

Country Report on the implementation of
the International Treaty on Plant Genetic
Resources for Food and Agriculture
(ITPGRFA)

NETHERLANDS

05/12/2016

Article 4: General Obligations

1. Are there any laws, regulations procedures or policies in place in your country that implement the Treaty?

Please select only one option

- Yes
 No

1A. If your answer is 'yes', please provide details of such laws, regulations, procedures or policies:

> In order to implement its policy of facilitated access, the Netherlands has reported to the Secretariat of the ITPGRFA that the crop collections containing genetic resources listed in Annex I of the ITPGRFA are maintained by the CGN in Wageningen, the Solanaceous crop collection of Radboud University Nijmegen, and the apple collections of the North-Holland Pomological Society and the Northern Pomological Society have been placed into the MLS and thus form the Dutch contribution to this system.

2. Are there any other laws, regulations, procedures or policies in place in your country that apply to plant genetic resources?

Please select only one option

- Yes
 No

2A. If your answer is 'yes', please provide details of such laws, regulations, procedures or policies:

> All regular phytosanitary, UPOV and Nagoya Protocol rules apply to the Netherlands. In addition access to certain in situ genetic resources may be controlled by regulations or national law on species or habitat protection.

3. Is there any law, regulation, procedure or policy in place in your country that needs to be adjusted / harmonized to ensure conformity with the obligations as provided in the Treaty?

Please select only one option

- Yes
 No

3A. If your answer is 'yes', please provide details of such adjustments and any plans to make those adjustments:

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Article 5: Conservation, Exploration, Collection, Characterisation, Evaluation and Documentation of Plant Genetic Resources for Food and Agriculture

4. Has an integrated approach to the exploration, conservation and sustainable use of plant genetic resources for food and agriculture (PGRFA) been promoted in your country?

Please select only one option

Yes

No

5. Have PGRFA been surveyed and inventoried in your country?

Please select only one option

Yes

No

5A. If your answer is 'yes', please provide details of your findings, specifying species, sub-species and /or varieties, including those that are of potential use.

> - An inventory has been made of in situ and ex situ conserved crop wild relatives (CWR), see

<http://www.cwrnl.nl/nl/CWRnl.htm>

- An inventory has been made of old landraces that were grown in the Netherlands in the period 1850-1940,

see: <http://www.deoerakker.nl/oranjelijst.htm>

5B. If your answer is 'no', please indicate:

Any difficulties encountered in surveying or inventorying PGRFA;

Any action plans to survey and inventory PGRFA;

The most important PGRFA that should be surveyed and inventoried

>

6. Has any threat to PGRFA in your country been identified?

Please select only one option

yes

No

6A. If your answer is 'yes', please indicate:

The species, subspecies and/or varieties subject to such threats;

The sources (causes) of these threats;

Any steps taken to minimise or eliminate these threats;

Any difficulties encountered in implementing such steps;

> - A number of crops have almost disappeared in the past few decades, including rye, oats, caraway, and fodder beets. CWR are also subject to threats.

- Changed land-use, changed variety choice of farmers, and climate change.

- Some NGOs and small farmers continue to grow old crops and varieties. Plans for ex situ safety backup of CWR are under development, genebank is active in conserving other material.

- Funding

7. Has the collection of PGRFA and relevant associated information on those plant genetic resources that are under threat or are of potential use been promoted in your country?

Please select only one option

Yes

No

7A. If your answer is 'yes', please provide details of the measures taken:

> The national genebank CGN increases knowledge about and access to this material. The material in the genebank can be queried and ordered on line free of charge. Over 5000 samples are distributed annually.

8. Have farmers and local communities' efforts to manage and conserve PGRFA on-farm been promoted or supported in your country?

Please select only one option

Yes

No

8A. If your answer is 'yes', please provide details of the measures taken:

> The networks of NGO dealing with on farm conservation have been supported in various but modest ways.

9. Has in situ conservation of wild crop relatives and wild plants for food production been promoted in your country?

Please select only one option

Yes

No

9A. If your answer is 'yes', please indicate whether any measures have been taken to:

Promote in situ conservation in protected areas

Support the efforts of indigenous and local communities

9B. If such measures have been taken, please provide details of the measures taken:

> A campaign has been started to raise awareness amongst terrain managers regarding the occurrence of CWR in their terrains.

