



Food and Agriculture  
Organization of the  
United Nations



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

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## RESOLUTION 2/2019

### IMPLEMENTATION AND OPERATION OF THE MULTILATERAL SYSTEM OF ACCESS AND BENEFIT-SHARING

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#### THE GOVERNING BODY,

*Recalling* previous Resolutions on the operations and implementation of the Multilateral System, in particular, Resolutions 1/2015 and 4/2017;

*Recalling* the need to provide regular guidance to Contracting Parties and institutions that have concluded agreements under Article 15 of the International Treaty for the effective and efficient operations of the Multilateral System;

*Recalling* the provisions of Article 15.1 (a) of the International Treaty;

*Recalling* further the provisions of Articles 6.5 and 6.6 of the Standard Material Transfer Agreement;

*Noting* the continuing relevance of the CGIAR Principles on the Management of Intellectual Assets to the implementation of the obligations of CGIAR Centers pursuant to the agreements concluded with the Governing Body under Article 15 of the International Treaty, including on the CGIAR Centers management and distribution of plant genetic resources for food and agriculture under development;

*Noting* further that those Intellectual Assets Principles explicitly require Centres to comply with their obligations under the framework of the International Treaty, and serve as a mechanism for monitoring and compliance;

#### PART I: AVAILABILITY AND TRANSFER OF MATERIAL IN THE MULTILATERAL SYSTEM

1. *Welcomes* the information provided on the availability of material in the Multilateral System; *thanks* the Contracting Parties that have identified, at the accession level, the material that is available in the Multilateral System and *urges* them to continue updating this information regularly, and *further urges* the Contracting Parties that have not yet done so, to identify, at accession level, the material that forms part of the Multilateral System;

2. *Emphasizes* the importance of collections that are fully characterized and evaluated, and *appeals* to both Contracting Parties, and natural and legal persons to make them available in the Multilateral System together with the relevant non-confidential characterization and evaluation data, and *further appeals* donors to support characterization of collections conserved in national genebanks of developing countries and countries with economies in transition;

3. *Invites* Contracting Parties and other holders of material to use, on a voluntary basis, the Digital Object Identifiers (DOIs) of the Global Information System for the identification of material available in the Multilateral System;

4. *Requests* the Secretary to update the report on availability of material in the Multilateral System and the report on the transfer of the materials for the Ninth Session of the Governing Body;

5. **Requests** the Secretary to explore why many countries have not placed material in the Multilateral System and **invites** Contracting Parties to share difficulties that may be encountered, or the needs for capacity building for placing material in the Multilateral System or in sharing germplasm with other Contracting Parties.

## **PART II: OPERATIONS OF THE MULTILATERAL SYSTEM**

6. **Takes note** of the progress made during the 2018-2019 biennium with Easy-SMTA and the Data Store and **requests** the Secretary to maintain the help-desk function on the operations of the Multilateral System and finalize the Educational Module;

7. **Invites** Contracting Parties and relevant international organizations to make available resources for, and collaborate with the Secretary on, organizing training programmes and workshops on the Multilateral System;

8. **Further requests** the Secretary, subject to the availability of financial resources, to organise regional training workshops to support Contracting Parties in strengthening the operations of the Multilateral System, including for the identification and notification of material available in the Multilateral System, and for the operations of the Standard Material Transfer Agreement, including the reporting of transfers;

9. **Requests** the Secretary to continue to work with the CGIAR Centers to build capacity among a wider range of providers, including natural and legal persons, to implement the Multilateral System and to report on the use of the Standard Material Transfer Agreement.

## **PART III: PRACTICE OF THE CGIAR CENTRES ON THE MANAGEMENT OF INTELLECTUAL ASSETS RELATED TO PLANT GENETIC RESOURCES FOR FOOD AND AGRICULTURE**

10. **Thanks** the CGIAR System for the submission of the report on the Status of Implementation of the CGIAR Principles on the Management of Intellectual Assets and **invites** the CGIAR System to continue reporting on the application of the CGIAR Principles on the Management of Intellectual Assets to germplasm managed under the framework of the International Treaty, parts thereof, or information generated from the use of this germplasm.

## **PART IV: OPERATION OF THE THIRD PARTY BENEFICIARY**

**Recalling** that the Governing Body, at its Third Session, had approved the Third Party Beneficiary Procedures for the carrying out of the roles and responsibilities of Third Party Beneficiary as identified and prescribed in the Standard Material Transfer Agreement under the direction of the Governing Body;

**Recalling further** that, in accordance with Article 4.2 of the Third Party Beneficiary Procedures, the Third Party Beneficiary may receive information on possible non-compliance with the obligations of the provider and recipient under a Standard Material Transfer Agreement from any natural or legal persons;

**Recognizing** that the Third Party Beneficiary will require adequate financial and other resources and that FAO acting as Third Party Beneficiary shall not incur any liabilities in excess of the funds available in the Third Party Beneficiary Operational Reserve;

11. **Notes** the Report on the Operation of the Third Party Beneficiary and further requests the Secretary and FAO to continue providing, at each Session of the Governing Body, such a report;

12. **Stresses** the importance for the effective functioning of the Third Party Beneficiary, of Article 4.2 of the Third Party Beneficiary Procedures, according to which the Third Party Beneficiary may receive information on possible non-compliance with the obligations of the provider and recipient under a Standard Material Transfer Agreement from the parties under the Standard Material Transfer Agreement or any other natural or legal persons;

13. **Decides** to maintain the Third Party Beneficiary Operational Reserve for the 2020–2021 biennium at the current level of USD 283,280 and to review the same at its Ninth Session, and calls upon Contracting Parties that have not done so yet, intergovernmental organizations, non-governmental organizations and other entities to contribute to the Reserve;
14. **Authorizes** the Secretary to draw upon the Third Party Beneficiary Operational Reserve as may be needed for the implementation of the functions of the Third Party Beneficiary;
15. **Welcomes** the functional and cost-effective information technology tools and infrastructure that the Secretary has developed to facilitate the submission, collection and storage of information in the implementation of Article 4.1 of the Third Party Beneficiary Procedures, and **requests** the Secretary to apply adequate measures to ensure the integrity and, where required, the confidentiality of information, while continuing the further development of the International Treaty information technology tools and infrastructure, including in accordance with the Vision and Programme of Work of the Global Information System of Article 17.

**PART V: REVIEWS AND ASSESSMENTS UNDER THE MULTILATERAL SYSTEM  
AND OF THE IMPLEMENTATION AND OPERATION OF THE STANDARD  
MATERIAL TRANSFER AGREEMENT**

16. **Decides** to postpone the reviews and assessments foreseen under Article 11.4 to the Ninth Session and **requests** the Secretary to prepare a report, with inputs from Contracting Parties and relevant stakeholders, on possible measures to be considered by the Governing Body to encourage natural and legal persons to include material in the Multilateral System;
17. **Decides** to postpone the reviews under Article 13.2d (ii) of the International Treaty to the Ninth Session and **requests** the Secretary to prepare a report, with inputs from Contracting Parties and relevant stakeholders.