



The International Treaty

ON PLANT GENETIC RESOURCES FOR FOOD AND AGRICULTURE



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Item 6 of the Provisional Agenda
FIFTH SESSION OF THE GOVERNING BODY
Muscat, Oman, 24-28 September 2013
REPORT FROM THE SECOND HIGH-LEVEL ROUND TABLE ON THE INTERNATIONAL TREATY

Note by the Secretary

1. At the request of the Government of Brazil the attached document entitled *Report of the Second High-Level Roundtable on the International Treaty on Plant Genetic Resources for Food and Agriculture*, is circulated in the language and form in which it was received.
2. The report was submitted through the Executive Director of the Research and Development Executive Board of the Brazilian Agricultural Research Corporation and Chair of the Second Roundtable to the Chair of the Fifth Session of the Governing Body.
3. In his letter the Chair of the Second High-Level Round Table requested the Report to be published and brought to the attention of the Governing Body and the relevant subsidiary *ad hoc* bodies.
4. Following the guidance of the Chair of the Governing Body, the Secretariat made the Report available on the Treaty website and included it as part of the documentation for the Fifth Session.

Appendix: Report of the Second High-Level Round Table on the International Treaty on Plant Genetic Resources for Food and Agriculture

**REPORT OF THE SECOND HIGH-LEVEL ROUND TABLE
ON THE INTERNATIONAL TREATY**



SECOND HIGH-LEVEL ROUNDTABLE ON THE INTERNATIONAL TREATY ON PLANT GENETIC RESOURCES FOR FOOD AND AGRICULTURE

**ON THE OCCASION OF THE
UNITED NATIONS CONFERENCE ON SUSTAINABLE DEVELOPMENT
("RIO+20 SUMMIT")
RIO DE JANEIRO, BRAZIL, 21 JUNE 2012**

The Second High-level Roundtable on the International Treaty on Plant Genetic Resources for Food and Agriculture (the "Treaty") met on 21 June 2012 in Rio de Janeiro, Brazil, on the occasion of the United Nations Summit for Sustainable Development (the "Rio+20 Summit").

The Round Table was co-hosted by the Governments of Brazil, Italy and Norway, and chaired by Mr. Mauricio Lopes, Executive Director of Research and Development of the Brazilian Agricultural Research Corporation (Embrapa).

Opening

The High-level Roundtable was attended by: Ministers of Agriculture, Environment and Development of many countries; the European Commissioner for Agriculture; Agricultural Research Organizations, including the CGIAR; and civil society and farmers' representatives. The Chairman of the Fifth Session of the Treaty's Governing Body, Mr. Javad Mozafari, addressed the High-level Roundtable, as did Mr. José Graziano da Silva, Director-General of FAO, Mr. Bráulio Ferreira de Souza Dias, the Executive Secretary of the Convention on Biological Diversity, and Mr. Shakeel Bhatti, the Secretary of the Treaty. The Heads of Agencies and other high-level officials of a number of United Nations' Specialized Agencies and other International Organizations – including IFAD, UNDP, UNEP, UPOV and WIPO – also addressed the meeting.

Attended also by representatives of the Brazilian Ministries of Agriculture, Livestock and Food Supply, Environment, Rural Development and from Embrapa.

There was a rich discussion, in which numerous countries took the floor to stress the importance of the Treaty and the crucial role of plant genetic resources for food and agriculture in combatting hunger, malnutrition and poverty. Climate change is making it more

important than ever to protect these resources, as the basis for adapting to, and mitigating the effects of, the major changes that will occur.

The High-level Roundtable stressed the central role of the Treaty in the international governance of plant genetic resources for food and agriculture. It welcomed the recognition of the Treaty and its Multilateral System of Access and Benefit-sharing, as pillars of the International Regime created by the recently adopted Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization. The High-level Roundtable underlined the importance of now completing the Treaty as the apex organization for the governance of all plant genetic resources for food and agriculture. It welcomed the strong and expanding collaboration between the Treaty and the Convention on Biological Diversity.

