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COMMISSION ON GENETIC RESOURCES FOR FOOD AND AGRICULTURE

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REPORT FROM THE INTERNATIONAL TREATY ON PLANT GENETIC RESOURCES FOR FOOD AND AGRICULTURE

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I. INTRODUCTION

1. The Secretariat of the International Treaty on Plant Genetic Resources for Food and Agriculture (International Treaty) has prepared this report on developments of relevance to the on-going consideration of plant genetic resources for food and agriculture (PGRFA) by Members of the Commission. This document is based on and updates an earlier version provided to the Commission's Intergovernmental Technical Working Group on Plant Genetic Resources for Food and Agriculture, in April 2023.

2. This report highlights the major outcomes of the Ninth Session of the Governing Body of the International Treaty, which was held in September 2022, and outlines progress in intersessional processes and activities under the Treaty. The Tenth Session of the Governing Body will take place from 20 to 24 November 2023.

II. OUTCOMES OF THE NINTH SESSION OF THE GOVERNING BODY

3. The Ninth Session of the Governing Body adopted seventeen Resolutions.¹ The summary below presents the deliberations and decisions of the Governing Body on selected thematic areas.

A. Cooperation with the Commission

4. In line with established practice, the Governing Body adopted a separate Resolution on the matter, namely Resolution 11/2022. The Governing Body welcomed the ongoing close cooperation with Commission and the joint activities undertaken by their Secretariats. It agreed to keep the matter of the functional division of tasks and activities between the Governing Body and the Commission under review.

5. The Governing Body invited Contracting Parties that still have not done so, to cooperate with the Commission in the preparation of *The Third Report on the State of the World's Plant Genetic Resources for Food and Agriculture* (Third SoW-PGRFA) in order to facilitate the updating of the *Second Global Plan of Action for Plant Genetic Resources for Food and Agriculture* (Second GPA).

6. In regard of joint activities, the Governing Body requested its Secretary to continue strengthening collaboration and coordination with the Secretary of the Commission to promote coherence in the development and implementation of the respective programmes of work of the two bodies, and in particular with regard to:

- a) the preparation of the Third SoW-PGRFA, the review and possible update of the Second GPA, and the revision of the reporting system of the World Information and Early Warning System on Plant Genetic Resources for Food and Agriculture (WIEWS);
- b) the organization of symposia on in situ conservation and on-farm management of PGRFA;
- c) the effects of seed policies, laws and regulations;
- d) the implementation and monitoring of the Second GPA, including technical instruments that facilitate its implementation, such as the Genebank Standards for Plant Genetic Resources for Food and Agriculture and work on sustainable use of PGRFA;
- e) access and benefit-sharing (ABS) and digital sequence information / genetic sequence data (DSI/GSD) on PGRFA;
- f) joint efforts to advocate for the consideration of the objectives and relevant work and policies of the Commission and the Governing Body of the International Treaty in global strategies and frameworks, such as the FAO Strategy on Mainstreaming Biodiversity across Agricultural Sectors and the Post-2020 Global Biodiversity Framework (GBF), as well as to update FAO Members on progress in the implementation of their respective mandates and work programmes, for example through briefings for Permanent Representations; and

¹ <https://www.fao.org/plant-treaty/meetings/meetings-detail/en/c/1259571/>

g) the Global Information System (GLIS) and WIEWS, and relevant targets and indicators.

7. The Governing Body further encouraged building complementarity and collaboration in relation to the development and implementation of national strategies of PGRFA and national planning processes relevant to PGRFA such as those related to climate change adaptation and mitigation.

B. Conservation and Sustainable Use

8. The Governing Body received a concept note of a joint programme for the sustainable use of PGRFA in the context of agricultural biodiversity as well as a background study on the bottlenecks and challenges to the implementation of articles 5 and 6 of the International Treaty. In Resolution 6/2022, the Governing Body decided to reconvene the Ad Hoc Committee on Sustainable Use to provide inputs for finalizing the concept note and to develop suggestions on future strategies to address the bottlenecks identified in the study.

9. The Governing Body also requested the Secretary to continue analyzing and monitoring the gaps and needs identified in the study and called upon Contracting Parties to share information on the difficulties and challenges encountered in implementation as well as possible new initiatives, activities, and approaches that could be undertaken to address them.

