveloped ordinance on agriculture (Sustainable Agriculture Code of the Municipality of Arakan, North Cotabato, Philippines)
(Philippines/Asia) <http://www.fao.org/3/ca8193en/ca8193en.pdf>
- Sowing Diversity=Harvesting Security (SD=HS) Program (II) – policy work
(China, Guatemala, Laos, Myanmar, Nepal, Peru, Uganda, Vietnam, Zambia, Zimbabwe/Asia, Latin America and the Caribbean, Africa) <http://www.fao.org/3/ca8715en/ca8715en.pdf>

Option 9C: Enhance farmers' technical and/or organizational capacities relating to the conservation and sustainable use of PGRFA

Technical and/or organizational capacities are required for farmers to effectively implement practical measures for the conservation and sustainable use of PGRFA, including production and dissemination of seed, community seed banks, participatory plant breeding or variety evaluation, etc.

This is why capacity development may be an important component of such measures. Depending on the situation and needs of participants or target groups, capacity development may be implemented in various forms, including for example workshops, use of media (including technical leaflets and brochures), farmer field schools as well as farmer-breeder, seed-grower or seed-saver groups, etc.

Government representatives and stakeholders, including farmers', community, research and civil-society organizations as well as international donors may all play important roles in this regard, e.g. by funding and/or organizing such measures.

Type(s) of measures that may typically be involved

- Technical
 Administrative
 Legal
 Other

Example(s) of possible measures

- Capacity building and promotion of dynamic conservation and sustainable use of agrobiodiversity in traditional ecosystems of the Philippines/in situ conservation of traditional varieties
(Philippines/Asia) <http://www.fao.org/3/ca8186en/ca8186en.pdf>
- Training and awareness-raising activities for farmers and their associations carried out by the Centre for Plant Genetic Resources of the National Institute for Agricultural and Food Research and Technology (CRF-INIA)
(Spain/Europe) <http://www.fao.org/3/ca8202en/ca8202en.pdf>

Category 10: Legal measures for the implementation of Farmers' Rights, such as legislative measures related to PGRFA

Reference to relevant provision/s of Article 9 of the International Treaty

- Art. 9.1
- Art. 9.2a
- Art. 9.2b
- Art. 9.2c
- Art. 9.3

Why can measures under this category be regarded as options to encourage, guide and promote the realization of Farmers' Rights?

Contracting Parties to the International Treaty have agreed that the responsibility for realizing Farmers' Rights, as they relate to PGRFA, rests with national governments. Each Contracting Party should, as appropriate, and subject to its national legislation, take measures to protect and promote Farmers' Rights (Art. 9.2). Several elements of Farmers' Rights are mentioned, including the protection of traditional knowledge relevant to PGRFA, the fair and equitable sharing of benefits arising from their utilization, and the right to participate in making decisions, at the national level, on related matters (Art. 9.2a-c). Rights that farmers have to save, use, exchange and sell farm-saved seed/propagating material are referred to in Art. 9.3.

To implement the commitments, they have made under international agreements, governments of Contracting Parties and Stakeholders may consider reviewing and/or revising existing national law, making amendments or creating new law for areas that have so far not been covered.

Option 10A: Mainstream the concept of Farmers' Rights into the constitution of the country and/or overall legislation and policies pertaining to agriculture and the environment and their related procedures

Reviewing how Farmers' Rights are currently implemented or affected by existing legal frameworks may be a first step towards mainstreaming them in relevant national laws, policies and related procedures.

Towards this end, new laws, policies and related procedures may be created that cover all aspects that are deemed relevant, or existing laws and policies may be revised and/or amended. Such policies and laws may cover issues that are relevant for the conservation and sustainable use of PGRFA and Farmers' Rights, such as for example national legislation on biodiversity, plant genetic resources, seeds, plant variety protection, or rights of indigenous peoples.

Type(s) of measures that may typically be involved

- Technical
- Administrative
- Legal
- Other

Example(s) of possible measures

- Farmers' Rights of the Nations and Rural Native Indigenous Peoples (Bolivia/Latin America and the Caribbean) <http://www.fao.org/3/ca4108en/ca4108en.pdf>
- Draft national legislation on plant genetic resources in Sudan (2016) (Sudan/Africa) <http://www.fao.org/3/ca8211en/ca8211en.pdf>

Option 10B: Promote Farmers' Rights through intellectual property law and/or related procedures

Farmers' Rights can be provided for in intellectual property laws, such as laws protecting traditional and new knowledge relating to PGRFA, plant variety protection, patents, trademarks or Geographical Indications. Such laws typically define the item or product for which protection may be sought, requirements or conditions for applicants as well as scope and duration of the right(s). They may also

establish rights or conditions for users of the protected item or product, including for example conditions under which farmers may save, use, exchange and/or sell seed of protected varieties.

