



**Food and Agriculture
Organization of the
United Nations**



The International Treaty
**ON PLANT GENETIC RESOURCES
FOR FOOD AND AGRICULTURE**

Item 3 of the Provisional Agenda

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

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

Rome, Italy, 20–23 May 2019

ANNOTATED PROVISIONAL AGENDA AND PROVISIONAL TIMETABLE

INTRODUCTION

1. At its Seventh Session, the Governing Body of the International Treaty, through Resolution 7/2017,¹ decided to establish the Ad Hoc Technical Expert Group (Expert Group) on Farmers' Rights to:

- i. produce an inventory of national measures that may be adopted, best practices and lessons learned from the realization of Farmers' Rights, as set out in Article 9 of the International Treaty; and
- ii. based on the inventory, develop options for encouraging, guiding and promoting the realization of Farmers' Rights as set out in Article 9 of the International Treaty.

2. In establishing the Terms of Reference, the Governing Body agreed that the Expert Group may hold up to two meetings in the biennium 2018-2019, subject to the availability of financial resources. The Expert Group held its first meeting from 11 to 14 September 2018 but could not conclude all its tasks at that meeting. Consequently, the Expert Group requested the Secretariat to prepare a number of documents and provide additional information, in preparation for its second meeting.

3. The terms of reference of the Expert Group, as contained in Resolution 7/2017, are provided in *Appendix 2*.

ITEM 1. OPENING OF THE MEETING

4. The second meeting of the Expert Group will be held at FAO headquarters (Iraq Room) in Rome, Italy, from 20 to 23 May 2019. The opening session will begin at 09:30 a.m. on Monday, 20 May 2019.

¹ <http://www.fao.org/3/a-mv102e.pdf>

ITEM 2. ORGANIZATIONAL MATTERS

5. The Expert Group comprises up to five members designated by each FAO region, up to three representatives of farmer organizations, particularly from the centers of origin and crop diversity, and up to three other stakeholders, including the seed sector, that were designated by the Bureau of the Eighth Session of the Governing Body.
6. Pursuant to Resolution 7/2017, the Bureau of the Eighth Session of the Governing Body also appointed Ms. Svanhild-Isabelle Batta Torheim of Norway and Mr. Rakesh Chandra Agrawal of India as the Co-Chairs of the Expert Group.
7. Following a proposal by one region, the Bureau at its meeting in March 2019 agreed to consider the membership of the Co-Chairs of the Expert Group appointed by the Bureau outside the regional membership quota. Consequently, the two concerned regions accordingly nominated two new members to complete their regional nominations.
8. Thanks to the generous extra-budgetary contribution by the Governments of Italy and Norway, the meeting will be conducted in English with simultaneous interpretation into Arabic, French and Spanish and the working documents are made available in all four languages.
9. The Co-Chairs will inform the Expert Group how they intend to manage the proceedings. In accordance with the rules of practice for interpreters, the sessions are divided into three-hour blocks and the indicative timetable has been arranged accordingly.
10. The Expert Group is invited to note these developments, especially with regard to the participation of observers as detailed in the document, IT/GB-8/AHTEG-FR-2/19/Inf.6, *Information Note on Organizational matters*.

ITEM 3. ADOPTION OF THE AGENDA AND TIMETABLE

11. The Provisional Agenda was prepared by the Secretary under the guidance of the Co-Chairs of the Expert Group. All substantive agenda items have corresponding working documents, in addition to information documents, where relevant.
12. This document annotates the *Draft Provisional Agenda* (IT/GB-8/AHTEG-2/19/1) and contains a draft indicative timetable, in *Appendix 1*, for the consideration of the Expert Group in order to organize its work.
13. The list of documents for this meeting is contained in the document, IT/GB-8/AHTEG-2/19/Inf.1, *List of Documents*.²

ITEM 4. IMPLEMENTATION OF FARMERS' RIGHTS

14. At its first meeting, the Expert Group had before it the background paper, *Farmers' Rights: views, experiences, lessons learned and proposed national measures for the implementation of Article 9*, annexed to the working document *Farmers' Rights: experiences, lessons learned and best practices* (IT/GB-8/AHTEG-FR-1/18/4). Following the discussions, the Expert Group invited Contracting Parties and relevant stakeholders that had made submissions to send to the Secretariat any corrections to the background paper that were of factual nature.
15. The Secretariat accordingly revised the background paper based on the inputs received.

