



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



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

**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

**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**

I. INTRODUCTION

1. At its Seventh Session, the Governing Body established the *Ad hoc* Technical Expert Group on Farmers' Rights (AHTEG or "Expert Group") with the mandate to produce an inventory of national measures that may be adopted, best practices and lessons learned from the realization of Farmers' Rights; and based on the inventory, to develop options for encouraging, guiding, and promoting the realization of Farmers' Rights, as set out in Article 9 of the International Treaty.¹

2. At its first meeting, the AHTEG discussed the views, best practices and lessons learned from the realization of Farmers' Rights, as set out in Article 9 of the International Treaty.

3. The Expert Group also discussed and agreed on a possible structure of 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.² It recommended that the structure should be simple, concise, and useful to possible users, while allowing for the relevant information to be included. It should also be configured in a manner that would allow for the inclusion of new information and possible updating.

4. The Expert Group further agreed that the inventory would only focus on measures and practices that had been or are in the process of being implemented. Also, the Expert Group requested the Secretariat to insert the information on national measures, practices and examples received so far into the structure, and to publish the agreed Template for collecting information on examples and further submissions by inviting inputs from Contracting Parties and interested stakeholders.³ 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*.⁴

¹ See Report of the 7th Session of the Governing Body, IT/GB-7/17/Report (<http://www.fao.org/3/MV606/mv606.pdf>).

² Appendix 4 of the AHTEG-1 Report, IT/GB-8/AHTEG-FR-1/18/Report.

³ Appendix 5 of the AHTEG-1 Report, IT/GB-8/AHTEG-FR-1/18/Report. See also Notification NCP GB8-017 Farmers' Rights, available at <http://www.fao.org/plant-treaty/notifications/detail-events/en/c/1175270/>.

⁴ Available online at: <http://www.fao.org/plant-treaty/areas-work/farmers-rights/submissions-by-the-contracting-parties-and-stakeholders/en/>

II. NATURE AND PURPOSE OF THE INVENTORY

5. In preparing the draft inventory of measures and practices, the Secretariat used the structure agreed by the Expert Group. The measures and practices were collected from the recent and updated submissions received from Contracting Parties and stakeholders.⁵

6. Following the guidance provided by the Expert Group at its first meeting, the aim was to develop a simple and concise draft inventory that shall be user-friendly while at the same time allowing for further information to be included in the future. The structure of the draft inventory would also make it possible to present the information in digital format, should the Expert Group recommend to the Governing Body to develop a digital version of the inventory.

III. THE PROPOSED INVENTORY OF MEASURES AND PRACTICES

a) *General Considerations*

7. Based on the guidance of the Expert Group, the inventory would only include measures and practices “*that had been or are in the process of being implemented.*” The Secretariat invited new inputs from the Contracting Parties and stakeholders with this guidance.⁶

8. The Secretariat used the agreed structure provided in *Annex 4* of the Report of the first meeting of the Expert Group and considered an option to use categories for further structuring the content (see *Annex I*, Table A). Such categories could be useful for the final version of the inventory to make it more user-friendly, should the Expert Group decide to adopt it.

9. The Secretariat populated that table and finalized the document in *Annex II* with the information from the submissions based on the following considerations:

- Since the template, as agreed by the Expert Group at its first meeting, for collecting information does not fully correspond with the agreed structure of the inventory, hyperlinks to the full submissions were included. While the inventory was established in English, the submissions are provided in the original language in which they were submitted.
- There were few cases where it was not evident how a proposed measure/practice related to Farmers’ Rights as set out in Article 9 of the Treaty. Nevertheless, in such cases, the measure/practice was still listed under the category *other measures*.
- In other cases, it was not clear whether a measure/practice was initiated or already implemented. These examples are marked with an asterisk (*). These cases may require further clarification in the process of finalizing the inventory.
- Some examples might fit under several categories. They are listed under the category that was considered to be the most relevant.

b) *Title of Measure/Practice*

10. The title of measures/practices proposed by the submitting party were included in the structure, in most cases without any modifications. If the information was submitted in a language other than English, the title of the measure/practice was translated into English. In very few cases, if a title was very long, or included explanations or statements, only the first part of the title was included in the structure, while the full title is provided in the attached submission.

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

⁶ See Notification NCP GB8-017 Farmers’ Rights, available at [http://www.fao.org/plant-treaty/notifications/detail-events/en/c/1175270/Notification on Farmers’ Rights](http://www.fao.org/plant-treaty/notifications/detail-events/en/c/1175270/Notification%20on%20Farmers%20Rights) (<http://www.fao.org/3/CA2858EN/ca2858en.pdf>)

c) Short Description

11. A short description was included for each proposed measure/practice. Care was taken to include information on the implementing organization and cooperation partners, the start date (if available), objectives and how it has been implemented. The description focuses only on the proposed measure/practice, while general views, experiences, challenges encountered, lessons learned and additional context-specific background information are provided in the attached submissions.

d) Categories

12. As advised by the Expert Group, the Secretariat has considered the use of categories in order to group similar measures, taking the discussions of the Expert Group into account. In this draft, measures/practices are listed according to categories. Such categories could also assist in further developing options. The proposed categories are presented in Table A (*Annex I*). Within each category, measures/practices are listed in alphabetical order by name of country in which the measure/practice is implemented. Measures/practices that are implemented in several countries are listed afterwards. Table B (*Annex I*) below, shows how the proposed categories were included in the table for the time being, pending agreement of the Expert Group on which of the categories it wishes to use.

e) Links

13. In this column, links to the original submissions, as posted on the website of the International Treaty, are provided, in which the proposed measure/practice is described in detail. These descriptions usually include further links, e.g., to departments of ministries, collaborating organizations, project websites, etc. To cite these additional links in the context of the full description should only make clear what kind of information can be expected.