10. Are there any ex situ collections of PGRFA in your country?

Please select only one option

Yes

No

10 A. If your answer is 'yes', please provide information on the holder and content of such collections:

> Main holder is the Centre for Genetic Resources, The Netherlands (CGN, www.wur.nl/cgn). Various other holders exist such as the Solanaceae collection of the University of Nijmegen (www.ru.nl/bgard/) and many collections managed by NGO's (see www.deoerakker.nl/).

11. Has the development of an efficient and sustainable system of ex situ conservation of PGRFA been promoted in your country?

Please select only one option

Yes

No

11A. If your answer is 'yes', please indicate the measures taken to promote ex situ conservation, in particular any measures to promote the development and transfer of technologies for this purpose:

> The conservation task of CGN is fully supported by the Dutch government. CGN also supports other ex situ activities in the Netherlands and outside with various activities including consultancies, trainings and participation in activities of ECPGR.

12. Has the maintenance of the viability, degree of variation, and the genetic integrity of ex situ collections of PGRFA been monitoring in your country?

Please select only one option

yes

No

12A. If your answer is 'yes', please provide details of the main conclusions of these monitoring activities

> CGN applies the highest quality standards (certified with an ISO 9001 quality management system), and all germplasm conserved by CGN is of the highest quality and fully available.

13. Has your country cooperated with other Contracting Parties, through bilateral or regional channels, in the conservation, exploration, collection, characterization, evaluation or documentation of PGRFA?

Please select only one option

Yes

No

13A. If your answer is 'yes', please indicate the other Contracting Parties with whom the cooperation was undertaken (where additional to cooperation through the Governing Body or Treaty mechanisms) and, where possible, details of any relevant projects:

> CGN participates actively in the ECPGR network with all members of ECPGR. Furthermore, it has contributed to the activities of the CGIAR Genebank CRP via consultancies (genebank reviews and expert role in meetings).

Article 6: Sustainable Use of Plant Genetic Resources for Food and Agriculture

14. Are there any policy and legal measures in place in your country that promote the sustainable use of PGRFA

Please select only one option

- Yes
 No

14A. If your answer is 'yes', please indicate whether such policy and legal measures include:

- Pursuing fair agricultural policies that promote the development and maintenance of diverse farming systems that enhance the sustainable use of agricultural biological diversity and other natural resources;
 Strengthening research that enhances and conserves biological diversity by maximizing intra- and inter-specific variation for the benefit of farmers;
 Promoting plant breeding efforts, with the participation of farmers, that strengthen the capacity to develop varieties particularly adapted to social, economic and ecological conditions, including in marginal areas;
 Broadening the genetic base of crops and increasing the range of genetic diversity available to farmers
 Promoting the expanded use of local and locally adapted crops, varieties and underutilised species
 Supporting the wider use of diversity of varieties and species in on-farm management, conservation and sustainable use of crops and creating strong links to plant breeding and agricultural development
 Reviewing and adjusting breeding strategies and regulations concerning variety release and seed distribution

14B. If such policy and legal measures are in place, please provide details of the measures taken and any difficulties encountered in implementing them:

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Article 7: National Commitments and international Cooperation

15. Has the conservation, exploration, collection, characterization, evaluation, documentation and sustainable use of PGRFA been integrated into your country's agriculture and rural development programmes and policies?

Please select only one option

Yes

No

15A. If your answer is 'yes', please provide details of the integration of such activities into the agriculture and rural development programmes and policies:

>

16. Has your country cooperated with other Contracting Parties, through bilateral or regional channels, in the conservation and sustainable use of PGRFA?

Please select only one option

yes

No

16A. If your answer is 'yes', please indicate whether the aim of such cooperation is to:

Strengthen the capability of developing countries and countries with economies in transition with respect to conservation and sustainable use of PGRFA

Enhance international activities to promote conservation, evaluation, documentation, genetic enhancement, plant breeding, seed multiplication, and sharing, providing access to and exchanging PGRFA and appropriate information and technology, in conformity with the Multilateral System of Access and Benefit-Sharing under the Treaty

16B. If, in addition to cooperation through the Governing Body or other Treaty mechanisms, your country has cooperated with other Contracting Parties directly or through FAO and other relevant international organizations, please indicate such other Contracting Parties and, where possible, details of any relevant projects:

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Article 8: Technical Assistance

17. Has your country promoted the provision of technical assistance to developing countries and countries with economies in transition, with the objective of facilitating the implementation of the Treaty?

