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

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On 3 November 2001, the Thirty-first Session of the FAO Conference approved the International Treaty on Plant Genetic Resources for Food and Agriculture through Resolution 3/2001. In accordance with its Article 25, the Treaty was opened for signature at FAO Headquarters from 3 November 2001 until 4 November 2002 by all Members of FAO and any States that are not Members of FAO but are Members of the United Nations, or any of its specialized agencies or of the International Atomic Energy Agency.

Under Article 26, the Treaty is subject to ratification, acceptance or approval by the signatories. Instruments of ratification, acceptance, or approval are deposited with the Director-General of FAO. Under Article 27, the Treaty is open for accession by all Members of FAO and any States that are not Members of FAO but are Members of the United Nations, or any of its specialized agencies or of the International Atomic Energy Agency. Instruments of accession are deposited with the Director-General of FAO.

In accordance with Article 28, the Treaty entered into force on **29 June 2004**, the ninetieth day after the deposit of the fortieth (40) instrument of ratification, acceptance, approval or accession, given that at least twenty of those instruments were deposited by Members of FAO.

The treaty was registered with the Secretariat of the United Nations on 13 December 2006 under No. 43345.

### Parties: 144

The following instruments have been deposited on the dates indicated:

Participant	Signature	Ratification	Acceptance	Approval	Accession	Entry into Force
Afghanistan					9 Nov 2006	7 Feb 2007
Albania					12 May 2010	10 Aug 2010
Algeria					13 Dec 2002	<b>29 Jun 2004</b>
Angola	10 Oct 2002	14 Mar 2006				12 Jun 2006
Antigua and Barbuda					28 Feb 2017	29 May 2017
Argentina	10 Jun 2002	17 May 2016				15 Aug 2016
Armenia					20 Mar 2007	18 Jun 2007
Australia	10 Jun 2002	12 Dec 2005				12 Mar 2006
Austria	6 Jun 2002	4 Nov 2005				2 Feb 2006
Bangladesh	17 Oct 2002	14 Nov 2003				<b>29 Jun 2004</b>
Belgium	6 Jun 2002	2 Oct 2007				31 Dec 2007
Benin					24 Feb 2006	25 May 2006
Bhutan	10 Jun 2002	2 Sep 2003				<b>29 Jun 2004</b>
Bolivia (Plurinational State of)					5 Sep 2016	4 Dec 2016
Brazil	10 Jun 2002	22 May 2006				20 Aug 2006

