



The International Treaty

ON PLANT GENETIC RESOURCES FOR FOOD AND AGRICULTURE



FAO International Technical Conference on Agricultural Biotechnologies in Developing Countries

Technology Transfer Aspects of the Multilateral System of the ITPGRFA

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Secretary

International Treaty on Plant Genetic Resources
for Food & Agriculture,
Guadalajara, Mexico, 3 March 2009

Outline

1. Overview of the International Treaty

- Basic background and functioning

2. Main Treaty Systems under direct control of the Governing Body

- Multilateral System of Access and Benefit-sharing
- Benefit-sharing Fund of the Funding Strategy

3. Technology transfer under the Multilateral System

4. Outlook

5. Discussion

Past Sessions of Governing Body (GB) Timeline

2001 - Adopted by the FAO Conference



2004 - Entry into force

2006 – 1st Governing Body (GB): SMTA adopted



2007 – launched Multilateral System

2009 – 3rd GB: launched Benefit-sharing Fund

March 2011 – 4th GB Session (Bali, Indonesia)



March 2010: 123 Contracting Parties

The scope of the Treaty is all plant genetic resources for food and agriculture



What Are the Treaty's Objectives?



<http://www.planttreaty.org>

- The conservation and sustainable use of plant genetic resources for food and agriculture
- The fair and equitable sharing of benefits derived from their use, in harmony with the Convention on Biological Diversity, for sustainable agriculture and food security

Outline

1. Overview of the International Treaty

- Basic background

2. Main Treaty Systems under direct control of the Governing Body

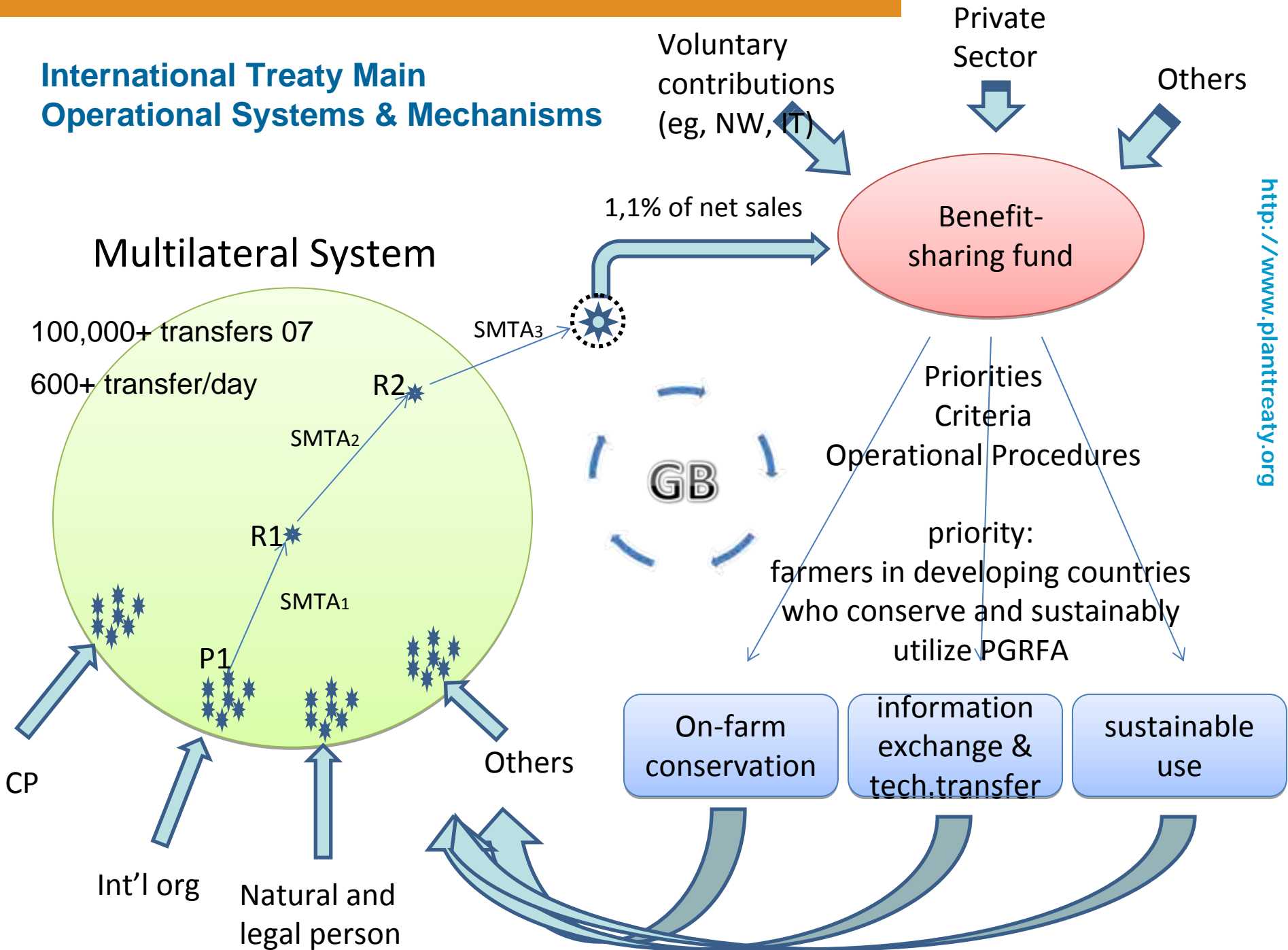
- Multilateral System of Access and Benefit-sharing
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4. Technology transfer aspects of the Multilateral System

