



The International Treaty

ON PLANT GENETIC RESOURCES FOR FOOD AND AGRICULTURE

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***SECOND SESSION OF THE
GOVERNING BODY OF THE
INTERNATIONAL TREATY
ON PLANT GENETIC
RESOURCES FOR FOOD
AND AGRICULTURE***

Rome, Italy, 29 October - 2 November 2007



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**REPORT OF THE GOVERNING BODY OF THE INTERNATIONAL TREATY ON
PLANT GENETIC RESOURCES FOR FOOD AND AGRICULTURE**

Second Session

Rome, Italy, 29 October – 2 November 2007

FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS

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The documents of the Second Session of the Governing Body of the International Treaty on Plant Genetic Resources for Food and Agriculture are to be found on the Internet at <http://www.planttreaty.org>

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REPORT OF THE SECOND SESSION OF THE GOVERNING BODY OF THE INTERNATIONAL TREATY ON PLANT GENETIC RESOURCES FOR FOOD AND AGRICULTURE

INTRODUCTION

1. The Second Session of the Governing Body of the International Treaty on Plant Genetic Resources for Food and Agriculture (Second Session) met in Rome, Italy, from 29 October 2007 to 2 November 2007. The list of Participants is attached in *Appendix H*.

OPENING CEREMONY

2. An opening ceremony to celebrate the convening of the Second Session was held on 29 October 2007. Mr Godfrey Mwila (Zambia), Chair of the session, welcomed all Participants to the ceremony. Mr Mwila stated that the involvement of key stakeholders was a unique opportunity for the Governing Body to better understand what the Treaty means to them.

3. On behalf of Ambassador Silas Brasileiro, Deputy Minister of Agriculture, Livestock and Food Supply, Mr José Antônio Marcondes de Carvalho, Permanent Representative of the Federative Republic of Brazil to FAO, expressed his gratitude for the opportunity to address the Governing Body. He stressed the importance of effective implementation of the Treaty, noting satisfaction for the process for establishing the Multilateral System on Access and Benefit-sharing. Integration of national and regional data and information systems in a transparent and accessible way, were essential in his view.

4. Mr Brasileiro emphasized the importance of the exchange of plant genetic resources to achieve food security worldwide. Brazil had much to offer to the Multilateral System, especially in its *Annex I* collections. He stated that international cooperation is a critical aspect of the Treaty, and that Brazil is collaborating with a number of countries to achieve food security. He stressed that it is essential that developed countries that are not yet Contracting Parties to the Treaty, become so to create an alliance among all countries, given the global interdependency on genetic resources for food and agriculture, and the common need to adapt to ever changing production conditions. Harmonization of the operational aspects of the Treaty and the Convention on Biological Diversity was desirable. Mr Brasileiro's speech is attached in *Appendix B.1*.

5. Mr Dean Oestreich, Pioneer President and DuPont Vice President and General Manager, indicated that he was honoured to participate in this opening ceremony, noting that as a farmer and plant breeder he had firsthand knowledge of the importance of access to the best breeding material. He stressed that the needs of future generations of farmers, and the societies that depend upon them, will be great. Yields of all crops must increase; crops must have the genetic potential to withstand increasing environmental stress; and the nutritional characteristics of crops must be maximized.

6. Mr Oestreich emphasized the need for the private sector and governments to work together, as no single nation was self-sufficient with respect to crop varieties or breeding materials. He underlined the importance of multilateral agreements to allow genetic resources to be available to plant breeders so that they, in turn, could help farmers improve their profitability. Mr Oestreich urged the addition of

other crop species to the Treaty's *Annex I*, so that the conservation and use of all major crop species was assured, and underscored the need for equitable benefit-sharing and funding by governments at a level sufficient to ensure a vibrant and healthy Multilateral System. He stressed that the Treaty must be adequately funded, and encouraged his peers in the private sector to provide financial support to the Treaty. Mr Oestreich's speech is attached in *Appendix B.2*.

7. A joint presentation was made by Mr Sunda Ram Verma, a farmer and plant breeder from Danta Village, Rajasthan, India, and Mr Anil K. Gupta, Coordinator of the Society for Research and Initiatives for Sustainable Technologies and Institution, Gujarat, India, on the Treaty and farmers' selection and breeding practices.

8. As a farmer, Mr Verma noted that several obstacles held back the development of plant varieties by farmers, such as the failure to recognize the potential of traditional varieties, the lack of capacity to characterize plant varieties and the shortage of resources to market and distribute new varieties amongst farmers. He stressed that the Treaty could positively contribute to diminish such obstacles.

9. Mr Gupta indicated the important contribution of farmers to both the innovation of plant varieties and the conservation of traditional varieties. He referred to the profits made by seed companies based on varieties developed by farmers, and stressed the need for national authorities to ensure that appropriate benefit-sharing mechanisms were in place. To promote Farmers' Rights, he recommended that several articles of the Treaty be strengthened. He particularly stressed the need for funding mechanisms to enable farmers to conserve local varieties and to develop, screen and select new varieties. Mr Gupta indicated that gene banks should not ignore farmers' knowledge on nutritional and other crop values. He called upon Contracting Parties to encourage the exchange of information, knowledge and experience amongst farmers dealing with public and private agencies. Mr Verma's and Mr Gupta's speeches are attached in *Appendix B.3*.

10. Ms Margaret Catley-Carlson, Chair of the Executive Board of the Global Crop Diversity Trust, expressed her appreciation for being asked to address the Governing Body, noting that the Trust had been recognized by the Governing Body at its First Session, as an essential element of the Funding Strategy of the Treaty, in relation to the *ex situ* conservation and availability of plant genetic resources for food and agriculture. She highlighted some important Trust activities, including a programme to rescue and regenerate more than 150,000 distinct accessions held by developing countries within the Treaty's Multilateral System, supporting research to develop inexpensive conservation techniques, and the development of information technologies.

11. Ms Catley-Carlson stated that the Trust was assisting developing countries and international agricultural research centers to send back-up samples to the Svalbard Global Seed Vault in Norway. Later in the year, the Trust would make funding announcements concerning a number of crops included in *Annex I* of the Treaty. She emphasized that the Trust valued its partnership with the Governing Body, and reiterated support for the Treaty and its goals. Ms Catley-Carlson's speech is attached in *Appendix B.4*.

12. Mr Guy Kastler, Via Campesina, expressed his gratitude for being invited to address the Second Session, stressing the need to have the effective participation of farmers at the country and international levels in the implementation of the Treaty. He noted that the majority of the world's farmers used traditional practices and did not buy seeds and other inputs from commercial sources. For traditional farmers, re-planting of harvested seeds and seed exchange among farmers renews and increases crop biodiversity.

13. Mr Kastler felt that the Treaty should ensure that all signatory countries maintained farmers' rights to save, use and exchange farm-saved seeds. Farmers should participate in making decisions and have access to plant genetic resources in public collections. He noted that these conditions were necessary to ensure the sustainable keeping and renewal of plant genetic resources using both *ex situ* and *in situ* measures. Mr Kastler expressed concern that some national laws contradicted the Farmers' Rights provisions of the Treaty, such as laws that protect intellectual property and obligations to register varieties with costs and criteria that prevented farmers from exchanging their seed. He called for modalities to facilitate the participation of farmer organizations in the work of the Governing Body. Mr Kastler's speech is attached in *Appendix B.5*.

14. Mr M.S. Swaminathan, Chair of the M.S. Swaminathan Research Foundation, Chennai, India, expressed concern for the loss of the world's biodiversity as a result of overexploitation, and stressed that this situation had to be addressed by providing incentives for conservation. He noted that the Indian Plant Varieties and Farmers' Rights Act contained provisions for according recognition and reward to farmers and farm communities for their invaluable contributions to the conservation of genetic resources and their improvement through selection, preservation and knowledge added.

15. Mr Swaminathan stressed the need for equity in benefit-sharing as fundamental to the retention and revitalization of *in situ* on-farm conservation traditions of rural and tribal families. Material and Information Transfer Agreements should safeguard the interests of those providing the material and benefit-sharing procedures would have to be developed at the individual and community levels. He noted that recognition of the importance of knowledge, innovations and practices of indigenous and local communities had in the past not been appreciated, but the situation was improving with the recognition of Farmers' Rights under the International Treaty as well as Article 8(j) of the Convention on Biological Diversity, which called for the equitable sharing of benefits arising from the utilization of traditional knowledge, innovations and practices. Mr Swaminathan's speech is attached in *Appendix B.6*.

16. Mr Manfred Bötsch, State Secretary, Director General, Federal Office for Agriculture, Government of Switzerland, reported on the results of the first International Technical Conference on Animal Genetic Resources for Food and Agriculture, held from 3 to 7 September 2007, in Interlaken, Switzerland. He stated that the Conference had been a resounding success resulting in the launch of the first *State of the World's Animal Genetic Resources for Food and Agriculture*, and the *Global Plan of Action for Animal Genetic Resources for Food and Agriculture*, which was adopted through the Interlaken Declaration.

17. Mr Bötsch reported that the *Global Plan of Action for Animal Genetic Resources* addressed current and future challenges in relation to the characterization, inventory and monitoring; the sustainable use and development; and the conservation of animal genetic resources. The Declaration recognized the significant contribution that local and indigenous communities and farmers and pastoralists have made to the use and development of animal genetic resources, and called for prompt action to conserve breeds at risk.

18. Mr Bötsch expressed his wish that the Governing Body would welcome the Global Plan of Action on Animal Genetic Resources and the Interlaken Declaration as part of an overall framework for agricultural biodiversity, in consideration of the linkages among the various roles and values of animal and plant genetic resources, and that farmers and livestock keepers co-manage these resources within their agricultural landscapes. Mr Bötsch's speech is attached in *Appendix B.7*.

OPENING OF THE SESSION

19. Mr Godfrey Mwila (Zambia), Chair of the Second Session, welcomed all Participants to the Second Session of the Governing Body. He stressed the need for Contracting Parties to work together to achieve common views on key implementation aspects of the Treaty. He acknowledged FAO's support in the current Session.

20. On behalf of Mr Jacques Diouf, Director-General of FAO, Mr José María Sumpsi, Assistant Director General, Agriculture and Consumer Protection Department, welcomed Participants to the current Session. He emphasized that the Treaty was highly beneficial to all countries. Some countries would provide unique plant genetic resources, while others would contribute technology and human and financial resources. Mr Sumpsi stated that bringing together all contributions from developing and developed countries in the implementation of the Treaty would contribute to the achievement of the Millennium Development Goals. Collaboration in the future would be of even greater importance in light of the new challenges of climate change that would demand the preservation and sustainable use of plant genetic resources to enable adaptation.

21. Mr Sumpsi acknowledged the impressive transfer of genetic material under the Multilateral System of Access and Benefit-sharing of the Treaty, from the International Agricultural Research Centres of the Consultative Group on International Agricultural Research. He noted that the Treaty was entering its implementation stage, and called on all Contracting Parties to provide the necessary funding, human resources and policy guidance for the effective implementation of all Treaty provisions, noting in particular the need for the Governing Body to establish the foundation for the practical operation of the Multilateral System of Access and Benefit-sharing, and to advance the Funding Strategy.

22. Mr Sumpsi welcomed Mr Shakeel Bhatti, the new Secretary of the International Treaty, and commended the work he and his team had done in spite of severe financial and human resource constraints. He stated that the FAO Management would do its best to provide both technical and financial support to the implementation of the Treaty, and expressed hope that the next FAO Conference would give priority to the Treaty in terms of budget allocation. Mr Sumpsi's speech is attached in *Appendix B.8*.

ELECTION OF THE CHAIR, VICE-CHAIRS AND *RAPPORTEUR*

23. During its First Session, the Governing Body elected its Chair and Vice-Chairs for its Second Session. Mr Godfrey Mwila (Zambia) was elected Chair. Six Vice-Chairs were elected: Mr Sugiono Moeljopawiro (Indonesia), Mr John Madden (Australia), Mr Campbell Davidson (Canada), Mr Modesto Fernández Díaz-Silveira (Cuba), Mr François Pythoud (Switzerland), and Mr Mohamed Khalifa (Egypt). In accordance with Rules of Procedure of the Governing Body (Rule II Bureau), Australia designated Ms Anna Somerville (Australia) to replace Mr Madden on the Bureau; and Egypt designated Ms Hanaiya El-Itriby (Egypt) to replace Mr Khalifa in the Bureau. Mr Campbell Davidson (Canada) was elected *Rapporteur*.

ADOPTION OF THE AGENDA

24. The Governing Body adopted the Agenda, as given in *Appendix A*.

ESTABLISHMENT OF THE BUDGET COMMITTEE

25. A budget committee was established to prepare a budget for the period 2008-2009, for the consideration of the Governing Body. Mr François Pythoud (Switzerland) and Mr Aamir Ashraf Khawaja (Pakistan) were elected as Co-Chairs of the Budget Committee.

APPOINTMENT OF THE CREDENTIALS COMMITTEE

26. The Governing Body elected seven Members of the Credentials Committee: Armenia, Canada, Côte d'Ivoire, Kiribati, Lebanon, Malaysia and Uruguay. Lebanon and Côte d'Ivoire served as Chair and Vice-Chair of the Committee.

27. The Credentials Committee was informed of Rule III of the General Rules of the Organization on “delegations and credentials” as well as the practice and criteria followed by the Organization with respect to the acceptance of credentials, in line with the practice of the General Assembly of the United Nations on the matter. In accordance with Rule III, paragraph 2 of the General Rules of the Organization, the Committee reviewed the credentials or other documents and information received by the Director-General regarding the composition of delegations. The Credentials Committee convened three times to examine the credentials of the representatives of Contracting Parties, and established two lists: List A, which includes 67 Contracting Parties that submitted their credentials in the form required by Rule III, paragraph 2 of the General Rules of the Organization; and List B, which includes 19 Contracting Parties whose credentials, while not submitted in due form, were considered as valid information on the composition of their delegations.

28. The Governing Body accepted the recommendation of the Credentials Committee that the credentials of the delegations on both lists be accepted, on the understanding that formal credentials of delegations referred to in list B would be communicated to the Director-General of FAO, as soon as possible.

