



Convention on Biological Diversity

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OPEN-ENDED AD HOC INTERGOVERNMENTAL
COMMITTEE FOR THE NAGOYA PROTOCOL ON
ACCESS TO GENETIC RESOURCES AND THE
FAIR AND EQUITABLE SHARING OF BENEFITS
ARISING FROM THEIR UTILIZATION

Second meeting

New Delhi, 9-13 April 2012

Item 4.2 of the provisional agenda*

**CAPACITY-BUILDING AND DEVELOPMENT: SUBMISSION BY THE
SECRETARIAT OF THE INTERNATIONAL TREATY ON PLANT GENETIC
RESOURCES FOR FOOD AND AGRICULTURE**

Note by the Executive Secretary

1. The Executive Secretary is circulating herewith, for the information of participants in the second meeting of the Open-ended Ad Hoc Intergovernmental Committee for the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from Their Utilization, information submitted by the Secretariat of the International Treaty on Plant Genetic Resources for Food and Agriculture on capacity-building and development activities for access and benefit-sharing, as related to plant genetic resources for food and agriculture, carried-out under the International Treaty.
2. The document is being circulated in the original form and language in which it was made available to the Secretariat.

* UNEP/CBD/ICNP/2/1.



The International Treaty

ON PLANT GENETIC RESOURCES FOR FOOD AND AGRICULTURE



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16 December 2011

Second Meeting of the Open-ended *Ad Hoc* Intergovernmental Committee for the Nagoya Protocol on Access and Benefit-sharing

SUBMISSION ON CAPACITY BUILDING AND DEVELOPMENT

1. During the Tenth Meeting of the Conference of Parties to the Convention, the Secretaries of the Governing Body of the International Treaty on Plant Genetic Resources for Food and Agriculture, and the Convention have recently signed a Memorandum of Cooperation by which both Secretariats undertook to cooperate in areas of mutual interest and within their respective mandates, including capacity-building regarding access and benefit-sharing in plant genetic resources for food and agriculture.
2. At its Fourth Session, held in Bali, Indonesia, March 2011, the Governing Body of the International Treaty adopted **Resolution 8/2011 on Cooperation with Other Bodies and International Organizations**. The Resolution addresses, among other matters, the relationship with the CBD and, specifically, requests to establish and maintain cooperation with the Intergovernmental Committee on the Nagoya Protocol.
3. Excerpts from the Report of the Session containing the relevant sections Resolution 8/2011 are in Appendix 1 of this submission, for the information of the Intergovernmental Committee.
4. Specifically, the Governing Body of the International Treaty requested its Secretary “to convey Resolution 8/2011 to both the Open-ended *Ad Hoc* Intergovernmental Committee for the **Nagoya Protocol and, upon the entry into force of the Protocol, the Conference of the Parties** serving as the meeting of the Parties to the Protocol.” (paragraph 8, Resolution 8/2011).
5. Furthermore, by same Resolution, the Governing Body of the International Treaty requested its Secretary to explore practical means and activities to give effect to cooperation with the CBD, in particular through capacity building for access and benefit-sharing, as related to plant genetic resources for food and agriculture, including through the organization of workshops, seminars and other events. Following such a request, the Secretariats of the CBD and of the International Treaty organized two **joint capacity building workshops**, respectively in June and October 2011, back-to-back with the first meeting of the Intergovernmental Committee for the Nagoya Protocol and the seventh meeting of the *Ad Hoc* Open-ended Working Group on Article 8 (j) and Related Provisions. The third joint capacity building workshop is also proposed to be held back-to-back with the current meeting of the Intergovernmental Committee.

6. The first workshop was aimed at building the capacity of governments to implement their obligations under the two agreements in a mutually supportive manner. In the context of CBD's on-going work on traditional knowledge associated to genetic resources, and related capacity building needs and priorities, the second workshop provided an opportunity to share the experiences of the International Treaty with respect to support provided to indigenous and local communities with the implementation of the International Treaty. The reports of the two workshops have been made available by the Secretariat of the Convention for the information of the Intergovernmental Committee.