By designing such laws in a way that farmers' and farming communities' rights are well considered, they may contribute to their realization. This could be achieved, for example, by making amendments to existing laws, establishing new laws or by changing the administrative procedures for application or execution. Possible examples include *sui generis* laws on plant breeders' rights and Farmers' Rights or specific procedures for the protection of traditional knowledge and/or registration of extant or farmer varieties.

Type(s) of measures that may typically be involved

Technical

Administrative

Legal

Other

Example(s) of possible measures

- Protection of Plant Varieties and Farmers' Rights Act, 2001 (India/Asia) <http://www.fao.org/3/ca7945en/ca7945en.pdf>
- Exceptions to IP rights (the private and non-commercial use exception and the farm saved seed exception) (European Union/Europe) <http://www.fao.org/3/ca8102en/ca8102en.pdf>

Option 10C: Promote Farmers' Rights through seed laws and/or related procedures

Farmers' Rights can be provided for in seed laws and related administrative procedures by offering flexibilities for farmers to continue saving, using, exchanging and/or selling seed. In cases where variety registration is mandatory for legal seed marketing, possibilities for farmers to register varieties may be created or expanded, e.g. for farmer varieties, varieties or populations with specific adaptation and uses.

This could include establishing simplified procedures and/or criteria for the registration of such varieties, reduced fees or active support to farmers and farming communities to register varieties. Exemptions could also be made for seeds that are used for non-commercial purposes.

Type(s) of measures that may typically be involved

Technical

Administrative

Legal

Other

Example(s) of possible measures

- Official guidelines for the registration of farmers' varieties in Nepal (Nepal/Asia) <http://www.fao.org/3/ca7849en/ca7849en.pdf>
- Swiss Regulation on 'Niche Varieties' (Switzerland/Europe) <http://www.fao.org/3/ca8225en/ca8225en.pdf>

Option 10D: Promote Farmers' Rights through national laws and/or procedures for Access and Benefit-sharing

Possibilities to address Farmers' Rights to equitably participate in sharing benefits arising from the utilization of PGRFA include determining rules for governing access to PGRFA, especially those managed on-farm or in situ by farmers and farming communities. Such rules may rely on internationally agreed procedures, such as Free Prior Informed Consent (FPIC), or use tools such as community biodiversity registries and biocultural community protocols. Benefit-sharing could take various forms, monetary as well as non-monetary, depending on the type of use.

Since national measures and procedures for access and benefit-sharing may be required under several international agreements, including for example the Convention on Biological Diversity (CBD),

requirements of all relevant agreements may be reviewed and implemented in a harmonious manner, for example by establishing ‘single window’ systems for access and benefit-sharing.

Type(s) of measures that may typically be involved

Technical

Administrative

Legal

Other

Example(s) of possible measures

- ‘Single window’ system for joint implementation of ITPGRFA and Nagoya Protocol (Benin/Africa) <http://www.fao.org/3/ca4106en/ca4106en.pdf>
- Access and Benefit Sharing Policy of Bhutan, 2015¹⁰ (Bhutan/Asia) <http://www.fao.org/3/ca4346en/ca4346en.pdf>

¹⁰ This example is described in the Inventory under the following measure/practice: “Provisions on Farmers’ Rights in Biodiversity Act of Bhutan, 2003, and Access and Benefit Sharing Policy of Bhutan, 2015.”

Category 11: Other measures/practices

Reference to relevant provision/s of Article 9 of the International Treaty

Art. 9.1	<input checked="" type="checkbox"/> *
Art. 9.2a	<input checked="" type="checkbox"/> *
Art. 9.2b	<input checked="" type="checkbox"/> *
Art. 9.2c	<input checked="" type="checkbox"/> *
Art. 9.3	<input checked="" type="checkbox"/> *

* Options under this category may refer to various provisions of Article 9, depending on their focus.

Why can measures under this category be regarded as options to encourage, guide and promote the realization of Farmers' Rights?

