



Convention on Biological Diversity

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CONFERENCE OF THE PARTIES TO THE CONVENTION
ON BIOLOGICAL DIVERSITY SERVING AS THE
MEETING OF THE PARTIES TO THE NAGOYA
PROTOCOL ON ACCESS TO GENETIC RESOURCES
AND THE FAIR AND EQUITABLE SHARING OF
BENEFITS ARISING FROM THEIR UTILIZATION

First meeting

Pyeongchang, Republic of Korea, 13-17 October 2014

Item 14 of the provisional agenda*

OUTCOMES OF THE FIFTH SESSION OF THE GOVERNING BODY OF THE INTERNATIONAL TREATY ON PLANT GENETIC RESOURCES FOR FOOD AND AGRICULTURE RELEVANT TO THE CONVENTION ON BIOLOGICAL DIVERSITY

Note by the Executive Secretary

1. The Executive Secretary is circulating herewith, for the information of participants in the first meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol, the outcomes of the Fifth Session of the Governing Body of the International Treaty on Plant Genetic Resources for Food and Agriculture relevant to the Convention on Biological Diversity (ITPGRFA) held in Muscat, Oman from 24-28 September 2013.
2. The document also contains a summary of recent developments and initiatives that have occurred under the International Treaty of relevance to the Convention, in particular since the Fifth Session of the Governing Body of the Treaty.
3. The document is being circulated in the form and language in which it was received by the Secretariat.

* UNEP/CBD/NP/COP-MOP/1/1

September 2013

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The International Treaty

ON PLANT GENETIC RESOURCES FOR FOOD AND AGRICULTURE



FIFTH SESSION OF THE GOVERNING BODY

Muscat, Oman, 24-28 September 2013

RESOLUTION 5/2013

RELATIONSHIP WITH THE CONVENTION ON BIOLOGICAL DIVERSITY

The Governing Body,

Recalling that Article 1.2 of the Treaty provides that the objectives of the Treaty 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, and that Article 19.3(g) and (l) of the Treaty provides for the Governing Body to establish and maintain cooperation with, as well as take note of the relevant decisions of, the Conference of Parties to the Convention on Biological Diversity;

Recalling that Article 3 of the Treaty provides that the Treaty relates to all plant genetic resources for food and agriculture;

Noting the outcomes of the eleventh meeting of the Conference of the Parties to the Convention on Biological Diversity that are of relevance to the Treaty, in particular its Decisions on the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from Their Utilization (the Nagoya Protocol), the Strategic Plan for Biodiversity 2011-2020 (the Strategic Plan);

Recalling its Decision, by Resolution 8/2011, to establish and maintain cooperation with the Open-ended *Ad Hoc* Intergovernmental Committee for the Nagoya Protocol established by the Conference of Parties to the Convention, and, upon the entry into force of the Protocol, with the Conference of the Parties serving as the meeting of the Parties to the Protocol;

Recalling that, in adopting the Nagoya Protocol, the Conference of Parties recognized the International Treaty as one of the complementary instruments that constitute the International Regime on access to genetic resources and benefit-sharing;

Noting Article 4 of the Nagoya Protocol on the relationship between the Nagoya Protocol and other international agreements;

Noting that, at the United Nations Conference on Sustainable Development (Rio+20), Governments affirmed the importance of implementing the Strategic Plan for Biodiversity 2011–2020 and achieving the Aichi Biodiversity Targets;

Noting also the potential contribution of information, technical and scientific cooperation and related capacity-building under the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services to the implementation of the Convention and the Strategic Plan for Biodiversity 2011-2020 and the Treaty;

Taking into account the provisions of Article 20.5 of the Treaty that requires the Secretary to cooperate with the Secretariat of the Convention on Biological Diversity;

Recalling the Memorandum of Cooperation and Joint Initiative that the Secretary of the Governing Body concluded with the Executive Secretary of the Convention for institutional cooperation between the two Secretariats in areas of mutual interest and within their respective mandates;

Recalling Resolution 8/2011 by which the Governing Body requested the Secretary to report on cooperation with the Secretariat of the Convention at each Session of the Governing Body;

Cognizant of the importance to further enhance the cooperation and synergies between the Treaty and the Convention on Biological Diversity, their respective intergovernmental bodies and Secretariats, as well as with other biodiversity-related conventions;