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International Treaty Main Operational Systems & Mechanisms



Article 13.2(b): Access to and transfer of technology

BLAST search of Gramene genomics
database and IRRI-SMTA database ...

MLS - Number of Accessions Notified



Progress in past 2 years:

MLS

Inclusions of genetic material :

1,3 million samples:
governments, private sector,
indigenous peoples

Information infrastructure for MLS

- PID server
- Datastore
- Ordering Toolkit

- Alternative dispute resolution
for SMTAs: Third Party Beneficiary
- SMTA reporting requirements
- Adopted non-Annex I MTA

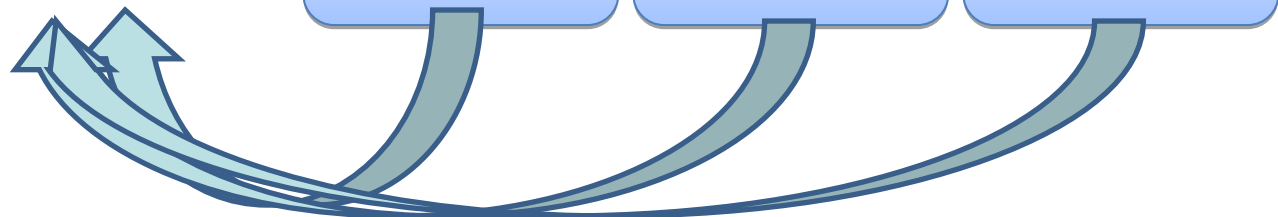
