



Food and Agriculture  
Organization of the  
United Nations



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

# UPDATE ON THE INTERNATIONAL TREATY ON PGRFA AND OUTLOOK 2017

**10th Pan-African ABS Workshop**  
**Dakar, Senegal, 6 March 2017**

**Kent Nnadozie**

Secretary *a.i.*, International Treaty on PGRFA,  
Food and Agriculture Organization of the United Nations

## What does the Treaty do?

- Facilitate the exchange of plant genetic resources for food and agriculture for research, training and breeding through its Multilateral System of Access and Benefit-sharing
- Supports developing countries through its Benefit-sharing Fund
- It also facilitates:
  - Exchange of scientific information through the Global Information System;
  - Access to and transfer of technology;
  - Capacity development, training programmes, facilities enhancement and scientific research

# What are the Treaty's objectives?



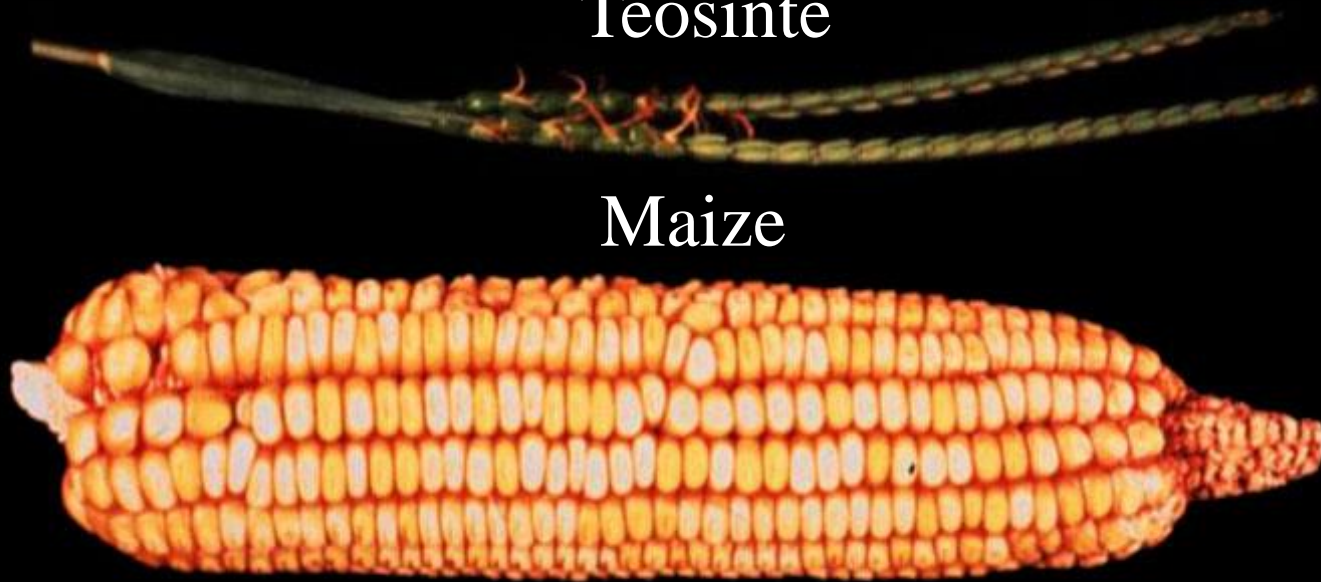
- The conservation and sustainable use of plant genetic resources for food and agriculture
- The fair and equitable sharing of benefits derived from their use, in harmony with the Convention on Biological Diversity, for sustainable agriculture and food security

# 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.

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# Why is it important?

- Genetic Resources have direct bearing on a range of concrete areas, including food security, health, sustainable development, innovation and livelihoods;
  - All countries are interdependent with regard to GRFA.
  - Over 1 billion people suffer from chronic hunger and malnutrition.
  - The world population will increase to over 9 billion by 2050.
  - Agricultural production must increase by 70%.
  - 70% of the increase in production is expected to come from increased yields = GR
  - Plant genetic resources are essential for this yield and future food security and sustainable development;
  - Fundamental to adapting to new climactic realities;

# Why is it important?

- Increasing density and rapid evolution of issues, and frequency/multiplicity of processes related to GR raising unique legal and policy challenges;
  - in terms of new players, reconfiguration of power equations, Institutional competencies and stakeholder obligations;
  - global governance is in a state of flux, proliferating and fragmenting;
  - have taken on more diplomatic and normative characteristics.



