

ITPGRFA GB 8 Highlights: Wednesday, 13 November 2019

Delegates to the eighth session of the Governing Body (GB 8) of the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA or Treaty) met in plenary throughout the day to: hear a report on the contribution of FAO to Treaty implementation; continue discussions on the Multi-Year Programme of Work (MYPOW), including digital sequence information (DSI) or genetic sequence data; and address cooperation with other international instruments and organizations. The budget committee, a contact group on farmers' rights, and an informal group on the Global Information System (GLIS) met during the day. A closed group on enhancing the Multilateral System (MLS) of access and benefit-sharing met in the evening.

MLS Enhancement

Uncertainty prevailed on the way forward to address diverging views on enhancing the Treaty's MLS. In the morning, Brazil, for G-77/China, called for urgently addressing the item in a contact group or similar setting with interpretation. Later in the day, GB 8 Chair Christine Dawson (US) reported that there is no consensus in the Bureau to establish a contact group on the item and invited delegates to continue consulting informally. Towards the end of the afternoon plenary, she proposed convening a closed group, composed of two party representatives per region and no observers.

A discussion ensued focusing on participation in the group, with many developing countries pointing to the importance of the item and the need for transparency. AUSTRALIA and ARGENTINA supported the format of a small group, and AFRICA, the NEAR EAST, ECUADOR, INDONESIA, the PHILIPPINES, and CUBA requested broader representation per region. AFRICA, supported by many, suggested four members from each region. Chair Dawson proposed allowing two party representatives, plus two non-speaking party representatives per region. The EUROPEAN REGIONAL GROUP (ERG), EU, and CANADA supported this proposal. ZAMBIA, the NEAR EAST, ETHIOPIA, MAURITANIA, BURKINA FASO, and RWANDA urged to allow all four regional representatives to speak. Chair Dawson eventually established a small group, comprised of two party representatives and two non-speaking party representatives per region, which met in the evening.

FAO Contribution

FAO Assistant Director-General René Castro-Salazar highlighted the Treaty as one of FAO's flagship achievements. Many regions expressed appreciation for FAO's ongoing, steady

support to member states. GRULAC encouraged efforts to broaden Treaty participation and AFRICA emphasized FAO's leadership on integrating biodiversity into the agriculture sector.

JAPAN suggested better use of online systems to decrease the workload involved in coordinating and compiling documents. ZAMBIA urged FAO to promote awareness of the Treaty at the highest policy level, and the REPUBLIC OF KOREA to actively invite non-parties to join. The INTERNATIONAL PLANNING COMMITTEE FOR FOOD SOVEREIGNTY (IPC) highlighted that present FAO activities are not sufficiently inclusive of indigenous peoples, local communities, and smallholder farmers.

Multi-Year Programme of Work

DSI: In continuation of Tuesday night's discussions, JAPAN urged aligning the MYPOW with the Sustainable Development Goals (SDGs) and encouraged strengthening cooperation on DSI with the Convention on Biological Diversity (CBD) and the FAO Commission on Genetic Resources for Food and Agriculture (CGRFA). AFRICA stressed including DSI in many MYPOW activities, and called for legal clarity and for fair and equitable benefit-sharing. ECUADOR considered DSI is part of the Treaty's scope and warned that access to DSI held in public databases is not subject to prior informed consent. BRAZIL noted that addressing DSI will ensure consistency, rather than development of differentiated national frameworks.

Pointing to other international bodies working on DSI, AUSTRALIA called for non-duplication and a harmonious approach. KUWAIT and EGYPT required reference to awareness raising and capacity building. The AFRICAN UNION pointed to the need to decide whether to address DSI through a sectoral or cross-sectoral approach, indicating readiness to consider it under the CBD. VIA CAMPESINA called for addressing DSI and for a long-term work programme on farmers' rights.

Cooperation

CGRFA: CGRFA Secretary Irene Hoffmann presented the CGRFA report (IT/GB-8/19/15.1), highlighting the Voluntary Guidelines for the Conservation and Sustainable Use of Farmers' Varieties/Landraces. Delegates welcomed collaboration between the Treaty and the Commission, and many emphasized avoiding duplication. The ERG supported strengthening coordination between the GLIS and Genesys portals. AFRICA emphasized that cooperation regarding the GLIS and FAO's World Information and Early Warning System, as well as the post-2020 global biodiversity framework, should consider the role of DSI.

The US noted there is no need to keep under review the functional division of tasks between the GB and the CGRFA. CANADA preferred the division to be kept under review,

encouraging the CGRFA to consider focusing on animal and microbial genetic resources, to allow the Treaty to focus on plant genetic resources for food and agriculture (PGRFA). CANADA further recognized the CBD and the CGRFA as the main fora for discussing genetic sequence data. The IPC suggested the third report on the state of the world's PGRFA and the symposium on *in situ* conservation address farmers' rights.

Global Crop Diversity Trust: The Secretariat introduced the relevant document (IT/GB-8/19/15.2) and the GLOBAL CROP DIVERSITY TRUST outlined its report (IT/GB-8/19/15.2/2). Many commended the Trust for its work and supported the draft resolution. The ERG highlighted the positive interaction between the Trust's Board, the GB 8 Bureau, and the two Secretariats. AFRICA called for supporting proposals from farmers' organizations and, with the US, stressed that the Trust is an essential element of the Treaty's Funding Strategy. SOUTHWEST PACIFIC underscored the Trust's activities in the region.