Measures under this category include scientific research and/or innovation actions, as well as general support to farmers' and farming communities' efforts to conserve and sustainably use PGRFA.

Depending on objectives and scope, such measures can be related to various aspects of Farmers' Rights. For example, research on farmers' traditional and current practices may help enhance recognition of such practices (Art. 9.1); other measures may help identify needs, propose and/or develop innovative practices, approaches, tools or technologies that may support the realization of Farmers' Rights (Art. 9.2a-c; Art. 9.3).

Option 11A: Conduct studies on the conservation, management and sustainable use of PGRFA, including technological, socioeconomic and cultural aspects

Studies on the conservation, management or sustainable use of PGRFA may focus on deepening scientific understanding of farmers' practices and needs as well as underlying causes, values, social structures, or economic outcomes. They may also contribute to enhancing current practices, e.g. by offering innovative solutions for identified problems.

Such studies can provide the necessary evidence for targeting and/or designing other measures that support the realization of Farmers' Rights.

Type(s) of measures that may typically be involved

Technical	<input checked="" type="checkbox"/>
Administrative	<input checked="" type="checkbox"/> *
Legal	
Other	<input checked="" type="checkbox"/>

*Administrative measures may be involved, for example, in the case that collections of PGRFA are conducted and/or if traditional knowledge is being documented in databases, etc.

Example(s) of possible measures

- The Three Sisters Project
(Canada/North America) <http://www.fao.org/3/ca7836en/ca7836en.pdf>
- Gender and lentil production in rural Ethiopia
(Ethiopia/Africa) <http://www.fao.org/3/ca7858en/ca7858en.pdf>
- Traditional knowledge of the Andean cosmovision
(Peru/Latin America and the Caribbean) <http://www.fao.org/3/ca8173en/ca8173en.pdf>

Option 11B: Study and analyse policies and legal frameworks governing PGRFA

Studying policies and legal frameworks governing PGRFA may help identify strengths and weaknesses of current policies and laws that may influence the realization of Farmers' Rights and/or analyse the level of coherence, e.g. of international commitments, regional, national and sub-national legislation. They may also propose solutions to overcome identified gaps.

Such studies may further provide necessary evidence for better targeting and/or designing other measures that could support the realization of Farmers' Rights.

Type(s) of measures that may typically be involved

- Technical
 Administrative
 Legal *
 Other

*Legal measures may be involved, for example, if such studies are part of legislative processes.

Example(s) of possible measures

- Policy analysis to identify gaps in the legal framework for seed regarding the implementation of Farmers' Rights in Burkina Faso (Burkina Faso/Africa) <http://www.fao.org/3/ca6460en/ca6460en.pdf>
- Private and non-commercial use project (Netherlands/Europe) <http://www.fao.org/3/ca4161en/ca4161en.pdf>
- Ways to implement the farmers' right to participate in decision-making (Global) <http://www.fao.org/3/ca7796en/ca7796en.pdf>

Option 11C: Enhance farmers' access to new agricultural technologies, including varieties, seed and agricultural practices

Measures for enhancing farmers' access to new agricultural technologies include projects and/or programs through which farmers are exposed to such technologies, including new crops and varieties, certified seed and/or innovative cultivation practices. New agricultural technologies may also contribute to making agricultural production systems more sustainable and resilient, e.g. by increasing the diversity and performance of crops and varieties used.

Depending on how such measures are designed, they could be considered as a way to share benefits arising from the use of PGRFA in non-monetary form.

Type(s) of measures that may typically be involved

- Technical
 Administrative
 Legal
 Other

Example(s) of possible measures

- Making improved wheat varieties available to farmers and facilitate learning via Farmer Field Schools (Jordan/Near East) <http://www.fao.org/3/ca8124en/ca8124en.pdf>
- Fair Planet (Ethiopia/Africa) <http://www.fao.org/3/ca8103en/ca8103en.pdf>

Option 11D: Support farmers' conservation, management and sustainable use of PGRFA through other measures

Other measures include tools and approaches that support farmers more generally, e.g. by reducing risks and vulnerabilities; examples could be insurances, emergency aid and/or advisory services, as far as they support the conservation, management and sustainable use of PGRFA.

Type(s) of measures that may typically be involved

- Technical
 Administrative
 Legal
 Other

Example(s) of possible measures

- Crop Insurance (USA/North America) <http://www.fao.org/3/ca8452en/ca8452en.pdf>