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Participant	Signature	Ratification	Acceptance	Approval	Accession	Entry into Force
Bulgaria					29 Dec 2004	29 Mar 2005
Burkina Faso	9 Nov 2001	5 Dec 2006				5 Mar 2007
Burundi	10 Jun 2002	28 Apr 2006				27 Jul 2006
Cambodia	11 Jun 2002		11 Jun 2002			<b>29 Jun 2004</b>
Cameroon	3 Sep 2002	19 Dec 2005				19 Mar 2006
Canada	10 Jun 2002	10 Jun 2002				<b>29 Jun 2004</b>
Cape Verde	16 Oct 2002					
Central African Republic	9 Nov 2001	4 Aug 2003				<b>29 Jun 2004</b>
Chad	11 Jun 2002		14 Mar 2006			12 Jun 2006
Chile	4 Nov 2002	14 Jan 2016				13 Apr 2016
Colombia	30 Oct 2002					
Congo					14 Sep 2004	13 Dec 2004
Cook Islands					2 Dec 2004	2 Mar 2005
Costa Rica	10 Jun 2002	14 Nov 2006				12 Feb 2007
Côte d'Ivoire	9 Nov 2001	25 Jun 2003				<b>29 Jun 2004</b>
Croatia					8 May 2009	6 Aug 2009
Cuba	11 Oct 2002	16 Sep 2004				15 Dec 2004
Cyprus	12 Jun 2002	15 Sep 2003				<b>29 Jun 2004</b>
Czech Republic					31 Mar 2004	<b>29 Jun 2004</b>
Democratic People's Republic of Korea					16 Jul 2003	<b>29 Jun 2004</b>
Democratic Republic of the Congo					5 Jun 2003	<b>29 Jun 2004</b>
Denmark	6 Jun 2002	31 Mar 2004				<b>29 Jun 2004</b>
Djibouti					8 May 2006	6 Aug 2006
Dominican Republic	11 Jun 2002					
Ecuador					7 May 2004	5 Aug 2004
Egypt	29 Aug 2002	31 Mar 2004				<b>29 Jun 2004</b>
El Salvador	10 Jun 2002	9 Jul 2003				<b>29 Jun 2004</b>
Eritrea	10 Jun 2002	10 Jun 2002				<b>29 Jun 2004</b>
Estonia					31 Mar 2004	<b>29 Jun 2004</b>
Ethiopia	12 Jun 2002	18 Jun 2003				<b>29 Jun 2004</b>
European Union (Member Organization) <sup>1</sup>	6 Jun 2002			31 Mar 2004		<b>29 Jun 2004</b>
Fiji					9 Jul 2008	7 Oct 2008
Finland	6 Jun 2002	31 Mar 2004				<b>29 Jun 2004</b>
France	6 Jun 2002			11 Jul 2005		9 Oct 2005
Gabon	10 Jun 2002	13 Nov 2006				11 Feb 2007
Germany	6 Jun 2002	31 Mar 2004				<b>29 Jun 2004</b>
Ghana	28 Oct 2002	28 Oct 2002				<b>29 Jun 2004</b>
Greece	6 Jun 2002	31 Mar 2004				<b>29 Jun 2004</b>
Guatemala	13 Jun 2002	1 Feb 2006				2 May 2006
Guinea	11 Jun 2002			11 Jun 2002		<b>29 Jun 2004</b>

<sup>1</sup> Pursuant to Article 29.2, the instrument of approval deposited by the European Union shall not be counted as additional to those deposited by its Member States.

Participant	Signature	Ratification	Acceptance	Approval	Accession	Entry into Force
Guinea-Bissau					1 Feb 2006	2 May 2006
Guyana					31 Dec 2015	30 Mar 2016
Haiti	9 Nov 2001					
Honduras					14 Jan 2004	<b>29 Jun 2004</b>
Hungary					4 Mar 2004	<b>29 Jun 2004</b>
Iceland					7 Aug 2007	5 Nov 2007
India	10 Jun 2002	10 Jun 2002				<b>29 Jun 2004</b>
Indonesia					10 Mar 2006	8 Jun 2006
Iran (Islamic Republic of)	4 Nov 2002	28 Apr 2006				27 Jul 2006
Iraq					29 Aug 2014	27 Nov 2014
Ireland	6 Jun 2002	31 Mar 2004				<b>29 Jun 2004</b>
Italy	6 Jun 2002	18 May 2004				16 Aug 2004
Jamaica					14 Mar 2006	12 Jun 2006
Japan					30 Jul 2013	28 Oct 2013
Jordan	9 Nov 2001	30 May 2002				<b>29 Jun 2004</b>
Kenya					27 May 2003	<b>29 Jun 2004</b>
Kiribati					13 Dec 2005	13 Mar 2006
Kuwait					2 Sep 2003	<b>29 Jun 2004</b>
Kyrgyzstan					1 June 2009	30 Aug 2009
Lao People's Democratic Republic					14 Mar 2006	12 Jun 2006
Latvia					27 May 2004	25 Aug 2004
Lebanon	4 Nov 2002	6 May 2004				4 Aug 2004
Lesotho					21 Nov 2005	19 Feb 2006
Liberia					25 Nov 2005	23 Feb 2006
Libya					12 Apr 2005	11 Jul 2005
Lithuania					21 Jun 2005	19 Sep 2005
Luxembourg	6 Jun 2002	31 Mar 2004				<b>29 Jun 2004</b>
Madagascar	30 Oct 2002	13 Mar 2006				11 Jun 2006
Malawi	10 Jun 2002	4 Jul 2002				<b>29 Jun 2004</b>
Malaysia					5 May 2003	<b>29 Jun 2004</b>
Maldives					2 Mar 2006	31 May 2006
Mali	9 Nov 2001	5 May 2005				3 Aug 2005
Malta	10 Jun 2002	22 Nov 2016				20 Feb 2017
Marshall Islands	13 Jun 2002	15 Jul 2014				13 Oct 2014
Mauritania					11 Feb 2003	<b>29 Jun 2004</b>
Mauritius					27 Mar 2003	<b>29 Jun 2004</b>
Montenegro					21 Jul 2010	19 Oct 2010
Morocco	27 Mar 2002	14 Jul 2006				12 Oct 2006
Myanmar					4 Dec 2002	<b>29 Jun 2004</b>
Namibia	9 Nov 2001	7 Oct 2004				5 Jan 2005
Nepal					19 Oct 2009	17 Jan 2010
Netherlands	6 Jun 2002		18 Nov 2005			16 Feb 2006
Nicaragua					22 Nov 2002	<b>29 Jun 2004</b>
Niger	11 Jun 2002	27 Oct 2004				25 Jan 2005
Nigeria	10 Jun 2002					
Norway	12 Jun 2002	3 Aug 2004				1 Nov 2004