1. **Reiterates** the importance of maintaining a close cooperation with the Convention on Biological Diversity and its Conference of Parties as well as its subsidiary bodies and Secretariat, in order to ensure the harmonious implementation of the Treaty and the Convention.
2. **Looks forward** to the entry into force of the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization and its full implementation, in harmony with the Treaty, in the interest of the conservation and sustainable use of biodiversity;
3. Again, **calls on** Contracting Parties to ensure that any legislative, administrative or policy measures taken for the implementation of both the Treaty and the Convention on Biological Diversity or its Nagoya Protocol, are consistent and mutually supportive;
4. **Requests** the national focal points of the Treaty to enhance their collaboration and coordination with their counterpart national focal points for the Convention on Biological Diversity on all relevant processes, in particular in the review and updating of their National Biodiversity Strategies and Action Plans in order to take into account the objectives of the Treaty and the updated *Global Plan of Action on Conservation and Sustainable Use of Plant Genetic Resources for Food and Agriculture*;
5. **Welcomes** the establishment of the Intergovernmental Platform on Biodiversity and Ecosystem Services (IPBES) and encourages the platform to fully recognize the provisions of the Treaty in providing relevant biodiversity information in order to support the implementation of the objectives of the Treaty in harmony with the Convention on Biological Diversity and the Strategic Plan 2011-2020, as well as the objectives of other biodiversity-related conventions, as appropriate;
6. **Requests** the Secretary to continue strengthening the collaboration with the Secretariat of the Convention on Biological Diversity in the implementation of the Convention's programme of work on agricultural biodiversity, on-farm and *in-situ* conservation and sustainable use of biodiversity, as well as on the Strategic Plan for Biodiversity 2011 - 2020 and its Aichi Biodiversity Targets, in harmony with the work of the Treaty;
7. **Takes note** of the Joint Initiative entered into between the Secretary and the Executive Secretary of the Convention on Biological Diversity in the context of the Memorandum of Cooperation between the two Secretariats and commends the Secretary for the initiative, and **requests** the Secretary, to the extent possible, to continue exploring with the Secretariat of the Convention on Biological Diversity, practical means and activities to give effect to this cooperation, including through the organization of workshops, seminars and other events, coordination of technical assistance as well as the exchange of expertise and information;
8. **Takes note** of the relevant initiatives to increase synergies among the biodiversity-related conventions, and **requests** the Secretary, subject to the availability of human and financial resources, to continue to participate in and/or contribute to the relevant meetings of the Convention on Biological Diversity, the Open-ended *Ad Hoc* Intergovernmental Committee for the Nagoya Protocol, including the work on development of the ABS Clearing House Mechanism, as well as the Liaison Group of Biodiversity-related Conventions and the Intergovernmental Platform on Biodiversity and Ecosystem Services, where relevant;
9. **Welcomes** the *modus operandi* adopted by the Biodiversity Liaison Group to enhance coordination, coherence and national-level synergies among the biodiversity-related conventions, and **invites**

international organizations and donors to provide financial resources to support efforts that encourage synergies in policy development and the fulfilment of obligations under the biodiversity-related conventions;

10. **Welcomes** the efforts of the Secretariat and its partners to bring together stakeholders and experts involved in the implementation of the Treaty, the Convention, and the Nagoya Protocol, and **requests** the Secretary, subject to the availability of human and financial resources, to continue facilitating such interaction on the mutual supportiveness and harmonious implementation of the instruments, including through the organisation of workshops and other events and report to the Governing Body the outcomes of such activities;

11. **Requests** the Secretary to continue reporting on the cooperation with the Convention at each Session of the Governing Body.

September 2013



The International Treaty

ON PLANT GENETIC RESOURCES FOR FOOD AND AGRICULTURE



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FIFTH SESSION OF THE GOVERNING BODY

Muscat, Oman, 24-28 September 2013

RESOLUTION 6/2013

PARTNERSHIPS, SYNERGIES AND COOPERATION WITH OTHER ORGANIZATIONS

THE GOVERNING BODY,

Cognizant of the importance of enhancing synergies among the relevant international organizations, institutions and partners, whose work or mandate relate to or impact the International Treaty, in particular at the national and regional levels;

Noting the number of activities and initiatives undertaken by the Treaty and its Secretariat aimed at establishing or enhancing partnership and cooperation with a range of relevant international Organizations and Secretariats;

[...];

Recalling Resolution 8/2011, by which the Governing Body requested the Secretary to strengthen cooperation with other international organizations to support implementation of the Funding Strategy of the International Treaty;

Welcoming the decision by the 41st GEF Council to request the GEF Secretariat to organize a meeting of biodiversity-related conventions with the Secretariat of the Convention on Biological Diversity to facilitate the coordination of their priorities for inclusion in the GEF-6 programming strategy, and **noting** that such a meeting has been held;