## Key areas of work:

- The Multilateral system (MLS)
- Global information system (GLIS)
- Benefit-sharing Fund (BSF)
- Sustainable Use (SU)
- Farmers' Rights (FRs)

**144** members **as of 2017**

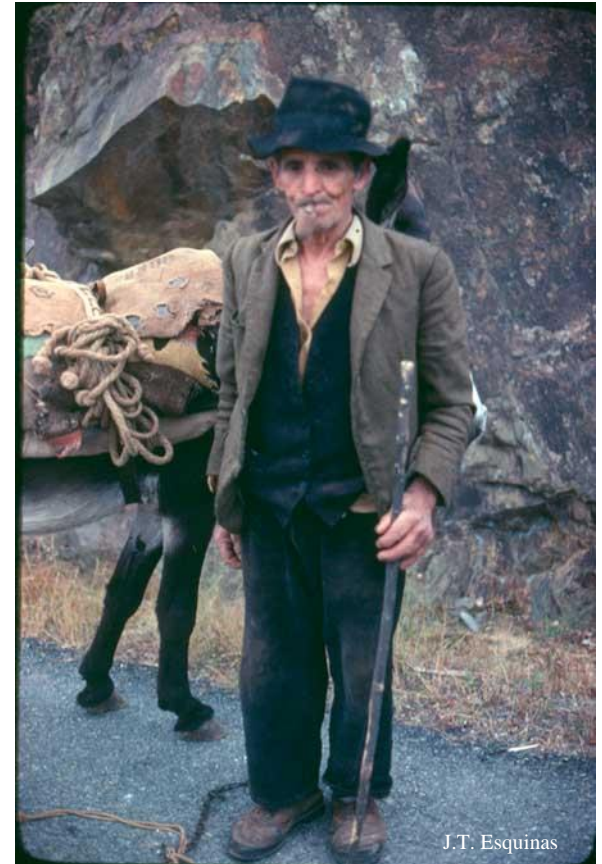
Seven new Contracting Parties since 2015:

*Argentina, Chile, Guyana, Bolivia, Tuvalu, Malta & USA*



# 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.



# The Multilateral System of Access and Benefit-sharing



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.