C. Farmers' Rights

10. The Governing Body, through Resolution 7/2022, welcomed the updated Inventory of National Measures, Best Practices and Lessons Learned on the Realization of Farmers' Rights and its online version on the website of the International Treaty, recognizing that it will continue to be reviewed periodically and updated, as necessary.

11. The Governing Body took note of the Options for Encouraging, Guiding and Promoting the Realization of Farmers' Rights as set out in Article 9 of the International Treaty (the Options), requested the Secretary to publish the Options and invited Contracting Parties and other stakeholders to consider using the Options, in accordance with their needs and priorities as appropriate and subject to national legislation, in encouraging, guiding and promoting the realization of Farmers' Rights.

12. The Governing Body requested the Secretary to make an assessment on the state of implementation of article 9 of the International Treaty and to present criteria and an outline of the assessment at its Tenth Session and the full report at its Eleventh Session. Subject to the availability of financial resources, a global symposium to share experiences and discuss possible future work on Farmers' Rights will be organized with the Government of India.

13. The Governing Body also requested the Secretary to include the possible impact of DSI/GSD on Farmers' Rights into the assessment of DSI/GSD as foreseen in its Multi-Year Programme of Work (MYPoW).

14. Contracting Parties have been invited to promote sustainable biodiverse production systems and facilitate participatory approaches such as community seed banks, community biodiversity registries, participatory plant breeding and seed fairs, including by considering to provide legal recognition of such approaches as tools for realizing Farmers' Rights.

D. Digital Sequence Information

15. For the first time, the Governing Body approved a specific Resolution on DSI/GSD, Resolution 16/2022. It requested its Secretary to continue following the discussions in other fora and to continue coordinating with the Secretariats of the Convention on Biological Diversity (CBD) and the Commission in any related activities, in order to ensure coherence and avoid duplication of work. In taking note of the pre-COP 15 relevant deliberations on DSI for the GBF, the Governing Body encouraged Parties to the CBD in their consideration of a solution for fair and equitable benefit-sharing from the use of DSI on genetic resources, to bear in mind the need for implementation of the International Treaty and of the CBD and its Nagoya Protocol to be mutually supportive.

16. The Governing Body invited Contracting Parties and stakeholders to provide information about their capacity building needs for accessing and using DSI/GSD and to share their experiences in this regard. It called on Contracting Parties and other donors with the capacity to do so to promote the provision of financial resources and technical assistance to reduce the existing gap on capacity regarding DSI/GSD between developed and developing countries.

E. Multilateral System of Access and Benefit-Sharing

17. The Governing Body adopted two Resolutions on the Multilateral System. In Resolution 2/2022, the Governing Body provided guidance on implementation of the System. It urged the Contracting Parties that have not yet done so, to identify, at accession level, the material that forms part of the Multilateral System. It emphasized the importance of collections that are adequately characterized and evaluated and appealed to donors to support characterization of collections conserved in national genebanks of developing countries and countries with economies in transition.

18. The Governing Body requested its Secretary, in cooperation with the Commission, to update the report on the global availability of material in the Multilateral System and transfer of germplasm, including a systematic analysis of reasons why there are Contracting Parties that have not placed any material in the Multilateral System. It called for the report to include information on the status of collections of vegetatively propagated material available, and information on the use of the Standard Material Transfer Agreement (SMTA) for both foreign and domestic transfers of material, and the identification of difficulties and capacity development needs related to national implementation.

19. Through Resolution 3/2022, the Governing Body decided to resume the negotiations for the enhancement of the Multilateral System, through the Ad Hoc Open-Ended Working Group and in order to: a) increase the benefits that arise from the Multilateral System for all Contracting Parties and users, both monetary and non-monetary; b) increase user-based income to the Benefit-Sharing Fund in a sustainable and predictable long-term manner; c) expand the crops and plant genetic diversity available through the Multilateral System; d) improve the availability of PGRFA in the Multilateral System; e) make the Multilateral System more dynamic given that there are developments and emerging issues in science, innovation, plant breeding and global policy environment; f) create legal certainty, administrative simplicity and transparency for everyone participating in the Multilateral System.