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Participant	Signature	Ratification	Acceptance	Approval	Accession	Entry into Force
Oman					14 Jul 2004	12 Oct 2004
Pakistan					2 Sept 2003	<b>29 Jun 2004</b>
Palau					5 Aug 2008	3 Nov 2008
Panama					13 Mar 2006	11 Jun 2006
Papua New Guinea					5 Feb 2015	6 May 2015
Paraguay	24 Oct 2002		3 Jan 2003			<b>29 Jun 2004</b>
Peru	8 Oct 2002	5 Jun 2003				<b>29 Jun 2004</b>
Philippines					28 Sep 2006	27 Dec 2006
Poland					7 Feb 2005	8 May 2005
Portugal	6 Jun 2002			7 Nov 2005		5 Feb 2006
Qatar					1 Jul 2008	29 Sep 2008
Republic of Korea					20 Jan 2009	20 Apr 2009
Republic of Moldova					3 Aug 2015	1 Nov 2015
Romania					31 May 2005	29 Aug 2005
Rwanda					14 Oct 2010	12 Jan 2011
Saint Lucia					16 Jul 2003	<b>29 Jun 2004</b>
Samoa					9 Mar 2006	7 Jun 2006
Sao Tome and Principe					7 Apr 2006	6 Jul 2006
Saudi Arabia					17 Oct 2005	15 Jan 2006
Senegal	9 Nov 2001	25 Oct 2006				23 Jan 2007
Serbia	1 Oct 2002	3 Apr 2013				2 July 2013
Seychelles					30 May 2006	29 Aug 2006
Sierra Leone					20 Nov 2002	<b>29 Jun 2004</b>
Slovakia					8 June 2010	6 Sep 2010
Slovenia					11 Jan 2006	11 Apr 2006
Spain	6 Jun 2002	31 Mar 2004				<b>29 Jun 2004</b>
Sri Lanka					17 Sept 2013	16 Dec 2013
Sudan	10 Jun 2002	10 Jun 2002				<b>29 Jun 2004</b>
Swaziland	10 Jun 2002	23 Oct 2012				21 January 2013
Sweden	6 Jun 2002	31 Mar 2004				<b>29 Jun 2004</b>
Switzerland	28 Oct 2002	22 Nov 2004				20 Feb 2005
Syrian Arab Republic	13 Jun 2002	26 Aug 2003				<b>29 Jun 2004</b>
Thailand	4 Nov 2002					
The Former Yugoslav Republic of Macedonia	10 Jun 2002					
Togo	4 Nov 2002	23 Oct 2007				21 Jan 2008
Tonga					16 Dec 2014	16 Mar 2015
Trinidad and Tobago					27 Oct 2004	25 Jan 2005
Tunisia	10 Jun 2002	8 Jun 2004				6 Sep 2004
Turkey	4 Nov 2002	7 Jun 2007				5 Sep 2007
Tuvalu					7 Mar 2016	6 Jun 2016
Uganda					25 Mar 2003	<b>29 Jun 2004</b>