1. **Stresses** the need to continue the efforts necessary to ensure that the Treaty's objectives and role in the conservation and sustainable utilization of PGRFA are recognized by relevant international institutions, organizations and processes;
2. **Requests** the Secretary to continue to explore areas of cooperation with other relevant international organizations to further develop synergies and mutual supportiveness in the overall implementation of the Treaty and ensure that the Treaty is taken into account in their processes and **requests** the Secretary to seek guidance from the Bureau on prioritisation of major work, and **notes**, in this context, the efforts made to enhance synergies among the biodiversity-related conventions, including in areas of joint information management and sharing through the Multilateral Environment Agreements Information and Knowledge Management initiative (InforMEA);

3. [...];
4. **Welcomes** the Memorandum of Understanding signed between the Secretariats of the Treaty and the United Nations Environment Programme, and **requests** the Secretary to explore with the Secretariat of the United Nations Environment Programme, practical means and activities to give effect to this cooperation, in particular regarding the implementation of the Benefit-sharing Fund of the Treaty, capacity building for access and benefit-sharing as related to plant genetic resources for food and agriculture, the exchange of experiences in the management and implementation of biodiversity projects, and coordination of technical assistance as well as the exchange of information;
5. [...];
6. [...];
7. [...];
8. **Encourages** Parties, in the revision of their national biodiversity strategies and action plans, to integrate Treaty objectives and priorities in order to facilitate identification of opportunities for Treaty-relevant projects that may be eligible for support by GEF and further supported by other mechanisms of the Funding Strategy such as the Benefit-sharing Fund of the Treaty;
9. **Requests** the Secretary to convey to the Conference of the Parties to the Convention on Biological Diversity (CBD COP) the Treaty objectives and priorities in support of the *Strategic Plan for Biodiversity 2011-2020* and the Aichi Targets, and **invites** the CBD COP to take these into account in providing the broad strategic guidance to the GEF;
10. **Requests** the Secretary, in collaboration with the Secretariat of the Convention on Biological Diversity, to explore areas of closer working relationship with the GEF to address elements to which the Treaty could contribute within the context of the Biodiversity Strategy of GEF, and consistent with the mandates of the Treaty and the GEF;
11. **Invites** the GEF Council to note relevant Resolutions and Decisions of the Governing Body in the development and implementation of the GEF Biodiversity Strategy consistent with the GEF's mandate and the *Strategic Plan for Biodiversity 2011-2020* and the *Aichi Biodiversity Targets*.

**UPDATE ON RECENT DEVELOPMENTS UNDER THE INTERNATIONAL TREATY ON
PLANT GENETIC RESOURCES FOR FOOD AND AGRICULTURE OF RELEVANCE TO THE
NAGOYA PROTOCOL ON ACCESS TO GENETIC RESOURCES AND THE FAIR AND
EQUITABLE SHARING OF BENEFITS ARISING FROM THEIR UTILIZATION**

I. Introduction

1. The Treaty provides, in Article 1.2, that the objectives of the Treaty are to be attained by closely linking it with the Convention on Biological Diversity (CBD).
2. In accordance with Article 19.3 (g) of the Treaty, the Governing Body shall establish and maintain cooperation with other relevant international organizations and treaty bodies, in particular with the Conference of the Parties to the CBD, on matters covered by the Treaty; the Governing Body shall also take note of the relevant decisions of the Conference of the Parties to the CBD.
3. The Governing Body of the International Treaty has had a long-standing close relationship with the Conference of Parties to the Convention and has repeatedly emphasized the need to maintain that close relationship at both the intergovernmental and Secretariat levels.
4. This document contains a summary of recent developments and initiatives that have occurred under the International Treaty of relevance to the Convention, in particular since the Fifth Session of the Governing Body of the Treaty.

II. Update on Collaborative Activities between the Secretariats

5. The number of Contracting Parties to the Treaty is now 133, with the recent membership of Swaziland, Serbia, and Sri Lanka in 2013, as well as Marshall Islands and Iraq in 2014.
6. Article 20.5 of the Treaty provides that the Secretary of the Governing Body shall cooperate with other organizations and treaty bodies, including in particular with the Secretariat of the Convention, in achieving the objectives of the Treaty.
7. The two Secretariats have continued to cooperate closely, including through exchange of information, participation in the relevant meetings and intergovernmental processes of both institutions, as well as participation in the Liaison Group of Biodiversity-related Conventions.
8. It will be recalled that the Memorandum of Cooperation entered into between the two Secretariats in October 2010 is already being operationalized in accordance with the requests of the Governing Body and the Conference of Parties, and provides an important avenue for the harmonious implementation and cooperation between the Secretariats of the International Treaty and the Convention.
9. In the context of the enhanced cooperation, and based on the Memorandum of Cooperation between the two Secretariats, they also agreed on a Joint Initiative for the Harmonious Implementation of the International Treaty and the Convention and its Nagoya Protocol on Access and Benefit-sharing. The Joint Initiative also identifies a number of concrete actions related to access and benefit-sharing; on-farm conservation, and the sustainable use of plant genetic resources for food and agriculture.