7. With regard to capacity building and development in the context of the International Treaty, a **joint programme for developing countries** was established by the Secretariat of the International Treaty, FAO and Bioversity International in 2008. The joint capacity building programme was designed to provide developing countries with technical assistance with the implementation of the International Treaty and its Multilateral System of Access and Benefit-sharing in particular. In the period, September 2008 – March 2011, activities were structured in two main tiers, namely regional and national.

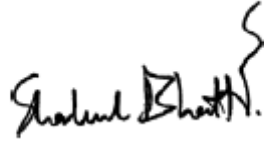
8. At the regional level, a series of regional workshops were organized to raise awareness of the International Treaty among policy makers and other stakeholders, and facilitate discussions on possible regional coordination for the implementation of the Multilateral System of Access and Benefit-Sharing. The most significant results at the regional level were a model law on the management of plant genetic resources for food and agriculture for the Arab Organization for Agricultural Development of the Arab League, and an administrative scheme for the Secretariat of the Pacific Community to act as the agent for the Pacific Island countries in implementing the Multilateral System on their behalf and on request.

9. At the national level, local programme experts advised a number of national governments and prepared draft technical recommendations on legal and administrative issues, including draft regulations and administrative instruments. With financial support from the joint programme, national workshops were convened in order to raise awareness on the International Treaty, facilitate consultations among relevant national stakeholders and, where possible, develop or review the draft technical recommendations. The most significant results under this second tier were the completion of national processes for notification of inclusion of material in the Multilateral System and follow up regulatory arrangements.

10. At its Fourth Session, the Governing Body of the International Treaty reaffirmed the need to expand the duration of the joint capacity building programme to the biennium 2012-2013 and, following which, Bioversity International is leading a capacity building project to support research and capacity strengthening activities in developing countries for the implementation of the International Treaty, with a focus on policy issues associated with the Multilateral System of Access and benefit-sharing. The project will benefit from the institutional coordination mechanisms that were established through the joint capacity building programme set up by the Treaty, FAO and Bioversity International.

11. The Secretariat of the International Treaty provides overall coordination for the joint programme, in particular in order to ensure synergies with other relevant capacity building initiatives, including those for the entry into force and implementation of the

Nagoya Protocol on Access and Benefit Sharing. The relevant notification of the project together with a project description, are in Appendix 2 of this submission, for the information of the Intergovernmental Committee.



Shakeel Bhatti
Secretary
International Treaty on Plant Genetic Resources
for Food and Agriculture



RESOLUTION 8/2011

**COOPERATION WITH OTHER BODIES AND INTERNATIONAL ORGANIZATIONS,
INCLUDING WITH THE INTERNATIONAL AGRICULTURAL RESEARCH CENTRES OF
THE CONSULTATIVE GROUP ON INTERNATIONAL AGRICULTURAL RESEARCH AND
OTHER INTERNATIONAL INSTITUTIONS THAT SIGNED AGREEMENTS UNDER ARTICLE
15 OF THE TREATY**

THE GOVERNING BODY,

Recalling that the International Treaty relates to plant genetic resources for food and agriculture;

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;

Acknowledging the ongoing fruitful collaboration between the Treaty and other related international organizations and treaty bodies, in particular the Convention on Biological Diversity, the International Union for the Protection of New Varieties of Plants, the United Nations Framework Convention on Climate Change, the World Health Organization, the World Intellectual Property Organization, and the World Trade Organization;

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

Convinced of the potential of the Nagoya Protocol and the Strategic Plan for enhancing the synergies and improving the coherent implementation of the Convention and the Treaty;

Further recalling that in developing the Global Information System on Plant Genetic Resources for Food and Agriculture, cooperation will be sought with the Clearing House Mechanism of the Convention on Biological Diversity, in accordance with Article 17.1 of the Treaty;

Cognizant of the importance of further enhancing the cooperation and synergies between the Treaty and the Convention on Biological Diversity, in accordance with their respective mandates, as well as between their respective intergovernmental bodies and Secretariats;

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;

[...]