Joint Initiative of the International Treaty and the Convention on Biological Diversity

Dr. Bráulio F. de Souza Dias, the Executive Secretary of the Convention on Biological Diversity (the “Convention”), drew attention to the fact that, following the adoption of the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization (the “Nagoya Protocol”), the Treaty plays the central role in regulating access to plant genetic resources for food and agriculture and benefit-sharing, as a constituent of the International Regime of Access and Benefit-sharing. He stressed that the Convention is now looking towards the International Treaty, to learn from its experience in the implementation of functional, global access and benefit-sharing systems.

The Executive Secretary of the Convention, and the Secretary of the Treaty, then signed and launched a *Joint Initiative of the Secretariats of the International Treaty and the Convention on Biological Diversity on Sustainable Development, Technology Transfer and Capacity-building*, within the context of the existing Memorandum of Cooperation between the two organizations. The *Secretariats of the of the Treaty and the Convention* is in Annex 2 to the present Report.

Memorandum of Cooperation between the Treaty and UNEP

A signature ceremony of the Memorandum of Cooperation between the Treaty and UNEP took place. The Memorandum of Cooperation is in Annex 4 of the present Report.

The Rio Six-Point Action Plan for the International Treaty on Plant Genetic Resources for Food and Agriculture

The Chairman of the Fifth Session of the Governing Body of the Treaty reported to the High-level Round Table on a draft six-point action plan that had been drafted by a public-private forum that had met the day before. The High-level Roundtable reviewed this plan and by consensus decided to adopt it as the *Rio Six-Point Action Plan for the International Treaty on Plant Genetic Resources for Food and Agriculture* (the “*Rio Six-Point Action Plan*”), which follows:

Priorities actions to be undertaken by the International Treaty on Plant Genetic Resources for Food and Agriculture with the involvement of all relevant stakeholders, include:

1. To establish a *Platform for the Co-Development and Transfer of Technologies*, within the context of non-monetary benefit-sharing under the Treaty;
2. To promote a *public-private partnership for pre-breeding*;;
3. To facilitate a new Keystone-type dialogue, to complete the governance of all plant genetic resources for food and agriculture under the Treaty;
4. To raise awareness of the actual and potential value of underutilized species of local and regional importance for food security and sustainable development;
5. To sensitize policy makers and other key stakeholders about the importance of fully implementing the Treaty, not only for food and agriculture, but also for food security, nutrition and the resilience of agriculture systems, particularly in the context of the climate change; and
6. To explore the possible expansion the list of the crops included in the Annex I to the Treaty

The Director-General of the FAO assured the High-level Roundtable that he and his Organization fully committed themselves to supporting the implementation of the *Rio Six-*

point Action Plan, and stressed, in particular, the importance of including the widest possible range of crop genetic resources in Annex I to the Treaty. He welcomed the expressions of support by other international institutions and governments, in particular the commitment made by Bioversity International to actively contribute to the implementation of the *Rio Six-Point Action Plan*.

Commitments and Contributions by Contracting Parties on the International Treaty

During the High-level Round Table, the European Commissioner for Agriculture, Mr. Dacian Ciolos, announced that the European Commission will contribute € 5million to the Treaty's Benefit-sharing Fund, and Mr. Hans-Jürgen Beerfelz, Vice-Minister for Economic Cooperation and Development of Germany, announced a contribution of USD 450,000, and a signing ceremony took place. The High-level Roundtable welcomed these generous contributions to benefit-sharing under the Treaty and thanked the European Commission and Germany for their contributions. The Declaration of Germany regarding its contribution to the Benefit-sharing Fund of the Treaty is in Annex 3 to the present Report.

Ms. Emilia Harahap, Assistant Minister for the Environment of Indonesia , announced that that would convene a High-level Consultation in 2013, to discuss completing the governance of plant genetic resources for food and agriculture under the Treaty. This would constitute a Third High-level Roundtable, and would take up the *Rio Six-Point Action Plan*. This was warmly welcomed.

Closure of the High-level Round Table

The countries, institutions and stakeholders present thanked Brazil, Italy and Norway for hosting the Second High-level Roundtable on the International Treaty. The host countries undertook to make available and disseminate the Report of the High-level Roundtable to the widest possible audience and to facilitate the implementation of the recommendations contained there.

