



Food and Agriculture  
Organization of the  
United Nations



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

## RESOLUTION 7/2017

### IMPLEMENTATION OF ARTICLE 9, FARMERS' RIGHTS

#### THE GOVERNING BODY,

*Recalling* the recognition, in the International Treaty, of the enormous contribution that the local and indigenous communities and farmers of all regions of the world have made, and will continue to make, for the conservation, development and use of plant genetic resources as the basis of food and agriculture production throughout the world;

*Recalling* its Resolutions 2/2007, 6/2009, 6/2011, 8/2013 and 5/2015;

*Acknowledging* the Informal International Consultation on Farmers' Rights in Lusaka, Zambia, in 2007 and the Global Consultation on Farmers' Rights in Addis Ababa, Ethiopia, 2010, and *noting* their recommendations;

1. *Notes with appreciation* the Proceedings of the Global Consultation on Farmers' Rights held in Bali, Indonesia, in 2016, *thanks* the Governments of Indonesia and Norway and others for their generous support in organizing it, and *further thanks* the Governments of Italy and Switzerland for their financial support to the consultation;
2. *Invites* each Contracting Party to consider developing national action plans for implementation of Article 9, as appropriate and subject to national legislation, in line with implementation of Articles 5 and 6 of the International Treaty, and to share information regarding progress with the development and implementation of such action plans;
3. *Invites* each Contracting Party to engage farmers' organizations and relevant stakeholders in matters related to the realization of Farmers' Rights as set out in Article 9 of the International Treaty, the conservation and sustainable use of plant genetic resources for food and agriculture, and to promote awareness-raising and capacity-building towards this aim;
4. *Invites* Contracting Parties to promote sustainable biodiverse production systems and facilitate participatory approaches such as community seed banks, community biodiversity registries, participatory plant breeding and seed fairs as tools for realizing Farmer's Rights as set out in the Article 9 of the International Treaty, as appropriate;
5. *Invites* Contracting Parties and relevant organizations to take initiatives to convene further regional workshops and other consultations with a broad range of stakeholders, including with farmers' organizations, particularly those in the centres of origin and crop diversity, for the exchange of knowledge, views and experiences on the realization of Farmers' Rights, as set out in Article 9 of the International Treaty, and present the results at the Eighth Session of the Governing Body;

6. **Requests** the Secretary to facilitate such initiatives upon request, and depending on the available resources;
7. **Decides** to establish an Ad Hoc Technical Expert Group on Farmers' Rights, with the Terms of Reference contained in the *Annex* to this Resolution;
8. **Invites** 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 preparation for the inventory, and **requests** the Secretary to compile and submit this input to the Ad Hoc Technical Expert Group on Farmers' Rights;
9. **Commends** the Secretariat for the work undertaken to finalize and publish the Educational Module on Farmers' Rights, and **requests** the Secretary and **invites** Contracting Parties to disseminate and use the Educational Module;
10. **Requests** the Secretary to continue implementing the Joint Capacity Building Programme on Farmers' Rights, with the Global Forum on Agricultural Research and other relevant stakeholders, especially farmers' organizations, subject to availability of financial resources;
11. **Thanks** the Secretary and the Office of UPOV for co-organizing the *Symposium on possible interrelations between the International Treaty on Plant Genetic Resources for Food and Agriculture and the International Convention for the Protection of New Varieties of Plants*, and **requests** the Secretary, subject to the availability of financial resources, to continue the process of identifying possible areas of interrelations between the International Treaty, in particular its Article 9, and the UPOV Convention as well as to explore the possibility of carrying out a similar process with the relevant instruments of WIPO, in cooperation with the WIPO Secretariat and in an inclusive and participatory manner;
12. **Welcomes** the decision of the UPOV Council to review the FAQ on the interrelations between the UPOV Convention and the International Treaty and exchange of experience and information on the implementation of the UPOV Convention and the International Treaty, and **requests** the Secretary to explore how Contracting Parties of the Treaty could further contribute to these processes, and to continue the dialogue with UPOV on these matters;
13. **Invites** each Contracting Party that has not already done so, to consider reviewing, and, if necessary, adjusting national measures affecting the realization of Farmers' Rights in particular regulations concerning variety release and seed distribution, to protect and promote Farmers' Rights, as set out in the Article 9 of the International Treaty, as appropriate and subject to national legislation;
14. **Notes** the ongoing work of some members of the Human Rights Council on a possible declaration on the rights of peasants and other people working in rural areas;
15. **Appreciates** the participation of farmers' organizations in activities to support the realization of Farmers' Rights, as set out in Article 9 of the International Treaty, and **invites** them to continue to actively participate in sessions of the Governing Body and in relevant intersessional meetings of relevant subsidiary bodies established by the Governing Body, as appropriate and according to the Rules of Procedure of the International Treaty, and giving due consideration to the FAO Strategy for Partnerships with Civil Society;
16. **Requests** the Secretary to mobilise resources in support of Contracting Parties and relevant stakeholders for capacity building to enhance the realization of Farmers' Rights as set out in Article 9 of the International Treaty, and, subject to availability of financial resources, to provide or facilitate the provision of technical assistance to Contracting Parties and relevant stakeholders to support their efforts to realize Farmers' Rights, including through procedures and mechanisms to mainstream Farmers' Rights in their national plans and programmes, as appropriate;

17. **Encourages** the Secretary to continue outreach and communication on Farmers' Rights, to relevant stakeholders as an important measure to advance the realization of Farmers' Rights as set out in Article 9 of the International Treaty, subject to the availability of financial resources;
18. **Requests** the Secretary, subject to the availability of financial resources, to follow processes of relevance to Article 9 of the International Treaty, within and outside FAO, in order to promote the consideration of Farmers' Rights;
19. **Calls upon** Contracting Parties to support the activities outlined in this Resolution, including through the provision of financial resources;
20. **Requests** the Secretary to report to the Governing Body, at its Eighth Session, on the implementation of this Resolution.

*Annex*

**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 Eight Session of the Governing Body.
7. The Secretary will facilitate the process and assist the Ad Hoc Technical Expert Group in its work.