



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



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

**E**

<b>Item 9.1.i of the Provisional Agenda</b>
<b>NINTH SESSION OF THE GOVERNING BODY</b>
<b>New Delhi, India, 19–24 September 2022</b>
<b>Implementation of Article 12.3a of the International Treaty</b>

## I. INTRODUCTION

1. Pursuant to Rule V of the Rules of Procedure of the Governing Body, “*the Secretary shall prepare the provisional agenda on the request of the Chairperson and under the guidance of the Bureau*”.
2. Rule 5.2 states that “*Any Contracting Party may request the Secretary to include specific items in the Provisional Agenda before it is dispatched*”.<sup>1</sup>
3. Before the finalization and dispatch of the Provisional Agenda, the Government of Slovenia, acting on behalf of the European Union and its Members States, sent a letter to the Bureau suggesting the placement of an agenda item at this Session for the discussion of the implementation of Article 12.3a of the International Treaty.
4. The Bureau considered the proposal and, following consultations with the regions, agreed to place the matter under a sub-agenda item 9.1.i, *Implementation and Operations of the Multilateral System*, as sub-item “i”, to facilitate the further exchange of views on the matter at the Governing Body Session.

## II. DOCUMENTATION

5. Article 12.3a of the International Treaty, related to facilitated access to plant genetic resources for food and agriculture within the Multilateral System, states:

12.3 *Such access shall be provided in accordance with the conditions below:*

*a) Access shall be provided solely for the purpose of utilization and conservation for research, breeding and training for food and agriculture, provided that such purpose does not include chemical, pharmaceutical and/or other non-food/feed industrial uses. In the case of multiple-use crops (food and non-food), their*

<sup>1</sup> [www.fao.org/plant-treaty/overview/governing-body/rules-procedures/en/](http://www.fao.org/plant-treaty/overview/governing-body/rules-procedures/en/)

*importance for food security should be the determinant for their inclusion in the Multilateral System and availability for facilitated access.*

6. To facilitate the dialogue and exchange of views on the implementation of Article 12.3a, the European Union and its Member States provided background information and details, which is contained in the document, IT/GB-9/9.1.i/Circ.1

### **III. GUIDANCE SOUGHT**

7. The Governing Body is invited to consider the submission received and discuss the implementation of Article 12.3a of the International Treaty.