Benefit-sharing Fund

- 1/2 million USD granted for benefit-sharing projects from Benefit-sharing Fund

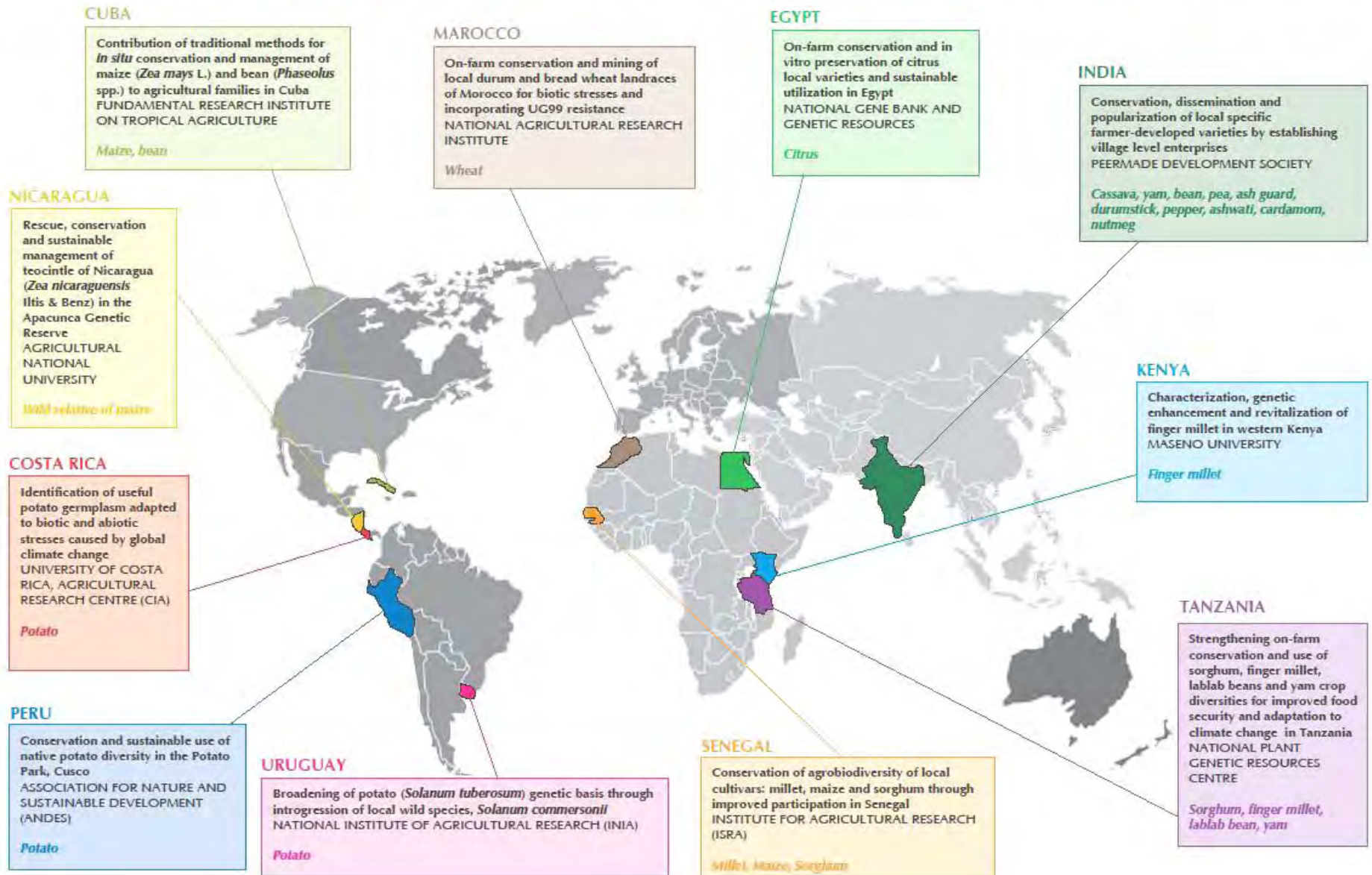
- Strategic Plan developed for 116 million USD for Benefit-sharing Fund in 5 years

- First Round of Project Cycle
11 benefit-sharing projects under way

GB



Projects 2009-2011 under the Benefit-sharing Fund



Benefit-sharing Fund priority #2: Information exchange, Technology transfer, Capacity Bldg

Example:

- Ketchua farmers in Peru of the Association for Nature and Sustainable Development (ANDES), Cusco, Peru
- "Conservation & Sustainable Use of Native Potato Diversity in the Potato Park in Cusco, Peru"





