



Food and Agriculture
Organization of the
United Nations



The International Treaty
ON PLANT GENETIC RESOURCES
FOR FOOD AND AGRICULTURE

Item 7 of the Provisional Agenda

EIGHTH SESSION OF THE GOVERNING BODY

Rome, 11– 16 November 2019

Celebrating the 15th Anniversary of the International Treaty

Executive Summary

At its second meeting, the Bureau of the Eighth Session of the Governing Body decided that the theme for this Session would be the celebration of the 15th anniversary of the entry into force of the International Treaty, and requested the Secretary to prepare a document highlighting its achievements of the last 15 years and briefly introducing possible future directions.

Guidance Sought

The Governing Body is invited to note the information contained in this document and adopt a Resolution, taking into consideration, as appropriate, the elements contained in the *Appendix* to this document.

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I. INTRODUCTION

1. In recognition of the important role that the plant genetic resources play in our agricultural systems and the contributions they make to our food security, the FAO Conference adopted the International Treaty on Plant Genetic Resources for Food and Agriculture (International Treaty) at the 31st Session (November 2001). It is a major multilateral agreement, which establishes a global governance framework for the management and exchange of plant genetic resources for food and agriculture (PGRFA) around the world, for the benefit of the global community today as well as in the future.

2. On 29 June 2004, the FAO notified the international community that the International Treaty, an essential legally binding global instrument encouraging sustainable agriculture, had entered into force.¹ The Treaty had at that time 55 Contracting Parties. It was the fastest FAO international agreement to enter into force after its adoption.

3. Since the entry into force, the International Treaty has been facilitating the continuous exchange of genetic resources with low transaction costs among countries and organizations around the world, under the guidance and global coordination of the Governing Body. These exchanges involve both the seeds of plants that provide food and nutrition and the vital information pertaining to seeds. By globally promoting the sharing of the benefits arising from the use of PGRFA in a fair and equitable way, the International Treaty encourages countries to cooperate and create incentives for the conservation and sustainable use of this precious agricultural biodiversity. Today, the International Treaty is a flagship instrument of FAO's normative work on agricultural biodiversity related to plants and is acknowledged as one of its top 10 achievements.

4. On the occasion of the 15th anniversary of the entry into force of the International Treaty, this document first highlights some of the major achievements and progress made in its implementation, to date, in advancing conservation and sustainable use of PGRFA around the world. The document also draws attention to the rapidly evolving global policy environment surrounding the International Treaty. It notes major developments that occurred in international cooperation and agricultural development, as well as critical changes that have arisen in the last 15 years and emerging challenges relevant to its implementation. In the final part, building on the achievements and taking into account latest developments and emerging global challenges, the document suggests indicative future directions that the Governing Body could consider to further strengthen the contribution of International Treaty to global food security and sustainable agriculture.

II. PROGRESS AND ACHIEVEMENTS SINCE ENTRY INTO FORCE

5. The Treaty reaffirms that no country is self-sufficient when it comes to PGRFA as all countries are inter-dependent and rely on materials from other parts of the world for their food production. The continued exchange of PGRFA is important for both developed and developing countries. It ensures that the productivity of crops can continue to be improved, that resistances can be found to new diseases, and that crops can be adapted to new environmental challenges. Consequently, PGRFA is a common concern of all countries, as are food security and sustainable agriculture.

6. As a rapidly growing international instrument, the membership of the International Treaty has significantly increased during the last 15 years. Today there are 146 Contracting Parties from all regions of the world. This figure is expected to increase in the coming years, as several countries are actively taking concrete steps to become a Party. This is a testimony of the Treaty's importance to the global community.

¹ <http://www.fao.org/newsroom/en/news/2004/47027/index.html>

7. Contracting Parties, being collectively the Governing Body, have worked together with partners and other stakeholders to implement and advance the International Treaty in the last 15 years, which led to a number of significant achievements. Among the most notable ones are a fully functional Multilateral System of Access and Benefit-sharing, an effective Benefit-sharing Fund, a rapidly growing Global Information System, and work on enhancing the conservation and sustainable use of PGRFA and the implementation of Farmers' Rights.