Please select only one option

- Yes
 No

17A. If your answer is 'yes', please provide details of the measures taken

> By contributing to the organisation of capacity building activities
(www.wur.nl/en/show/CDIcourse_contemporary_approaches_2017.htm)

18. Has your country received technical assistance with the objective of facilitating the implementation of the Treaty?

Please select only one option

- Yes
 No

18 A. If your answer is 'yes', please provide details of such technical assistance:

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Article 9: Farmers' Rights

19. Subject to national law, as appropriate, have any measures been taken to protect and promote farmers' rights in your country?

Please select only one option

- Yes
- No

19 A. If your answer is 'yes', please indicate whether such measures were related to:

- Recognition of the enormous contribution that 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 plant genetic resources;
- The protection of traditional knowledge relevant to PGRFA
- The right to equitably participate in sharing benefit arising from the utilisation of PGRFA
- The right to participate in making decisions, at the national level, on matters related to the conservation and sustainable use of PGRFA
- Any rights that farmers have to save, use, exchange, and sell farm-saved seed/propagating material

19B. If such measures were taken, please provide details of the measures taken and any difficulties encountered in implementing them:

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Article 11: Coverage of the Multilateral System

20. Has your country included in the Multilateral System of Access and Benefit-Sharing (MLS) all PGRFA listed in Annex 1 to the Treaty that are under the management and control of your Government and in the public domain?

Please select only one option

- All
 Partially
 None

20A. If your answer is 'all', please provide details of any difficulties encountered in including Annex 1 PGRFA in the MLS:

> None

20B. If your answer is 'partially', please provide details of:

The extent to which Annex 1 PGRFA have been included in the MLS

The crops that have been included in the MLS; and

The difficulties encountered in including Annex 1 PGRFA in the MLS:

>

20C. If your answer is 'none', please provide details of the difficulties encountered in including Annex 1 PGRFA in the MLS:

>

21. Has your country taken measures to encourage natural and legal persons within your jurisdiction who hold Annex 1 PGRFA to include those resources in the MLS?

Please select only one option

- Yes
 No

21A. If your answer is 'yes', please provide details of:

The natural or legal persons within your jurisdiction that included Annex 1 PGRFA in the MLS;

The crops that have been included in the MLS by these persons; and

Any difficulties these persons encountered in including Annex 1 PGRFA in the MLS:

> Radboud University Nijmegen: Solanaceae

North-Holland Pomological Society and the Northern Pomological Society: Malus

Both had no difficulties

21B. If your answer is 'no', please provide details, in particular details of any difficulties encountered in encouraging these persons to include Annex 1 PGRFA in the MLS:

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Article 12: Facilitated access to plant genetic resources for food and agriculture within the Multilateral System

22. Has your country taken measures to provide facilitated access to Annex 1 PGRFA, in accordance with the conditions set out in Article 12.4 of the Treaty?

Please select only one option

- Yes
 No

22A. If your answer is 'yes', please provide details of such measures:

> The collections of CGN are fully accessible via its website, data have been shared with GBIF, EURISCO and Genesys.

22B. If your answer is 'no', please provide details of any difficulties encountered in providing facilitated access to Annex 1 PGRFA:

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23. Has facilitated access been provided in your country to Annex 1 PGRFA pursuant to the standard material transfer agreement (SMTA)?

Please select only one option

- Yes
 No

23A. If your answer is 'yes', please provide the number of SMTAs entered into:

> See the reports provided annually to the IT-PGRFA secretariat.

23B. If your answer is 'no', please provide details of any difficulties encountered in providing facilitated access to Annex 1 PGRFA pursuant to the SMTA:

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24. Has the SMTA been used voluntarily in your country to provide access to non-Annex 1 PGRFA?

Please select only one option

- Yes
 No

24A. If your answer is 'yes', please indicate the number of such SMTAs entered into:

> Yes. The Dutch Ministry of Economic Affairs has agreed with CGN that the CGN collections of genetic resources not listed in Annex I of the International Treaty shall be distributed in accordance with the terms and conditions of the SMTA of the International Treaty. See annual reports provided to the ITPGRFA secretariat.