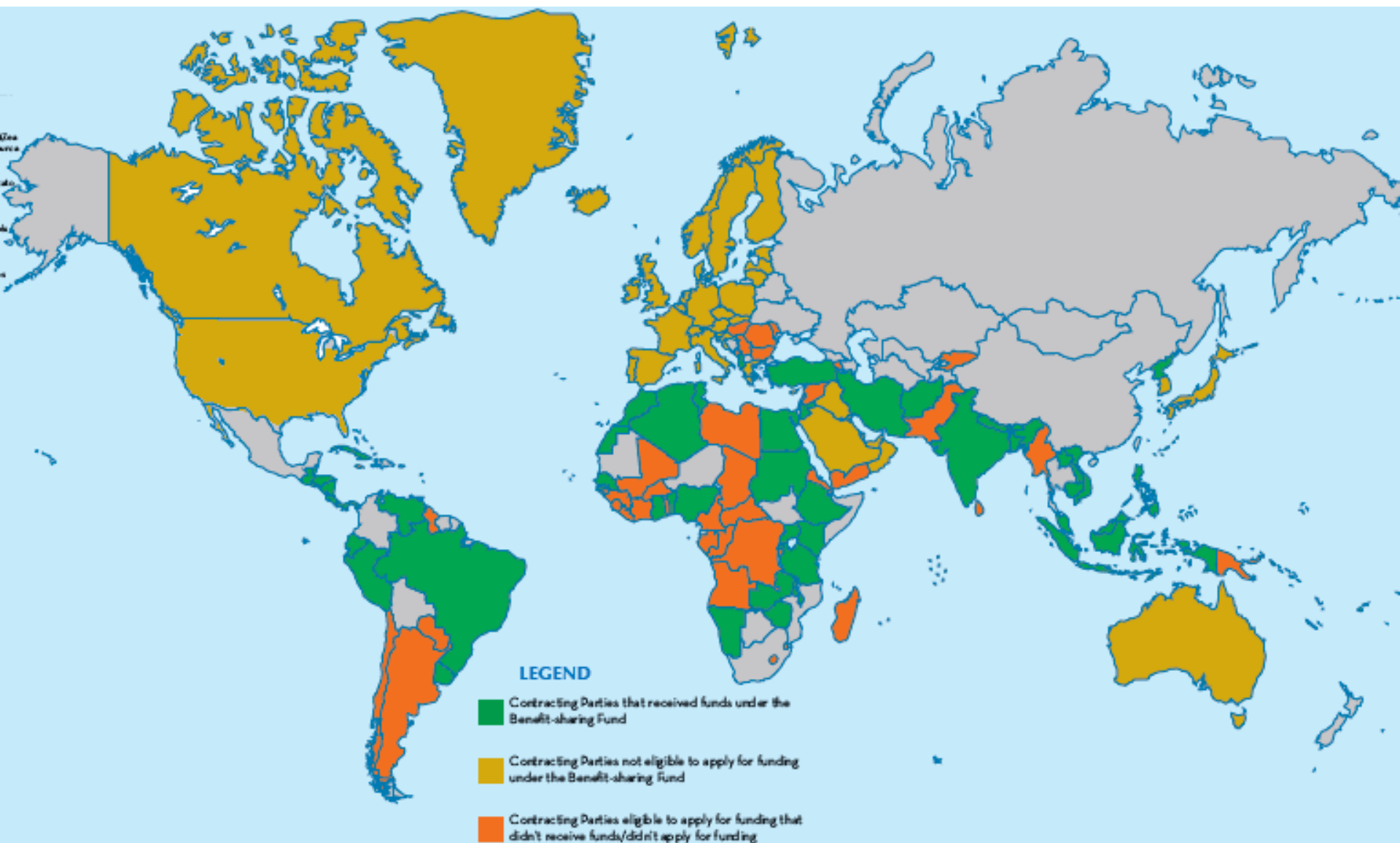
# Multilateral System of ABS

- 1.8 million **accessions notified** worldwide from Parties and the IARCs of the CGIAR – 64 crops
- 48,505 **SMTAs** reported, 16 265 (under development)
- 3.26 million **accessions transferred**
- 6,001 **recipients** in 168 countries
- 1,309 users registered in **EASY-SMTA**
- Major crops: wheat, rice, barley, maize, chickpea and lentil (+ 1.2 mil PGRFA transferred)
- Useful data to monitor progress on the SDGs
- Assistance to users on a daily basis

# Benefit-sharing includes



- Facilitated access is itself a major benefit
- Exchange of information
- Access to and transfer of technology
- Capacity-building



# Benefit-sharing Fund

- Finances action to respond to food insecurity and the effects of climate change
- Helps to accelerate the conservation and use of plant genetic resources on a global scale
- 3 project cycles to date, with a fourth planned for 2017
- Supporting projects in over 45 developing countries
- Results since 2009:
  - **1,000,000 people** have benefited from activities directly or indirectly, half of whom are women
  - **22,000 people** in the developing world have been trained in the conservation, management and use of plant genetic diversity
  - **3,000 important food crop varieties** have been characterized to help identify valuable traits, particularly those resilient to climate change
  - **3,000 accessions** of food crops have been made available to the international scientific community through the Treaty's Multilateral System
  - **200 partners** engaged globally including governments, research institutions, NGOs and grassroots organizations



# Global Information System (GLIS)

- Vision and PoW adopted at GB-6 for 2016-2021
- The [global entry point](#) to information and knowledge for strengthening capacity for PGRFA conservation, management and utilization
- [7 objectives](#), with the aim to:
  - strengthen existing systems
  - establish new systems and initiatives if none
  - promote inter-connectivity among systems
  - provide overarching mechanisms to ensure ready access to the information and services
- 2016-17: Setting up exchange [standards](#) (DOIs), developing a web-based [portal](#), [research](#) on legal rights and obligations of users, capacity development activities (with the support of Govt of Germany)

# Discussions on Genomics/Synthetic Biology

- PoW, Objective 4 - Promote transparency on the [rights & obligations of users for accessing, sharing & using PGRFA](#) associated information and to establish ways to exercise those rights and obligations within the GLIS
- The GB requests the Secretary to invite DivSeek stakeholders to report on the [implications](#) for the objectives of the Treaty of the [technologies](#) underlying the DivSeek initiative
- [Background Study Paper 10](#) presented at the First meeting of the Scientific Advisory Committee on GLIS (Nov. 2016)
- Further consideration for the MLS enhancement process
- Additional research and consultations on the impact of the new technologies on ABS rules to be conducted