8. Since the First Session of the Governing Body, it has adopted a range of instruments for the governance of its actions and provide guidance in the implementation of the Treaty, including its Rules of Procedures, Financial Rules, Funding Strategy, the Compliance Procedures and the Third Party Procedures.

A. CONSERVATION AND SUSTAINABLE USE OF PGRFA

9. The adoption of the International Treaty in 2001 not only created an international legal framework for the management of PGRFA, but it also provided an impetus to an idea of establishing a global facility of back-up storage of PGRFA to support conservation efforts. Encouraged by key stakeholders, including Bioversity International (then International Plant Genetic Resources Institute), the Government of Norway decided to establish such a global facility at Svalbard. A feasibility study was carried out and concluded that it would be possible to establish an ultimate fail-safe protection of PGRFA and it could be efficient, sustainable, affordable, but also politically and legally acceptable. The construction of the vault was realized with strong support of the Nordic countries. The Svalbard Global Seed Vault was opened on 26 February 2008, and depositors of seeds in the Global Seed Vault must agree to make available samples of the deposited plant genetic resources for research, plant breeding and training purposes. As of today, there are more than one million samples deposited in the Global Seed Vault.

10. Concurrently, the Global Crop Diversity Trust (Crop Trust) was established in 2004 by the Food and Agriculture Organization of the United Nations and Bioversity International on behalf of the Consultative Group on International Agricultural Research (CGIAR), to help support the objectives of the International Treaty in a sustainable way through a Crop Diversity Endowment Fund. The Crop Trust constitutes an essential element of the Funding Strategy of the International Treaty. It provides long-term grants to safeguard international collections of valuable crop diversity held in genebanks around the world, with a vision to secure forever the basis of a diverse and sustainable agriculture to support food security and alleviate poverty. It also supports the Svalbard Global Seed Vault by covering its operating costs annually, while funding technical assistance and capacity building around the globe to promote the availability of PGRFA and information sharing. For example, thanks to the work of the Trust and its partners, the world's largest rice collection at the International Rice Research Institute (IRRI) now receives funding in perpetuity for the conservation and sharing of 136,000 varieties of the staple crop that feeds more than three billion people worldwide.

11. Most importantly, the ratification and implementation of the International Treaty has enabled FAO Members to strengthen their national policies and programmes on the conservation and sustainable use of PGRFA. There are many practical examples provided by Contracting Parties in their country reports on the implementation of the International Treaty, which are submitted to the Governing Body as part of the Compliance procedures adopted by it. As many as 79% of the Contracting Parties that have reported indicated that they have put in place laws, regulations, procedures or policies that implement the International Treaty. For example, the new agrobiodiversity law of Ecuador, where Farmers' Rights have been recognized and resources are being allocated through the local land management plans. In India, detailed discussions have been carried out since 2014 to update the National Action Plan for Genetic Resources Management, taking into account the specific needs to contribute to the Multilateral System and involve a broader range of stakeholders in the national implementation of the International Treaty.

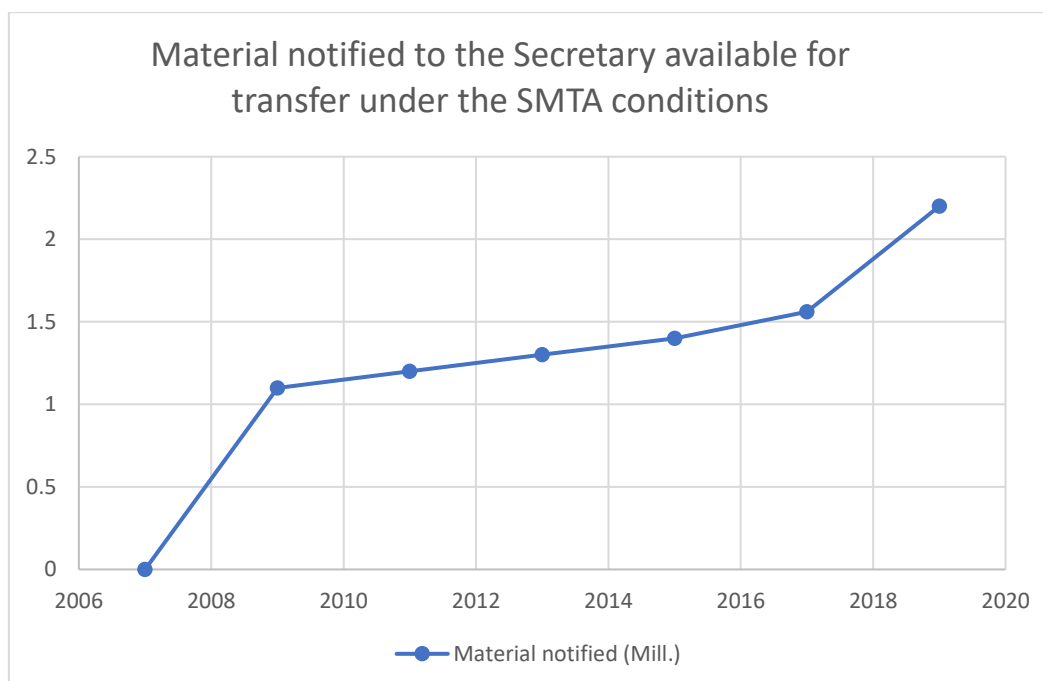
B. FACILITATED ACCESS AND EXCHANGE OF PGRFA