25. Does the legal system of your country provide an opportunity for parties to material transfer agreements (MTAs) to seek recourse in case of contractual disputes arising under such agreements?

Please select only one option

- Yes
 No

25A. If your answer is 'yes', please provide details of the relevant laws, regulations or procedures:

> Disputes can be settled by the legal system.

26. Does the legal system of your country provide for the enforcement of arbitral decisions related to disputes arising under the SMTA?

Please select only one option

- Yes
 No

26A. If your answer is 'yes', please provide details of the relevant laws, regulations or procedures:

> Dutch arbitral decisions are easily enforced in the Netherlands. The Netherlands is a party to the New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards, which means that arbitral awards given in the territory of these states can be enforced in the Netherlands. Similarly, Dutch arbitral awards may be enforced in other states that are parties to the New York Convention.

27. Have there been any emergency disaster situations in respect of which your country has provided

facilitated access to Annex 1 PGRFA for the purpose of contributing to the re-establishment of agricultural systems?

Please select only one option

Yes

No

27A. If your answer is 'yes', please provide details of such emergency disaster situations and the Annex 1 PGRFA to which access was provided:

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Article 13: Benefit-sharing in the Multilateral System

28. Has your country made any information available regarding Annex I PGRFA?

- Yes
 No

28A. If your answer is 'yes', please provide details of any information made available regarding Annex 1 PGRFA (e.g. catalogues and inventories, information on technologies, results of scientific and socio-economic research, including characterisation, evaluation and utilisation):

> All CGN data are on-line accessible (searchable and downloadable) and have been shared with GBIF, EURISCO and Genesys. These data include passport and extensive phenotypic information.

29. Has your country provided or facilitated access to technologies for the conservation, characterisation, evaluation and use of Annex I PGRFA?

If access to technologies was provided, please provide details of the access provided.

Please select only one option

- Yes
>
 No

29A. If your answer is 'yes', please indicate whether your country:

- Has established or participated in crop-based thematic groups on utilisation of PGRFA
 Is aware of any partnerships in your country in research and development and in commercial joint ventures relating to the material received through the MLS, human resource development and effective access to research facilities.

29B. If access to technologies was provided, please provide details of the access provided:

> - CGN participates in various ECPGR Working Groups and EU projects.
- GGN annually organizes a 3-weeks' post-graduate course "Contemporary approaches to genetic resources conservation and use" in cooperation with the Centre for Development Innovation (WUR-CDI), dealing with plant genetic resources management and policies, including access and benefit-sharing (www.wur.nl/en/show/CDIcourse_contemporary_approaches_2017.htm)

30. Has your country provided for and/or benefitted from capacity building measures in respect of Annex 1 PGRFA?

Please select only one option

- Yes
 No

30A. If your answer is 'yes', please indicate whether such measures were related to:

- Establishing and/or strengthening programmes for scientific and technical education and training in conservation and sustainable use of PGRFA;
 Developing and strengthening facilities for conservation and sustainable use of PGRFA;
 Carrying out scientific research and developing capacity for such research.

30B. If your country provided for and/or benefitted from such measures, please provide details:

> Annually a course is organised (see www.wur.nl/en/show/CDIcourse_contemporary_approaches_2017.htm)
Research on various aspects of PGR conservation was performed, expertise on various aspects of PGR conservation was shared. CGN supplied the Editor in Chief for a scientific journal on PGR management (see www.cambridge.org/core/journals/plant-genetic-resources).

Article 14: Global Plan of Action

31. Has your country promoted the implementation of the Global Plan of Action for the Conservation and Sustainable Use of Plant Genetic Resources for Food and Agriculture?

Please note that this question differs from question 15 as it only concerns Annex I PGRFA and is more specific.

Please select only one option

Yes

No

31A. If your answer is 'yes', please indicate whether the implementation of the plan was promoted through:

National actions

International cooperation

31B. If the implementation of the plan was promoted, please provide details:

> Not sure if the GPA as such has been promoted, but its priority activities have been promoted. As a matter of fact, the priority activities of the 2nd GPA largely cover issues already dealt with in other part of this survey. For instance, by promoting the development of an efficient and sustainable system of ex situ conservation of PGRFA (question 11) the NL government has also promoted Priority activity 6 (Sustaining and expanding ex situ conservation of germplasm) and 7 (Regenerating and multiplying ex situ accessions) of the GPA.