REPORT OF THE CHAIR

29. The Chair of the Second Session, Mr Mwila, introduced the main elements of his report to the Governing Body, as contained in the document, *Report of the Chairperson of the Second Session of the Governing Body*.¹ He noted that the Bureau had convened a number of meetings to carry out the tasks arising from the First Session, to identify candidates for the position of Secretary, and to provide guidance in preparation for the Second Session. Mr Mwila, on behalf of the Bureau of the Governing Body, presented the new Secretary, Mr Shakeel Bhatti, who the Bureau had selected and congratulated him for his appointment as the Secretary. He reported that the Bureau had agreed on four members to represent the Governing Body on the Executive Board of the Global Crop Diversity Trust, and that all of the nominees had agreed to serve on the Board.

30. The Chair then reported on what he considered were the main challenges for the successful implementation of the Treaty at this critical stage. He considered the implementation of the Multilateral System and the Funding Strategy to be the Treaty's key challenges, and stressed that the Governing Body may wish to consider what further actions need to be undertaken and what roles Contracting Parties and other stakeholders can play to this end. Mr Mwila expressed concern for the very low level of financial contributions that had been made by Contracting Parties to the Core

¹ IT/GB-2/07/4

Administrative Budget of the Treaty and to the Funding Strategy, highlighting the essential need for adequate contributions to enable the Secretariat to be operational. He observed that at the early stage of implementation, one particular challenge related to issues of governance and the role of the Governing Body and its Secretary. He reported that the Bureau had considered the issue of the functional autonomy of the Secretary of the Treaty, as affirmed at the First Session of the Governing Body, and had requested a report on modalities of implementing such functional autonomy from a practical point of view, which may address such issues as representation, correspondence, financial and human resource management, reporting, travel, administrative procedures, management and reform processes, and the executive authority of the Secretary. He indicated that the Bureau agreed that financial contributions by Contracting Parties to the Core Administrative Budget were necessary for the Secretary to achieve functional autonomy.

31. Mr Mwila indicated that he believed that the Multilateral System of Access and Benefit-sharing was a main attraction of the Treaty, and was essential to the Treaty's long-term sustainability. He underlined that it was vital for adequate resources to be made available, to encourage Contracting Parties and other stakeholders to put materials into the Multilateral System. Mr Mwila also noted the critical importance of the Funding Strategy, and stated that the Bureau had worked with the Secretary to facilitate the work of the *Ad Hoc* Advisory Committee on the Funding Strategy. He expressed gratitude for the excellent work of the Committee.

32. Mr Mwila expressed his appreciation to the Secretary of the Treaty and to FAO for preparing for the current session.

33. The Governing Body thanked the Chair for his comprehensive report and thanked all members of the Bureau for the excellent work. It congratulated Mr Bhatti for his appointment as Secretary, and expressed appreciation for the work undertaken to prepare for the Second Session. The Governing Body also thanked Mr Clive Stannard, Secretary of the Commission on Genetic Resources for Food and Agriculture, for acting as the Interim Secretary for the Treaty.

34. The Governing Body noted with concern, the low level of financial contributions made by Contracting Parties to the Core Administrative Budget, and called upon Contracting Parties to make adequate and timely contributions.

35. Some regions felt that more attention needed to be given to the implementation of the Benefit-sharing components of the Treaty and indicated that this could only be achieved if adequate funding was made available.

36. The Governing Body requested the Secretary to explore the possibilities of working with Norway and the Global Crop Diversity Trust to determine the possibility of designating the Svalbard Global Seed Vault as a World Heritage Site under the World Heritage Convention of the United Nations Educational, Scientific and Cultural Organization.

REPORT OF THE SECRETARY

37. The Secretary introduced his report as contained in document, *Report by the Secretary*.² He stated that the Treaty was at a critical stage of implementation, and that success would depend on the operationalization of the Multilateral System and the effective implementation of the Funding Strategy. As he had only recently assumed his position, he thanked the Commission on Genetic

² IT/GB-2/07/05

Resources for Food and Agriculture for ably acting as the Interim Secretariat of the Treaty, and for assisting with the smooth transition.

38. The Secretary noted that the establishment of the Multilateral System was complex and perhaps more complex than was foreseen when it was negotiated. He stated that the Multilateral System established day-to-day operations and, therefore, needed to function coherently. The SMTA was being used inconsistently in a number of jurisdictions, and there was currently no systematic, complete and reliable information on global developments within the system. The Secretary also noted that a large number of Contracting Parties were seeking basic advice and assistance for capacity building to implement the Treaty.

39. Mr Bhatti remarked that the operationalization of the Funding Strategy would be crucial for achieving the implementation of the Treaty. He stressed that resource mobilization, in accordance with Article 18.4a, is primarily the responsibility of the Contracting Parties. Mr Bhatti noted that resource mobilization discussions with several international mechanisms had been positive, however he stressed that fund-raising was highly competitive and indicated that the *Ad Hoc* Advisory Committee on the Funding Strategy had recommended the desirability of engaging a professional fund-raiser.

40. Mr Bhatti indicated the urgent need for resources in light of the rapid increase of workload for the Secretariat, and stated that the Work Programme and Budget for the 2008-09 Biennium had been designed to address the Treaty's needs to achieve a fully functional, stable operating mode.

41. Mr Bhatti informed the Governing Body of the status of ratification of the Treaty. As of 29 October 2007, 116 instruments of ratification, acceptance, approval or accession had been deposited with the Director-General of FAO. The list of Contracting Parties and Contracting States, as of October 29, 2007 is given in *Appendix C*.

42. The Governing Body took note of the Report of the Secretary and commended him for the achievements in the short time since his appointment.

FINANCIAL RULES OF THE GOVERNING BODY

43. The Governing Body considered document, *Financial Rules of the Governing Body*.³ It did not reach consensus on the need to finalize its Financial Rules at the current session, and decided to consider its Financial Rules at its Third Session.

IMPLEMENTATION OF THE FUNDING STRATEGY OF THE TREATY

44. The Governing Body considered document, *Report of the Ad Hoc Advisory Committee on the Funding Strategy*,⁴ which was presented by the Chair of the *Committee*, Mr Bert Visser (The Netherlands). It thanked the Chair and the other members of the *Committee* for the excellent work.

45. The Governing Body adopted, as *annexes* to the Funding Strategy, Priorities; Eligibility Criteria; and Operational Procedures for the use of resources under its direct control, as contained in *Appendices D.1, D.2 and D.3*, respectively.

³ IT/GB-2/07/6

⁴ IT/GB-2/07/07

46. In relation to the further development of the operational procedures for the Funding Strategy, the Governing Body agreed that the Secretary closely collaborate with the Executive Secretary of the *Global Crop Diversity Trust*, to learn from the Trust's experiences.
47. The Governing Body decided to delegate responsibility for project approval between sessions to the Bureau, under exceptional circumstances and for smaller scale projects.
48. The Governing Body considered the document, *Implementation of the Funding Strategy*,⁵ recalling that the Governing Body had adopted the Funding Strategy at its First Session. The above document identifies possible actions described under five main activity areas.
49. Several Contracting Parties recalled Article 18.4(b) which specifies that *the extent to which Contracting Parties that are developing countries and Contracting Parties with economies in transition will effectively implement their commitments under this Treaty will depend on the effective allocation, particularly by the developed country Parties, of the resources referred to in this Article. Contracting Parties that are developing countries and Contracting Parties with economies in transition will accord due priority in their own plans and programmes to building capacity in plant genetic resources for food and agriculture.* They expressed their disappointment at the slow pace of implementation of the Funding Strategy, and noted linkages between the mobilization of financial resources and the compliance provisions of the Treaty, stressing the need for clear signals from developed country partners of their willingness to fulfil their agreed commitments under the Treaty.
50. The Governing Body stressed that the successful mobilization of adequate financial resources is essential to the implementation of the Treaty, and that the Funding Strategy was an essential element in this regard. It emphasized the need for Contracting Parties to provide financial resources for national activities for the conservation and sustainable use of plant genetic resources for food and agriculture, in accordance with Article 18.4(d) of the Treaty, taking into account the *Global Plan of Action for the Conservation and Sustainable Utilization of Plant Genetic Resources for Food and Agriculture*.
51. The Governing Body generally agreed with the list of possible actions provided in the document by the Secretary, and in particular, Activity 1: Supporting Contracting Parties in Taking Measures to Ensure Effective Allocation of Resources for the Funding Strategy; and Activity 5: Reconvening of the *Ad Hoc* Advisory Committee on the Funding Strategy.
52. The Governing Body decided to reconvene the *Ad Hoc* Advisory Committee on the Funding Strategy providing the terms of reference for its work, as contained in *Appendix D.4*, which include the development of a strategic plan for the implementation of the Funding Strategy. It noted that the Committee may, where appropriate, also promote implementation of elements of the strategic plan, prior to its consideration by the Governing Body at its Third Session, in consultation with the Secretary and the Bureau.
53. The Governing Body decided that support for the participation of representatives from developing countries in the meetings of the Committee should be provided from the *Trust Fund to Support the Participation of Developing Countries*. The Governing Body urged Contracting Parties to consider the provision of additional financial resources for this purpose. It suggested that the Committee should, whenever possible, be convened back to back with other FAO meetings.

⁵ IT/GB-2/07/08

RELATIONSHIP BETWEEN THE GOVERNING BODY AND THE GLOBAL CROP DIVERSITY TRUST

54. The Executive Secretary of the Global Crop Diversity Trust, Mr Cary Fowler, introduced the main elements of document, Report of the *Global Crop Diversity Trust*.⁶ He thanked the Governing Body for the appointment of four members to the Executive Board of the Trust.

55. Mr Fowler informed the Governing Body that the significant funds received by the Trust were largely new and additional, but expressed caution that only 40 percent of the funds necessary to secure collections have been raised so far. He stressed the commitment of the Trust to the implementation of the *Global Plan of Action for the Conservation and Sustainable Utilization of Plant Genetic Resources*, and noted that the conservation and availability of agricultural biodiversity would facilitate adaptation to, and mitigation of, the impacts of climate change.

56. Mr Fowler highlighted that activities of the Trust had primarily concentrated on regeneration of threatened collections of global importance for food security; the development of information systems to document reference collections at the institutional and global levels; and basic research on cryopreservation techniques for certain crops.

57. The Governing Body thanked the Executive Secretary of the Global Crop Diversity Trust for his presentation, and noted its appreciation for the significant contribution of the Trust to the objectives of the Treaty.

58. The Governing Body welcomed the activities being undertaken by the Trust as an essential element of the Funding Strategy, but expressed concern that contributions from other elements of the Funding Strategy were yet to become available for other activities, in particular *in situ* conservation; activities involving non-*Annex I* crops; as well as local and underutilized crops of importance for food security.

59. The Governing Body recognized the executive independence of the Trust, and stressed the need for closer and effective cooperation. It emphasized that guidance for the Trust was provided under Articles 5, 6, and 17 of the *Global Plan of Action* and Articles 5 and 17 of the Treaty.

60. The Governing Body appreciated the progress made in the establishment of the Svalbard Global Seed Vault for the long-term conservation of germplasm, as reported by the representative of the Government of Norway, and took note of the official inauguration of the Vault, which is scheduled for 26 February 2008. It further noted that the Chair of the Governing Body would be invited to participate as an *ex officio* member of the International Advisory Council of the Global Seed Vault.

IMPLEMENTATION OF THE MULTILATERAL SYSTEM OF ACCESS AND BENEFIT-SHARING

61. The Governing Body considered document, *Draft Procedures for the Third Party Beneficiary*.⁷ It thanked the Director-General for having accepted in principle, its invitation for FAO to carry out, as the Third Party Beneficiary, the roles and responsibilities as identified and prescribed in the Standard Material Transfer Agreement, under its direction. It recognised that this acceptance was subject to formal approval upon review of the procedures to be established by the Governing Body.

⁶ IT-GB/2/07/10

⁷ IT/GB-2/07/12

62. The Governing Body requested the Secretary to prepare draft text setting out the procedures to be followed by FAO, when carrying out its roles and responsibilities as the Third Party Beneficiary, taking into account, in particular, FAO's role as specialized agency of the United Nations, its privileges and immunities. It invited Contracting Parties, other governments and international organizations to comment on the draft text.

63. The Governing Body decided to establish an *Ad Hoc* Third Party Beneficiary Committee, composed of seven representatives of Contracting Parties, with one representative nominated by each of the FAO Regions. The Committee's mandate is to consider the draft text prepared by the Secretary, and comments and submissions from Contracting Parties, other governments and international organizations. The *Ad Hoc* Committee shall prepare draft Third Party Beneficiary procedures to be submitted to the Governing Body at its next Session.

64. The Governing Body invited the Director-General of FAO to bring to the attention of the relevant bodies of FAO, the Governing Body's invitation, together with the procedures, once elaborated by the *Ad Hoc* Third Party Beneficiary Committee, and endorsed by the Governing Body.

65. The Governing Body considered document, *Progress in the Inclusion of Plant Genetic Resources for Food and Agriculture in the Multilateral System*.⁸ It requested the Secretary to continue gathering information on the assessment of progress in the inclusion of plant genetic resources in the Multilateral System, through cost-effective means, including gathering information from National Focal Points. Contracting Parties requested help to develop information packages on key elements of the Treaty as a means to enhance their implementation activities. The Governing Body noted with appreciation that almost 100,000 samples had already been distributed under the terms of the Standard Material Transfer Agreement by the International Agricultural Research Centres of the Consultative Group on International Agriculture, within the first nine months of 2007.

**CONSIDERATION OF THE MATERIAL TRANSFER AGREEMENT TO BE USED BY
INTERNATIONAL AGRICULTURAL RESEARCH CENTRES FOR PLANT GENETIC
RESOURCES FOR FOOD AND AGRICULTURE NOT INCLUDED IN ANNEX I OF THE
TREATY**

66. The Governing Body considered document, *Consideration of the Material Transfer Agreement to be used by International Agricultural Research Centres for Plant Genetic Resources for Food and Agriculture not included in Annex I of the Treaty*,⁹ which contains the report on the outcomes of the consultation with the International Agricultural Research Centres (IARCs) of the Consultative Group on International Agricultural Research on the implementation of Article 15.1(b) of the Treaty.

67. The unanimous preference of the IARCs was to have one instrument only, the Standard Material Transfer Agreement (SMTA), governing the transfer of both *Annex I* and non-*Annex I* material held by them, which would simplify procedures for the distribution of germplasm and hence reduce costs. The Centres noted that the SMTA made specific references to *Annex I* of the Treaty, and identified two possible options for providing clarification regarding the meaning to be given to these references in the context of non-*Annex I* material.