The Chairman of the High-level Roundtable, Mr Mauricio Lopez, informed participants that a High-level Technical Meeting would be hosted by Embrapa during the afternoon, to which they were invited. He thanked participants for the rich discussions that had taken place and

commended them for the crucial decisions they had taken. He wished them an enjoyable and productive stay in Brazil, and a safe return home.

During the High-level Technical Meeting, ANDES (Asociación para la Naturaleza y el Desarrollo Sostenible) announced the inclusion in the Treaty's Multilateral System of genetic material held in its Potato Park.

Annexes

1. Programme and list of speakers.
2. Joint Initiative the Secretariats of the Convention on Biological Diversity and the International Treaty on Plant Genetic Resources for Food and Agriculture under the Memorandum of Cooperation between them
3. Memorandum of Cooperation between the Treaty and UNEP
4. Declaration of Germany regarding its contribution to the Benefit-sharing Fund of the Treaty.

ANNEX 1

PROGRAMME AND LIST OF SPEAKERS



The International Treaty

ON PLANT GENETIC RESOURCES FOR FOOD AND AGRICULTURE



<http://www.planttreaty.org>

Programme

“The International Treaty on Plant Genetic Resources as a Pillar of the Food Security and Agro-biodiversity”

Second High-Level Round Table on the International Treaty
on Plant Genetic Resources for Food and Agriculture

Thursday, 21st June 2012
Rio Centro Pavilion, 11.00 -12.30
Rio de Janeiro

(<http://www.riocentro.com.br>)

MINISTERIAL SEGMENT

(11.00 – 11.15)

➤ **Opening and Welcome**

- *Minister of Environment of Norway, **Mr. Baard Vegard Sohjell***
- *President of the Brazilian Agricultural Research Corporation – **Mr. Mauricio Lopes**, Executive Director of Research and Development of the Brazilian Agricultural Research Corporation (Embrapa)*
- *Director-General of the Food and Agriculture Organization of the United Nations (FAO) **Mr. José Graziano da Silva***
- *Executive Secretary of the Convention on Biological Diversity, **Mr. Bráulio Ferreira de Souza Dias***
- *Chairman of the Governing Body of the International Treaty, **Mr. Javad Mozafari***
- *Secretary of the International Treaty, **Mr. Shakeel Bhatti***

(11.15 – 11.25)

➤ **Food Security, Poverty Eradication and Sustainable Development**

- *H.E. **John Kofi Agyekum Kufuor**, former President of the Republic of Ghana and former Chairman of the African Union*

(11.25 – 11.55)

➤ **Plant Genetic Resources for Food and Agriculture – a Critical Green Resource for Food Security**

and Economic Development

Global Perspectives

- *United Nations Environment Programme (UNEP), Mr. Ibrahim Thiaw*
- *United Nations Development Programme (UNDP), Climate Finance, Mr. Yannick Glemarec*
- *Director of the Agriculture and Rural Development Department, The World Bank, Mr. Juergen Voegele*
- *Secretary General of the Union for the Protection of New Plant Varieties and Director of the World Intellectual Property Organization, Mr. Francis Gurry*
- *Director General of Bioversity International, Mr. Emile Frison*

National perspectives and success stories

- *Ministry of Agriculture of Indonesia, Mr. Emilia Harahap*
- *Ministry of Environment of Brazil, Mr. Roberto Cavalcanti*

(11.55 – 12.15)

- **Safeguarding Future Food Security and Agrobiodiversity through the International Treaty - Completing the Governance of Plant Genetic Resources for Food and Agriculture**
 - *The European Commissioner for Agriculture and Rural Development, Mr. Dacian Ciolos*
 - *Minister for Agriculture and Rural Development of Hungary, Mr. Sándor Fazekas*
 - *Vice-Minister for Economic Cooperation and Development of Germany, Mr. Hans-Jürgen Beerfeltz*

(12.15-12.25)

- *Other Ministers are invited to take the floor for their Ministerial Statements*
- **Memorandum of Cooperation between the International Treaty and the United Nations Environment Programme (UNEP)**
Director of the Division of Environmental Law and Conventions, UNEP, Mr. Bakary Kante
- **Joint initiative of the Secretariats of the International Treaty and the Convention on Biological Diversity**
Executive Secretary of the Convention on Biological Diversity, Mr. Braulio F. de Souza Dias
- **Signature Ceremony of German contribution to the Benefit-sharing Fund of the Treaty**
Ministerial Director, Department for Bio-based Economy, Sustainable Agriculture and Forestry, Federal Ministry of Food, Agriculture and Consumer Protection of Germany, Mr. Clemens Neumann