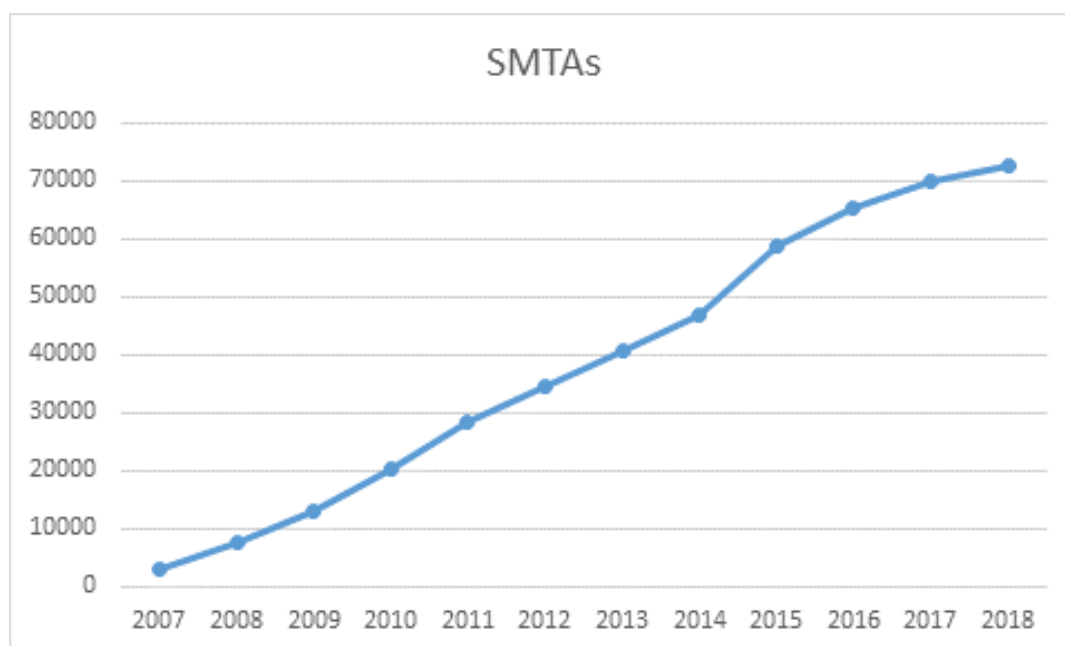
12. Since its entry into force, the International Treaty has established the largest system for the exchange of plant genetic material for food and agriculture around the world. Today, its Multilateral System of Access and Benefit-sharing (Multilateral System) is the most systematic and largest global mechanism to ensure regular and facilitated access to plant genetic material, constituting a global gene pool of over 2.2 million accessions notified to the Secretary. The material is available to breeders and scientists as they work to help farmers meet the challenges of climate change, pests and diseases. These materials are kept in local, national and international genebanks, including the vast collections of the CGIAR, and placed under the policy guidance of the Governing Body for the benefit of the international community.