Article 15: Ex Situ Collections of Plant Genetic Resources for Food and Agriculture held by the International Agricultural Research Centres of the Consultative Group on International Agricultural Research and other International Institutions

32. Has facilitated access to Annex I PGRFA been provided in your country to the International Agricultural Research Centres of the Consultative Group on International Agricultural Research (IARCs) or other international institutions that have signed agreements with the Governing Body of the Treaty?

Please select only one option

- Yes
 No

32A. If your answer is 'yes', please indicate:

To which IARCs or other international institutions facilitated access was provided;
The number of SMTAs entered into with each IARC or other international institution:
> See the reports provided annually to the IT-PGRFA secretariat

32B. If your answer is 'no', please provide details of any difficulties encountered in providing facilitated access to Annex 1 PGRFA to IARCs and other international institutions that have signed agreements with the Governing Body of the Treaty

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33. Has access to non-Annex I PGRFA been provided in your country to IARCs or other international institutions that have signed agreements with the Governing Body of the Treaty?

Please select only one option

- Yes
 No

33A. If your answer is 'yes', please indicate:

To which IARCs or other international institutions access was provided;
The number of MTAs entered into with each IARC or other international institution:
> See the reports provided annually to the IT-PGRFA secretariat.

33B. If your answer is 'no', please provide details of any difficulties encountered in providing access to non-Annex 1 PGRFA to IARCs and other international institutions that have signed agreements with the Governing Body of the Treaty:

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Article 16: International Plant Genetic Resources Networks

34. Has your country undertaken any activities to encourage government, private, non- governmental, research, breeding and other institutions to participate in the international plant genetic resources networks?

Please select only one option

Yes

No

34A. If your answer is 'yes', please provide details of such activities:

> The Netherlands is active in several partnerships and networks directly related to genetic resources, e.g. the development of a Access to Seeds Index with a specific focus on smallholders, and (co-)leading in several projects and program including in Turkey, Myanmar, Ethiopia etc.

Article 18: Financial Resources

35. Has your country provided and/or received financial resources for the implementation of the Treaty through bilateral, regional or multilateral channels?

Please select only one option

Yes

No

35A. If your answer is 'yes', where possible, please provide details of such channels and the amount of the financial resources involved:

> The Netherlands supported the Genetic Resources Policy Initiative 2: Strengthening National Capacities to Implement the International Treaty on Plant Genetic Resources for Food and Agriculture. The project aimed to promote the participation of countries in the multilateral system of access and benefit-sharing of the ITPGRFA; identify means to improve countries' access to plant genetic resources for food and agriculture; and pursue options to benefit from other aspects of the ITPGRFA. The project encompassed initiatives for policy, research and capacity-building activities and involved teams from Bhutan, Burkina Faso, Costa Rica, Côte d'Ivoire, Guatemala, Nepal, Rwanda and Uganda.

36. Has your country provided financial resources for national activities for the conservation and sustainable use of PGRFA?

Please select only one option

Yes

No

36A. If your answer is 'yes', please provide details of such national activities and the amount of the financial resources involved:

> Most importantly, the Dutch government funds the conservation activities of CGN, its central genebank. Furthermore NGOs engaged in on-farm conservation have been supported.

About this reporting format

37. Have you encountered any difficulties in completing this reporting format?

Please select only one option

Yes

>

No

37A. If your answer is 'yes', please provide details on such difficulties:

>

37B. If you have suggestions for improvement of this reporting format, please share them:

>

General remarks on the implementation of the ITPGRFA

38. You may use this box to share any advice you may have arising from your country's experience with implementation of the Treaty:

> Reporting mechanism appears to be complicated or cumbersome to most actors (CGN as large supplier has created reporting procedures that now run smoothly).

39. You may use this box to share any additional information that may be useful to provide a broader perspective of difficulties in implementation of the Treaty:

> As complexity is one of the challenges related to the implementation of the Treaty, broadening the coverage of crops (currently listed in Annex 1) to all PGRFA would have great benefit for all.

40. You may use this box to share any additional information that may be useful to provide a broader perspective of measures that could help to promote compliance:

> Extend the scope of the MLS and make benefit sharing more tangible.