⁸ IT/GB-2/07/11

⁹ IT/GB-2/07/13

68. Recognizing that the application of the amended MTA would concern plant genetic resources for food and agriculture other than those listed on *Annex I* of this Treaty and collected before its entry into force that were held by IARCs, the Governing Body endorsed the option that an interpretative footnote or series of footnotes would be included to relevant provisions of the SMTA indicating that these provisions should not be interpreted as precluding the use of the SMTA for transfers of non-*Annex I* material, collected before the entry into force of the Treaty as detailed in option 2 of *Annex 2* (para 9 of IT/GB/2/07/13 rev.1). The interpretative footnote or footnotes should not be seen as amendments to the SMTA, so much as clarifications of its meaning. They would be included in all versions of the SMTA used by the IARCs under Article 15.1(b), and thus avoid the need for two versions of the SMTA. The Governing Body decided that it would review these measures during its consideration of the SMTA at its Third Session.

ADOPTION OF PROCEDURES AND OPERATIONAL MECHANISMS TO PROMOTE COMPLIANCE AND TO ADDRESS ISSUES OF NON-COMPLIANCE

69. The Governing Body considered the document, *Draft procedures and operational mechanisms to promote compliance and to address issues of non-compliance*.¹⁰ It welcomed the progress achieved by the First Session of the Governing Body on the issue of compliance, and stressed the importance of Resolution 3/2006, which established a Compliance Committee and provisional procedures on compliance. The Governing Body adopted the following Resolution:

RESOLUTION 1/2007

Compliance

THE GOVERNING BODY,

- (i) **Decides**, pursuant to Article 21 of the Treaty, to consider and approve procedures and operational mechanisms on compliance at its Third Session, on the basis of the draft procedures and operational mechanisms to promote compliance and address issues of non-compliance, which are contained in *Appendix I* to the Report of the First Session of the Governing Body, and the submissions made by Parties and observers;
- (ii) **Requests** the Secretary to compile submissions by Contracting Parties and observers;
- (iii) **Decides** to put the issue of compliance high on the agenda of the next Session of the Governing Body; and
- (iv) **Decides** to establish, as appropriate, a contact group at its next Session, which shall commence consideration of the procedures and operational mechanisms to promote compliance and address issues of non-compliance.

(Adopted on 2 November 2007)

¹⁰ IT/GB-2/07/14

IMPLEMENTATION OF ARTICLE 6, *SUSTAINABLE USE OF PLANT GENETIC RESOURCES FOR FOOD AND AGRICULTURE*

70. The Governing Body considered the document, *Compilation and Analysis of Submissions by Contracting Parties and Other Relevant Organizations Concerning the Implementation of Article 6*,¹¹ and the information document, *Information Received from Relevant Organizations Concerning the Implementation of Article 6*.¹²

71. The Governing Body reiterated the high importance it attaches to the promotion of Article 6 for the successful implementation of the Treaty. It stressed that Article 6 should continue to be a component of its Programme of Work, and a standing item on its agenda. Capacity building, research and availability of financial resources were considered to be integral components for the implementation of Article 6.

72. The Governing Body requested the Secretary to prepare a comprehensive document at its next session covering the status of the implementation of Article 6, which includes information on policy and legal measures used to achieve the objectives of the Article. It invited submissions from Contracting Parties, other governments, and relevant institutions and organizations, and urged an improved process for information gathering on the sustainable use activities, including means such as surveys, conceptual frameworks, inter-sessional meetings and workshops.

73. The Governing Body stressed the need for Contracting Parties to cooperate with the Commission on Genetic Resources for Food and Agriculture for the periodic assessment of the state of the world's plant genetic resources for food and agriculture, in order to facilitate the updating of the rolling *Global Plan of Action for the Sustainable Utilization of Plant Genetic Resources for Food and Agriculture*, as required by Article 17.3.

74. The Governing Body emphasized the importance of country-driven initiatives and programmes, as well as international cooperation and partnerships for the effective implementation of Article 6. It further acknowledged it had an important role to play in providing policy guidance and facilitating cooperation to support the successful implementation of the Article.

IMPLEMENTATION OF ARTICLE 9, *FARMERS' RIGHTS*

75. The Governing Body extended its appreciation to the Governments of Norway and Zambia for convening an informal international consultation on Farmers' Rights in Lusaka, Zambia, in September 2007, and for sharing the outcomes with the Governing Body.¹³ The Governing Body adopted the following Resolution:

¹¹ IT/GB-2/07/15

¹² IT/GB-2/07/Inf.8

¹³ *Implementation of Article 9 of the FAO International Treaty on Plant Genetic Resources for Food and Agriculture: Farmers' Rights* (IT/GB-2/07/Circ.1).

RESOLUTION 2/2007**Farmers' Rights****THE GOVERNING BODY,**

- (i) **Recalling** the recognition in the International Treaty of the enormous contribution that local and indigenous communities and farmers of all regions of the world have made, and will continue to make, for the conservation and development of plant genetic resources as the basis of food and agriculture production throughout the world;
- (ii) **Recalling** the importance of fully implementing Article 9 of the International Treaty;
- (iii) **Recalling** also that according to Article 9 of the International Treaty, the responsibility for realizing Farmers' Rights, as they relate to plant genetic resources for food and agriculture, rests with national Governments;
- (iv) **Acknowledging** that there is uncertainty in many countries as to how Farmers' Rights can be implemented and that the challenges related to the realization of Farmers' Rights are likely to vary from country to country;
- (v) **Recognizing** that exchange of experiences and mutual assistance between Contracting Parties can significantly contribute to making progress in the implementation of the provisions on Farmers' Rights in the International Treaty;
- (vi) **Recognizing** the contribution the Governing Body may give in support of the implementation of Farmers' Rights;
- (vii) **Encourages** Contracting Parties and other relevant organizations to submit views and experiences on the implementation of Farmers' Rights as set out in Article 9 of the International Treaty, involving, as appropriate, farmers' organizations and other stakeholders;
- (viii) **Requests** the Secretary to collect these views and experiences as a basis for an agenda item for consideration by the Governing Body at its Third Session to promote the realization of Farmers' Rights at the national level, and to disseminate relevant information through the website of the International Treaty, where appropriate; and
- (ix) **Appreciates** the involvement of farmers' organizations at this Second Session and affirms its commitment to continue to involve farmers' organizations in its further work, as appropriate, according to the Rules of Procedure established by the Governing Body.

(Adopted on 2 November 2007)

RELATIONSHIP BETWEEN THE GOVERNING BODY AND THE COMMISSION ON GENETIC RESOURCES FOR FOOD AND AGRICULTURE

76. The Governing Body received a report on *Mechanisms for cooperation with the Commission on Genetic Resources for Food and Agriculture*,¹⁴ which was prepared jointly by the Secretaries of the Treaty and the Commission on Genetic Resources for Food and Agriculture. The report presented the outcomes of the Commission's discussions during its Eleventh Regular Session regarding this subject, and included a draft joint statement of intent for cooperation between the two bodies.

¹⁴ IT/GB-2/07/16

77. The Governing Body thanked the Commission on Genetic Resources for Food and Agriculture for its support. It recognized the consistent and effective role that the Secretariat of the Commission had played throughout the long period of the negotiation of the Treaty, as the Interim Secretariat for the Treaty, and in the preparation of the Second Session of the Governing Body. In this regard, the Governing Body particularly thanked Mr Clive Stannard, Officer-in-Charge of the Commission on Genetic Resources for Food and Agriculture, for his dedication to the Treaty and wished him all the best in his future endeavours.

78. The Governing Body took note of the Commission's Multi-year Programme of Work, adopted at its Eleventh Session, June 2006, which foresees the presentation of the updated *State of the World's Plant Genetic Resources for Food and Agriculture* at its Twelfth Session in 2009, and consideration of the updated *Global Plan of Action for the Conservation and Sustainable Utilization of Plant Genetic Resources for Food and Agriculture (Global Plan of Action)* for adoption, as well as a review of cooperation with the Governing Body, at its Thirteenth Session.

79. The Governing Body requested all Contracting Parties to cooperate in the updating of *The State of the World's Plant Genetic Resources for Food and Agriculture*, in order to facilitate the updating of the *Global Plan of Action*, as foreseen in Article 17.3 of the Treaty. The Facilitating Mechanism for the *Global Plan of Action* was also recognized as an important tool that could contribute to the identification of potential resources for the implementation of the Funding Strategy.

80. The Governing Body stressed the necessity of ensuring close and effective cooperation between it and the Commission. It requested its Secretary to continue to work closely with the Secretary of the Commission on a regular basis, on matters of common interest.

81. The Governing Body requested that the two Secretaries prepare a comprehensive paper identifying the repartition of their fields of intergovernmental work. The two Secretaries, in consultation with FAO's Plant Production and Protection Division (AGP), and the International Agricultural Research Centres and the Global Crop Diversity Trust, will collaborate to ensure the overall effectiveness of technical activities on plant genetic resources for food and agriculture, thereby avoiding overlap and duplication, and ensuring the optimal use of resources.

82. The Governing Body revised and adopted the draft joint statement of intention, as contained in *Appendix E* to the current report, and invited the Commission to also adopt it at its next session.

REPORT ON THE STATUS OF COOPERATION WITH OTHER INTERNATIONAL ORGANIZATIONS, INCLUDING AGREEMENTS BETWEEN THE GOVERNING BODY AND THE INTERNATIONAL AGRICULTURAL RESEARCH CENTERS OF THE CONSULTATIVE GROUP ON INTERNATIONAL AGRICULTURAL RESEARCH AND OTHER RELEVANT INTERNATIONAL INSTITUTIONS

83. The Governing Body considered the document, *Report on the Status of Cooperation with Other International Organizations, Including Agreements between the Governing Body and the International Agricultural Research Centers of the Consultative Group on International Agricultural Research and Other Relevant International Institutions*.¹⁵

84. The Governing Body recognized the importance of collaboration between the Secretary of the Treaty and the International Agricultural Research Centers in the implementation of the Treaty. It

¹⁵ IT/GB-2/07/17

expressed appreciation for the joint programme set up by FAO and Bioversity International to provide technical assistance to facilitate developing country implementation of the Treaty, and in particular, to initiate the Multilateral System.

85. The Governing Body called for continued collaboration with the Convention on Biological Diversity, especially in regard to the conservation and sustainable use of agricultural biological diversity, and access and benefit sharing.

86. Recalling Article 18.4(a), the Governing Body acknowledged the important role of the Global Crop Diversity Trust in assisting the implementation of the Treaty, and stressed the need for mobilization of funds from other international mechanisms, including the Common Fund for Commodities and the Global Environment Facility.

87. The Governing Body requested that the Secretary participate in relevant meetings of the World Intellectual Property Organization, the International Union for the Protection of New Varieties of Plants and the World Trade Organization. It also requested the Secretary to report on relevant activities undertaken by international organizations, and consult with relevant private sector interests to identify potential areas for collaboration with the Treaty, in regard to plant genetic resources.

88. The Governing Body welcomed the proposal by the South Pacific Community Genebank and the International Cocoa Gene Banks, to enter into agreement under Article 15.5 of the Treaty, and requested the Director-General of FAO to enter into agreements with these genebanks on behalf of the Governing Body, and would welcome further agreements with other relevant institutions.

POSSIBLE ESTABLISHMENT OF A PERMANENT TECHNICAL ADVISORY COMMITTEE

89. The Governing Body considered document, *Possible establishment of a permanent Technical Advisory Committee*.¹⁶ The document presented four options for the consideration of the Governing Body.

90. The Governing Body agreed that the establishment of a permanent subsidiary body is premature. It decided that *ad hoc* technical bodies with focused, specialized and outcome-oriented terms of reference offer the best approach for the time being. The Governing Body noted the interest expressed by some Contracting Parties to consider, in the future, establishment of a joint technical committee with the Commission on Genetic Resources for Food and Agriculture.

ADOPTION OF THE PROGRAMME OF WORK AND BUDGET FOR 2008/09

91. The Governing Body adopted the Programme and Work and Budget 2008-09, as contained in *Appendix F* to this Report, by the following resolution:

¹⁶ IT/GB-2/07/18

RESOLUTION 3/2007**Programme of Work and Budget 2008-09****THE GOVERNING BODY,**

- (i) **Adopts** the Core Administrative Budget for the biennium 2008-09, as indicated in *Annex 1 of Appendix F*;
- (ii) **Approves** a working capital reserve for the biennium 2008-09 at the level of 10 percent of the Core Administrative Budget, excluding the FAO contribution;
- (iii) **Recalls** that the FAO Governing Bodies have determined that the International Treaty on Plant Genetic Resources for Food and Agriculture is a priority FAO activity;
- (iv) **Recognizes** that the Treaty is at a critical stage of implementation;
- (v) **Expresses** its concern at the limited level of contributions by Contracting Parties to the Core Administrative Budget for the biennium 2006-07 to date;
- (vi) **Takes note** of the proposed contribution by FAO of US\$ 1,607,000;
- (vii) **Expresses** its concern as to the adequacy of the amount provided for the Treaty in the Regular Budget of FAO for the current biennium to cover the Core Administrative Budget of the Treaty, and **invites** the Governing Bodies of FAO to fund a significantly higher proportion of the Core Administrative Budget of the Treaty in future biennia, than in the biennium 2006-07;
- (viii) **Urges** all Contracting Parties and States that are not Contracting Parties, as well as intergovernmental organizations, non-governmental organizations and other entities, to contribute to the Core Administrative Budget and the Special Funds of the Treaty;
- (ix) **Notes** the Secretariat staffing table for the biennium 2008-09 set out in *Annex 2 of Appendix F* to this Report, recognizing that the precise staffing arrangements are a matter of the normal executive authority of the Secretary;
- (x) **Decides** that the contribution of the FAO shall be used before any other source of income is used for the funding of the Core Administrative Budget;
- (xi) **Invites** Contracting Parties and States that are not Contracting Parties to provide in-kind support to the Secretary, including through the secondment, as appropriate, of staff, taking into consideration criteria of competence and regional balance in the staff;
- (xii) **Authorizes** the Secretary to transfer resources between the main appropriation lines of the Core Administrative Budget up to an aggregate of 15 percent of the Operating Budget, provided that no more than 25 percent of any main appropriation line may be transferred to another;
- (xiii) **Decides** that the meetings identified in the Core Administrative Budget, and other meetings agreed upon by the Governing Body, shall constitute the work programme for the Governing Body for the biennium 2008-09;

(xiv) **Requests** the Secretary to convene meetings of the *Ad hoc* Advisory Committee for the Funding Strategy, under the Special Funds referred to in Rule VI.2c of the Financial Rules of the Treaty;

(vx) **Decides** to create a “Coordinating Mechanism for Capacity Building” for the national implementation of the Treaty, subject to the availability of funds, whose operation shall for the 2008-09 biennium be funded from voluntary contributions to the Special Funds referred to in Rule VI.2b of the Financial Rules of the Treaty.¹⁷

(xvi) **Requests** the Secretary to provide to the Contracting Parties, within three months after the closure of this session, an estimate of the cost for:

1. Implementation of each of the activities to be funded under the Special Funds referred to in Rule VI.2b of the Financial Rules of the Treaty; and
2. Provision of support to developing country Contracting Parties and Contracting Parties with economies in transition, to be funded under the Fund referred to in Rule VI.2c of the Financial Rules of the Treaty for the biennium 2008-09.

