

Background

- Adopted in 2001
- In force since 2004
- Treaty Systems made operational since 2007
- Membership: 128 Contracting Parties so far



CBD – Unaddressed issues

- In adopting the CBD, Governments recognized that the Convention had not addressed two outstanding issues:
 - access to *ex situ* collections not acquired in accordance with the Convention (such as the CGIAR collections) and
 - Farmers' Rights, for which solutions should be sought within FAO.
- Governments also recognized the specificity of the Agriculture sector

What are the Treaty's objectives?

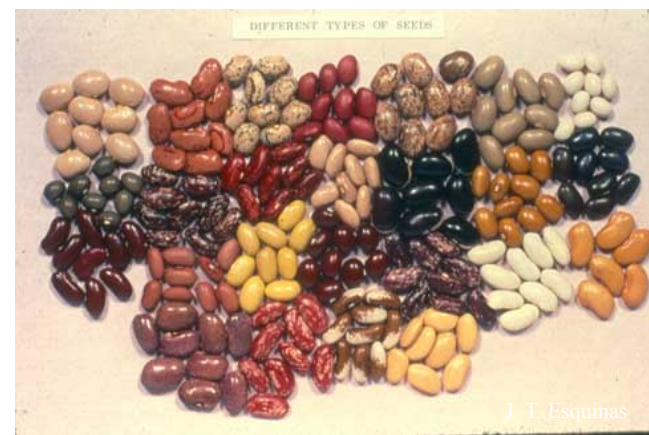


- The conservation and sustainable use of plant genetic resources for food and agriculture
- The fair and equitable sharing of benefits derived from their use, **in harmony with the Convention on Biological Diversity, for sustainable agriculture and food security**

Article 1.2

- These objectives will be attained by closely linking this Treaty to the Food and Agriculture Organization of the United Nations and to the Convention on Biological Diversity

Article 3: the scope of the Treaty is all plant genetic resources for food and agriculture



Article 5: Conservation, Exploration, Collection, Characterization, Evaluation and Documentation



Each Contracting party shall ... , in cooperation with other Contracting Parties ..., promote an integrated approach to the exploration, conservation and sustainable use of plant genetic resources for food and agriculture

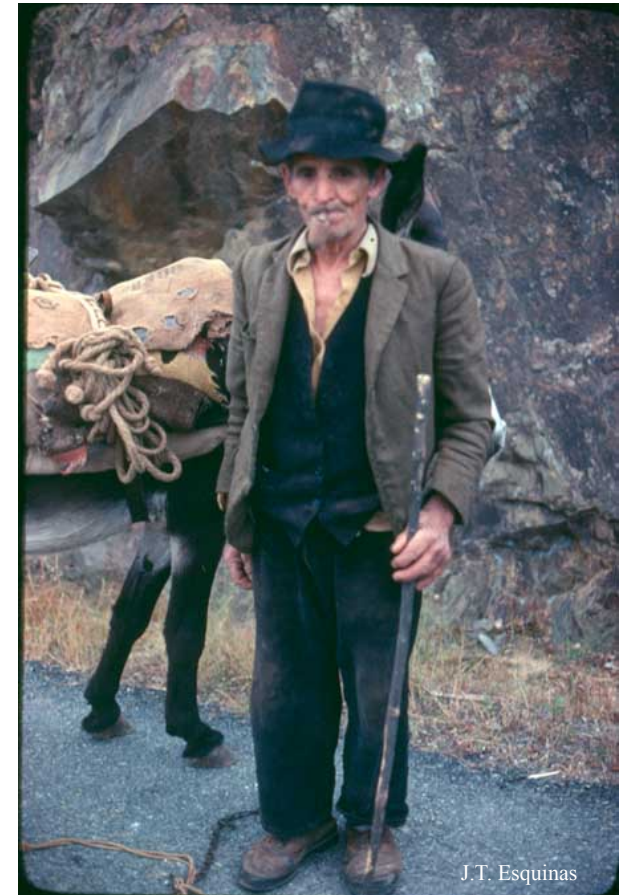
Article 6: Sustainable Use of Plant Genetic Resources



The Contracting parties shall develop and maintain appropriate policy and legal measures that promote the sustainable use of plant genetic resources for food and agriculture.

Article 9: Farmers' Rights

- Recognition of the enormous contribution that farmers and their communities have made and continue to make to the conservation and development of plant genetic resources.
- Farmers' Rights include the protection of traditional knowledge and the right to participate equitably in benefit-sharing and in national decision-making about plant genetic resources.
- Governments are responsible for realizing these rights.



Plant Genetic Resources for Food and Agriculture Commons

- In the absence of active human management, most crop varieties would cease to exist.
- All countries are interdependent in their reliance on PGRFA.
- No region or country is self-sufficient.

The Multilateral System of Access and Benefit-sharing



<http://www.planttreaty.org>

The Treaty establishes a multilateral system, both to facilitate access to plant genetic resources for food and agriculture, and to share, in a fair and equitable way, the benefits arising from their use.

The Multilateral System ...

- ... consists of genetic material of a set of crops, listed in *Annex 1* to the International Treaty, and other crops;
- Those crops provide about 80% of our food from plants.



The Multilateral System “pools” these plant genetic resources

<http://www.planttreaty.org>

- They are available for research, training and breeding under a Standard Material Transfer Agreement (SMTA);
- Recipients must continue to make the materials received available;
- “Intellectual property or other rights that limit access to the plant genetic resources for food and agriculture, or their genetic parts and components, in the form received from the Multilateral System” may not be claimed.

Material is put into the MLS by ...

- Contracting parties and the institutions they control;
- International Institutions that conclude agreements with the Governing Body under Article 15 of the Treaty;
- Natural and legal persons—anyone, that is—within the jurisdiction of Contracting Parties.

The MLS does not cover ...

- ... Genetic material of Annex I crops exchanged before the entry into force of the International Treaty;
- ... Only Annex I crops: there are non-Annex I accessions that are shared at MLS conditions (e.g. those of the International Agricultural Research Centers).