



Convention on Biological Diversity

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EXPERT MEETING TO DEVELOP A DRAFT STRATEGIC
FRAMEWORK FOR CAPACITY-BUILDING AND
DEVELOPMENT IN SUPPORT OF THE EFFECTIVE
IMPLEMENTATION OF THE NAGOYA PROTOCOL
Montreal, 3-5 June 2013

BIOVERSITY INTERNATIONAL JOINT CAPACITY BUILDING PROGRAMME FOR DEVELOPING COUNTRIES ON THE IMPLEMENTATION OF THE INTERNATIONAL TREATY AND ITS MULTILATERAL SYSTEM OF ACCESS AND BENEFIT-SHARING

1. The Executive Secretary is circulating herewith, for the information of participants in the Expert Meeting to develop a draft strategic framework for capacity-building and development in support of the effective implementation of the Nagoya Protocol, the Joint Capacity Building Programme for Developing Countries on the Implementation of the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA), and its Multilateral System of Access and Benefit-sharing implemented by the ITGRFA Secretariat and Bioversity International.
2. The document is being circulated in the form and language in which it was received by the Secretariat.

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**Joint Capacity Building Programme
for Developing Countries on the Implementation
of the International Treaty and its Multilateral
System of Access and Benefit-sharing**



Background

The International Treaty on Plant Genetic Resources for Food and Agriculture entered into force in June 2004. It is an agreement of international law with more than 120 Contracting Parties, which constitutes a platform for concerted action at the international, regional and national levels to achieve the conservation and sustainable use of plant genetic resources for food and agriculture as well as the fair and equitable sharing of the benefits arising out of their use. Contracting Parties and national entities under their jurisdiction are called to actively participate in such a platform in order to maximize the benefits of concerted action.

Implementation at the national level shall take place in different phases, from the adoption of domestic legal and administrative measures to ensuring that those measures are complied with and reported on. Some developing countries need support for devising simple, cost-effective and tailor-made implementation mechanisms and instruments. Hence, the need for capacity building arises.

As highlighted by Contracting Parties in a survey, capacity building at different policy and administrative levels should include a broad range of activities, including legislative advice, administrative support, infrastructure and human resources development.



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Rationale and Objectives

The International Treaty is an operational treaty. It establishes functional systems, in particular the Multilateral System of Access and Benefit-sharing. The Multilateral System needs to process hundreds of daily transactions involving plant genetic resources by numerous institutions and individuals, in practical and coherent manners.

Few countries have yet dealt with the concrete issues arising from implementation and many of them seek assistance in the task of developing new institutional, legal and administrative infrastructures. Their immediate concerns relate to administrative actions that may be necessary to bring their plant genetic resources for food and agriculture into the Multilateral System of Access and Benefit-sharing, and channel to the national level the advantages of facilitated access and benefit-sharing that the Multilateral System can offer.

This is why the Treaty Secretariat/FAO/Bioversity International Joint Capacity Building Programme focuses on the practical implementation of the Multilateral System of Access and Benefit-sharing.

The objectives of the Joint Capacity Building Programme are:

- to improve knowledge among regional and national stakeholders of issues underlying the implementation of the International Treaty and in particular the Multilateral System of Access and Benefit-sharing;
- to upgrade the institutional, legal and administrative infrastructures for the operation of the Multilateral System.

Article 4 –General Obligations

Each Contracting Party shall ensure the conformity of its laws, regulations and procedures with the obligations as provided in this Treaty.



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Regional Activities

A series of regional workshops are organized to raise awareness of the International Treaty among policy makers and other stakeholders, discuss possible regional coordination for the implementation of the Multilateral System of Access and Benefit-sharing and set the stage for assistance at the national level. From September 2008 to September 2009 five workshops took place in Zambia, Uganda, Egypt, Malaysia and Fiji.

The workshop in Egypt mandated a team of legal experts to revise official legislative guidelines on the International Treaty. This exercise was carried out in September 2009 with the participation of representatives of the Arab Organization for Agricultural Development (AOAD) and experts from FAO and Bioversity International. As a result, new guidelines including elements of a model law on the management of plant genetic resources for food and agriculture were developed in the context of the Joint Capacity Building Programme for circulation to the twenty-two Member States of the Arab League for consideration.

The workshop in Uganda produced, among other recommendations, a road map for the implementation of the Multilateral System in East African Countries, which envisages a series of short-term actions, mostly of administrative nature, as well as mid-term activities.

The Fiji workshop recommended the Secretariat of the Pacific Community (SPC), with the support of the Joint Capacity Building Programme, to prepare an administrative scheme authorizing SPC to act as agent of Pacific Island countries in implementing the Multilateral System of Access and Benefit-sharing on their behalf. The draft administrative scheme is to be submitted to the Heads of Agriculture and Forestry Summit for consideration.

National Activities

The Joint Capacity Building Programme provides financial and technical support for experts to advise selected countries and elaborate recommendations to governments, including draft legislation and administrative instruments. National workshops are convened in order to raise awareness on the International Treaty, consult with relevant stakeholders and review the draft recommendations. The Joint Capacity Building Programme also provides training on the use of the information technology tools developed by the Secretariat of the International Treaty.

Beneficiaries

The short-term, direct beneficiaries are the government agricultural authorities of the developing countries receiving direct assistance.

The longer-term direct beneficiaries are the individuals and organizations in the countries which, with strengthened capacity to use the Multilateral System of Access and Benefit-sharing, have access to an exponentially greater diversity of plant genetic resources for food and agriculture. Farmers, for example, can deploy those resources into the diversity they manage on farm. Researchers are free to use it as inputs for breeding or for evaluation work, identifying and deploying useful traits.

The ultimate beneficiaries are present and future generations that will benefit from improved flows of our most important crops and forages to face new challenges to food security, such as climate change.



Partnerships

The Joint Capacity Building Programme is supervised by the Secretary of the International Treaty and jointly executed with FAO and Bioversity International. It operates through close partnerships with regional and national entities. Other governmental and non-governmental stakeholders are encouraged to participate in the Joint Capacity Building Programme through commissioned research, consultations, invitations to meetings and other activities. There are several advantages in becoming a partner:

- Working with a team of dedicated experts from the International Treaty Secretariat, FAO and Bioversity International;
- Interfacing with the intergovernmental process guiding the implementation of the International Treaty and its Multilateral System of Access and Benefit-sharing ;
- Putting the mechanisms of the Multilateral System into action at the national and regional levels.



The future of the Joint Capacity Building Programme

The future of the Joint Capacity Building Programme is determined by the demands of Contracting Parties and the ability of donors and partners to meet those demands. At the Third Session of the International Treaty Governing Body in June 2009, Contracting Parties stated their positive reception of the programme by:

"Welcoming the progress made within the joint capacity building programme for developing countries set up by the Treaty, FAO and Bioversity International ...".

Contracting Parties invited additional funding and partners on a voluntary basis and also recognized:

"the need to expand the duration of the Joint Capacity Building Programme to the full biennium 2010-2011 and the number of countries that receive assistance"

The strongest comparative advantage of the Joint Capacity Building Programme is the close link between technical assistance to Contracting Parties and the intergovernmental policy guidance for the Multilateral System of Access and Benefit-sharing, which supported its start-up and is now moving towards a new phase, where its foundations of the Multilateral System are to be consolidated.

The great potential of the Joint Capacity Building Programme resides in a coordinated multilateral effort that may intersect with other international policy processes, such as intellectual property rights and access and benefit-sharing, which call for national domestication.



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