(xvii) **Decides** that Contracting Parties that are developing countries or countries with economies in transition, should be informed in a timely manner by the Secretary, before a meeting, of the availability of funding for their participation in that meeting from the Fund referred to in Rule VI.2c of the Financial Rules of the Treaty. Where such funding is limited, priority should be given to the least developed countries;

(xviii) **Requests** the Secretary to prepare and submit a Draft Programme of Work, including a Secretariat staffing table and a Draft Resolution on the Programme of Work and Budget, for the biennium 2010-11 for the consideration of the Governing Body at its Third Session, and to report on progress on income and expenditures, as well as any adjustments made to the budget for the biennium 2008-09;

(xix) **Requests** the Secretary, working with the Bureau, to prepare and submit a Business Plan for the implementation of the Treaty, for consideration by the Governing Body at its Third Session and decision at its Fourth Session.

(Adopted on 2 November 2007)

DATE AND PLACE OF THE THIRD SESSION OF THE GOVERNING BODY

92. The Governing Body welcomed the generous offer of Tunisia to host the Third Session of the Governing Body in the first quarter of 2009. The Bureau would decide on the specific date for the session in consultation with the Secretary, and the Secretary will then notify all Contracting Parties.

ELECTION OF THE CHAIR AND VICE-CHAIRS OF THE THIRD SESSION OF THE GOVERNING BODY

93. The Governing Body elected its Chair and Vice-Chairs for its Third Session. Mr Godfrey Mwila (Zambia) was elected Chair. Six Vice-Chairs were elected: Mr Sugiono Moeljopawiro

¹⁷ The Government of the Kingdom of Spain pledged substantial funds to cover this activity

(Indonesia); Ms Anna Somerville (Australia), Mr Campbell Davidson (Canada), Mr Modesto Fernández Díaz-Silveira (Cuba), Mr François Pythoud (Switzerland) and Ms Hanaiya El-Itriby (Egypt).

OTHER BUSINESS

94. The Governing Body acknowledged the important outcomes of the first International Technical Conference on Animal Genetic Resources for Food and Agriculture, held in September 2007, in Interlaken, Switzerland: the *State of the World's Animal Genetic Resources for Food and Agriculture* as the first global authoritative survey of this essential resources; and the *Global Plan of Action for Animal Genetic Resources for Food and Agriculture*, as a major component of the overall global framework for agricultural biodiversity. The Governing Body called for coordinated and collaborative management for the sustainable use, development and conservation of both plant genetic resources and animal genetic resources for food and agriculture, and, in particular, in relation to forage and grassland genetic resources.

95. A representative from the Government of Switzerland noted that it is unclear as to what criteria or rationale is being used to determine when the Governing Body of the Treaty would use a Resolution rather than an operative paragraph in adopting its decisions, and requested the Bureau to consider this matter and provide its advice during the Third Session of the Governing Body.

CLOSING CEREMONY

96. The Secretary, Mr Shakeel Bhatti, stated that the Governing Body had achieved a major step towards the implementation of the Treaty. With the adoption of the Work Programme and Budget, the Governing Body had given the Treaty a vision for its future and for the implementation process that lay ahead. As the Secretary of the Treaty, he would ensure that the Treaty was implemented in accordance with the guidance that the Governing Body had provided and looked forward to working closely with Contracting Parties and the Bureau in that regard.

97. He thanked the Director-General of FAO for the keen interest he had shown in the Treaty, which was reflected not only in his presence at the First and Second Sessions of the Governing Body but also in the close attention he paid whenever the Secretary briefed him on the progress of the Treaty. Mr Bhatti also thanked the Interim Secretariat for its support to him and for the outstanding work it had done over many years in making the Treaty a reality.

98. Mr Ahmed Djoghlaif, Executive Secretary, Convention on Biological Diversity, stated that it was an honour to address the Second Session of the Governing Body. He noted that, as stipulated in the text of the Treaty itself, the conservation and the sustainable use of plant genetic resources will be attained by closely linking the Treaty to the Convention on Biological Diversity. Mr Djoghlaif stressed that collaboration would strengthen and move both the Treaty and the Convention further along the path to full implementation.

99. Mr Djoghlaif emphasized that the Treaty is vital to ensuring the continued availability of the plant genetic resources that countries will need to feed their people. Biological diversity is essential for the development of crop varieties and the breeding of domesticated livestock, as well as supporting agricultural production through pollinators, soil organisms and the natural enemies of crop pests. He emphasized that the Treaty's implementation will significantly contribute to the implementation of the Programme of Work on Agriculture under the Convention, and that the Convention also welcomes the

Treaty's contribution to the cross-cutting initiative on biodiversity for food and nutrition. Mr Djoghlaif's speech is contained in *Appendix G.1*.

100. Mr Jacques Diouf, Director-General of FAO, stated that it was a pleasure to address the Second Session of the Governing Body, and that he was extremely proud of the Treaty being the only global instrument for the international governance of genetic resources for food and agriculture. He stressed the importance of the Treaty's Multilateral System of Access and Benefit-sharing, which constitutes an innovative instrument to address major global challenges including: achieving food security in a fast changing environment due to climate change; undertaking agricultural development through improved equity in the exchange of genetic resources; recognition of Farmers' Rights; and reducing genetic diversity erosion.

101. Mr Diouf noted that at this moment, the Treaty depends on crucial investments of financial resources; coherence in the implementation of the Treaty at the national and international levels; adequate support to developing countries; and full implementation of the Multilateral System. He pledged to carefully follow the progress made in the implementation of the Treaty, and would ensure that FAO devoted the necessary effort to contribute to the success of the Treaty. Mr Diouf's speech is contained in *Appendix G.2*.

102. The Governing Body expressed its thanks to the Governments of Canada, Italy, Spain and The Netherlands, for their past contributions and their pledges for further contributions to both the Core Administrative Budget and various Trust Funds of the Treaty. It also noted the pledge by The Netherlands that it had made its own voluntary contribution and will make further voluntary contributions to the approved Budget, in accordance with an assessment based on the FAO scale of contributions.

103. Several representatives from developing countries expressed appreciation for the financial support received from a number of donors, which enabled their participation in the Second Session. The African Region expressed gratitude for the interpretation services that had been provided during regional consultations, noting that this had significantly facilitated the region's preparation for the Second Session. The African Region requested the Secretary to provide, in future, interpretation services for regional consultations through the duration of Sessions of the Governing Body.

104. Several regional representatives thanked the Chair for his leadership and calm and fair manner in which he had conducted the meeting. They also thanked the Vice-Chairs and *Rapporteur* for their dedicated work, which had led to a successful result. The representatives expressed gratitude to the Secretary and his team, and all those that had contributed to the preparation and conduct of the Second Session. They appreciated the high quality of documents, interpretation and translation services, as well as the professional conduct and friendly manner of all the support staff.

105. Mr Sumpsi, Assistant Director-General FAO, congratulated Contracting Parties on the agreement reached on the Work Programme and Budget for 2008-2009 and urged Contracting Parties to make their contributions to the Core Administrative Budget of the Treaty. Recognising the independence of the Treaty, he expressed his strong support for its implementation and his confidence that the Treaty would become a critical tool for improving food security of future generations.

106. A representative of Bioversity International, speaking on behalf of the Consultative Group on International Agricultural Research, pledged to continue supporting the implementation of various elements of the Treaty.

107. The Governing Body paid tribute to Mr Clive Stannard, who was retiring from FAO. It recognised the many years of commitment and hard work he had dedicated to FAO and its Commission on Genetic Resources for Food and Agriculture as well as the Interim Secretariat of the Treaty. It thanked him for the invaluable intellectual inputs and strategic vision he brought to the processes that led to the adoption of the Treaty. It wished him well in his retirement and all future endeavours he might engage in.

108. The Chair expressed his gratitude for all the support he had received from members of the Bureau, the participants to the Second Session of the Governing Body, and the Secretariat. He noted with appreciation, the participation of Mr Diouf and Mr Djoghlaif, in the closing of the Second Session.

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APPENDIX A**AGENDA OF THE SECOND REGULAR SESSION OF THE GOVERNING BODY**

1. Adoption of the Agenda and Timetable
2. Election of the *Rapporteur*
3. Appointment of the Credentials Committee
4. Establishment of a Budget Committee
5. Report of the Chair
6. Report of the Secretary
7. Adoption of the Financial Rules of the Governing Body
8. Implementation of the Funding Strategy of the Treaty
9. Relationship between the Governing Body and the Global Crop Diversity Trust
10. Implementation of the Multilateral System of Access and Benefit-sharing
11. Consideration of the Material Transfer Agreement to be used by the International Agricultural Research Centres of the Consultative Group on International Agricultural Research and other relevant international institutions, for Plant Genetic Resources for Food and Agriculture not included in *Annex 1* of the Treaty
12. Adoption of procedures and operational mechanisms to promote compliance and to address issues of non-compliance
13. Implementation of Article 6, *Sustainable Use of Plant Genetic Resources*
14. Implementation of Article 9, *Farmers' Rights*
15. Relationship between the Governing Body and the Commission on Genetic Resources for Food and Agriculture
16. Report on the status of cooperation with other international organizations, including Agreements between the Governing Body and the International Agricultural Research Centres of the Consultative Group on International Agricultural Research and other relevant international institutions
17. Possible establishment of a permanent Technical Advisory Committee
18. Adoption of the Programme of Work and Budget for 2008/09
19. Date and place of the Third Session of the Governing Body
20. Election of the Chair and Vice-Chairs of the Third Session of the Governing Body
21. Other business
22. Adoption of the report

APPENDIX B**OPENING CEREMONY OF THE SECOND SESSION OF THE GOVERNING BODY OF
THE INTERNATIONAL TREATY ON PLANT GENETIC RESOURCES FOR FOOD AND
AGRICULTURE**

Rome, 29 October 2007

Speech of Ambassador José Antônio Marcondes de Carvalho, Permanent Representative of Brazil to FAO, delivered on behalf of His Excellency Silas Brasileiro, Deputy Minister, Ministry of Agriculture, Livestock and Food Supply of the Federative Republic of Brazil

Mr Director-General of FAO, Distinguished Delegates, Ladies and Gentlemen,

Good morning.

It had been the intention of the Deputy Minister of Agriculture, Livestock and Food Supply and his Secretary for Agricultural and Cooperative Affairs to participate at this session, but unfortunately, for reasons beyond their control, they are unable to be with us today, so I shall read on his behalf the notes he prepared for this event.

The Government of Brazil presents its cordial greetings and hopes that by the end of the week we will have succeeded in approving the operational procedures and mechanisms needed to bolster the exchange and conservation of plant genetic resources for food and agriculture, for the benefit of farmers in all our countries and humanity as a whole.

I take this opportunity to highlight the work carried out by the *Bureau* of the Governing Body since the session in Madrid, and to thank its Chairman, Mr Godfrey Mwila, and all *Bureau* members. I should also like to congratulate Dr Shakeel Bhatti on his appointment as Secretary of the International Treaty on Plant Genetic Resources for Food and Agriculture. We are convinced that, with his energy and ability, he will inject the dynamic pace needed for the Treaty to achieve its objectives. We should also like to express our gratitude to the Food and Agriculture Organization of the United Nations, FAO, for hosting this Second Session of the Governing Body of the Treaty, in clear demonstration of its commitment to plant breeding, farmers' rights, food security and agricultural development throughout the world.

The Government of Brazil enthusiastically supports the International Treaty because it is an instrument that recognizes the special nature of plant genetic resources for food and agriculture and because it deals with their specific needs.

Food security in our countries depends on our successfully and effectively implementing the Multilateral System of Access and Benefit-sharing established in the International Treaty, because of our interdependence on genetic resources originating in other regions and the ongoing need to overcome the factors limiting agricultural production.

Brazil has much to offer to the Multilateral System because of the many accessions of *Annex I* species in its collections and because of its research on tropical agriculture which cooperates increasingly with other countries, especially the least developed. By way of example, I should like to mention the very recent opening of an office of the Brazilian Agricultural Research Cooperation (EMBRAPA) in Accra, Ghana, to better understand and address the demands of the sector in the African continent. In fact, international cooperation is one of the most important elements of the Treaty that brings us together.

That is why we consider it essential for the developed countries and holders of some of the most important genebanks in the world to become parties to the International Treaty. We thus invite all countries that have not yet acceded to do so without delay and to join us in building a global partnership for crop diversity and food security.

We also urge countries to enact legal provision for recognition of farmers' rights, as a foundation for the effective realization of their rights under the Treaty, in addition to their human rights.

It is very important to emphasize the harmonization in aims and operational mechanisms of the International Treaty on Plant Genetic Resources for Food and Agriculture and the Convention on Biological Diversity.

In this connection, we wish to emphasize that the scope of the International Treaty on Plant Genetic Resources for Food and Agriculture extends to all plant genetic resources used for this purpose. We thus urge that countries, in the exercise of their sovereign right, consider the benefits of a comprehensive and effective Multilateral System, in which materials used for the specific purpose of breeding new varieties can be exchanged cheaply and easily. We could perhaps also reconcile the differences that prevent us from using this operational mechanism of access and benefit-sharing to other agricultural species.

We are happy with the process established for implementation of the Multilateral System, with the development of the information technology needed to integrate national and regional databases in a transparent and accessible manner. It is an honour to have been chosen to participate in initial actions to implement the System, which will be demonstrated here during the week. We consider it a priority to maintain this close collaboration for development of the System.