(12.25-12.30)

- **Conclusions**

Press and Media Briefing

(13.00 – 14.30)

- **Transportation by bus to the Soil Center of Embrapa Solos, Rio de Janeiro**

14.30 – 15.30
Light lunch in the Botanical Garden of Rio de Janeiro
at the Soil Center of Embrapa Solos

HIGH-LEVEL SEGMENT

Embrapa Solos in Rua Jardim Botânico, **15.30 -18.00** Rio de Janeiro
(<http://www.cnps.embrapa.br>)

(15.30 -16.20)

1. The Treaty as an Access and Benefit-sharing mechanism for Agriculture within the international regime: “What do we need in order to structure the interfaces with other parts of the international regime?”

- *Chairman, World Food Prize Committee, Prof. M. S. Swaminathan*
- *International Organizations: International Fund for Agricultural Development (IFAD) - Mr. Carlos Seré*
- *Civil Society and Farmers: Erosion, Technology and Concentration Group– Mr. Patrick Mooney*
- *CGIAR Consortium: Bioversity International- Mr. Emile Frison*

- **Announcement of inclusion of genetic material in the Multilateral System of the Treaty**, ANDES Association, Quechua-Aymara farmers community, **Mr. Alejandro Argumedo**

Discussion

(16.20 -16.50)

2. Leading the Field in benefit-sharing for genetic resources”: The Benefit-sharing Fund of the International Treaty”

- *International Organizations: “Implementing high-quality benefit-sharing projects for PGRFA under the Treaty “ – United Nations Development Programme (UNDP) , Climate Finance, Mr. Yannick Glemarec*
- *Civil Society and Farmers: “The experience of the Cusco Potato Park as a recipient of a Benefit-sharing project of the Treaty Benefit-sharing Fund”, Peru, Mr. Alejandro Argumedo*

(16.50 – 17.10)

Coffee Break

(17.10 – 17.40)

3. Non-monetary benefit-sharing: “What do we need to implement information-sharing, technology transfer and capacity-building under the Treaty?”

- *Contracting Party: “Practical technology transfer mechanisms: the example of Embrapa – Brazil, Ms. Maria Jose Amstalden Sampaio*

- *Farmers: “Incubating and transferring farmers grassroots innovations based on PGRFA” - Society for Research into Sustainable Technologies and Institutions, Mr. Anil K. Gupta*
- *Civil Society: “Farmers Rights under the International Treaty” Fridtjof Nansen Institute, Ms. Regine Andersen*

Discussion

(17.40 – 18.00)

- **Conclusions** *“The Future we want for the International Treaty on PGRFA: its impact and implementation”*

Outcomes and Results of the Session - Mr Clive Stannard

ANNEX 2

JOINT INITIATIVE THE SECRETARIATS OF THE CONVENTION ON BIOLOGICAL DIVERSITY AND THE INTERNATIONAL TREATY ON PLANT GENETIC RESOURCES FOR FOOD AND AGRICULTURE UNDER THE MEMORANDUM OF COOPERATION BETWEEN THEM

Under their Memorandum of Cooperation the Secretariats of the Convention on Biological Diversity (CBD) and the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA) are launching a Joint Initiative of cooperation, including in particular the following activities.

1. Support to the ratification of the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization (NP) and its harmonious implementation with the ITPGRFA and its Multilateral System of Access and Benefit-sharing (MLS)
 - a. Expanded Joint Capacity Building Activities with expanded stakeholder participation and scope
 - b. Continuation of preparation of joint materials on ABS for harmonious implementation of NP and ITPGRFA and its MLS
 - c. Continued coordination and sharing of expertise on information management for access and benefit-sharing (ABS), as already developed by ITPGRFA-MLS and as far as useful for implementation of NP Clearing House, including sharing and secondment of expertise
 - d. Facilitation of greater interaction between memberships, including through joint expert meetings and discussions
2. Joint initiative for on-farm conservation, sustainable use of PGRFA and protected areas
 - a. Joint research and publication on Aichi target of sustainability in agriculture and matching the sustainability targets of the ITPGRFA and the Strategic Plan and Aichi targets
 - b. Sharing of results relevant for CBD from the ITPGRFA-BSF Programmatic Approach for keeping farmers ahead of climate change and conserving PGRFA on-farm
 - c. Joint case studies on on-farm conservation and management of PGRFA and its facilitation through relevant ABS agreements
 - d. Development of joint components in the sustainable use workprogrammes of the CBD and ITPGRFA
 - e. Activities on traditional knowledge related to PGRFA and Farmers' Rights

