



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



**International Treaty  
on Plant Genetic Resources  
for Food and Agriculture**

## RESOLUTION 2/2023

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

#### THE GOVERNING BODY,

*Recalling* previous Resolutions on the operations and implementation of the Multilateral System, in particular, Resolution 2/2022;

*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 (SMTA);

#### 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 and its exchange and *reiterates* the request to the Secretary to update the report for the Eleventh Session, consistent with paragraph 4 of Resolution 2/2022;
2. *Appeals* to both Contracting Parties, and natural and legal persons to make their plant genetic resources for food and agriculture available in the Multilateral System, together with the relevant non-confidential characterization and evaluation data; and *further appeals* to donors to support characterization and evaluation of collections conserved in national gene banks of developing countries and countries with economies in transition;
3. *Requests* the Secretary to make Treaty National Focal Points aware of the briefing note for natural and legal persons interested in including material in the Multilateral System, so that they can use it as a basis to encourage and support natural and legal persons in their respective countries to make material available in the Multilateral System;
4. *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;
5. *Requests* the Secretariat to continue its collaboration with the Secretariat of the Commission on Genetic Resources for Food and Agriculture on updating the report on the availability of material in the Multilateral System, including reasons why there are Contracting Parties that have not placed any material in the Multilateral System.

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

6. *Takes note* of the progress made since the Ninth Session with Easy-SMTA and the Data Store and *requests* the Secretary to continue to maintain the help-desk function on the operations of the Multilateral System;

7. **Welcomes** the publication of the online training course based on the Educational Module on the Multilateral System of Access and Benefit-sharing and **requests** the Secretary, subject to the availability of financial resources, to make it available in other official languages;
8. **Takes note** of the online training events and webinars organized since the Ninth Session to facilitate implementation of the Multilateral System and **requests** the Secretary, subject to the availability of financial resources, to continue to organize regional implementation workshops to support Contracting Parties, providers, users and other stakeholders in strengthening use of the Standard Material Transfer Agreement (SMTA) and operations of the Multilateral System;
9. **Requests** the Secretary, subject to the availability of financial resources, to support Contracting Parties in the documentation and exchange of national experiences on implementation of the Multilateral System and to publish them on the website of the International Treaty;
10. **Requests** the Secretary to continue to work with the Article 15 institutions to build capacity among a broader range of providers, including natural and legal persons, to implement the Multilateral System and to report on use of the SMTA;

### **PART III: PRACTICE OF THE CGIAR CENTERS ON THE MANAGEMENT OF INTELLECTUAL ASSETS RELATED TO PLANT GENETIC RESOURCES FOR FOOD AND AGRICULTURE<sup>1</sup>**

11. **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 the increased transparency in Centers' communications when entering into restrictive agreements concerning plant germplasm or information generated from the use of such germplasm;
12. **Invites** the CGIAR System to continue to report 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<sup>2</sup>**

**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 the Third Party Beneficiary, as identified and prescribed in the SMTA 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 an SMTA 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;

13. **Notes** the Report on the Operation of the Third Party Beneficiary and further **requests** the Secretary and FAO to continue to provide, at each Session of the Governing Body, such a report;
14. **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 an SMTA from the parties under the SMTA, or any other natural or legal persons;
15. **Decides** to maintain the Third Party Beneficiary Operational Reserve for the 2024–2025 biennium at the current level of USD 283 280 and to review the same at its Eleventh Session, and **calls** upon Contracting Parties that have not yet done so, intergovernmental organizations, non-governmental organizations and other entities, to contribute to the Reserve;

<sup>1</sup> See also document IT/GB-10/23/16.4.2

<sup>2</sup> As proposed in document IT/GB-10/23/9.1.4

16. **Authorizes** the Secretary to draw on the Third Party Beneficiary Operational Reserve as may be needed for implementation of the functions of the Third Party Beneficiary;
17. **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 continue applying adequate measures to ensure the integrity and, where required, the confidentiality of information, while continuing, subject to the availability of financial resources, the further development of the International Treaty information technology tools and infrastructure, including in accordance with the Vision and the Programme of Work of the Global Information System.

**PART V: REVIEWS AND ASSESSMENTS UNDER THE MULTILATERAL SYSTEM AND OF THE IMPLEMENTATION AND OPERATION OF THE STANDARD MATERIAL TRANSFER AGREEMENT<sup>3</sup>**

18. **Requests** the Secretary, subject to the availability of financial resources, to continue capacity development activities and awareness-raising efforts on the voluntary inclusion of plant genetic resources for food and agriculture in the Multilateral System by natural and legal persons, with the participation of national focal points and relevant stakeholders;
19. **Decides** to undertake the reviews and assessments foreseen under Articles 11.4 and 13.2d(ii) of the International Treaty at its Eleventh Session, and **requests** the Secretary to prepare the relevant documentation;
20. **Requests** the Secretary to undertake further research and consultation on possible measures to encourage natural and legal persons to make plant genetic resources for food and agriculture available in the Multilateral System, and prepare a set of recommendations for the consideration of the Governing Body at its Eleventh Session.

---

<sup>3</sup> As proposed in document IT/GB-10/23/9.1.2