However the Government of Brazil is also aware of its role in the international commitments assumed on behalf of its citizens and will take every step to continue exchanging plant genetic resources for food and agriculture, always mindful of countries' sovereign rights over their genetic resources.

We need to recall that the most important contribution to result from the Treaty are the new plant varieties developed from accessions exchanged under the Multilateral System. These constitute the foundation for a more efficient and sustainable agriculture, adapted to human requirements and able to address the challenges of a growing world population and climate change, with the necessary empowerment of farmers, for the elimination of hunger and extreme poverty.

Our countries need to actively promote plant breeding and thereby ensure the availability of varieties adapted to local needs and a broadening of the crop genetic base, including through the establishment of technical cooperation and assistance networks at national and international level.

In this task we should remain focused and not dwell on issues unrelated to the pursuit of the clear and practical objectives of the Treaty, and should base our actions on well founded scientific information.

We wish to emphasize the central importance of a financial strategy for implementation of the Treaty. The effective allocation of financial resources will be essential to enable the developing countries to meet their obligations under the Treaty and to realize the potential benefits of their genetic resources.

In this way we will have succeeded in sharing the benefits and thereby achieving all the objectives of the International Treaty and, above all, ensuring the availability of genetic resources for future generations. This is the challenge we face, and I am sure that we will rise to the occasion during this Second Session of the Governing Body of the International Treaty.

Thank you very much.

Opening Ceremony of the Second Session of the Governing Body of the International Treaty on Plant Genetic Resources for Food and Agriculture

Rome, 29 October 2007

Speech of Mr Dean Oestreich, Pioneer President and DuPont Vice President and General Manager

I am deeply honoured to participate in this opening ceremony of the Second Session of the Governing Body of the International Treaty. I understand that this is the first time in the history of the International Treaty that private industry has been directly invited to participate. Thank you for the invitation.

Let me first tell you about myself. I grew up on a small farm in Minnesota, in the north-central United States, and I learned early on the importance of high-quality seed. That knowledge led me to become a plant breeder, where I learned firsthand how important it is to have access to the best breeding material. During the course of my life, I have seen significant improvements in agricultural productivity as a direct result of the hard work of dedicated plant breeders.

From my work as a plant breeder and now as president of one of the world's largest seed companies, I have always placed the needs of farmers first and foremost in my mind. Commercial seed must make the lives of farmers better. It must reduce their risk and enable them to produce the highest yielding and best agricultural products. It must take into account total farming practices and good land management.

We must always approach the job of meeting the needs of farmers with a long-term perspective. The research, development and testing required to produce a new product commonly takes a decade, and most often longer. At Pioneer, we refer to this long-term perspective as the "Long Look." We are here today because FAO has approached the issue of access and benefit sharing for food and agriculture with just such a long look.

The needs of future generations of farmers, and the societies that depend upon them, will be great. Yields of all crops must increase; crops must have the genetic potential to withstand increasing environmental stress; and the nutritional characteristics of crops must be maximized. The technology exists today to meet these challenges, but we must work together to make this happen for all of the world's citizens. So, thank you to the United Nations and FAO for having the vision to develop the International Treaty and provide a framework where public and private sectors can work together to meet the needs of all the worlds farmers for many generations to come.

Pioneer, together with the American Seed Trade Association and the Biotechnology Industry Organization, has been and will continue to be a strong advocate for ratification of the International Treaty by the U.S. Senate. As the treaty is implemented, I hope that private industry and governments around the world will continue to work together to ensure that the Treaty fully meets the objectives of conservation, equitable benefit sharing and sustainable use in a manner that serves the needs of all stakeholders.

Multilateral agreements that ensure conservation and use with equitable benefits are crucial to allow genetic resources to be available to plant breeders so that they, in turn, can help farmers improve their profitability. The International Treaty, thereby, assures access to a broad array of germplasm for most crops of major importance for plant breeders in all signatory nations. I would like to see additional crop species added to the Treaty Annex so that the conservation and use of all major crop species is assured.

The implementation of the International Treaty must be adequately funded. Equitable benefit sharing and funding by world governments must be at a level sufficient to ensure that the multilateral system is vibrant and healthy for the needs of future generations. I encourage all of my peers in the private sector to provide financial support to the International Treaty.

Pioneer is working to improve crop productivity in developing as well as developed countries. We do business in 70 countries, and I have had the privilege to talk with farmers the world over. Whether I am with a wheat farmer in the U.S. West Central Plains' irrigation area; a soybean farmer in the Cerrados of Brazil; a dairy farmer in Italy's Po River valley; or a two-acre maize farmer in China or Kenya caring for his family, they all share common feelings. They passionately care about their livelihood; they are continually striving to improve their agronomic practices; and they are rapid adopters of seed and other agricultural technologies that improve their food and income security.

Agriculture transcends borders, and like the journeys all of us have made, crop varieties and hybrids have pedigrees that span the globe. No single nation is self-sufficient with respect to the crop varieties or breeding materials it will need to provide for its citizens or the economy. Agriculture creates a common bond, uniting all of us through the cultivated crops upon which we depend, both as individuals and as a society.

So, it is appropriate that we should meet here, under the auspices of the United Nations. Here we unite to witness our shared vision and affirm our work toward achieving the common goals of conservation, equitable benefit sharing and sustainable use of plant genetic resources for agriculture. Together we establish the genetic resources framework that generations of humankind will depend on for health, income security and a cleaner environment.

Opening Ceremony of the Second Session of the Governing Body of the International Treaty on Plant Genetic Resources for Food and Agriculture

Rome, 29 October 2007

Speech of Mr Sunda Ram Verma and Mr Anil K. Gupta, Society for Research and Initiatives for Sustainable Technologies and Institutions (SRISTI) and Honey Bee Network, India

In conformity with the preamble of the Treaty, a farmer and an advocate for their rights together present before you a case for strengthening various provisions of the Treaty such that the bridges between farmer breeders, institutional scientists, private seed companies and public bodies are built in a synergistic manner. It is true that much of the contribution of farmers forms the foundation of the development of the varieties by public and private institutions. And yet, not much benefit has flown towards the farmers so far. Honey Bee Network and SRISTI (Society for Research and Institutions for Sustainable Technologies and Institutions) have worked hard to give voice and visibility to the efforts of farmer innovators and traditional knowledge holders.

In the first part, Sunda Ram, a farmer breeder and a Honey Bee Network collaborator from Danta Village, District Sikar, Rajasthan, India will present his experience of developing varieties and articulate the expectation from the Treaty.

In second part, Anil Gupta, Coordinator, SRISTI, founder, Honey Bee Network and NIF (National Innovation Foundation) will share the policy alternatives. He will also make suggestions about the portfolio of monetary and non-monetary incentives which can be given to individual and communities engaged in conserving, augmenting and disseminating agro biodiversity.

Finally, some of the unresolved issues will be flagged so that the Treaty members can help advance the cause of farmers' rights. There is a tendency to spend far more resources and time on discussing the rights of growers and consumers of farmer varieties compared to the discussion on the rights of farmer breeders and conservators. In the interest of promotion of grassroots innovations by farmers, we need to balance our approach.

Part I

While cultivating six hectares of land in a semi arid region with rainfall of less than twenty inches annually, I have faced tremendous risk and uncertainty. I have developed many technologies including a method of growing trees which require only one litre of water once in their life time. Afterwards, almost 85 per cent of the seedlings survive through natural rainfall. One of my constant challenges has been to look for varieties of different crops that I grow, select potentially promising lines and find more productive, pest and disease resistant varieties. Having been a member of Honey Bee Network for over twelve years, while scouting for other innovators and traditional knowledge holders, I have noticed that many farmers are not aware of the potential that some of their traditional varieties may have. Through various selections of off-type plants which may have promising properties, I have selected many varieties. The most distinguished variety that I have developed is a variety of chilly (daanta selection). It has very high colour value and the buyers come to my farm to buy all the chilly that we grow. I have also developed a variety of gram (SR 1) which has the larger grain size, higher productivity and requires less water. In addition, I have developed new varieties of pulse and guwar, requiring less water having shorter duration and higher yield. I have also screened varieties developed by other farmers received by Honey Bee Network so that apart from the valuation done by the scientists, I can generate independent assessment through my own farm trials.

While doing various selections, I have faced several problems which prevent me from realizing my rights under the PPVFRA properly. For instance, I have characterized a variety in my own way but

unless it is also characterized by the National Bureau of Plant Genetic Resources or state agricultural university or department, it may not carry the same effect. Once the characterization is done, other farmers will have more trust in the claims.

Just as scientists get resources for screening varieties, farmer breeders like me should also get resources to screen varieties developed by other farmers and some times even by scientists. I appreciate the support given by NIF and Honey Bee Network for this purpose.

The varieties developed by institutional scientists are given opportunities of multi location trials, demonstration and see multiplication. But, the varieties that I developed do not often reach the other farmers in distant locations because I lack resources for the purpose. I cannot advertise my varieties and I cannot distribute samples for popularizing it. Therefore, the diffusion of my varieties even when they are better than the institutionally developed varieties does not take place as is possible. The food security is linked to the farmer's security. The International Treaty provides opportunity for benefit sharing and access to new varieties. Farmers do not mind sharing their varieties. I have never hesitated in giving seeds of my selection to other farmers. But, when seed companies or private traders or farmer traders came to know about my variety, they contacted me and I gave them seeds in good faith. Later, the traders and seed companies may have diffused my variety but I got no compensation or other durable benefits. The fact that I am standing before you and making a case for strengthening the Treaty shows that the promise of the Treaty is not hallow. It has already begun to recognize farmer breeders as well as conservators of agro biodiversity. I hope that Prof. Gupta would highlight the mechanisms both at national and international level through which farmers like me can have better options for protecting my rights.

Part II

When we started Honey Bee Network about two decades ago, we had not realized that creative potential of farmers, both individuals as well as communities was so rich and widespread. Out of about 70000 innovations and traditional knowledge documented by Honey Bee Network collaborators from over 500 districts of India and deposited with NIF, about 20000 are contributed by SRISTI. Large number of farmer breeders have been scouted who have developed varieties of cereals, pulses, oil seeds, plantation crops, and medicinal and aromatic plants. In one case, a variety of paddy popularly known as HMT developed by Dada Khobragade has diffused over a million hectares in several southern, central and western Indian states. In some of the districts of central India, it is the variety of first choice by the farmers. A recent doctoral research study has revealed that for a character like thinnest of grain, PPVFRA uses this farmer bred variety as a reference (Sinha, 2007, personal communication). Subsequently, this variety was taken up by the state agricultural university scientists to purify and then release as PKV HMT. However, the DNA finger printing studies at Centre for Cellular and Molecular Biology (CCMB) under the guidance of Dr. Ramesh Agarwal have revealed that PKV HMT is essentially the same variety as HMT (Sinha, 2007). Several seed companies have earned millions of dollars by selling the seed of his variety. But, the farmer continues to be very poor and got no benefit whatsoever from the prosperity it brought to thousands of farmers and dozens of seed companies. It is obvious that in such cases, the benefit sharing can only be facilitated by the national authorities.

The other varieties developed by the farmers which have provided unique properties. Morla variety of groundnut developed by Thakarshi bhai in Saurashtra had two particular characteristics not reported from the many national and international collections. One was a strong peg which meant that not many pods were left in the ground while digging it. Second, smooth surface of the pod, i.e., the absence of the ridges so that soil did not get deposited in the grooves making the pod heavier and thus liable to be left in the soil while digging the groundnut. Scientists did not pay much attention to these two peculiarities. Sunda Ram discovered another property in this variety: it does not suffer from iron deficiency. Large number of farmers' varieties get rejected either because of being compared on wrong parameters or with wrong reference points. It is very important that farmer breeding is seen not just as a yield improving exercise but also as an effort to tailor local diversity in the germplasm to suit

the specific needs. In a study on matching breeders objective with farmers choices (Gupta, 1984), I had shown that while scientists selected varieties in dry regions with higher harvest index, the farmers did the opposite. In the farmer's variety, there was more straw than grain. It was obvious that farmers being dependent upon livestock gave much more importance for the content and quality which most breeders somehow give less attention to. Farmers also identify sometime unique characters of which the real significance manifests after long time. For instance, Dulha bhai in Sabarkanta district of Gujarat, found two plants of pigeon pea having red colour and early bearing. The significance of the colour was that while yellow colour attracted lot of pests, the red did not. Such a finding has not come out of the large national and international programme till then. White flowered cardamom, dwarf jack fruit, less pungent and deep coloured chilly variety, viz., rasham patto of sarmath (Sinha, 2007) became a variety of choice for pickles for a long time.

The promotion of farmers' rights requires several articles of the Treaty to be strengthened and implemented much more strongly. Let me make some specific observation and suggestions about the importance of the Treaty for Honey Bee Network members and many other farmer rights leader groups.

- a. The multilateral system of access and benefit sharing provides certain norms for exchange of materials across countries. The tracking system of such exchange has to be developed so that farmers and their community can track as to whose material is being used in the breeding programmes in the public or private sector within or outside the country. A farmers rights based grassroots information system will have to be developed to inform and empower the communities and the individuals.
- b. For registration of the varieties with the National Plant Variety and Farmers' Rights Authority, considerable amount of data is required. It is not going to be possible for farmers to generate the data without the help of scientists. The Treaty must organize international fund to finance generation of data and ensuring or facilitating negotiations for benefit sharing.
- c. The benefit sharing can be monetary or non-monetary terms aimed at individuals or groups. A Portfolio of incentives has to be developed to suit cultural, social and economic diversity around the world. Honey Bee Network would like to cooperate and partner with CGFRA so that a roaster or a catalogue of farmers varieties for wider dissemination could be developed. It is seldom that a variety as such gets released elsewhere or directly used in the breeding programme. The derivative crosses pooling characteristics from many farmer varieties or land races are often used in developing new varieties in the formal research systems, tracking contribution of different farming communities and individuals is difficult but not impossible. We have to create examples of benefit sharing within and across the countries so as to reinvigorate the exchange of germplasm across the countries.
- d. One of the rights that farmers would prefer to exercise is to have access to the other farmers' varieties for testing, screening and value addition at their end. We have to create funding mechanisms for farmers who conserve local varieties of their regions at their farm, develop new varieties and for screening selections from other farmers. A parallel coordinated research programme of farmer breeders needs to be developed at the international level. Not only will it empower the innovations by farmer breeders but also generate new insights about the correspondence between ecological conditions and the shaping of agro biodiversity.
- e. Farmers have been quite aware of the food processing and nutraceutical properties of many of the varieties. However, the descriptors used by the gene banks around the world persistently ignore the data on such valuable knowledge provided by women and men.