- International Training Workshop, 20-29 September 2009, Potato Park, Cusco, Peru
- Peruvian and Ethiopian scientists and farmers
- “Technology transfer and exchange of information in the context of the International Treaty relevant to the conservation of agro-biodiversity areas in particular, of indigenous territories biocultural”
- “The Participatory Plant Breeding for Climate Change Project under the auspices of the International Treaty of the FAO”

Benefit-sharing under the Multilateral System: **Including non-commercial benefit-sharing**

Four benefit-sharing mechanisms under the Multilateral System:

- the exchange of information
- transfer of technology
- capacity-building
- the sharing of the benefits arising from commercialization

(Art.13.2)

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Article 13.2(b): Access to and transfer of technology

The Multilateral System as a pool of intangibles and a system for exchange of technologies:

“Recognizing that some technologies can only be transferred through genetic material, the Contracting Parties shall ... facilitate access to such technologies and genetic material which is under the Multilateral System and to improved varieties and genetic material developed through the use of PGRFA under the Multilateral System, in conformity with the provisions of Article 12.”
(Art.13.2b(i))

Article 13.2(b): Access to and transfer of technology

Basic undertaking:

“Contracting Parties undertake to provide and/or facilitate access to technologies for:

- conservation
- characterization
- evaluation and
- use

of PGRFA which are under the Multilateral System.”

(Art.13.2b(i))

Article 13.2(b): Access to and transfer of technology

Proviso:

“Access to these technologies, improved varieties and genetic material shall be provided and/or facilitated, while **respecting applicable property rights and access laws**, and in accordance with national capabilities.”

(Art.13.2b(i))

Article 13.2(b): Access to and transfer of technology

interactive BLAST search on BIOS Rice
Genome Patent Landscape ...

Article 13.2(b): Access to and transfer of technology

A “set of measures”:

“access to and transfer of technology ... shall be carried out through
a set of measures, such as:

- the establishment and maintenance of ... crop-based thematic groups on utilization of PGRFA,
- all types of partnership in research and development and
- in commercial joint ventures relating to the material received,
- human resource development, and
- effective access to research facilities.”

(Art.13.2b(ii))