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Participant	Signature	Ratification	Acceptance	Approval	Accession	Entry into Force
United Arab Emirates					16 Feb 2004	<b>29 Jun 2004</b>
United Kingdom	6 Jun 2002	31 Mar 2004				<b>29 Jun 2004</b>
United Republic of Tanzania					30 Apr 2004	<b>29 Jun 2004</b>
United States of America	1 Nov 2002	13 Dec 2016				13 Mar 2017
Uruguay	10 Jun 2002	1 Mar 2006				30 May 2006
Venezuela (Bolivarian Republic of)	11 Feb 2002	17 May 2005				15 Aug 2005
Yemen					1 Mar 2006	30 May 2006
Zambia	4 Nov 2002	13 Mar 2006				11 Jun 2006
Zimbabwe	30 Oct 2002	5 Jul 2005				3 Oct 2005

### Declarations

**Austria (Declaration made upon ratification):** *“The Republic of Austria confirms the declaration made at adoption concerning the interpretation of Article 12.3.d of the International Treaty on Plant Genetic Resources as recognising that plant genetic resources for food and agriculture or their genetic parts or components which have undergone innovation may be the subject of intellectual property rights provided that the criteria relating to such rights are met.”*

**Belgium (Declaration made upon ratification):** *“Belgium interprets Article 12.3.d of the International Treaty on Plant Genetic Resources as recognising that plant genetic resources for food and agriculture or their genetic parts or components which have undergone innovation may be the subject of intellectual property rights provided that the criteria relating to such rights are met.”*

**Bolivia (Declaration made upon ratification):** *“With respect to Article 22.3, if the dispute is not resolved in accordance with Article 22.1 or Article 22.2, the Plurinational State of Bolivia accepts its submission to the International Court of Justice as a compulsory mechanism for the settlement of disputes”.*

**Denmark (Declaration made upon ratification):** *“Denmark confirms the declaration made at adopting the Treaty concerning the interpretation of Article 12.3.d of the International Treaty on Plant Genetic Resources as recognising that plant genetic resources for food and agriculture or their genetic parts or components which have undergone innovation may be the subject of intellectual property rights provided that the criteria relating to such rights are met.”*

**European Union (Declaration made upon approval):** *“(1) The European [Union] interprets Article 12.3.d of the International Treaty on Plant Genetic Resources as recognising that plant genetic resources for food and agriculture or their genetic parts or components which have undergone innovation may be the subject of intellectual property rights provided that the criteria relating to such rights are met. (2) In accordance with the provisions of Article II.7 of the FAO Constitution, the European [Union] declares that its declaration of competence submitted to FAO on 4 October 1994 under Article II.5 of the*

*FAO Constitution still applies in the light of its acceptance of the International Treaty on Plant Genetic Resources for Food and Agriculture. (3) In accordance with the provision of Article 22.3 the European [Union] declares that for a dispute not resolved in accordance with Article 22.1 or Article 22.2 it accepts as compulsory the dispute settlement provisions in Article 22.3(a)."*

**Finland (Declaration made upon ratification):** *"The European [Union] and its Member States interpret Article 12.3.d of the International Treaty on Plant Genetic Resources as recognising that plant genetic resources for food and agriculture or their genetic parts or components which have undergone innovation may be the subject of intellectual property rights provided that the criteria relating to such rights are met."*

**Germany (Declaration made upon ratification):** *"Germany confirms the declaration made at adoption by the European Union concerning the interpretation of Article 12.3.d of the International Treaty on Plant Genetic Resources as recognising that plant genetic resources for food and agriculture or their genetic parts or components which have undergone innovation may be the subject of intellectual property rights provided that the criteria relating to such rights are met."*

**Greece (Declaration made upon ratification):** *"The Hellenic Republic confirms the declaration made at adoption concerning the interpretation of Article 12.3.d of the International Treaty on Plant Genetic Resources for Food and Agriculture as recognizing that the plant genetic resources for food and agriculture or their genetic parts or components which have undergone innovation may be the subject of intellectual property rights, provided that the criteria relating to such rights are met."*