20. The Governing Body decided that the process should build upon previous progress and achievements both in terms of structure and content and integrate new ideas, if relevant, and address, in a balanced manner, all three blocks of the package of measures developed previously, namely: a revised SMTA; the expansion of Annex I; the implementation measures through a Resolution of the Governing Body. The Governing Body also requested that the process be structured so to accord early attention to the key issues such as DSI/GSD.

F. Global Information System

21. In Resolution 5/2022, the Governing Body took note of the publication of the Descriptors for Crop Wild Relatives Conserved in Situ and new lists of characterization and evaluation descriptors for tropical fruit trees, and invited the Secretary to facilitate the development of further descriptor lists. In noting the limited availability of national databases of crop wild relatives (CWR) conserved in situ, the Governing Body invited their development with a view to facilitating further research and use, and requested the Secretary to support Contracting Parties in documentation and availability of information, and public awareness about the value and role of CWR in plant breeding.

22. The Governing Body took note of the ongoing collaboration with Genesys, WIEWS, GRIN-Global, the European Search Catalogue for Plant Genetic Resources and the SPGRC Documentation and Information System, and requests the Secretary to continue enhancing cooperation with relevant institutions.

23. The Governing Body adopted the revised GLIS Programme of Work (PoW) and decided to reconvene the Scientific Advisory Committee (SAC) with the same terms of reference of the previous biennium.

G. Cooperation with the Convention on Biological Diversity

24. Through Resolution 13/2022, the Governing Body requested its Secretary to continue monitoring and participating in the relevant processes related to the CBD and its Nagoya Protocol, in order to promote practical, harmonious and appropriate interfaces among them, both nationally and internationally. It emphasized the importance of maintaining cooperation, complementarity and coherence as well as avoiding duplication between the International Treaty and the CBD, and with other biodiversity-related conventions, in the development and implementation of the GBF.

25. The Governing Body invited Contracting Parties to ensure that there is effective liaison between the respective national focal points of the CBD and the International Treaty, to ensure that considerations relevant to the International Treaty are integrated in the GBF, and that the contributions of PGRFA are fully integrated and supported within National Biodiversity Strategy and Action Plans. The Governing Body decided that, at its Tenth Session, it will consider the GBF and follow-up actions to support the implementation of the framework and integrate those into its Multi-Year Programme of Work.

26. The Governing Body requested the Secretary to cooperate with the Executive Secretary of the CBD by providing information on developments and practical implementation experiences within the International Treaty, including to inform future discussions on Article 10 of the Nagoya Protocol. It welcomed the on-going collaboration between the Secretariats of the International Treaty and the CBD in the monitoring process on the achievement of SDG Target 15.6, “Promote fair and equitable sharing of the benefits arising from the utilization of genetic resources and promote appropriate access to such resources, as internationally agreed”.

27. The Governing Body welcomed the engagement of the Secretariat of the International Treaty in capacity development activities on harmonious and mutually supportive implementation and requests the Secretary to continue engaging in such activities.

H. Contribution by FAO to implementation of the International Treaty

28. In Resolution 9/2022, the Governing Body invited FAO to integrate the International Treaty activities into the implementation of relevant initiatives and strategies, such as the International Platform for Digital Food and Agriculture, the Strategy on Mainstreaming Biodiversity across Agricultural Sectors and its 2021–23 Action Plan, the Science and Innovation Strategy, and the Strategy on Climate Change 2022–2031 and upcoming associated Action Plans with a view to improving the ability of the International Treaty to contribute to addressing complex social, economic and environmental challenges of agrifood systems in a globally equitable, inclusive and sustainable manner.

29. The Governing Body further invited FAO to continue its active support to the activities of the International Treaty as a key international instrument required for the fulfilment of SDGs 2 and 15, and to build awareness of the importance of the implementation of, and compliance with, the International Treaty at the highest national levels.

I. Multi-Year Programme of Work

30. In line with Resolution 15/2022 adopted by the Ninth Session of the Governing Body, the Multi-Year Programme of Work of the Governing Body of the International Treaty on Plant Genetic Resources for Food and Agriculture (MYPoW) was finalized under the guidance of the Bureau of the Tenth Session.

31. According to the MYPoW, a presentation of the Third State of the World’s PGRFA is scheduled for the Tenth Session of the Governing Body of the International Treaty.