**III. Developments under the Multilateral System of Access and Benefit-sharing of the
International Treaty on Plant Genetic Resources for Food and Agriculture**

Operations

10. The Governing Body of the International Treaty has stressed the importance of identifying the plant genetic resources for food and agriculture that are available, under the Multilateral System and the Secretariat makes online the notification of material included on the Treaty's Website. Since October 2013,

the Secretariat of the International Treaty has received new notifications from Italy, Japan, France and Poland.

11. It is also to be noted that an increasing number of Contracting Parties to the International Treaty have specific websites with detailed information on the material notified as falling under the Multilateral System and available for distribution under the terms and conditions of the Standard Material Transfer Agreement (SMTA) approved by the Governing Body of the International Treaty.

12. The Secretariat estimates that over 1.6 million accessions have been included in the Multilateral System. This includes material from International Institutions that have concluded agreements with the Governing Body under Article 15 of the Treaty, by Contracting Parties, by natural and legal persons, as well as the material included through the projects funded by the Benefit-sharing Fund of the Treaty.

13. In 2012 the Secretariat launched *Easy-SMTA*, an online non-mandatory application that assists users of the Multilateral System in the generation of the Standard Material Transfer Agreements and in the conclusion of agreements online.

14. The System also facilitates the mandatory reporting requirements of the Standard Material Transfer Agreements and feeds into the secure Data Store of the Treaty. Only aggregated data is accessible from the Data Store and are used by the Governing Body for statistical purposes. As of 1 September 2014 *Easy-SMTA* had 450 users, recorded 6,155 recipients of material worldwide, 21, 701 Standard Material Transfer Agreements from providers located in 16 countries, distributing material to recipients based in 155 countries. These Standard Material Transfer Agreements had transferred almost 1.9 million accessions.

The Ad Hoc Open-ended Working Group to Enhance the Functioning of the Multilateral System

15. A major development from the Fifth Session of the Governing Body in September 2013 was the establishment of an “*Ad Hoc* Open-ended Working Group to Enhance the Functioning of the Multilateral System of Access and Benefit-sharing.”

16. The Working Group has the mandate to develop a range of measures for consideration and decision by the Governing Body at its Sixth Session that will (i) increase user-based payments and contributions to the Benefit-sharing Fund in a sustainable and predictable long-term manner, and (ii) enhance the functioning of the Multilateral System by additional measures.

17. For this purpose, the Treaty Secretariat is currently preparing a number of short strategic preliminary studies. On the basis of these studies, the Working Group will (i) review the functioning of the Multilateral System and the Standard Material Transfer Agreement, in particular, the benefit-sharing provisions, (ii) analyse the options to enhance the functioning of the Multilateral System, (iii) consult with relevant Stakeholder Groups, and (iv) draft and prepare the range of measures for consideration and decision by the Governing Body.

18. The first meeting of the Working Group was held in Geneva, Switzerland, from 14 to 16 May 2014.¹ During the meeting, the Working Group reviewed, first, the factors leading to the current short-fall of user-based income to the Benefit-sharing Fund. It then reviewed the six innovative approaches for generating income for the Benefit-sharing Fund that were identified during the last biennium by the *Ad Hoc* Advisory Committee on the Funding Strategy and alternative versions presented in the meeting.

19. The Working Group agreed to keep all innovative approaches under review and identified factors for their further evaluation and development. In its later meetings, the Working Group is also expected to consider the access and benefit-sharing provisions of the Treaty including the list of crops contained in Annex I to the Treaty, as part of the measures to enhance the functioning of the Multilateral System.

¹ The Report of the first meeting of the Working Group is available at: <http://www.planttreaty.org/content/first-meeting-ad-hoc-open-ended-working-group-enhance-functioning-multilateral-system-access>

20. The second meeting of the Working Group will be held from 8 to 11 December 2014 in Geneva, Switzerland.

IV. Developments under Article 17 and Information System

21. Article 17 of the International Treaty provides that “*Contracting Parties shall cooperate to develop and strengthen a global information system to facilitate the exchange of information, based on existing information systems, on scientific, technical and environmental matters related to plant genetic resources for food and agriculture*”.