14. For a small number of measures/practices, information was submitted by more than one Contracting Party and/or stakeholder, for example by a Contracting Party and a stakeholder. In such cases, the measure/practice was described only once, but links to all the submissions providing information on it were included.

ANNEX II

**DRAFT INVENTORY OF NATIONAL MEASURES THAT MAY BE ADOPTED,
BEST PRACTICES AND LESSONS LEARNED FROM THE REALIZATION OF
FARMERS' RIGHTS****I. About the inventory**

At its Seventh Session, the Governing Body established the Ad hoc Technical Expert Group on Farmers' Rights (AHTEG or "Expert Group") with the mandate to 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 based on the inventory, to develop options for encouraging, guiding and promoting the realization of Farmers' Rights.

According to Article 9.2 of the ITPGRFA, the responsibility for realizing Farmers' Rights, as they relate to plant genetic resources for food and agriculture, rests with national governments. In accordance with their needs and priorities, each Contracting Party should, as appropriate, and subject to its national legislation, take measures to protect and promote Farmers' Rights.

Through its Resolution 7/2017, the Governing Body invited Contracting Parties and all relevant stakeholders, especially farmers' organizations, to submit views, experiences and best practices as an example of possible options for national implementation of Article 9 of the International Treaty, as appropriate and subject to national legislation, in the preparation of the inventory.

The inventory is thus a compilation of measures/practices that have been submitted by Contracting Parties and relevant Stakeholders on the realization of Farmers' Rights in various countries. Based on a decision taken by the Expert Group during its First Meeting in 2018, only measures/practices that have been or are in the process of being implemented should be included in the inventory.

II. Purpose of the inventory

The purpose of the inventory is to provide an overview of the range of measures/practices for the realization of farmers' Rights that have been or are in the process of being implemented in various countries. It further aims to support the development of options for encouraging, guiding and promoting the realization of Farmers' Rights.

Following the guidance provided by the Expert Group at its first meeting, the aim was to develop a simple and concise draft inventory that shall be user-friendly while at the same time allowing for further information to be included in the future. The structure of the draft inventory would also make it possible to present the information in digital format, should the Expert Group recommend to the Governing Body to develop a digital version of the inventory.

III. How was the inventory developed?

The inventory was developed in preparation for the second meeting of the AHTEG. Based on the guidance of the Expert Group, the inventory would only include measures and practices "*that had been or are in the process of being implemented*", the Secretariat invited new inputs from the Contracting Parties and stakeholders with this guidance.

Furthermore, the Secretariat has utilized other available opportunities to reach out the Contracting Parties and stakeholders to encourage and facilitate submissions of examples of best practices and measures on the implementation of Farmers' Rights.

The Secretariat used the structure agreed by the first meeting of the Expert Group and, as advised by the Expert Group, used a set of 12 categories in order to group similar measures, taking the discussions of the Expert Group into account. Such categories could also assist in further developing options and help making the inventory more user-friendly.

The table was populated with the information from the submissions of Contracting Parties and relevant stakeholders based on the following considerations:

- Measures/practices are listed taking into account which of them are implemented or are in the process of being implemented.
- Within each category, measures/practices are listed according to the name of the country in which it is implemented, in alphabetical order. Measures/practices that are implemented in more than one country are listed afterwards.
- In order to include the full range of information provided in the submissions, including views, experiences, challenges encountered and lessons learned, the submissions were ‘attached’ to each entry of the inventory using a hyperlink to the submission as posted on the website of the International Treaty.
- While the inventory was established in English, the submissions are provided in the original language in which they were submitted.
- The titles of measures/practices proposed by the submitting parties were included, in most cases without any modifications. If the information was submitted in a language other than English, the title of the measure/practice was translated into English. In very few cases, if a title was very long, or included explanations or statements, only the first part of the title was included in the structure, while the full title is provided in the attached submission.
- Short descriptions were included for each measure/practice proposed. Care was taken to include information on the implementing organization and cooperation partners, the start date (if available), objectives and how it has been implemented. The description focuses only on the proposed measure/practice, while general views, experiences, challenges encountered, lessons learned and additional context-specific background information are provided in the attached submissions.
- There were few cases where it was not evident how a proposed measure/practice related to Farmers’ Rights as set out in Article 9 of the Treaty. Nevertheless, in such cases, the measure/practice was still listed under the category ‘other measures’.
- In other cases, it was not clear whether a measure/practice was already implemented. These examples are marked with an asterisk (*). These cases may require further clarification in the process of finalizing the inventory.
- Some examples of measures/practices might fit under several categories. They are listed under the category that was considered the most relevant.