13. The Standard Material Transfer Agreement (SMTA) was adopted by the Governing Body in 2006 to provide a simple and user-friendly standard contract that keeps transaction costs to a minimum for both providers and recipients of PGRFA in the Multilateral System. With the adoption of the SMTA, the Multilateral System became fully operational in January 2007, and since then more than 5.4 million accessions have been transferred globally and reported. Easy-SMTA has been contributing to the increase of PGRFA exchange, by supporting users, both providers and recipients, to facilitate the generation of SMTAs and the necessary reporting to the Governing Body.

14. To provide essential support to the operation of the Multilateral System, the Global Information System (GLIS) has been growing rapidly to enable the collection, collation and exchange of information on plant genetic resources. Since 2017, the GLIS Portal has been facilitating access to PGRFA data, by connecting existing information systems and supporting users with exchange standards.

15. One of the significant achievements in GLIS is the adoption of the “digital object identifiers” (DOIs), which are used as permanent unique identifiers for PGRFA being exchanged. DOIs contribute to increasing the amount and quality data on PGRFA and to improving their availability at global level. Almost 900 000 DOIs have been assigned so far. Thanks to GLIS’ brokering functions and standardization, researchers, plant breeders as well as farmers can now exchange information and data more efficiently.





C. SUPPORTING FARMERS IN THE CONSERVATION AND SUSTAINABLE USE OF PGRFA

16. Farmers' Rights are an important aspect of the maintenance of crop genetic diversity. As the first legally-binding international instrument that specifically acknowledges the tremendous contributions of local and indigenous communities, and farmers all over the world to the development and management of plant genetic resources for millennia, the International Treaty enjoins all Contracting Parties to protect and promote the rights of farmers, including by protecting their traditional knowledge, ensuring their participation in equitable benefit-sharing and facilitating their participation in national decision-making.

17. Since the International Treaty entered into force, Contracting Parties' efforts have focused on exchanging experiences in relation to the implementation of Farmers' Rights in their respective national contexts. These exchanges have also generated views on how the implementation of Farmers' Rights could be supported by the International Treaty, with active participation especially of farmers and farmers' organizations, as well as other interested stakeholder groups.

18. In 2017, the Governing Body established the Ad Hoc Technical Expert Group on Farmers' Rights (AHTEG) with the mandate to produce an inventory of national measures on Farmer's Rights and to develop options for encouraging, guiding and promoting the realization of Farmers' Rights as set out under Article 9 of the Treaty. The AHTEG prepared a draft inventory for the consideration and adoption by the Governing Body at this Session.

D. THE BENEFIT-SHARING FUND

19. The Benefit-sharing Fund (BSF) of the International Treaty sponsors projects in developing countries with the aim to increase crop diversity and enable a dynamic exchange of plant genetic material for food security and rural development.

20. Since its establishment in 2009, the BSF has funded 80 projects in 67 developing countries and benefited more than 1 million people worldwide, most of them small-scale farmers. The first user-based income arising from use of SMTA was deposited in the BSF in 2018.

21. Through its projects, the BSF has been supporting *in situ* and on farm management, and creating linkages with broader *ex situ* conservation efforts. The BSF enables small-scale farmers, scientists and breeders to tap into the Treaty's global genepool of genetic materials to undertake

collaborative research and develop new crop varieties. It thus facilitates a dynamic flow of PGRFA material from farmers to ex situ collections and back again to farmers through the Multilateral System. These BSF projects have had significant positive impact on the conservation and sustainable use of the world's agrobiodiversity, the resilience of agricultural production systems and food security of small-scale farmers.

22. The BSF is an essential element of the Treaty's Funding Strategy and plays a catalytic role in its overall implementation. The BSF does not work in isolation, as the investment in PGRFA relies on many funding mechanisms as described in Article 18 of the International Treaty.

E. THE FUNDING STRATEGY

23. The Funding Strategy is critical to the implementation of the International Treaty and the extent to which developing countries are able to effectively implement commitments under the Treaty relies on its effective functioning.