The implication is that the food processing and the nutraceutical industry is not able to create market for such valuable land races and farmers varieties. Obviously therefore, benefits do not flow. This is particularly true for high fibre containing minor millets.

- f. The evaluation of farmers' varieties under very differently managed research farms, sometimes, does not allow full potential to manifest. Therefore, the proposed network of farmer breeders around the world on the pattern of Honey Bee Network would require institutional mechanisms of information exchange, technical and financial support for proper evaluation of the varieties and for submission of application to the national plant variety authorities. By restricting benefit sharing only to the use of unmodified germplasm, we are limiting the scope of the Treaty a great deal. Benefit sharing must take place if the characteristics identified and described by the farmers are incorporated in the varieties developed by private or public sector.
- g. *In situ* conservation by the farmer breeders and communities should receive as much attention if not more, as *ex situ* conservation. Global Diversity Trust has emerged quite rightly to focus on *ex situ* conservation, but what is the global thinking for *in situ* conservation. We regret that not even one per cent of total funds are allocated for the *in situ* conservation by farmer breeders and their communities. We need urgent action in this regard.

There are many other modifications that can be made to strengthen the Treaty and its objectives. The correspondence between the IPR laws and the new plant variety and seed legislations in many countries is not easy because the plant variety laws do not incorporate the concept of farmers' rights as done in India. The benefit sharing is to be encouraged and non-mandatory if the product is made available to other without restrictions for research. Wherever breeder exemptions are incorporated, the same conditions may apply. Rather than relying only on the legal instruments, the wider seed companies and other users of genetic diversity in biotech industry should be encouraged to contribute regularly to the gene fund.

SRISTI and Honey Bee Network are committed to advance the cause of farmers' rights and building of bridges between formal and informal science. The Treaty provides a viable platform forging such bridges. We hope that member countries will come forward and encourage farmer to farmer exchange of information, germplasm and knowledge and experience in dealing with public and private agencies.

Opening Ceremony of the Second Session of the Governing Body of the International Treaty on Plant Genetic Resources for Food and Agriculture

Rome, 29 October 2007

Speech of Ms Margaret Catley-Carlson, Chair of the Executive Board of the Global Crop Diversity Trust

Mr. Director-General, Excellencies, Ladies and Gentlemen, it is indeed an honor to address this first meeting of the Governing Body at its Second Session as Chair of the Global Crop Diversity Trust.

The Trust is a newcomer to the international stage. We were set up in 2004 and were recognized by the Governing Body at its First Session in 2006 as an essential element of the Funding Strategy of the Treaty in relation to the ex situ conservation and availability of plant genetic resources for food and agriculture. Since then the Trust has been busy helping you to build the kind of effective and sustainable system that the Treaty and the Global Plan of Action call for.

Specifically:

The Trust has initiated a program to rescue and regenerate more than 150,000 distinct accessions held by developing countries within the Treaty's Multilateral System.

We are supporting research to develop inexpensive conservation techniques for difficult to conserve orphan crops to reduce conservation costs and improve the security of these collections.

In the area of information technologies we will support two major initiatives designed to enhance conservation and to enable and promote use. Both efforts should produce substantial benefits at the national and global levels. First, we will fund development of a state-of-the-art genebank management software system designed for the common personal commuter. The system will be made freely available in multiple languages. Secondly, we will support creation of a global accession level information system bringing together information on some 4 million accessions held in genebanks around the world. This system should dramatically enhance access to and use of crop diversity, and thus support the goals of the Treaty while underpinning its benefit-sharing mechanism.

We have announced a competitive grants program for the evaluation of genetic resource collections with priority being given to screening for traits of importance to the poor in the context of climate change.

We are offering help to developing countries and international agricultural research centers to send a safety back-up samples to the Svalbard Global Seed Vault being built by the Government of Norway. Too frequently in recent years, collections in developing countries have been lost due to wars, civil strife and natural disaster. The Seed Vault will provide countries with a free insurance policy to protect distinct diversity against catastrophic or even accidental loss.

Finally, we have started providing long-term financial security to globally important collections. Later this year we will make funding announcements concerning a number of crops included in Annex I of the Treaty.

With all of these initiatives, we have relied very heavily on crop and regional strategies developed through a collaborative process directly involving more than 500 scientists from 120 countries. These expert groups have provided invaluable technical information, and guided us in the necessary but scientifically difficult task of identifying collections, materials and methodologies requiring attention.

Through measures such as those I have just outlined, we hope to lay the foundations for a rational, efficient, effective, and sustainable global system for the ex situ conservation and availability of plant genetic resources for food and agriculture. We value the partnership we have with the Governing Body of the Treaty, and reiterate our support for the Treaty and its goals.

Our progress, we hope you will agree, has been rapid. The goal of the Trust, the permanent security and availability of crop diversity, is within reach. This comes not a moment too soon. Agricultural systems now face their most severe test in history— climate change. The conservation and use of crop diversity is a prerequisite for adapting to climate change. It is the very foundation of food security.

Underpinning this contribution of crop diversity to our own future survival and development is the International Treaty. Without the Treaty, there could be no coordinated international effort to conserve, make available and use plant genetic resources. Every country would be “on its own.” In the memorable words of Ambassador Fernando Gerbasi, your former chairperson and ours, it would be “jungle time.” Fortunately, we have a Treaty. The challenge now is to make it work. It simply must succeed. In this regard, the Trust is ready to play its part, and it is. Many of you have actively worked to help the Trust by securing funds, seconding staff, and cooperating in scientific matters. I thank you and hope that others will follow.

Before closing, allow me to mention one institutional matter. As you well know, the Governing Body appointed four members to the Trust’s Executive Board. I am pleased to report that one of those, Prof. Wangari Maathai, the 2004 Nobel Peace Prize laureate and a Member of Parliament of Kenya, was elected vice-chair of the Trust. The Executive Board has held two meetings this year, and will next meet in April 2008.

Let me close by saying that we sincerely value our partnership with the Governing Body. The common future we wish to create binds us together in ways that are even more profound than our formal Relationship Agreement might suggest.

Thank you for the opportunity to address this august body. And thank you for your support.

Opening Ceremony of the Second Session of the Governing Body of the International Treaty on Plant Genetic Resources for Food and Agriculture

Rome, 29 October 2007

Speech of Mr Guy Kastler, Via Campesina

Peasant farming cannot develop only with seeds provided by industry and the fertilizer and pesticides needed to grow them. Most of the world's peasant farmers grow food crops and do not have the financial resources to purchase such seeds. Peasant farmers integrated into the market economy for agro-ecological or organic products do not use chemical products or GMOs. For these farmers, what institutional governance calls "plant genetic resource" is first and foremost a seed, their primary instrument of work after land. By replanting part of their previous harvest each year, they are constantly renewing crop biodiversity. Exchanges of seeds and farmer selection increase that biodiversity. They thus raise not only the number of varieties, but also the intra-varietal diversity of crops that is needed for them to adapt to diversity of soil, climate change and a changing pest and disease environment. Very recently in historical terms, the international community made arrangements to keep plant genetic resources in *ex situ* banks which the ITPGRFA supports in its global plan of action, while on-farm preservation is neglected. But the living world has never survived without renewing itself and diversifying to adapt to a constantly changing environment. That is why many plant genetic resources stored in banks face extinction from the lack of funds for their regular regeneration. Their integrity is also threatened by contamination from GMOs which are today penetrating the centres of origin and crop diversity and the collections in banks.

The seed industry of course uses those resources to propose new seeds, but the varieties it markets all come from the same genetic pools that depend on fertilizer and pesticides and that are incapable of adapting to soil diversity and climate change. Their vulnerability to new pests and diseases regularly causes disasters – all the bigger because of the huge cropped area each variety requires to obtain industrial economies of scale.

The ITPGRFA has a section on farmers' rights to save, resow, exchange and protect their seeds and to participate in policy-decisions on the management of genetic resources. But it subjects those rights to national legislations that do not respect them. The laws on the protection of intellectual property (patent and PVP) undermine the farmers' rights to replant their harvest. The requirement to register varieties in catalogues, at a cost and involving criteria that are inaccessible to peasant farmers, prevents them from exchanging their seeds and therefore having "facilitated access" to plant genetic resources. Consent and "benefit-sharing" are not respected by PVP which permits the appropriation of a "discovered variety", without obligation to state its origin, nor are they respected by the patent which obscures the origin in a single line lost among hundreds of pages of descriptive text. Genetic contamination by GMOs also threatens the integrity and survival of indigenous varieties and genetic resources kept in collections. Without rights to replant their harvest, without rights to exchange their seeds, peasant farmers can no longer save and renew their varieties, which are gradually disappearing, leaving an empty space for commercial seeds and the large farm holdings that have the technical and financial resources to grow them.

In the countries of the North, indigenous varieties have almost completely disappeared from fields, to the point where organic farmers no longer find traditional seeds adapted to their needs. As they cannot use commercial seeds that are too stable and uniform to instigate further breeding, they resort to existing *ex situ* collections. But their access to many of these is blocked, contradicting the principle of "facilitated access" in the ITPGRFA; either because no variety description is available apart from a code number without further reference, or under the pretext that they produce for the market and the law cannot accept that they also they engage in preservation and breeding.

This situation could be dramatic for the future of humanity were it to become generalized world-over. Industrial selection entails the brutal evolution of plants outside their natural environment in the field

where they no longer have the ability to adapt without ever greater chemical aids. Modern biotechnology replaces the endless multiplication of a single plant (lines and hybrids) by the multiplication of a single cell. This elimination of all intra-varietal crop diversity produces plants that are increasingly unable to adapt to change, in contrast to indigenous varieties that offer potential for diversity through renewal with each cycle in the field. Sustainable development can no longer expect to accompany profits of seed multinationals. Those profits only exist because the plants the multinationals commercialize are ever more ephemeral and incapable of reproducing beyond one or two generations.

That is why we expect from the ITPGRFA, not only for the peasant farmers we represent but especially for the future of humanity, that it will ensure that all signatory countries respect farmers' rights to save, resow, exchange and protect their seeds against biopiracy and genetic contamination, and their access to the resources of public collections. Only under such terms will we be able to guarantee a sustainable conservation and renewal of plant genetic resources based on the twin pillars of *ex situ* conservation and *in situ* dynamic management on farms and allotments.

We thank the Governing Body of the ITPGRFA for having invited Via Campesina to present its views to this meeting. We should however like to stress that, without the meaningful participation of peasant farmers in the management and control of genetic resources in each country and at world level, the ITPGRFA will remain an empty juridical instrument in the hands of industry and governments unable to halt the genetic erosion that is encroaching the fields and threatening the future of agriculture. We therefore call on you to determine the modalities to facilitate the involvement of farmer organizations in the work and life of the Governing Body of the ITPGRFA.

**Opening Ceremony of the Second Session of the Governing Body of the International Treaty on
Plant Genetic Resources for Food and Agriculture**

Rome, 29 October 2007

**Speech of Mr M. S. Swaminathan, Chair of the M.S. Swaminathan Research Foundation,
Chennai, India**

I am grateful to you, Mr Chairman, for this generous introduction. I am also grateful for the invitation to speak at this very important meeting of the Governing Body.

I want to highlight five points in this intervention. First, I think that this session of the Governing Body has a historic mission. I have been involved for the last sixty years in the search for new genes and for the use of genes in a sustainable and equitable manner - therefore I would like to add a historical perspective of the importance of this work. You are the historians of food, livelihoods and health security. We are very fortunate to meet in Rome. Two great Romans are the pillars of this particular session of the Governing Body. The first one is the roman philosopher Seneca, who wrote long ago, in roman times, "the hungry person listens neither to reason nor to religion, nor is he bent by any prayer". This is precisely the importance of food security for human security. The second pillar of this conference is the roman farmer Varro, he was a great farmer, like the two farmers you have heard earlier, because they understand what is sustainable agriculture. Varro said "all agronomic and agricultural practices must result in improvement of productivity in perpetuity", not up and down. Varros concept of productivity in perpetuity is what I later on termed as the evergreen revolution. The evergreen revolution I defined as improvement of productivity in perpetuity without associated ecological harm. This is now widely internationally accepted. So you have this important tracing back from Roman times.

The second point I want to make is FAO's historical and present role. FAO was the first among all the UN organizations to be set up after World War II. But before the end of the World War, Franklin Roosevelt organized in Hot Springs, Virginia, in May 1943, a meeting on how to avoid problems like the Great Irish Famine, the Irish potato famine, the Great Bengal Famine of 1942/43, where 3 million children, women and men died, and how to ensure food security at the end of World War II. This was the Hot Spring Conference, and this conference - meeting in the midst of the greatest war ever and in full confidence of victory - considered world problems of food and agriculture and declares its belief that the goal of freedom from want of food, suitable for the health and strength of all people, can be achieved. But unfortunately sixty years later, sixty-four years later - you know in July this year the United Nations published the midterm evaluation of the UN Millennium Development Goals, and then there is the FAO World Food Summit's own recommendation - we are far from achieving the proportionate advances between 2000 and 2015. Whatever we could have achieved - except for some countries, like China and Vietnam which have done good work - the world as a whole is far from achieving the MDGs. So, Ladies and Gentlemen, we have to remind ourselves that the task of ensuring adequate and healthy food for all is something which is exceedingly important for FAO. FAO from its inception had regarded plant genetic resources conservation as an important mandate. Dr Jose Vallega from Argentina, Sir Otto Frankel from Australia, Yerna Bennett from the United Kingdom, J.J. Hogs, from United Kingdom, all played an important part. I also happened to be member of those committees of FAO on plant genetic resources in the sixties and the late fifties. I must pay a tribute to Sir Otto Frankel, Yerna Bennett, Jose Vallega and all the others who participated. Even though originally people did not fully understand the importance of this work, they were working very hard at that time.