Further recognizing the function of the Joint Capacity Building Programme set up by the Treaty, FAO and Bioversity International to facilitate implementation of the Treaty, and in particular of the Multilateral System of Access and Benefit-sharing, by developing country Contracting Parties;

Noting the need to continue providing assistance under the Joint Capacity Building Programme to developing country Contracting Parties in the process of implementation of the Multilateral System;

Welcoming the joint work between the Secretariat and Bioversity International on the development of training materials on the Treaty and recognizing that such training materials can also be utilized for awareness-raising;

Recalling the significant support to the objectives of the International Treaty by the International Agricultural Research Centres of the Consultative Group on International Agricultural Research, and other international institutions that signed agreements with the Governing Body under Article 15 of the Treaty;

[...]

Part I. Relationship with the Convention on Biological Diversity

1. **Congratulates** the Conference of the Parties to the Convention on Biological Diversity, on the adoption of the Nagoya Protocol that successfully concluded an important process of negotiations;
2. **Appeals** to Contracting Parties and other States to give priority consideration to the signature and ratification of the Nagoya Protocol, so that it may enter expeditiously into force;
3. **Decides** 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;
4. **Takes note** of the Memorandum of Cooperation signed between the Secretary and the Executive Secretary of the Convention on Biological Diversity and commends the Secretary for the initiative, and **requests** the Secretary to explore with the Secretariat of the Convention on Biological Diversity, practical means and activities to give effect to this cooperation, in particular through capacity building for access and benefit-sharing, as related to plant genetic resources for food and agriculture, including through the organization of workshops, seminars and other events, coordination of technical assistance as well as the exchange of information;
5. **Requests** the Secretary, subject to the availability of funds, to continue to participate in relevant meetings of the Convention on Biological Diversity, the Open-ended *Ad Hoc* Intergovernmental Committee for the Nagoya Protocol, as well as the Liaison Group of Biodiversity-related Conventions;
6. **Requests** the Secretary to strengthen collaboration with the Secretariat of the Convention on Biological Diversity in the implementation of the Convention's programme of work on agricultural biodiversity, sustainable use of biodiversity, biodiversity and climate change, as well as on the United Nations Decade on Biodiversity and the integration of biodiversity into poverty eradication and development, in harmony with the work of the Treaty;
7. **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;
8. **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 on the Nagoya Protocol and the Strategic Plan;

9. **Requests** the Secretary to convey the present Resolution to both the Open-ended *Ad Hoc* Intergovernmental Committee for the Nagoya Protocol and, upon the entry into force of the Protocol, the Conference of the Parties serving as the meeting of the Parties to the Protocol;
10. **Requests** the Secretary to continue to foster collaboration with other treaty bodies, especially with the Convention on Biological Diversity in regard to the conservation and sustainable use of agricultural biological diversity, access to plant genetic resources for food and agriculture and benefit-sharing in the light of the adoption of the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization, according to the respective mandates, governance structures and agreed programs;
11. **Requests** the Secretary to report on cooperation with the Secretariat of the Convention at each session of the Governing Body;

Part II. Cooperation with other organizations

[...]

17. **Reaffirms** the need to expand the duration of the Joint Capacity Building Programme to the remaining part of the current biennium as well as to the full biennium 2012-2013 and **invites**, on a voluntary basis, additional funding and partners for expanding the Joint Capacity Building Programme;

[...]



The International Treaty

ON PLANT GENETIC RESOURCES FOR FOOD AND AGRICULTURE



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Our Ref.: PL 40/31

Rome, 22 July 2011

NOTIFICATION

Announcement of a Capacity Building Project for Developing Countries on the Implementation of the International Treaty and in particular its Multilateral System of Access and Benefit-sharing,
and
Call for Expressions of Interest

Dear Madam/Sir,

I have the honour to inform Contracting Parties of the launching of the referenced capacity building project by Bioversity International. The project will support research and capacity strengthening activities in countries concerning the implementation of the International Treaty, with a focus on policy issues associated with the multilateral system of access and benefit-sharing (MLS).

The project is financed by the generous contribution of the Ministry of Foreign Affairs of the Netherlands (DGIS) to Bioversity International, which will be the lead implementing agency for the project.