24. Contracting Parties have recently reported innovative ways that they are exploring to finance PGRFA activities. For instance, a new agrobiodiversity law in Ecuador is being developed and will create a national fund for agrobiodiversity, seeds and sustainable agriculture, with a view of collecting 1% of the agricultural GDP. In 2018, the United States Agency for International Development (USAID) awarded the sum of \$47 million towards collaborative research on crops to advance food security goals through the sustainable use of PGRFA. This includes collaborative research efforts between developing country national government researchers, international research centres and U.S. university-based researchers and plant breeders.

25. There are a number of recent policy developments related to the implementation of the Funding Strategy, including its revision. Therefore, the updated Funding Strategy that is presented for consideration of the Eighth Session of the Governing Body would, *inter alia*, adopt an overall target for the Treaty's Funding Strategy as well as key strategic priorities to mobilize the funding to be able to reach a high level of implementation of all priorities of FAO's Second Global Plan of Action on PGRFA by 2030.

III. NEW DEVELOPMENTS: OPPORTUNITIES AND CHALLENGES

26. The progress and achievements under the International Treaty have been possible thanks to the commitment, dedication and efforts of Contracting Parties and stakeholders, and the support from partners working together to achieve the objectives of the Treaty under the policy guidance of the Governing Body. In the meantime, during those preceding 15 years, many important changes and new developments have occurred in the ever-evolving global landscape in relation to the International Treaty, with major implications for its implementation.

27. One of the most significant developments since the entry-into-force of the International Treaty was the adoption of the 2030 Agenda for Sustainable Development (2030 Agenda) and the Sustainable Development Goals (SDGs) with an ambitious agenda and transformational vision. Since the adoption in September 2015, the 2030 Agenda and SDGs have been shaping and guiding the international development efforts, with strong influence on the agriculture sector and its practices. Today, the SDGs are the key reference framework for the global community, not only for United Nations Member Governments, but also private companies, development organizations, civil society groups, academic institutions, calling for actions and collaborations by all countries and citizens to transform our world through sustainable development. Sustainable development is not only a scientific but also a normative concept, with emphasis on an equitable and just way to advance human and planetary well-being through cooperation by all.

28. The 2030 Agenda strongly reflects the three dimensions of sustainable development - economic, social and environmental, and different Goals and Targets are interlinked to address economic growth, social inclusion and environmental protection in an integrated manner. Under the

SDGs, food security and sustainable agriculture are presented not only as agricultural issues, but as being interconnected with other important development goals, such as promoting rural development and responsibly managing natural resources, with significant importance placed on the role played by agricultural biodiversity. The 2030 Agenda therefore speaks directly to the core of the International Treaty, since the questions regarding the management of PGRFA are at the meeting point between agriculture, the environment and commerce and there should be synergy among these sectors. At its Seventh Session, the Governing Body recognized that the implementation of the International Treaty contributes, in particular, to SDG Targets 2.5 and 15.6, relating to conservation, access and benefit-sharing of genetic resources.

29. In February 2019, the FAO launched the first-ever global report on the state of biodiversity that underpins our food systems. The State of the World's Biodiversity for Food and Agriculture reports as a key finding that biodiversity for food and agriculture (BFA) is declining. Transition to intensive production of a reduced number of species, breeds and varieties remain major drivers of loss of BFA. It notes that crop diversity in farmers' fields has been declining in rate and amount, while threats to it are increasing. Of some 6,000 plant species gathered or cultivated for food, fewer than 200 contribute substantially to global food output and only nine account for 66 percent of total crop production.

30. While the report also highlights a growing interest in biodiversity-friendly practices and approaches as encouraging findings, more needs to be done, and one of the key recommendations is to strengthen enabling frameworks, creating incentives and benefit-sharing measures to continue efforts to conserve and sustainably use biodiversity. It also calls for better multistakeholder, cross-sectoral and international cooperation, including for capacity development, and mainstreaming BFA into all relevant policy areas is essential in this regard.

31. The development of new technologies, including information technology, related to the conservation and sustainable use of PGRFA have had increasing implications for the implementation of the International Treaty since its entry into force. These technologies have been evolving at accelerating rates over the past decade, contributing to increasing efficiency and effectiveness of efforts by users of PGRFA on the one hand, while also posing institutional and policy challenges for the management of PGRFA on the other hand.