Then the third point is that, with the birth of the CGIAR in 1971, a new impetus was given particularly for *ex situ* conservation. You have already heard about that from Ms. Margaret Catley-Carlson and others. I happened to be the Vice Chairman of the Technical Advisory Committee to the CGIAR in 1971 to 1977, Sir John Crawford of Australia was the Chairman. In the very first meeting I proposed that one of the initiatives of the CGIAR should be to set up an International Board for Plant Genetic Resources. I developed two proposals: one for a National Bureau of Plant Genetic Resources for India, since I was the head of the Indian Council of Agricultural Research; and one for the international level. That proposal came through, over a period of time, and later on its name was changed to IPGRI and now Bioversity International. But it has played a very important role and Ms Margaret Catley Carlson has already mentioned the Global Crop Diversity Trust and the Svalbard International Seed Vault near the North Pole, set up by our Scandinavian colleagues.

Now, why is our Treaty very important? Apart from Farmers' Rights, the Multilateral System of exchange is, I think, the only way that two important purposes can be served: firstly, many developing countries can purchase time. You can purchase time, and time is very valuable, in terms of developing new varieties. Secondly, you can respond to emergencies. For example, a serious emergency is now threatening wheat, the UG 99 stem rust race coming from Uganda has now reached the Middle East. But there are resistant lines, it is all a matter of responding and exchanging genetic resources quickly. So, you can avoid emergencies and you can also purchase time – this is why the Multilateral System is important. We have no option except to produce more and more food from less land and with less water. That means you must improve productivity under Varro's principle of higher productivity without ecological harm. To illustrate the need, let me give you the pedigree of one of the new varieties of wheat, capable of about 10 tons per hectare. This particular wheat has a blend of Tetrastichon from Yugoslavia, Agrotriticum from Canada, Tetraploid Polonicum from Poland, Gigas from Israel, Moroccan wheat and wheats from India and Mexico and so on. It is a pyramiding of genes from a wide range of sources. This is possible only if you do not have a bureaucratic system of exchange, but a fairly fast system of exchange. This emphasizes the importance of the Multilateral System of Access and Benefit-sharing, enshrined in Articles 10, 11, 12 and 13 of the International Treaty on Plant Genetic Resources for Food and Agriculture.

The fourth point I want to make is the ethics and equity in benefit-sharing, known as Farmers' Rights. This movement in FAO started in 1979, in Commission II, when I was chairing it. I requested that we must develop a method by which we create an economic stake in conservation. There is an economic interest in exploitation, but how do you create an economic stake in conservation? That means local people must have some recognition. Then came the whole series, the International Undertaking, the Commission on Plant Genetic Resources, and finally the International Treaty where we are today. So, we have a framework now, a legal framework, both under the Convention on Biological Diversity and also under the International Treaty.

How do we go from the concept to the implementation? This is now my last point. We have a concept of Farmers' Rights, but how do you go for implementation? Some suggestions have already been made. This is also true for the Convention on Biological Diversity: Article 8(j) has to be implemented. There has been a series of dialogues, Keystone Dialogues, in which the Pioneer company has also participated. I must pay tribute to Pioneer, they were one of those, who supported very vigorously the concept of Farmers' Rights during the Keystone Dialogues and the CBD. The Marrakesh Agreement on the Establishment of the WTO asked all nations, either to have a *sui generis* system or the patent system in terms of protecting intellectual property in new plant varieties. For the 1996 Leipzig Conference we developed the proposal of an integrated legislation. A book is available in FAO, 1996 Leipzig, called "Protection of Plant Varieties and Farmers' Rights". We thought farmers and breeders are a liaison that struggle for food security and livelihood security. Their rights should not be antagonistic, they must be mutually reinforcing - not one against the other, but both together. Unfortunately, only one country has so far implemented this, and that is my country. I am proud to say India is the only country which has a joint legislation for both breeder's rights and Farmer's Rights. I have got here a manual on Farmers' Rights, which I am going to give to Dr. Bhatti, how we

are implementing these Farmers' Rights in India so far. It is a learning experience, an uncharted territory. But the term "farmer" has been defined in our Act under three major roles: one is the cultivator of crops, feeder of the world; the other is conserver; the third is breeder. If you write legislation, it must address the multiple roles of the farmer, the farmer as the cultivator, the farmer as the conserver and the farmer as the breeder. And the breeder of course will have to conform to novelty, distinctiveness, uniformity and stability and so on. And what have we done to recognize and reward primary conservers? Many of them are women, most of them are women. In fact, we did two things: one is a Genome Saviour Award, in order to recognize the contributions of women and men, who have conserved plant material of great value. The first Genome Saviour Award was given in July this year, mostly to women from very tribal areas, or indigenous people as we call them. Then, there is a National Gene Fund.

Now, what is all this about? What does the Treaty mean? The Treaty means a paradigm shift from biopiracy to biohappiness. Biohappiness, coming from the sustainable and equitable use of all genetic resources. Otherwise, you will go on continuously accusing, 'somebody has taken my material, without giving credit'. This is the most important responsibility of all of you, how to generate the era of biohappiness, based upon the sustainable and equitable use of genetic resources. You have to provide very innovative instruments of helping farmers. For example in Orissa, which is a native home of rice, we are creating now a Biovalley. The Biovalley is to biotechnology what the Silicon Valley is to information technology. I have been requesting FAO to start a Biovalley in the Rift Valley of Africa, which is a mega-biodiverse area. That means you provide a lot of infrastructure to farmers to continue their *in situ* on farm conservation, use their genetic material sustainably, convert it into income and jobs. So what we need is not only some traditional methods of some reward and recognition, but innovative methods of stimulating and sustaining the conservation efforts for farming communities. They are the saviours of the world, we all live on this earth, I think when you eat your lunch, you will all remember this: we all live on this earth as the guests of the green plants, because they are the only ones which can use sun light, and of the farmers and farm women who cultivate them and feed us.

Thank you very much, Mr Chairman.

Opening Ceremony of the Second Session of the Governing Body of the International Treaty on Plant Genetic Resources for Food and Agriculture

Rome, 29 October 2007

Speech of Mr Manfred Bötsch, State Secretary, Director General, Federal Office for Agriculture of Switzerland

International Technical Conference on Animal Genetic Resources for Food and Agriculture –
Chairman's report to the 2nd GB meeting of the IT-PGRFA

Dear Mr. Chair, distinguished delegates, ladies and gentlemen,

On the occasion of the first meeting of the Governing Body of the International Treaty, Switzerland and FAO announced the first International Technical Conference on Animal Genetic Resources for Food and Agriculture. This Conference was held from 3 to 7 September in Interlaken in Switzerland. As the Chair of the Conference it is my privilege to report on its outcomes to the second meeting of the Governing Body. I do so in the context of our common efforts to maintain the vital heritage of biodiversity for food and agriculture and to achieve food security and sustainable development for all.

The Interlaken Conference was a resounding success. It was attended by delegations from 109 countries and by 42 organizations.

At the Conference, *The State of the World's Animal Genetic Resources for Food and Agriculture* prepared by FAO was launched. This country-driven report contains the first-ever authoritative global assessment of livestock biodiversity and will provide a basis for our efforts to promote the wise management of animal genetic resources for many years to come. It was prepared on the basis of 169 country reports, and inputs from international organisations and technical studies.

The main result of the Conference was the adoption of the *Global Plan of Action for Animal Genetic Resources*. The *Global Plan of Action* contains 23 strategic priorities, which address current and future challenges in the areas of characterisation, inventory and monitoring, sustainable use and development, and conservation of animal genetic resources. It also addresses the needs for policies, institutions and capacity building, at national level and through international cooperation.

- I. While the main responsibility for implementation rests with national governments, the *Global Plan of Action* calls upon governments of developed countries to “attach due attention, including funding, to the implementation of activities within the Strategic Priority Areas through bilateral, regional and multilateral cooperation.” The Commission on Genetic resources is requested to develop a Funding Strategy and major multilateral and bilateral funding institutions were invited to examine contribution to support to the *Global Plan of Action*.

The *Global Plan of Action* was adopted through the *Interlaken Declaration*. The *Declaration* acknowledges that maintaining the diversity of animal genetic resources for food and agriculture is essential to enable farmers, pastoralists and animal breeders to meet current and future production challenges resulting from changes in the environment, including climate change; to enhance resistance to diseases and parasites; and to respond to changes in consumer demand for animal products. The *Declaration* recognizes the enormous contribution that local and indigenous communities and farmers, pastoralists and animal breeders have made and will continue to make for the sustainable use,

development and conservation of animal genetic resources. The *Declaration* notes the significant ongoing loss of livestock breeds and calls for prompt action to conserve animal breeds at risk, through the implementation of the *Global Plan of Action*. Confirming their common and individual responsibilities in respect of conservation, sustainable use and development of animal genetic resources for food and agriculture, the governments also recognize the interdependence of countries, regions and peoples regarding these resources. In the *Declaration* the governments recognize that the main responsibility for implementing the *Global Plan of Action for Animal Genetic Resources* rests with national governments, and that they undertake to honour their commitments to taking the necessary steps to implement the *Global Plan of Action for Animal Genetic Resources*, in accordance with their national capacities and resources.

The adoption of the *Global Plan of Action* and the *Interlaken Declaration* provide a major contribution to achieving the Millennium Development Goals, in particular Goal 1: *eradication of extreme poverty and hunger*, and Goal 7: *ensure environmental sustainability*. It is a milestone for the livestock sector and a major building block in the development of a coherent international framework for the wise management of agricultural biodiversity.

As you are aware, neither animal nor plant genetic resources are managed in isolation. Farmers and livestock-keepers co-manage plants, animals and other genetic resources within agricultural landscapes, in order to provide the food and ecosystem services we all rely on. For instance, livestock depends on a diversity of forage crops & grassland species adapted to different environments, including mountain areas and dry lands, and vice versa. This essential feature of agricultural production requires that we adopt an ecosystems approach to the management of genetic resources and address cross-sectorial linkages.

Under the aegis of FAO, in particular through the Commission on Genetic Resources for Food and Agriculture and, more recently, through the Governing Body of the International Treaty, our countries have been able to make great advances in our joint efforts to develop a coherent framework for the management of agricultural biodiversity. The seminal achievements in the area of plant genetic resources are now joined by the *Global Plan of Action for Animal Genetic Resources*. Additionally, at its 11th Regular Session the Commission adopted a Multi-year Programme of Work, covering all components of genetic resources for food and agriculture, including the supporting components of the Treaty. The MYPOW will greatly facilitate the coordination of our work on the different components of agricultural biodiversity, benefiting the agricultural sector at large. The Interlaken Conference has invited the Commission to oversee the implementation of the *Global Plan of Action* in the context of its MYPOW.

With the outcomes of the Interlaken Conference, we now have an opportunity to further develop the linkages between sectors and to embrace an ecosystems approach to genetic resources for food and agriculture: across and within the available instruments to further support sustainable agriculture. For example, the International Treaty and the *Global Plan of Action for Animal Genetic Resources* reinforce each other in the area of forage and grassland genetic resources.

The successful implementation of the *Global Plan of Action on Animal Genetic Resources* not only depends on the successful cooperation between animal and plant sectors. It hinges on the mobilization of adequate human and financial resources, in particular to assist developing and developed countries to develop and implement effective strategies to manage their domestic livestock diversity. The *Interlaken Declaration* calls for the support of all countries, international organizations and other relevant stakeholders.

Mr Chair, distinguished delegates,

The Governing Body may wish to welcome the *Global Plan of Action* and the *Interlaken Declaration* as important components of the overall international framework on agricultural biodiversity, and reiterate the essential role and value of genetic resources, including animal genetic resources, for food

and agriculture, in particular to achieve global food security and safeguard our natural resources for present and future generations;

The Governing Body may also wish to note the importance of the International Treaty for forage and grassland genetic resources, and thus for the successful implementation of the *Global Plan of Action for Animal Genetic Resources*.

In closing, I wish to invite you to a side-event presenting the outcome of the Interlaken Conference with a special focus on the linkage between the *Global Plan of Action for Animal Genetic Resources and the International Treaty*. This side event, hosted by FAO and the Swiss Federal Office for agriculture will take place on Wednesday 31 October, at 1.00 pm in the Iran room.

Mr Chair, dear delegates,

Let me thank you for the opportunity to report on the Interlaken Conference and for your attention. I wish you full success in your work during this week.

Opening Ceremony of the Second Session of the Governing Body of the International Treaty on Plant Genetic Resources for Food and Agriculture

Rome, 29 October 2007

Speech of Mr José M. Sumpsi Viñas, Assistant Director-General, Agriculture and Consumer Protection Department, FAO

On behalf of the Director General of the Food and Agriculture Organization of the United Nations, Dr Jacques Diouf, I am delighted to welcome you to the current Second Session. The International Treaty is entering its implementation stage and it is essential that the Treaty have the necessary financial contributions and political commitment from Contracting Parties.

I believe that the Treaty is highly beneficial to all countries. Some countries will provide unique plant genetic resources, while others will contribute technology and human and financial resources. By bringing together the contributions from developing and developed countries into the Multilateral System in fair and equitable manner the Treaty will significantly contribute to food security, now and in the future.

As you are aware, the Secretary has taken office only four months before this Governing Body session. I wish to welcome Dr Shakeel Bhatti as Secretary of the International Treaty and assure him and you of my full support throughout his work. With almost no staff and very scarce funding, Dr Bhatti was required to do a vast amount of work in his first few months and would like to thank him for the huge effort.

The Secretary has informed me that in the past eight months alone there have been almost 100,000 transfers of genetic material in the Multilateral System of Access and Benefit-sharing of the Treaty. While this is a spectacularly successful start-up of the System, it focused more in Access than in Benefit-sharing which in the long term should be one of the most powerful instruments of the Treaty's Funding Strategy. Moreover these transfers of genetic material are only transfers from International Agricultural Research Centres and the Secretary informs me that there is no reflection of Contracting Parties including material and taking active part in the System. Therefore, everything now depends on that all Contracting Parties will take an active part in the system and provide the necessary funding in the short term, human resources and policy guidance for the operation of the System and for the effective development of the Treaty provisions.

The implementation of the International Treaty is a useful tool for contributing to the achievement of the Millennium Development Goals, specifically of the Goal 1 (reduction of poverty and hunger) and Goal 8 (sustainable development). Besides this, facing the new challenges of climate change requests the preservation and sustainable use of plant genetic resources in order to deal with future and unpredictable situations and again the complete implementation of the Treaty is the best way to do so.

Honourable Delegates, the crucial and hard task of this second session of the Governing Body is to lay the foundation for the practical operation of the two pillars of the International Treaty, namely the Multilateral System of Access and Benefit-sharing and the Funding Strategy of the Treaty. You will also have to decide on some complex legal and political issues, such as compliance procedures and measures in cases of non-compliance with the Treaty, the treatment of genetic material beyond Annex 1 of the Treaty and farmers' right.