The project will benefit from the institutional coordination mechanisms that were established through the Joint Capacity Building Programme set up by the Treaty, FAO and Bioversity International (see notification *NCP GB3 Capacity Building*; Resolution 8/2009; Resolution 8/2011). The Secretariat of the International Treaty provides overall coordination for the Joint Programme, in particular in order to ensure positive synergies with other relevant capacity building initiatives, including those for the entry into force and implementation of the Nagoya Protocol on Access and Benefit Sharing.

During this phase, initial grants of up to US\$ fifty thousand (US\$50,000) will be available, per recipient country, for activities lasting 1-2 years.

Attached to this notification are a full project description (*Annex 1*) and a template for detailing expressions of interest (*Annex 2*), as developed by Bioversity International.

../..

I wish to draw your attention on the fact that Bioversity International will remain the sole entity responsible for the selection of recipient countries, based on the criteria that are set forth in the project description, as well as for the technical implementation of the project.

Interested Contracting Parties are invited to submit expressions of interest before **16 September 2001**, by post, fax or e-mail to the following address:

Dr. Michael Halewood
Head, Policy Research and Support Unit
Bioversity International
Via dei Tre Denari 472/a, 00057 Maccarese
Rome, Italy.
Fax: +39-0661979661
Email: m.halewood@cgiar.org
www.bioversityinternational.org

Bioversity International will report on a regular basis to the Governing Body on progress with project implementation and, if necessary, on issues arising in the delivery of technical assistance that may require policy guidance.

Please accept Madam/Sir, the assurance of my highest consideration.



Shakeel Bhatti
Secretary
International Treaty on Plant Genetic Resources
for Food and Agriculture



Strengthening National Capacities to Implement the International Treaty on Plant Genetic Resources for Food and Agriculture and in particular its Multilateral System of Access and Benefit-sharing

Project description

With funding from the Ministry of Foreign Affairs of the Netherlands (DGIS) **Bioversity International** is supporting research and capacity strengthening activities in countries concerning the implementation of the International Treaty, with a focus on the multilateral system of access and benefit-sharing (MLS).

This project builds upon the Genetic Resources Policy Initiative (GRPI), a six-year project which supported research and capacity-building activities for policy-making related to genetic resources.

Outputs

The expected outputs of the project include:

- A critical density of people in each participating country, representing a wide range of perspectives, will have advanced technical expertise concerning the Treaty and how it should be implemented in their country. They will have the capacity to address how the MLS interfaces with other international and national laws that apply in the country (e.g., the Convention on Biological Diversity and its Nagoya Protocol);
- Raised awareness among a range of stakeholders about the potential for them to take advantage of the Treaty and the MLS in particular;
- Enhanced clarity about the status of plant genetic resources for food and agriculture (PGRFA) in the country vis-à-vis the MLS and who needs to be involved in considering requests for access to those materials;
- Draft policies, legislation and administrative guidelines, as appropriate, to implement the MLS, taking into consideration the special circumstance of the country; and
- Enhanced understanding of challenges and opportunities related to complementary benefit-sharing components, including information exchange, and transfer of technologies 'under fair and most favourable terms'.

At the country level, project activities should be guided by an oversight committee that include representatives of relevant government agencies and different stakeholder groups.

Activities

National partners will conduct a survey of baseline factors relevant to the country's implementation of the MLS. They will also undertake complementary research and capacity building activities. Some of these may be identified right away and others may be identified through the survey of baseline factors. Examples of research activities include:

- Analyses of existing laws and policies in the country to determine if there is currently legal space to implement the MLS. Identification of options to create requisite space and facilitate interface with other existing, relevant national laws;



- Development of draft policies, laws, guidelines, as appropriate, taking into consideration the particular situation of the country;
- Analyses of whether different PGRFA in the country are in the management and control of the national government and in the public domain. Identification of options for encouraging voluntary inclusion of PGRFA in the MLS;
- Analyses of PGRFA flows within, into and out of the country; analyses of PGRFA users' experiences and perspectives regarding access to germplasm; and
- Analyses of benefits and costs of participating in the MLS.