32. Today, it is well recognized that advanced genetic, genomic and related technologies will be making from now onwards, a huge impact on plant breeding and conservation of plant genetic resources. Large amounts of PGRFA data are being generated with more precision. These advances could enormously improve our capacity to characterize and evaluate genetic resources and reduce the time of breeding periods, and thus have the potential to contribute to the improvement in food and nutrition security. Technological innovations are also important for transitioning towards environment-friendly and healthy production systems for the planet.

33. However, some concerns have also been raised about the possible adverse impacts of new and emerging genetic and related technologies as well as other systemic issues connected to them. Most notable is the capacity gap between countries and regions to obtain, utilise and regulate the use of those technologies and concomitant economic divide. Another important aspect, especially in relation to the Multilateral System, is how information generated by or through those technologies are treated, managed and utilised.

34. Advanced technologies and information can serve for the betterment of the global community and the achievement of the collective interest of ensuring food and nutrition security for all, but equally important is just and equitable development. In the context of the International Treaty in particular, special attention to farmers is imperative in the effort to conserve and sustainably use PGRFA.

IV. TOWARD THE FUTURE

35. The 15th anniversary of the Treaty's entry into force presents an occasion for celebration, to acknowledge the progress and achievements made by the entire Treaty community in its implementation. At the same time, it also provides an important moment to review relevant changes and developments that occurred during the past 15 years and to reflect on critical issues affecting its implementation. During the first 15 years, the Governing Body has inevitably focused on the establishment and enhancement of the core systems and mechanisms, particularly the enhancement of the Multilateral System of Access and Benefit-sharing. Today, the main systems and mechanisms are in place and operational, thanks to the hard work and cooperation of stakeholders and the important decisions made by the Governing Body.

36. For the International Treaty to remain as a truly valuable policy and operational instrument, which provides an effective governance framework to facilitate exchange and use of PGRFA, the Governing Body and the entire Treaty community must seize this opportunity, not only to acknowledge the achievements, but also to expand the success, prepare for emerging challenges and seize opportunities to further advance the implementation of the International Treaty at global level, and make impact at national and local level to achieve food security and sustainable agriculture.

37. Building on the achievements, in the coming years, greater efforts should be directed to the effective implementation, supporting Contracting Parties but also other stakeholders for the full implementation of various provisions, especially at national level. Through effective and full implementation, the Governing Body can reinforce the continuing relevance and contribution of the International Treaty to the sustainable development of the world community. A strong emphasis should be placed during the next decade to strengthen national agriculture and development policies relevant to the Treaty and further integrate the practical dimensions of conservation and sustainable use promoted by the International Treaty. This should include enhancing integration of PGRFA in national development plans, national budgets and priorities for donor support and external funding, including for multilateral mechanisms supporting biodiversity and climate change.

38. Key to future success would depend, among other things, on the cooperation of all actors. The Governing Body will continue to facilitate, foster and enable collaboration among various stakeholders at all levels to further advance conservation and sustainable use of PGRFA. While there is some divergence of interests among relevant actors of the PGRFA community, yet all share the common goal to conserve and sustainably use this important agricultural biodiversity. The Governing Body can empower them to forge innovative and strategic partnerships for better management of PGRFA. The 2030 Agenda provides strong incentives for such cooperation, calling different actors to unite and join their efforts over their differences to achieve shared common objectives for a better future.

39. In encouraging and promoting partnerships, a greater focus would need to be placed on benefit sharing, especially information sharing, technology transfer and dissemination, and capacity building. There are significant gaps in the scientific and technological capacities for crop improvement between developed and developing countries, which might impact the full implementation of the International Treaty. Collaboration among relevant stakeholders can contribute to building trust among different role-players to work together and increase their confidence in the International Treaty in turn. Such collaboration would also address several provisions of the International Treaty in a more integrated way, creating greater synergies in the implementation of its different elements.

40. It is also important to seek balanced approaches in science-social interface for best policies. While appreciating the contributions that the advanced technologies have been making to the conservation, management and use of PGRFA, it is also necessary to consider their potential impacts and how to manage inherent risks, especially for small-scale farmers, who are the most vulnerable group. The spirit of the 2030 Agenda calls for this holistic approach to realize sustainable development in a just and equitable way.