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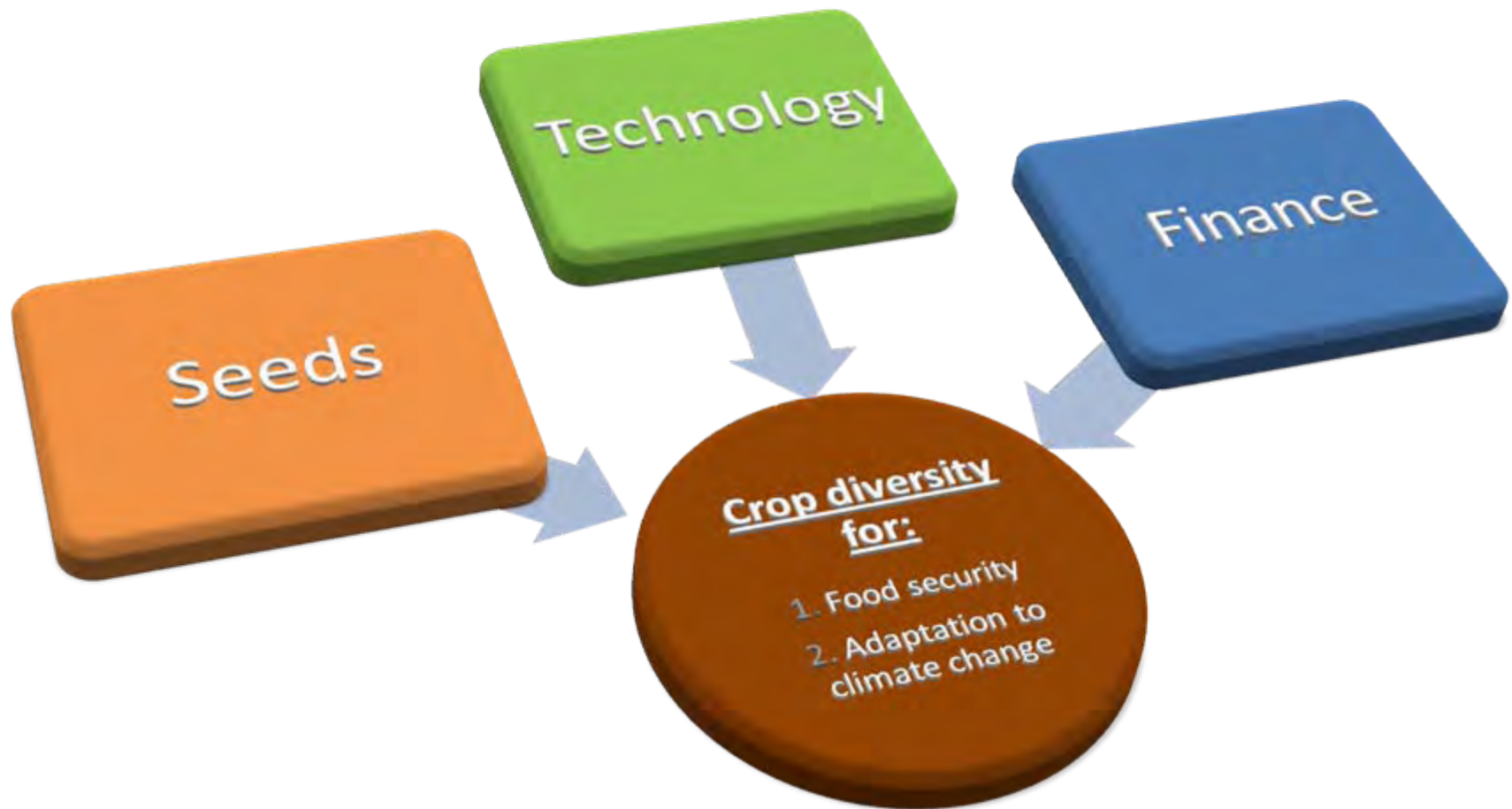
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Benefit-sharing under the Treaty: International Consultation

- Bogor, 9-11 March 2010
- Organized by Indonesia and Norway
- Focus on non-commercial benefit-sharing
- Recommendations for GB-4
- GB-4 in Bali, Indonesia, from 7-11 March 2011
- recommendations from Technical Conference may be considered, if any
- transfer of technologies making use of PGRFA as a benefit-sharing mechanism under the Multilateral System of the Treaty

The International Treaty on Plant Genetic Resources for Food and Agriculture

- a unique, high impact, fully operational global instrument



Challenges for the Treaty

- Further operationalize Multilateral System, especially non-commercial benefit-sharing:
 - Exchange of information
 - Transfer of technology
 - Capacity building
- Include more material in the Multilateral System
- recognize two-fold nature of the Treaty:
 - operational systems & mechanisms;
 - intergovernmental process;
- Maintain policy and operational coherence in Treaty implementation;
- Improve communication on Treaty & ongoing operation and evolution;
- Facilitate interaction between Contracting Parties & users & other stakeholders;
- Focus the Project Cycle of Benefit-sharing Fund;
- Leverage Treaty as a model for other sectors.

Policy relevance of the Governing Body

- The only fully operational, international Access and Benefit-sharing System for plant genetic resources;
- Represents the agricultural sector and its specificity within Plant Genetic Resources policy, *while*:
- Providing innovative instrument to address simultaneously several global challenges:
 - crop adaptation to climate change;
 - genetic erosion and biodiversity loss;
 - food crisis and escalation of food prices;
 - rural poverty of small-holder farmers;
 - bottom-up approach to development policy in agriculture;
- Becoming a model for numerous other sectors, eg. WHO, animal genetic resources, UNCLOS, etc.



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¡Gracias! /Thank you! /Merci!

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