# Partnerships & collaboration

- The Convention on Biological Diversity (CBD) and its Nagoya Protocol
- The Global Crop Diversity Trust (GCDDT)
- the Commission on Genetic Resources for Food and Agriculture (CGRFA)
- International Union for the Protection of New Varieties of Plants (UPOV)
- United Nations Environment Programme (UNEP)

# Cooperation with the CBD and the Nagoya Protocol on ABS

In adopting the Nagoya Protocol, the Conference of Parties, *inter alia*, recognized:

- the International Treaty as one of the complementary instruments that constitute the International Regime;
- that the objectives of the International Treaty are the conservation and sustainable use of PGRFA and the fair and equitable sharing of the benefits arising out of their use, in harmony with the CBD, for sustainable agriculture and food security.

Decision X/1, *Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from Their Utilization*.

# THE GLOBAL CONTEXT OF GR GOVERNANCE

GENETIC RESOURCES  
(Role, Value & Rights)

INTELLECTUAL PROPERTY FORA

GENETIC RESOURCES FORA

WTO

WIPO

UNEP

FAO

TRIPS

UPOV

IGC

CBD & Nagoya  
Protocol

ITPGR

Transnational  
Actors  
(Norm Entrepreneurs)  
Other Multi/Bilateral  
processes

ART. 27.3(b)  
(Patents or  
Sui Generis)

(PBR)

GR/TK

Eco. Dev/Food Sec.  
Community Rights  
Farmers Rights  
Ind. Peoples

Regional Regimes

Regional Regimes

NATIONAL LAWS, POLITICS & POLICY  
INTERNALIZATION, RESOLUTION OF CLAIMS, POSITIONING & RESPONSE

# The MLS Enhancement Process

- **Measures under discussion (Resolution 1/2015):**
  - (a) **Revised SMTA** focusing in particular in the development of a **Subscription System** for users and to possibly include a termination clause, user/crop categories, differentiated payment rates;
  - (b) Adapting the **coverage of the MLS**;
  - (c) Issues regarding **genetic information associated with the material** accessed from the MLS.
- **Task to consult with existing and potential SMTA users on the attractiveness of the proposals.**



# The MLS Enhancement Process



User and Crops Categories (FoCC)

Termination Clause (FoCC)

Access Mechanisms and Payment Rates (FoCC)

Scope of the MLS (FoCC)

Standing Group of Legal Experts

# The MLS Enhancement: Key Challenges

- “Smart package” to enhance Access and Benefit-sharing at the same time
- Expansion of the coverage of the MLS if there is success in benefit-sharing
- A revised SMTA:
  - Access Mechanisms: single access vs Subscription System
  - Registry for the Subscription System: features
  - Legal certainty and legal enforcement
- Launch Mechanism for the enhanced MLS

# Upcoming Treaty Meetings

## **Second meeting of GB-7 Bureau**

2 – 3 March 2017, Oslo

## **Sixth meeting of the Ad Hoc Open-ended Working Group to Enhance the Functioning of the Multilateral System of Access and Benefit-sharing (OWG-EFMLS-6)**

13 – 17 March 2017, Rome, Italy

## **Eighth meeting of the Ad Hoc Advisory Committee on the Funding Strategy (ACFS-8)**

20 – 21 March 2017, Rome, Italy

## **Second meeting of the Scientific Advisory Committee on Article 17 (SAC-GLIS-2)**

13-14 June 2017, Italy

# GB-7 Preparations

- Scheduled from 28 Oct to 3 Nov 2017
- Venue/Hosting arrangements to be confirmed in consultation with the Bureau
- Invitations will be sent in May with the Provisional Agenda
- Documents to be issued in a timely manner

# GB-7 Preparations

- Selected items on the Agenda
  - The 2030 Agenda and the role of PGRFA
  - Enhancement of the functions of the MLS and the Funding Strategy
  - Operations of the MLS
  - Implementation of the Global Information System (GLIS)
  - Programme of Work on Sustainable Use
  - Farmers' Rights
  - Compliance
  - Cooperation with other Instruments and Organizations
  - MYPOW (2018-2015)

# *Thanks*



The Habsburg Emperor Rudolf II as Vertumnus,  
by Giuseppe Arcimboldo, 1591.  
Skokloster Castle, Sweden