CANADA, supported by the US, explained that the Trust's mandate is broader than supporting CGIAR centers, and questioned the focus on crop wild relatives, noting it should be limited to material threatened *in situ*. ECUADOR suggested the Trust mainly support genebanks of parties whose collections are at risk due to lack of national or international funding. The US and ZAMBIA suggested prioritizing initiatives and programmes jointly designed and implemented between the Treaty and the Trust. MALAYSIA highlighted the Trust's work regarding Genesys and crop wild relatives. JORDAN emphasized capacity-building efforts. The IPC stressed that *ex situ* conservation needs to go hand in hand with *in situ* conservation. The CGIAR highlighted development of tools and methods for quality management and germplasm health improvement. GB 8 then approved new members of the Trust Executive Board.

CBD and the Nagoya Protocol: The Secretariat introduced relevant documents (IT/GB-8/19/15.3, 15.3/Inf.1 and 15.3/Inf.2). The CBD emphasized synergies and outlined cooperation on: providing guidance to the Global Environment Facility; considering potential implications of DSI; and developing indicators for the SDGs. He further stressed the importance of all biodiversity-related conventions engaging fully in the post-2020 framework.

Many welcomed collaboration with the CBD. The ERG suggested establishment of a joint programme on DSI. ECUADOR urged ensuring agro-biodiversity becomes a cornerstone of the post-2020 framework. ASIA and AFRICA stressed the importance of cooperation to meet the CBD and ITPGRFA objectives, especially regarding benefit-sharing. The US drew attention to the ITPGRFA-CBD Memorandum of Understanding. CANADA recommended strengthening targets, including on sustainable use, and welcomed existing monitoring processes without imposing additional burdens on parties. The AFRICAN UNION recalled that the African Group will not agree on a post-2020 framework unless DSI is addressed. The IPC called for implementation of farmers' rights, prior informed consent, and fair and equitable sharing of benefits with indigenous peoples and farmers.

Other Organizations: The Secretariat introduced the relevant document (IT/GB-8/19/15.4/1). The INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS (UPOV) reported on activities of relevance to the Treaty. The CGIAR underscored that the Treaty provides essential policy support to the CGIAR centers, and expressed concern about uncertainty of next steps on DSI, opining that the Treaty is the proper forum to address the issue. NORWAY presented the report on the Svalbard Global Seed Vault (IT/GB-8/19/15.4/4).

The EU requested that UPOV, the CBD, and the Treaty collaborate to draft an explanation of their mutual supportiveness. BELGIUM, welcomed by many, drew attention to a crop cryopreservation facility at the Catholic University of Leuven.

AFRICA and others underscored the importance of maintaining cooperation with relevant organizations and instruments. ECUADOR stressed that cooperation should support the work of the Treaty, and emphasized that many Treaty parties have not ratified UPOV, so cooperation should respect national legislation. ARGENTINA called for balance between farmers', breeders', and peasants' rights.

The PHILIPPINES highlighted the importance of PGRFA duplication and use of the Vault to secure seed collections. MALI highlighted cooperation with Bioversity International. CÔTE D'IVOIRE emphasized a multi-site genebank to preserve and share coconut genetic resources, requesting support to move the national collection that is under threat. COSTA RICA requested assistance for maintaining collections held at the CATIE Tropical Agricultural Center. CUBA expressed gratitude for equipment donated for their national genebank. MADAGASCAR emphasized the development of community protocols and community seed banks.

SWITZERLAND and NORWAY urged continuing the ongoing review process on the interrelations between the UPOV Convention and the Treaty, and exploring ways for parties and observers to contribute. CIVIL SOCIETY and the IPC stressed that the majority of Treaty parties have not ratified UPOV, stressing that the UPOV Convention does not support the Treaty's objectives, especially compared to national *sui generis* systems of plant variety protection.

Farmers' Rights

The contact group on farmers' rights, co-chaired by Svanhild-Isabelle Batta Torheim (Norway) and Rakesh Chandra Agrawal (India), met in the evening to resume review of the draft resolution. The group identified which elements of the draft resolution relate to the terms of reference for the *Ad Hoc* Technical Expert Group on farmers' rights, to be considered later, and agreed on minor amendments to other parts of the resolution.

In the Corridors

While plenary breezed through agenda items on cooperation with other organizations and bodies, such as the CBD and the CGRFA, a sense of uneasiness prevailed. "Ignoring the elephant in the room won't make it go away," a veteran commented, as most participants wondered why no plan is being put forward to address divergence of views on enhancing the Treaty's MLS. Whereas developing countries made a plea on the floor to continue negotiations, GB 8 Chair Dawson explained there is lack of consensus in the Bureau to set up a contact group. The explanation left most unsatisfied. "We've been negotiating this for six years: who can possibly block a contact group at this stage, and why?" a senior delegate asked. She further elaborated on the need to take into account the specificities of PGRFA when addressing DSI. "Relying on the CBD may not work for us, this is why the Treaty was adopted" a genebank manager added, pointing to the realities and complexities of the food and agriculture community. A late-afternoon proposal to set up a closed group with two party representatives per region left most in the room frustrated. A few pointed to practical matters and the need for earnest deliberation, which "is only possible when few people are in the room." Most, however, stressed that at such a critical moment for the negotiations "transparency is key for success." In addition, an African representative lamented the lack of proportional regional representation, highlighting the injustice of limiting participation when the number of parties per region is vastly different. The final compromise of having two additional non-speaking party representatives per region was accepted, but spirits remained low, with little hope for a successful outcome.