² All documents are available on the website of the International Treaty at: <http://www.fao.org/plant-treaty/meetings/meetings-detail/en/c/1173567>

ITEM 4.1. Inventory of national measures, best practices and lessons learned from the realization of Farmers' Rights, as set out in Article 9 of the International Treaty

16. At its first meeting, the Expert Group held preliminary discussions on the structure and content of the inventory. It recommended that the structure should be simple, concise and useful to possible users, while allowing for the relevant information to be included, and agreed on the structure given in Appendix 4 of the Report of its first meeting.³

17. As requested by the Expert Group, the Secretariat inserted the information on national measures, practices and examples received so far into this structure. Also, the Secretariat published the template for collecting information on examples developed by the Expert Group at its first meeting on the website of the International Treaty and sought to collect further submissions by inviting inputs from Contracting Parties and interested stakeholders.⁴ All submissions received are compiled in the document, IT/GB-8/AHTEG-2/19/Inf.3, *Compilation of Submissions of Contracting Parties and other stakeholders*.⁵

18. Based on the submissions received and under the guidance of the Co-Chairs, the Secretariat developed a draft inventory for the consideration of the Expert Group, provided in the document, IT/GB-8/AHTEG-2/19/3, *Inventory of national measures, best practices and lessons learned from the realization of Farmers' Rights, as set out in Article 9 of the International Treaty*.

19. The Expert Group is invited to finalize the inventory of national measures, best practices and lessons learned from the realization of Farmers' Rights, as set out in Article 9 of the International Treaty, to be part of its report to the Eighth Session of the Governing Body.

ITEM 4.2. Options for encouraging, guiding and promoting the realization of Farmers' Rights as set out in Article 9 of the International Treaty

20. Pursuant to its Terms of Reference, the Expert Group is mandated to develop options for encouraging, guiding and promoting the realization of Farmers' Rights, as set out in Article 9 of the International Treaty, based on the inventory.

21. At its first meeting, the Expert Group shared preliminary thoughts on the issue and agreed that full consideration would be given to its development at this meeting.⁶

22. The Secretariat prepared the document, IT/GB-8/AHTEG-2/19/4, *Options for encouraging, guiding and promoting the realization of Farmers' Rights as set out in Article 9 of the International Treaty*, as a possible basis for the discussions. The document explores some possible meanings of "options", and how they differ from guidelines, and provides information on examples derived from other international processes and fora that were tasked to develop similar documents, other than guidelines.

23. The Expert Group may wish to use the elements contained in this document as a possible basis for discussion and as an input for developing options, as requested by the Governing Body, for encouraging, guiding and promoting the realization of Farmers' Rights, as set out in Article 9 of the International Treaty.

³ IT/GB-8/AHTEG-FR-1/18/Report, para. 14 and Appendix 4

⁴ See for example Notification NCP GB8-017 Farmers' Rights, available at <http://www.fao.org/plant-treaty/notifications/detail-events/en/c/1175270/>

⁵ Available online at <http://www.fao.org/plant-treaty/areas-of-work/farmers-rights/submissions-by-the-contracting-parties-and-stakeholders/en/>

⁶ IT/GB-8/AHTEG-FR-1/18/Report, para. 18

ITEM 5. ANY OTHER BUSINESS

24. Under this agenda item, the Expert Group may wish to discuss any other relevant matters that may be raised by its members and experts.

ITEM 6. ADOPTION OF THE REPORT

25. Pursuant to Resolution 7/2017, the Expert Group is to report back to the Governing Body on its work for further consideration at the Eighth Session of the Governing Body.

26. Under this agenda item, the Expert Group is invited to consider and adopt its report of this meeting and its report to the Eighth Session of the Governing Body.

27. Due to limitations in financial resources, the draft report will be available in English only, while interpretation into the other languages will be provided during the report adoption session.