During this phase, initial grants of up to 50,000 USD will be available for activities lasting 1-2 years.

Eligibility

Expressions of interest are to be submitted either by national Treaty Focal Points or representatives from government departments responsible for coordinating national implementation of the Treaty.

Selection criteria

1. Project relevance

- a. How will the project contribute to enhanced conservation and sustainable use of PGRFA, benefit sharing, and to food security, in the country concerned?
- b. What is the impact of the project on the implementation of the Treaty's multilateral system of access and benefit-sharing?
- c. Does the project complement other International Treaty-related activities in the country, (including information sharing, technology transfer, conservation and sustainable use), if there are any?

2. Feasibility

- a. Is the proposed activity feasible in terms of resources and timing?
- b. Are the types of activities most effective towards achieving the project's expected results?

3. Participation and collaboration

- a. Do the project's activities ensure effective participation of different users of PGRFA?
- b. Does the project promote collaboration between different governmental departments and with other stakeholders (including farmers, private sector, networks, etc) dealing with genetic resources?
- c. Does the project forge links with other activities in the country related to access and benefit sharing, for example, efforts to implement the CBD and the Nagoya Protocol?
- d. Does the project have the potential to synergize with other ongoing relevant capacity building initiatives?



For the purposes of overall project administration and management efficiencies, as well as to explore potential regional synergies for implementation of the MLS, geographical proximity between selected countries will be taken into consideration.

Selection process

Bioversity will assemble a technical committee to review expressions of interest. Expressions of interest should be submitted using the template herewith attached (Annex 2) and sent to the address provided below. The strongest candidates will be asked to develop full proposals.

Contact details for further information and for submission of formal expressions of interest

Dr. Michael Halewood, Head, Policy Research and Support Unit, Bioversity International, Via dei Tre Denari 472/a, 00057 Maccarese, Rome, Italy; www.bioversityinternational.org; Email: m.halewood@cgiar.org; Fax: +39-0661979661.

Deadline for submission: 16 September 2011.

Template for expressions of interest

Strengthening National Capacities to Implement the International Treaty on Plant Genetic Resources for Food and Agriculture and in particular its Multilateral System of Access and Benefit-sharing

NB: The expression of interest should not exceed 5 pages in length (plus annexed budget). Longer documents will not be considered. Applications in English are preferred. Otherwise, applications may be made in French or Spanish.

I. PROPOSED PROJECT TITLE

II. NAME OF APPLICANT

Implementing government agency:

Name of Treaty focal point:

Contact person:

Address:

Country:

Telephone:

Fax:

E-mail:



III. PROJECT DESCRIPTION (maximum 2 pages long, single space)

A. BACKGROUND

B. OBJECTIVES

C. INTENDED BENEFICIARIES

D. ACTIVITIES *(for example: establish oversight committee; inception workshop; baseline study; research; capacity building; developing draft policies, laws, guidelines; consultative processes, etc.)*

E. OUTPUTS *(products directly resulting from the planned-for activities)*

F. OUTCOMES *(How are the outputs expected to be used within the country to lead to desirable outcomes? How will the project ensure those uses?)*



G. PARTNERSHIPS AND LINKS

G.1. Involvement of key organizations and stakeholder groups. (where possible list names of individuals and organizations)

G.2. Links to other relevant activities and actors in the country related to implementation of the Treaty, CBD/Nagoya Protocol or other relevant international agreements.

H. TIMING

Duration (months):

Starting date (month/year):

I. BUDGET IN USD/RESOURCES

For example:

	<i>Item</i>	<i>Quantity/ duration</i>	<i>Rate per unit (US\$)</i>	<i>Total US\$</i>
For	<i>National Experts</i>			
	<i>Researchers</i>			any
	<i>Administrative assistance</i>			
	<i>Travel costs</i>			
	<i>Workshops</i>			
	<i>Publications and distribution</i>			
	Total			

for further questions, please contact Michael Halewood, Head, Policy Research and Support Unit, Bioversity International by e-mail at m.halewood@cgiar.org or by phone +39 066118294