3. Joint initiative for the promotion of the importance of biodiversity and plant genetic resources for food and agriculture for food security under a changing climate
 - a. Joint awareness raising events, including at HLRT, COP11, UNGA, etc
 - b. Joint promotion material
 - c. Joint communication work
 - d. Increased presence and contribution of ITPGRFA to CBD events and SCBD to ITPGRFA events

ANNEX 3

MEMORANDUM OF UNDERSTANDING

BETWEEN

THE UNITED NATIONS ENVIRONMENT PROGRAMME (UNEP)

AND

THE FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS (FAO) ON BEHALF OF THE INTERNATIONAL TREATY ON PLANT GENETIC RESOURCES FOR FOOD AND AGRICULTURE (ITPGRFA)

WHEREAS the United Nations Environment Programme (hereinafter referred to as “UNEP”) is the leading global environment authority that sets the global environment agenda, promotes the coherent implementation of the environment within the UN system and serves as an authoritative advocate for the global environment¹;

WHEREAS UNEP provides the Secretariat for several Multilateral Environmental Agreements, including the Convention on Biological Diversity:

WHEREAS in carrying out its mandate, UNEP promotes the conservation of biological diversity, the sustainable use of its components and the fair and equitable sharing of benefits arising out of the utilization of genetic resources;

WHEREAS the Food and Agriculture Organization of the United Nations (hereinafter referred to as “FAO”) has established various statutory bodies under Article XIV of its Constitution, being one of them, the International Treaty on Plant and Genetic Resources for Food and Agriculture (hereinafter referred to as “ITPGRFA”).

WHEREAS the International Treaty on Plant and Genetic Resources for Food and Agriculture (hereinafter referred to as “ITPGRFA”) promotes the conservation and the sustainable use of plant genetic resources for food and agriculture and the fair and equitable sharing of the benefits arising out of their use for sustainable agriculture and food security;

WHEREAS UNEP and ITPGRFA share, as a consequence, common goals and objectives with regard to the conservation and the sustainable use of plant genetic resources for food and agriculture and the fair and equitable sharing of the benefits arising out of their use and wish to collaborate to further these common goals and objectives within their respective mandates and governing rules and regulations;

WHEREAS, working in the domain of the conservation of plant genetic resources, UNEP is developing closer cooperation with the Food and Agriculture Organization (FAO) of the United Nations, which is providing the Secretariat of the ITPGRFA (hereinafter referred to as “ITPGRFA Secretariat”) in strategic planning of initiatives in support of environmental sustainability;

¹General Assembly Resolution 2997 (XXVII).

WHEREAS the Governing Body of the ITPGRFA requested the Secretary to continue collaborating with international bodies in further operationalizing the Benefit-sharing Fund of the ITPGRFA;

WHEREAS it is noted with appreciation the expression of interest by UNEP to support the further operationalization of the Benefit-sharing Fund;

WHEREAS for the past few years UNEP has been building capacity in Access and Benefit Sharing (hereinafter referred to as “ABS”), in accordance with the UNEP Bali Strategic Plan for Technology Support and Capacity-building, assisting countries and stakeholders in elaborating key concepts of ABS ranging from access, intellectual property rights, benefit sharing and compliance to implementation options for national ABS regimes;

WHEREAS the ITPGRFA has established and operates a fully functional access and benefit-sharing system, namely the Multilateral System of Access and Benefit-sharing;

WHEREAS the ITPGRFA has undertaken capacity building through the Joint Capacity-Building Programme established by the ITPGRFA, FAO and Biodiversity International, and the Governing Body of the ITPGRFA at its Fourth Session noted the need to continue providing assistance to developing countries in the process of implementation of the Multilateral System of Access and Benefit-sharing;

