Why mutually supportive implementation of the ITPGRFA, the Convention on Biological Diversity and the Nagoya Protocol is necessary and important
Content of this presentation

1. Brief intro to the International Treaty on Plant Genetic Resources for Food and Agriculture
2. Differences, complementarities and overlaps between the Plant Treaty and the CBD and its Nagoya Protocol
3. Why the mutually supportive implementation of the Nagoya Protocol and the Plant Treaty is important, particularly in a context of climate change
A quick introduction to the International Treaty on Plant Genetic Resources for Food and Agriculture

• Adopted in 2001
• In force since 2004
• 145 parties, some of the most recent ones are USA and Argentina
• Objectives aligned to the CBD objectives:
  ▪ Conservation and sustainable use of plant genetic resources for food and agriculture
  ▪ Equitable sharing of the benefits arising out of their use
    For sustainable agriculture and food security

Main elements:
- Multilateral system of access and benefit-sharing
- Farmers’ rights
- Conservation of PGRFA
- Sustainable use of PGRFA
The multilateral system of access and benefit sharing

Standard Material Transfer Agreement

Benefit-sharing fund
Scope of the CBD, the ITPGRFA and the Nagoya Protocol

CBD:
- biological diversity

CBD Art.15:
- genetic resources

ITPGRFA: PGRFA

Multilateral system:
- PGRFA in Annex 1,
  public management
  and for food and
  agriculture
Why a multilateral system of access and benefit-sharing?

Figure 1  A small segment of the bread wheat (cv. Sonalika) pedigree. Landraces are in a double box.
### Differences between the Multilateral System and the CBD/Nagoya Protocol

<table>
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<tr>
<th>Multilateral system</th>
<th>CBD and the Nagoya Protocol</th>
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<tr>
<td>Requires minimum national law, or none</td>
<td>Requires national legislation and administration</td>
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<tr>
<td>Terms of access and benefit-sharing are already spelt out in the SMTA, and cannot be negotiated.</td>
<td>Terms of access and benefit-sharing conditions are established on a case by case basis.</td>
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<td>It is for all PGRFA of Annex 1 crops, when used for research and breeding in the field of food and agriculture</td>
<td>It is for all genetic resources, in the absence of specialized international regimes (e.g. the MLS)</td>
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<td>Benefit-sharing is centralized through the benefit sharing fund. Monetary benefits do not flow back to the provider country</td>
<td>Benefits are shared with the provider country.</td>
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<tr>
<td>Transfers and use of genetic resources are not tracked and traced systematically.</td>
<td>Use of genetic resources is monitored by national checkpoints and through the international ABS Clearing House Mechanisms</td>
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## What law applies to what?

<table>
<thead>
<tr>
<th>Multilateral system typically applies to...</th>
<th>National laws based on the CBD and the Nagoya Protocol typically apply to...</th>
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<tr>
<td>Transfer of PGRFA of annex 1 crops from national genebanks, for food and agriculture purposes</td>
<td>Requests for access to samples found in in situ conditions (but MLS can apply too!)</td>
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<tr>
<td>Transfer of PGRFA from international genebanks of the CGIAR, for food and agriculture purposes</td>
<td>Transfers of PGRFA from national genebanks for uses different from food and agriculture</td>
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<tr>
<td>Transfer of PGRFA from natural and legal persons who have put PGRFA voluntarily in the MLS</td>
<td>Monitoring if the use of genetic resources is in accordance with permit originally obtained</td>
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Situations where questions about what regime to apply are expected to arise

• Collaborative projects among organizations that operate within and outside the MLS.
• Natural and legal persons including PGRFA in the MLS, and using the SMTA for transfer of PGRFA not originally included in the MLS.
• Requests for PGRFA included in the MLS for non food/feed purposes, or for cultivation by farmers
• Requests for PGRFA found *in situ* and included in the MLS.
• Using traditional knowledge on PGRFA
Why mutually supportive implementation is necessary? Reflections in a context of climate change
Expected effects of climate change in agricultural production

• Predicted that global temperature will exceed 2° C by the last two decades of this century
• Unpredictable rainfall patterns
• Increased incidence of pests and diseases
• Changing patterns of pests and diseases
• Shifting, shorter, and/or disappearing growing seasons
• Consequences: Lower productivity, Food insecurity
Adaptation to climate change: recommended actions by the IPCC

- Improving crop tolerance to new conditions
- Improving access to gene banks to develop varieties with appropriate adaptive characteristics
- Indigenous Knowledge (IK) has developed adaptive strategies thus contributing to food security in many parts of the world
Learnings

• Increasing levels of interdependence on plant genetic resources coming from other countries

• Much crop diversity is available under facilitated access conditions through the multilateral system on access and benefit sharing

• Much of this crop diversity can be identified on Genesys and other global information systems

• Much more crop diversity is not available through the multilateral system. Much is not known yet!

• Access to, evaluation and testing of promising material depends on:

  1. adequate access and benefit-sharing mechanism developed by the centres under the Nagoya Protocol

  2. the possibility of making such material, or improved one, available on the multilateral system