22. The large number of ongoing initiatives, their diverse nature and scope, and the variety of stakeholders involved makes it challenging to exchange information on PGRFA in an efficient and coordinate way. The need for stronger partnerships and collaboration at the technical, political and financial levels has been highlighted by the Governing Body of the International Treaty.

23. A fully effective and efficient global information system would contribute greatly to the use and conservation of PGRFA and would support the Multilateral System of Access and Benefit-sharing. In order to facilitate progress in the development of the System, the Secretariat is developing strategic partnerships and participates in the development of information systems, tools and policies, under the guidance of the Governing Body.

24. A Consultation on the Development of Article 17, *Global Information System*, of the International Treaty is scheduled for January 2015 to allow experts to discuss the future of the System, including the establishment of mutually beneficial linkages with the Clearing House Mechanism of the Convention on Biological Diversity.

25. In preparation of the Global Consultation, the Secretariat of the International Treaty has discussed with the Secretariat of the Convention on possible options for collaboration to be put forward for the consideration to their respective advisory committees.

26. The Secretariat of the Convention has already provided some inputs in the form of an update on the current status of implementation of the pilot phase of the Access and Benefit-sharing Clearing-house Mechanism and constitutes a first contribution for the Global Consultation in early 2015.

V. Developments related to the Benefit-sharing Fund of the International Treaty on Plant Genetic Resources for Food and Agriculture

27. The Benefit-sharing Fund is one of the main operational systems of the International Treaty. The Benefit-sharing Fund invests directly in high impact projects supporting farmers in developing countries conserve crop diversity in their fields and assisting researchers and breeders globally adapt crops to our changing needs and demands. To ensure sustainability of efforts, the Fund focuses on building the capacities of developing countries, enhancing the exchange of information and making the appropriate technology available for the conservation and use of crop genetic diversity.

28. The Benefit-sharing Fund of the International Treaty became operational in 2009 and, since then, more than US\$ 23 million have been mobilized. It works as a grant-making process that regularly opens competitive calls for proposals, and has recently started its third funding cycle. The Treaty is committed to a rigorous, objective and efficient grant-making process. Projects to be funded are screened appraised by an independent Panel of Experts to ensure scientific value and technical merit. Fund disbursement and project monitoring and evaluation procedures guarantee high fiduciary standards for the Fund.

29. In its second funding cycle, the Fund involved more than 100 organizations in more than 36 countries directly reaching more than 14,000 farmers. The Third Call for Proposals of the Benefit-sharing Fund was issued in March 2014. The Call will invest more than US\$ 10 million in projects in developing countries. Two types of projects will be funded:

- Immediate actions that aim primarily to strengthen the on-farm conservation and management of plant genetic resources for food and agriculture, primarily at the farm and community levels.

- Co-development and transfer of technologies to strengthen the use and availability of genetic materials in the Multilateral System and the information available in the Global Information System.

30. The third funding cycle of the Benefit-sharing Fund aims at improving food security, climate change adaptation and conservation of agricultural biodiversity. It will place special emphasis on strengthening international collaboration among Contracting Parties in support of Treaty implementation, in particular through South-South cooperation.

31. The submission phase of the Third Call for Proposals successfully concluded in July 2014. The Call received a lot of pre-proposals from different parts of the world, including government agencies, international research institutes, non-governmental organizations, community-based organizations, genebanks and international development organizations. In September, the Bureau of the Governing Body of the Treaty approved the list of pre-proposals to be invited to prepare full project proposals, based on the preparatory work done by the Panel of Experts. The approval of projects to be funded is expected by January 2015.

VI. Conclusion

32. Pursuant to the requests of the Governing Body, and taking into account the Decisions of the Conference of Parties to the Convention, the Secretariat of the International Treaty has actively coordinated with the Secretariat of the Convention on Biological Diversity. A number of initiatives to promote synergies and cooperation are under discussion, including facilitation of increased coordination among national focal points of the various conventions.

33. In order to further cement the close cooperation, the Governing Body of the International Treaty, by Resolution 13/2013, requested the Secretary “to undertake discussions with the Executive Secretary of the CBD to prepare the Terms of Reference and joint funding for the Joint Liaison Officer for the second year of the next biennium”, taking into account the need for additional collaboration with the FAO Commission on Genetic Resources for Food and Agriculture, for consideration by the Conference of Parties to the Convention at its 12th meeting in October 2014.

34. Furthermore, it is to be noted, that based on the provisions of the International Treaty, the Governing Body considers it of utmost importance to sustain and enhance the harmonious relationship between the International Treaty and the Convention, and the Nagoya Protocol and has, as such, put the close and direct relationship with the Convention as a standing item on its Agenda at every Session.