WHEREAS UNEP has been supporting the development and implementation of several biodiversity related conventions also by providing technical support for the programmatic implementation of multilateral financial mechanisms such as the Global Environment Facility, the Multilateral Fund of the Montreal Protocol, and the Climate Change Adaptation Fund;

WHEREAS the Governing Body of the ITPGRFA has established the Benefit-sharing Fund for the use of resources under its direct control and is responsible for adopting the priorities, eligibility criteria and operational procedures of the Fund;

WHEREAS the Benefit-sharing Fund of the ITPGRFA finances projects and programmes for farmers in developing countries and countries with economies in transition who conserve and sustainably utilize plant genetic resources for food and agriculture in order to fairly and equitably share benefits arising from the use of plant genetic resources for food and agriculture;

WHEREAS the benefits arising from the use of plant genetic resources for food and agriculture, as facilitated through the ITPGRFA and its Benefit-sharing Fund, are an important tool for the transition to a Green Economy;

WHEREAS the Governing Body has acknowledged the importance and value of building partnerships with international organizations, on a non-exclusive basis, to enhance the impact of the Benefit-sharing Fund; and

WHEREAS, having joined the United Nations Development Group (UNDG) in 2003, UNEP is developing closer cooperation with the ITPGRFA Secretariat and other UNDG members in strategic planning of initiatives in support of environmental sustainability and works within UNDG to promote the mainstreaming of environmental considerations in UN Country Frameworks.

WHEREAS the Parties wish to achieve their common goals and objectives by utilizing their respective comparative advantages and increasing their collaboration and joint

activities, within their respective mandates, governance arrangements and agreed programmes, based on available resources;

UNEP AND FAO ON BEHALF OF THE ITPGRFA, (hereinafter collectively referred to as the “Parties”) AGREE TO COOPERATE UNDER THIS MEMORANDUM OF UNDERSTANDING (hereinafter refer to as “MoU”) AS FOLLOWS:

Clause 1 Purpose

1. The purpose of this MoU is to provide a framework of cooperation and understanding and to facilitate technical and strategic collaboration between the Parties to further their shared goals and objectives related to the conservation and the sustainable use of plant genetic resources for food and agriculture and the fair and equitable sharing of the benefits arising out of their use.

2. In particular, the Parties will:

- collaborate in the implementation of the Benefit-sharing Fund of the ITPGRFA, whereby the Secretariat of the ITPGRFA will invite UNEP to participate in the strategic development of the Fund as appropriate, including on developing the programmatic focus of the Fund in line with the Funding Priorities established by the Governing Body, providing advice to relevant Treaty intergovernmental processes and working with potential applicants to the Fund;
- consolidate proven experience in building partnerships for the implementation of biodiversity portfolio of projects and jointly engage further with governments, organizations and donors at national, regional and global levels to support initiatives that are geared towards implementing activities relevant to the Benefit-sharing Fund;
- cooperate in their respective capacity building activities dealing with ABS issues as related to plant genetic resources for food and agriculture

3. The objectives of this MoU will be achieved through regular dialogue between the Parties.

Clause 2 Organization of the Cooperation

1. The Parties undertake to cooperate in their respective activities aiming at the further operationalization of their shared goals and objectives. To this end, additional Implementation Agreements, which shall be aimed at specific objects of cooperation, will be prepared. Such Implementation Agreements shall specify the respective responsibilities and financial obligations of the Parties, and specify any other sources of funds, as well as specific procedures and staffing responsibilities. If agreed between the Parties, such Implementation Agreements may be dated and numbered serially, signed by both Parties and regarded as Annexes to this Memorandum of Understanding. In implementing such Implementation Agreements, and within the scope of the Parties' respective regulations, rules and standard business practices, the Parties may jointly agree on cooperation with other organizations and agencies, including funding agencies.

2. In particular, an Implementation Agreement will be prepared by the Parties aiming at the further operationalization of the ITPGRFA Benefit-sharing Fund. That Implementation

Agreement for the operationalization of the ITPGRFA Benefit-sharing Fund will be regarded as Annex1 to this Memorandum of Understanding.