**Ireland (Declaration made upon ratification):** *"Ireland confirms the declaration made at adoption concerning the interpretation of Article 12.3.d of the International Treaty on Plant Genetic Resources for Food and Agriculture as recognising that the plant genetic resources for food and agriculture or their genetic parts or components which have undergone innovation may be the subject of intellectual property rights, provided that the criteria relating to such rights are met."*

**Italy (Declaration made upon ratification):** *"Italy confirms the declaration made at adoption concerning the interpretation of Article 12.3.d of the International Treaty on Plant Genetic Resources for Food and Agriculture as recognising that plant genetic resources for food and agriculture or their genetic parts or components which have undergone innovation may be the subject of intellectual property rights provided that the criteria relating to such rights are met."*

**Japan (Declaration made upon accession):** *"The Government of Japan declares that Article 12.3(d) of the International Treaty on Plant and Genetic Resources for Food and Agriculture be interpreted as recognising that plant genetic resources for food and agriculture or their genetic parts or components which have undergone innovation may be the subject of intellectual property rights provided that the criteria relating to such rights are met."*

**Luxembourg (Declaration made upon ratification):** *"The Grand-Duchy of Luxembourg confirms the declaration made at adoption concerning the interpretation of Article 12.3.d of the International Treaty on Plant Genetic Resources for Food and Agriculture as recognising that the plant genetic resources for food and agriculture or their genetic parts or components which have undergone innovation may be the subject of intellectual property rights, provided that the criteria relating to such rights are met."*

**Myanmar (Declaration with respect to Article 22 made upon accession):** *“The Government of the Union of Myanmar declares that in the event of a dispute between Contracting Parties concerning the interpretation or application of International Treaty on Plant Genetic Resources for Food and Agriculture, Myanmar shall seek Arbitration in accordance with Article 22.3(a). In this respect, Myanmar accepts Arbitration in accordance with the procedure laid down in Part one of Annex II to the Treaty.”*

**Poland (Declaration made upon accession):** *“The Republic of Poland confirms the declaration made at adoption by the European [Union] concerning the interpretation of Article 12.3.d of the International Treaty on Plant Genetic Resources for Food and Agriculture recognising that plant genetic resources for food and agriculture or their genetic parts or components which have undergone innovation may be the subject of intellectual property rights, provided that the criteria relating to such rights are met.”*

**Spain (Declaration made upon ratification):** *“Spain declares its intention to deposit the declaration of interpretation concerning Article 12.3.d of the Treaty, already made by the Presidency of the European [Union] during the thirty-first Ministerial Conference of FAO of November 2001, at the time of adoption of the Treaty, as soon as the pertinent internal proceedings are finalized.”*

**Sweden (Declaration made upon ratification):** *“(1) Sweden confirms the declaration made at adopting concerning the interpretation of Article 12.3d of the International Treaty on Plant Genetic Resources for Food and Agriculture as recognising that the plant genetic resources for food and agriculture or their genetic parts or components which have undergone innovation may be the subject of intellectual property rights, provided that the criteria relating to such rights are met. (2) In accordance with the provisions of Article II.7 of the FAO Constitution, Sweden declares that the European Union's declaration of competence submitted to FAO on 4 October 1994 under Article II.5 of the FAO Constitution still applies in the light of its acceptance of the International Treaty on Plant Genetic Resources for Food and Agriculture. (3) In accordance with the provision of Article 22.3 Sweden declares that for a dispute not resolved in accordance with Article 22.1 or Article 22.2 it accepts as compulsory the dispute settlement provisions in Article 22.3(a).”*

**United Kingdom (Declaration made upon ratification):** *“The Government of the United Kingdom confirms the declaration made at adoption concerning the interpretation of Article 12.3.d of the International Treaty on Plant Genetic Resources for Food and Agriculture as recognising that plant genetic resources for food and agriculture or their genetic parts or components which have undergone innovation may be the subject of intellectual property rights provided that the criteria relating to such rights are met.”*

**United States of America (Ratification subject to the following understanding):** *“The United States of America understands that Article 12.3d shall not be construed in a manner that diminishes the availability or exercise of intellectual property rights under national laws.”*