28. It is expected that the meeting will be closed at 5 p.m. on Thursday, 23 May 2019.

*Appendix 1***PROVISIONAL INDICATIVE TIMETABLE**

Time	Agenda Item	Title	Relevant documents
Monday, 20 May 2019			
Morning			
09:30-12:30	1	Opening of the meeting	Resolution 7/2017
	2	Organizational matters	Resolution 7/2017 IT/GB-8/AHTEG-FR-2/19/Inf.5
	3	Adoption of the agenda and timetable	Resolution 7/2017 IT/GB-8/AHTEG-FR-2/19/1 IT/GB-8/AHTEG-FR-2/19/2 IT/GB-8/AHTEG-FR-2/19/Inf.1
	4.1	Implementation of Farmers' Rights Inventory of national measures, best practices and lessons learned from the realization of Farmers' Rights, as set out in Article 9 of the International Treaty	IT/GB-8/AHTEG-FR-2/19/3 IT/GB-8/AHTEG-FR-2/19/Inf.3
Afternoon			
14:00-17:00	4.1	Inventory of national measures, best practices and lessons learned from the realization of Farmers' Rights, as set out in Article 9 of the International Treaty	IT/GB-8/AHTEG-FR-2/19/3 IT/GB-8/AHTEG-FR-2/19/Inf.3
Tuesday, 21 May 2019			
Morning			
09:30-12:30	4.1 (cont'd)	Inventory of national measures, best practices and lessons learned from the realization of Farmers' Rights, as set out in Article 9 of the International Treaty	IT/GB-8/AHTEG-FR-2/19/3 IT/GB-8/AHTEG-FR-2/19/Inf.3

Tuesday, 21 May 2019			
Afternoon			
14:00-17:00	4.2	Options for encouraging, guiding and promoting the realization of Farmers' Rights as set out in Article 9 of the International Treaty	IT/GB-8/AHTEG-FR-2/19/4
Wednesday, 22 May 2019			
Morning			
09:30-12:30	4.2 (cont'd)	Options for encouraging, guiding and promoting the realization of Farmers' Rights as set out in Article 9 of the International Treaty	IT/GB-8/AHTEG-FR-2/19/4
Afternoon			
14:00-17:00	4.2 (cont'd)	Options for encouraging, guiding and promoting the realization of Farmers' Rights as set out in Article 9 of the International Treaty	IT/GB-8/AHTEG-FR-2/19/4
	5	Any other business	
Thursday, 23 May 2019			
Morning			
09:30-12:30		<i>(Report writing)</i>	
Afternoon			
14:00-17:00	6	Adoption of the Report	

Appendix 2

Terms of reference for the Ad Hoc Technical Expert Group on Farmers' Rights

1. The Ad Hoc Technical Expert Group on Farmers' Rights will:
 - i) Produce an inventory of national measures that may be adopted, best practices and lessons learned from the realization of Farmers' Rights, as set out in Article 9 of the International Treaty;
 - ii) Based on the inventory, develop options for encouraging, guiding and promoting the realization of Farmers' Rights as set out in Article 9 of the International Treaty.
2. In the development of its work, the Ad Hoc Technical Expert Group may consider the proceedings from the Global Consultation on Farmers' Rights held in Bali, Indonesia, in 2016, as well as other relevant consultations.
3. The Ad Hoc Technical Expert Group will comprise up to five members designated by each FAO region, up to three representatives of farmer organizations, particularly from the centers of origin and crop diversity, and up to three other stakeholders, including the seed sector, designated by the Bureau of the Eighth Session of the Governing Body.
4. The Bureau of the Eighth Session of the Governing Body will appoint two Co-Chairs from the Contracting Parties of the International Treaty - one from a developing country and one from a developed country.
5. The Ad Hoc Technical Expert Group may hold up to two meetings in the biennium 2018-2019, subject to the availability of financial resources.
6. The Ad Hoc Technical Expert Group will report back to the Governing Body on its work for further consideration at the Eighth Session of the Governing Body.
7. The Secretary will facilitate the process and assist the Ad Hoc Technical Expert Group in its work.