3. The Parties undertake to cooperate in other activities, including capacity-building dealing with ABS issues as related to plant genetic resources for food and agriculture.

4. The Parties shall mutually support one another in the undertaking and promotion of activities, for instance in undertaking and promoting:

(a) workshops, seminars and other events as related to plant genetic resources for food and agriculture;

(b) coordination of technical assistance, as related to plant genetic resources for food and agriculture, at the international, regional, sub-regional and national levels.

(c) participation, as far as possible, at meetings organized by them, including, as appropriate, making presentations at such meetings and providing their expertise and inputs in the preparation of documentation for such meetings.

(d) activities to further enhance and promote partnerships with donors and to profile the Benefit-sharing Fund among high level political decision makers;

(e) subject to the approval of their competent bodies, undertaking studies and providing other technical inputs in writing to the governing or other competent bodies of the requesting Party, as necessary for the advancement of their respective programmes of work, on ABS, as related to the aims of this MoU.

5. Both UNEP and the ITPGRFA Secretariat shall identify focal points, to coordinate cooperation in each area identified for collaboration. In addition, both Parties shall identify an overall focal point responsible for oversight of implementation of projects, pursuant to this MoU.

Clause 3 Modalities of Implementation

1. The Parties shall carry out their respective responsibilities in accordance with the provisions of this MoU, and shall undertake such responsibilities in accordance with standard UN business processes, policies and procedures taking into account any specific rules that govern their respective operations as established by their respective governing and other competent bodies.

2. The Parties shall, as appropriate, keep each other informed of all activities pertaining to the implementation of this MoU and shall consult on issues that may have a bearing on the status of either Party in the country or that may affect the achievement of the objectives of this MoU.

Clause 4 Information

The Parties shall exchange information regarding activities of relevance to their mandates on collaborative activities undertaken within the framework of this MoU, and shall notify each other of decisions taken by their respective governing and other competent bodies, as appropriate, on issue of mutual concern.

Clause 5 Reporting

1. The Parties shall regularly assess progress with implementation of this MoU, at least annually, through joint Secretariat meetings.
2. The Parties shall report to their respective governing and other competent bodies, as appropriate, on progress made in the implementation of this MoU and seek further guidance from such bodies, as appropriate, regarding their institutional cooperation.

Clause 6 Knowledge Management

1. The Parties shall jointly undertake to incorporate, within their global knowledge network, access to the full range of each other's services. The ITPGRFA Secretariat undertakes, as appropriate, to disseminate through their networks, information available from UNEP on the advisory and project services UNEP can provide. UNEP undertakes, as appropriate, to disseminate through their networks the information available from the ITPGRFA Secretariat on the advisory and project services the ITPGRFA Secretariat can provide.
2. The Parties shall review the possibility of joint missions and needs assessments, jointly hosting training activities and visibility events, and sharing information.

Clause 7 Status of Personnel

In the implementation of this MoU, each party retains its own legal identity and none of the two organizations will accept or be liable for claims arising out of acts or omissions of the other organization or the other organization's staff, subcontractors or employees. This provision shall survive the expiration or termination of this MoU.

Clause 8 Confidentiality

1. Neither Party nor its personnel shall communicate to any other person or entity any confidential information made known to it by the other in the course of the performance of the terms of this MoU nor shall it use this information to private advantage.
2. Before disclosing internal documents, or documents that by virtue of their content or the circumstances of their creation or communication must be deemed confidential, of the other Party to third parties, each Party will obtain the express, written consent of the other Party.
3. The above provisions on Confidentiality shall survive the expiration or termination of this MoU.

Clause 9 Consultations

UNEP and the ITPGRFA Secretariat shall use their best efforts to promptly settle any dispute or implementation issue arising out of or in connection with this MoU, through consultations and amicable negotiations between the Parties. Any differences that may not be so settled

shall be brought to the attention of the Executive Heads of the two Institutions for final resolution.

Clause 10 Intellectual Property Rights

Intellectual property rights, in particular copyright, of material such as information, software and designs, made available by UNEP and FAO to be used to carry out the activities under this MoU shall remain with the originating party. Appropriate grants for use of such materials will be further described as projects anticipated by this MoU are formalized.