41. Positioning the work of the Treaty strongly in the international policy agenda related to biodiversity, climate change and sustainable development will remain a collective undertaking. Advocating the contribution of plant genetic resources to food security and nutrition, sustainable livelihoods and poverty eradication in the post-2020 global biodiversity framework will be also critical. Relevant targets under a new framework should link agricultural biodiversity to food security and sustainable agriculture to deal with not only conservation of genetic diversity but also its sustainable use. Addressing the critical linkages between agriculture and the environment more appropriately is needed for better policy coherence.

42. In the conservation and sustainable use of PGRFA, the world community must act as one, given the interdependence among countries. The erosion of PGRFA is continuing, while the world population is still growing, and so are the adverse impacts of climate change on the planet. There are still major gaps in the exploration, conservation and use of PGRFA that need to be addressed through an integrated approach, as called upon in Article 5. One major gap remains in ensuring the long-term conservation and availability of PGRFA that will be particularly important to tackle the malnutrition and diet diversification. Increased investments will be needed in the conservation, availability and use of plant genetic resources of crops important to improving nutrition, such as fruits, vegetables and underutilized crops.

43. The world community needs an effective and functioning governance framework for PGRFA to contribute to addressing today's critical global challenges. Under its leadership and vision for food security and sustainable agriculture, the Governing Body can bring all stakeholders of the International Treaty together across borders and sectors to achieve our common objectives for better management of PGRFA.

V. GUIDANCE SOUGHT

44. The Governing Body is invited to note the information contained in this document and adopt a Resolution, taking into account the elements contained in the *Appendix* to this document, to acknowledge the progress achieved so far and provide guidance on the future directions it envisages for the International Treaty to continue contributing most effectively to global food security and sustainable agriculture, as well as responding to emerging global challenges, through its implementation.

Elements for a Possible Resolution

RESOLUTION XX/2019

CELEBRATING THE 15th ANNIVERSARY OF INTERNATIONAL TREATY ON PLANT GENETIC RESOURCES FOR FOOD AND AGRICULTURE

THE GOVERNING BODY,

Acknowledging the remarkable achievements and progress made in the first 15 years of the implementation of the International Treaty on Plant Genetic Resources for Food and Agriculture (International Treaty);

Reaffirming that the effective implementation of the International Treaty contributes to addressing today's critical global challenges of food and nutrition security, sustainable agriculture and climate change;

Concerned that the erosion of plant genetic diversity is continuing at an alarming rate, and while the world population is growing, malnutrition and the total number of hungry people are on the rise and, at the same time, the adverse impacts of climate change are increasing;

Conscious of impact of the changes in the global policy landscape and development of advanced technologies to the conservation and sustainable use of plant genetic resources for food and agriculture during the past 15 years and possible implications for the implementation of the International Treaty;

Recalling Resolution 1/2017, *Contribution of the International Treaty on Plant Genetic Resources for Food and Agriculture to the 2030 Agenda for Sustainable Development*,

1. **Reaffirms** its commitment to the full implementation of the International Treaty, so that it continues providing an effective and functioning global governance framework for the management of plant genetic resources for food and agriculture;
2. **Encourages** Contracting Parties to mainstream the implementation of the International Treaty into their national policies, strategies and programmes enhance integration of PGRFA in national development plans, national budgets and priorities for donor support;
3. **Strongly supports** collaborations and the continued development of partnerships among Contracting Parties and different stakeholders for the effective and equitable management of plant genetic resources for food and agriculture under the International Treaty;
4. **Emphasizes** the need of increased investments in the conservation, availability and use of PGRFA that are currently underutilized or underrepresented in genebank collections around the world and that are important to confront malnutrition and other challenges;
5. **Acknowledges** the importance of expanding the coverage of the Multilateral System of Access and Benefit-sharing to further facilitate access and exchange of plant genetic resources for food and agriculture, and thereby increase the global effort to conserve and sustainably use these resources;
6. **Further acknowledges** that equitable benefit sharing, especially information sharing, technology transfer and capacity building, is essential to achieve full implementation of the International Treaty;
7. **Calls upon [Urges]** Contracting Parties and partners to make concerted effort and commitment to implement the updated Funding Strategy to support and advance the implementation of the International Treaty