III. PROGRESS IN INTERSESSIONAL ACTIVITIES

Outcomes of CBD COP 15

32. CBD COP 15 resulted in the adoption of the Kunming-Montreal Global Biodiversity Framework. COP 15 took a number of important decisions regarding DSI and introduced a goal within the GBF recognizing that the monetary and non-monetary benefits from the utilization of genetic resources need to be increased.

33. Under the Funding Strategy, work on a methodology to measure non-monetary benefit-sharing is being conducted, which is expected to be of relevance to the on-going process for the finalisation of GBF indicators.²

34. The GLIS SAC has considered aspects of the COP 15 decisions on DSI/GSD that are of relevance to the GLIS PoW.³

35. Under the guidance of the Bureau of the Tenth Session, the analysis of the outcomes of the CBD COP 15 is one of the items included in the Governing Body's MYPoW for its Tenth Session.

Subsidiary bodies and other meetings

36. Meetings of subsidiary bodies are taking place in accordance with the schedule that the Secretariat published on the website.⁴ Meeting documents and reports are available on-line on the respective meeting webpage.

37. Regarding the process for the enhancement of the Multilateral System, several regional and other stakeholder on-line consultations took place in the first half of 2023.⁵ With the support of the Government of Switzerland, an informal in-person meeting also took place at the end of May 2023, to discuss DSI/GSD, payment rates and other, related priority issues.⁶

38. Recently, the Secretariat, in collaboration with the Crop Trust and ICRISAT, convened an expert panel on the conservation and use of sorghum and millet genetic diversity, in the context of the International Year of Millets.⁷

39. In consultation with the Government of India, as the host, the Secretary organising the Global Symposium on Farmers Rights, from 12 to 15 September in New Delhi.

Support to the implementation of the Multilateral System of Access and Benefit-sharing

40. The Secretary continued the support to Contracting Parties to facilitate the availability and transfer of material and the strengthening of the operations of the Multilateral System, including through the provision of support to SMTA users and the reporting on the transfers to the Governing Body through Easy-SMTA. It has also supported the organization of training workshops for Contracting Parties in collaboration with the CGIAR Centers and other organizations. Additionally, the Secretariat has collaborated with the Commission to prepare the report on the global availability with data and support for its analysis.

Support to the relocation of Ukraine's national seed collection

41. With financial support from the European Union, the Secretariat of the International Treaty collaborated with FAO's Emergency Division to relocate the collection of unique plant genetic material from Kharkiv, in an active conflict zone, to a safe location in the west of the country. Other partners, including the Nordic Genetic Resource Center (NordGen) and the Novo Nordisk Foundation, provided early emergency support to the Ukraine's national genebank. Several national authorities including Ukraine's Academy of Agrarian Sciences, partnered with the Secretariat and the Crop Trust

² IT/GB-10/SFC-7/23/Inf.5 Rev.1.

³ IT/GB-10/SAC-GLIS-5/23/Report, paragraphs 20–22.

⁴ <https://www.fao.org/plant-treaty/meetings/en/>

⁵ IT/OWG-EFMLS-10/23/3.

⁶ IT/OWG-EFMLS-10/23/3/Inf.1.

⁷ <https://www.fao.org/plant-treaty/news/news-detail/en/c/1642106/>

to catalogue the seeds and complete the logistics for transportation. The partnership will continue, in order to develop and operationalize a plan for the long-term preservation and safe replication of genetic resources, including a future deposit in the Svalbard Global Seed Vault. In parallel, the construction of an additional depository in the west of Ukraine has also commenced.

Fifth cycle of the Benefit-Sharing Fund

42. The fifth cycle of the Benefit-sharing Fund (BSF-5) was launched in May 2022. In May 2023, the Standing Committee on the Funding Strategy and Resource Mobilization approved a list of 28 projects for funding, as recommended by the Panel of Experts.⁸ Thanks to the generous contributions by donors, BSF-5 has over USD 11 million to provide to projects around the world.

IV. CONCLUSION

43. In accordance with the request of the Governing Body at its Ninth Session, the Secretariat of the International Treaty will continue working closely with the Secretariat of the Commission on joint activities and areas of common interest. The Secretariat will also bring to the attention of the Governing Body, at its upcoming Tenth Session, any relevant discussions and outcomes of this Nineteenth Regular Session of the Commission.

⁸ <https://www.fao.org/3/cc6021en/cc6021en.pdf>