Copyright of the information, as well as rights to any other intellectual property, developed jointly by UNEP and FAO shall be jointly vested in both parties. Each party shall have full rights to exploit such jointly owned works after informing the other Party without the need of approval of the other.

Clause 11 Use of Name and Emblem

Neither Party will use the name or emblem of the other Party, its subsidiaries, affiliates, and/or authorized agents, or any abbreviation thereof, in publications or documents produced by the Parties, without consulting the other Party in each case.

Clause 12 Financial implications

1. The Parties shall agree on the modalities for covering the implementation cost of activities related to Benefit-sharing Fund through the Memorandum of Cooperation referred in clause 2.1 and 2.2.

2. The Parties may, jointly or separately, agree on cooperation with other organizations and agencies, including funding agencies, for the implementation of activities under this MoU.

Clause 13 Privileges and Immunities

The Parties understand that nothing in or relating to this MOU will be deemed as constituting a waiver, express or implied, of any of the privileges and immunities of either of the Parties,, nor as conferring any privileges or immunities of either Party to the other Party or its personnel.

Clause 14 Notification and Amendments

1. . This MoU may be amended only by mutual agreement of the Parties reflected in writing.

2. Each Party shall notify the other in writing, within 1 month of any proposed or actual changes that the Party deems necessary for the execution of this MoU.

2. Upon receipt of such request, the Parties shall consult each other with a view to reaching an agreement on any actual or proposed measure(s) suggested by the other Party under Clause 14(2).

3

4. All correspondence regarding this MoU between the ITPGRFA Secretariat and UNEP should be addressed to:

For the ITPGRFA Secretariat:

Mr. Shakeel Bhatti
Secretary

For UNEP:

Mr. Bakary Kante
Director
Division of Environmental Law and Conventions

Clause14 **Termination**

1. This MoU may be terminated by either party by giving 6 months prior notice to the other Party in writing.
2. Unless agreed otherwise, upon termination of this MoU, the rights and obligations of the Parties defined under this MoU, will cease to be effective.
3. Any termination of the MOU will be without prejudice to (a) the orderly completion of any ongoing collaborative activity and (b) any other rights and obligations of the Parties accrued prior to the date of termination under this MOU or legal instrument executed pursuant to this MOU.

Clause 15
Entry in to Force

This MoU will come into force upon the last date of signature of the approving officials.

IN WITNESS WHEREOF, the duly authorized representatives of the Parties affix their signatures below.

For United Nations Environment Programme

**For the Food and Agriculture
Organization of the United Nations ,
FAO, on behalf of the Secretariat of the
International Treaty on Plant and Genetic
Resources for Food and Agriculture**

Name:
Title:
Date:_____

Name:
Title:
Date:_____

ANNEX 4

DECLARATION OF GERMANY REGARDING ITS CONTRIBUTION TO THE BENEFIT-SHARING FUND OF THE TREATY.



The International Treaty

ON PLANT GENETIC RESOURCES FOR FOOD AND AGRICULTURE



Joint declaration at Rio+20

In the context of the Rio+20 United Nations Conference on Sustainable Development, the Government of the Federal Republic of Germany (hereinafter referred to as "Germany") and the Secretariat of the International Treaty on Plant Genetic Resources for Food and Agriculture (hereinafter referred to as "the Secretariat of the Treaty") would like to:

Emphasize the importance of the conservation and sustainable utilization of plant genetic resources for food and agriculture for ensuring food security and sustainable agriculture that are so essential to attain a global green economy.

Given such importance, Germany and the Treaty Secretariat have agreed to cooperate in support of the programme "Second call for proposals under the Benefit Sharing Fund of the International Treaty on Plant Genetic Resources for Food and Agriculture". The ultimate objective of the programme is to enhance sustainable food security by assisting farmers to adapt to climate change.

Germany intends to contribute to this programme through a financial contribution of up to EUR 450.000 (four hundred fifty thousand euros) through an agreement to be developed and signed by both parties to this declaration as soon as possible.

Rio de Janeiro, 21 June 2012

Signatures:

Mr. Clemens Neumann
Federal Ministry of Food, Agriculture
on Plant and Consumer Protection of Germany
and Agriculture

Mr Shakeel Bhatti
Secretary of the International Treaty
Genetic Resources for Food

<http://www.planttreaty.org>