The coming two years will be a crucial period to show the usefulness and benefits of the Treaty and thus to ensure their survival and consolidation as a powerful mean for facing the new challenges and improving food security of the future generations. Whether the Treaty will be able to survive and be implemented in an effective way will depend on whether the Contracting Parties are willing to make

the necessary commitment to the International Treaty in the coming biennium- both in terms of financial resources and political commitment. On the part of FAO Management we will do our best to provide both technical and financial support to the implementation of the International Treaty. I strongly believe that International Treaty will be in the coming years a top priority for FAO and I hope that the next Conference will give us a clear message of this high priority in terms of budget allocation.

I would like to conclude with an expression of gratitude for Mr Bhatti, the Secretary of the International Treaty, and their small team, the AGP Division and the Commission of Genetic Resources for Food and Agriculture, for their support to the preparation of this second session of the Governing Body of International Treaty.

I thank you for your attention and wish you best of success for your important deliberations this week.

*APPENDIX C***CONTRACTING STATES AND CONTRACTING PARTIES,
AS OF 29 OCTOBER 2007**

Afghanistan	Côte d'Ivoire	Guatemala
Algeria	Cuba	Guinea
Angola	Cyprus	Guinea-Bissau
Armenia	Czech Republic	Honduras
Australia	Democratic People's Republic of Korea	Hungary
Austria	Democratic Republic of the Congo	Iceland
Bangladesh	Denmark	India
Belgium	Djibouti	Indonesia
Benin	Ecuador	Iran, Islamic Republic of
Bhutan	Egypt	Ireland
Brazil	El Salvador	Italy
Bulgaria	Eritrea	Jamaica
Burkina Faso	Estonia	Jordan
Burundi	Ethiopia	Kenya
Cambodia	European Community	Kiribati
Cameroon	Finland	Kuwait
Canada	France	Latvia
Central African Republic	Gabon	Lao
Chad	Germany	Lebanon
Cook Islands	Ghana	Lesotho
Congo (Republic of)	Greece	Liberia
Costa Rica		Libyan Arab Jamahiriya

Lithuania
Luxembourg
Madagascar
Malawi
Malaysia
Mali
Maldives
Mauritania
Mauritius
Morocco
Myanmar
Namibia
Netherlands
Nicaragua
Niger
Norway
Oman
Pakistan

Panama
Paraguay
Peru
Philippines
Poland
Portugal
Romania
Saint Lucia
Samoa
Sao Tome and Principe
Saudi Arabia
Senegal
Seychelles
Sierra Leone
Slovenia
Spain
Sudan
Sweden

Switzerland
Syrian Arab Republic
Togo
Trinidad and Tobago
Tunisia
Turkey
Uganda
United Arab Emirates
United Kingdom
United Republic of Tanzania
Uruguay
Venezuela
Yemen
Zambia
Zimbabwe

APPENDIX D
FUNDING STRATEGY
Annexes 1 to 3

APPENDIX D.1

DRAFT PRIORITIES

Annex 1 addresses Priorities for the Use of Resources under the Funding Strategy. In what follows, the *Ad hoc* Committee, as requested in Resolution 1/2006, paragraph 15, presents draft priorities for the allocation of funds under the direct control of the Governing Body, for the consideration of the Governing Body.

Taking the rolling Global Plan of Action as a framework, the Governing Body will use the funds at its disposal in the benefit-sharing fund strategically, to play a catalytic role in international cooperation in the area of plant genetic resources for food and agriculture. It will:

1. Lay the basis for the coherent development of the Funding Strategy.
2. Augment its impact, improve its visibility, and increase transparency in the project selection process.
3. Focus on critical conservation and sustainable use activities in developing countries not adequately funded elsewhere.
4. Avoid duplication of work and take advantage of synergies, including synergies that mobilize greater resources in the overall Funding Strategy.
5. Develop its funding strategy in such a way as to attract voluntary contributions to the benefit-sharing fund.

Within the priority areas of the Global Plan of Action, the Governing Body will focus on achieving benefits, in a staged process, in the pressing priority areas, identified for a limited period of time. The next iteration of the rolling Global Plan of Action will be important in the identification of future priorities. Based on consultations with Contracting Parties, the initial priorities will be:

1. Information exchange, technology transfer and capacity-building (reflecting Global Plan of Action priority activities 15 and 19),
 - a. *Building strong national programmes is essential for capacity-building in developing countries and furthering the implementation of the Treaty. It is a prerequisite for sustainability of efforts to strengthen and develop national capacities in the conservation and utilization of plant genetic resources for food and agriculture.*
 - b. *Expanding and improving education and training in developing countries is a sine qua non, in order to build capacity. Education and training is a long-lasting investment in the sustainable management of the diversity of plant genetic resources for food and agriculture in developing countries.*

2. Managing and conserving plant genetic resources on farm (reflecting Global Plan of Action priority activity 2);
 - a. *Supporting on-farm management and conservation of plant genetic resources for food and agriculture is the most direct way of reaching farmers, indigenous and local communities in developing countries to whom benefits should flow. It forms a strong contribution to the maintenance of on-farm diversity of plant genetic resources for food and agriculture. Only by strengthening these efforts can on-farm management of diversity complement ex situ conservation.*

3. The sustainable use of plant genetic resources (reflecting Global Plan of Action priority activities 9, 10, and 11);
 - a. *Expanding the characterization and evaluation of collections is necessary to promote and facilitate their use. More complete characterization and evaluation will increase the relevance of germplasm held ex situ and on farm for breeding.*
 - b. *Diversification of crop production, genetic enhancement and broadening the genetic base of crops will directly contribute to increasing the sustainability of agricultural production. This will lessen dependence on external inputs, increase productivity, and respond to the challenge of climate change.*

APPENDIX D.2

**ELIGIBILITY CRITERIA FOR THE USE OF RESOURCES UNDER THE DIRECT
CONTROL OF THE GOVERNING BODY**

Projects must:

1. Meet the objectives of the International Treaty.
2. Fall within the priorities that will, from time to time, be established by the Governing Body.
3. Benefit Contracting Parties that are developing countries.
4. Be presented through the Contracting Party or Parties concerned.

APPENDIX D.3

OPERATIONAL PROCEDURES FOR THE USE OF RESOURCES UNDER THE DIRECT CONTROL OF THE GOVERNING BODY

This *Annex* contains Principles, Project Cycle and Selection Criteria.

I. Principles

These operational procedures are based on the following principles:

1. Transparency and impartiality.
2. Simplicity and accessibility.
3. Efficiency and effectiveness.

II. Project Cycle

The project cycle (the period between the meetings of the Governing Body) will normally have a duration of two years and consist of:

1. Opening a call for proposals
 - a. issued by the Governing Body, in the official languages of the Treaty, and containing relevant information and procedures – priority areas;¹⁸ concept note and project documents format; eligibility, selection and approval criteria; timing and deadlines; expected funds available;
 - b. advertisement on the Treaty website and through the national focal points;
 - c. responsibility: prepared by the secretariat, under the guidance of the Bureau, and implemented on the decision of the Governing Body.
2. Submission of pre-proposals
 - a. in any of the Treaty languages plus a translation in either English, French or Spanish;
 - b. according to an agreed format and within agreed deadlines;
 - c. target: 2-3 pages;
 - d. addressing the selection criteria;
 - e. responsibility: Contracting Parties or legal or natural persons, in consultation with the Contracting Party or Contracting Parties in question. The formal submission should be by Contracting Party or Parties in question to the Secretary of the Governing Body;
3. Screening and response to pre-proposals
 - a. according to eligibility criteria;
 - b. according to other relevant criteria established as part of the call for proposals, e.g. budget parameters;
 - c. response to be provided within agreed timelines;
 - d. responsibility: Bureau, on the basis of preparatory work by the Secretariat. The Bureau might work through email, and make its final decisions in a regular meeting.

¹⁸ *The Governing Body may wish to address the following issues: whether moneys under the direct control of the Governing Body should, where applicable, only be applied to Annex 1 Crops; whether the germplasm resulting from projects funded by the Governing Body should be made available according to the terms and conditions of the Multilateral System.*

4. Submission of project proposals from approved pre-proposals
 - a. in any of the Treaty languages plus a translation in either English, French or Spanish;
 - b. according to an agreed format for project documents and within agreed deadlines
 - c. addressing the selection criteria;
 - d. recipient and channels of payment will be identified;
 - e. Contracting Parties to be responsible for making submissions;
 - f. list of submissions to be made public;
 - g. responsibility: Contracting Parties or legal or natural persons, in consultation with the Contracting Party or Contracting Parties in question. The formal submission should be by Contracting Party or Parties in question to the Secretary of the Governing Body.
5. Appraisal of project proposals
 - a. ranking of project proposals according to selection criteria;
 - b. portfolio of project proposals meeting the requirements prepared for approval within agreed deadlines;
 - c. portfolio to be made public;
 - d. responsibility: Bureau, on the basis of recommendations by a panel of experts designated by the Bureau in consultation with their Regions. The panel of experts will work without remuneration with resources provided under the core administrative budget for any meeting necessary.
6. Approval of projects for funding within the project cycle
 - a. according to the funds at the disposal of the Governing Body in that project cycle;
 - b. according to other possible considerations, such as geographical balance and relative regional needs, distribution across crops, types of activities (e.g. capacity-building and training, conservation and use of plant genetic resources for food and agriculture), the duration of the Project;
 - c. projects not fundable within that year will be presented to donors for possible funding, or may be re-submitted in the following budgetary period;
 - d. responsibility: Governing Body, or, if delegated¹⁹, the Bureau.
7. Disbursement
 - a. transparent and secure procedures necessary;
 - b. responsibility: Secretary, according to procedures to be approved by the Governing Body.
8. Reporting and monitoring
 - a. use of standard reporting and monitoring procedures;
 - b. recipients will report according to a reporting schedule in the project document, and will assess progress at milestones identified in the project document;
 - c. further development of the monitoring procedures can be found in *Appendix II* to the document;
 - d. responsibility for project monitoring: The executing entity develops the monitoring products and deposits them with the Secretary, according to procedures to be approved by the Governing Body.
9. Independent Evaluation
 - a. use of standard evaluation procedures based on norms and standards of the United Nations Evaluation Group;

¹⁹ *The Governing Body may wish to delegate the possibility to approve projects between sessions, within an agreed ceiling and up to a limited percentage of the total budget available in the project cycle, and under which circumstances.*

- b. evaluation of the sustainable effects and impacts of projects or groups of projects, providing accountability on results and aiming at facilitating the further development of the Funding Strategy;
- c. evaluation of the components of the Funding Strategy addressed under this annex will be periodically commissioned by the Governing Body;
- d. responsibility for evaluation: the Governing Body.

III. Selection Criteria

1. Project relevance.
 - a. Are the priorities of the Funding Strategy and the strategic principles and priorities established by the Governing Body for the allocation of funds at its disposal clearly incorporated and represented in the proposed goals and expected outputs of the proposal?
 - b. Is the project contributing to a rational global conservation system? Is the project contributing to the Millennium Development Goals, in particular goals 1 and 7?
 - c. What is the relevance of the project to a country's or region's priorities in its plans and programmes for PGRFA? What information is available on such priorities?
 - d. Does the project duplicate activities already carried out or underway? Does the project complement activities already carried out or underway?
2. Feasibility
 - a. Is the proposed activity feasible in terms of resources and timing? In particular, is the budget adequate to fully cover the proposed activities and produce the expected results?
3. Effectiveness and efficiency
 - a. Are the anticipated project costs warranted against the expected project results and benefits?
 - b. Are the types of activities most effective towards achieving the project's net results, its outcome and impact?
4. Benefits and beneficiaries.
 - a. Who are the immediate beneficiaries?
 - b. Will the results of the proposed project, directly or indirectly, reach the proposed beneficiaries?
 - c. What is the potential contribution of the project to economic development?
5. Team composition and capacity.
 - a. Can the capacity of the team be considered sufficient? Does the team include partners with different disciplines?
 - b. Does the project proposal foresee use of available local expertise?
6. Collaboration.
 - a. What is the extent of collaboration promoted by the project proposal?
 - b. How does this collaboration contribute to the effectiveness and efficiency of the project?
 - c. Is there counterpart funding or input in kind by the applicant?
7. Planning and Monitoring.
 - a. Have proper milestones and indicators been incorporated in the project proposal?

-
- b. Does the proposal indicate how project progress will be monitored and its impact assessed?
 - c. To what extent is the expected positive impact measurable?
 8. Sustainability.
 - a. How sustainable are the activities and beneficial changes introduced by the project?
 - b. Is technology transfer and capacity building realized?
 - c. Has a training component been incorporated?
 9. Geographic extension.
 - a. How wide is the geographic scope and impact of the proposed project?
 - b. What is the global and/or regional importance of the project in achieving the objectives of the Treaty?
 10. Crop relevance.
 - a. What is the contribution of the crop or crops, for which activities are proposed, to global or regional food security and sustainable utilization?
 - b. What is the relevance of the crop or crops, for which activities are proposed, to the quality and diversity of the human diet or animal feed?
 - c. What is the contribution of the proposed project to conservation and utilization of the crop's or crops' gene pool?
 - d. Is the project addressing the conservation and/or utilization of a crop in one of its centres of diversity?
 - e. To what extent is the gene pool covered by the proposed project activities threatened at a national, regional or global level

APPENDIX D.4

TERMS OF REFERENCE FOR THE *AD HOC* ADVISORY COMMITTEE ON THE FUNDING STRATEGY

The Committee will conduct its work based on relevant provisions of the Treaty and the following terms of reference:

1. The Committee will consist of representatives of Contracting Parties with up to two representatives nominated by each of the FAO regions.
2. The Committee will develop a strategic plan for the implementation of the Funding Strategy of the International Treaty, in particular appropriate mechanisms for its operationalization and a fund-raising strategy, including the option of the involvement of a professional fund raiser, for the funds under the control of the Governing Body.
3. The Committee will refer, for its work, to resolution 1/2006 and the Ministerial Declaration adopted at the First Session of the Governing Body, and to the relevant activities and information contained in working document IT/GB-2/07/08, in particular the possible activities and measures for the implementation of the Funding Strategy contained in the *Annex* of that document.
4. The Committee will present estimates of the costs of any activities that will be included in the strategic plan.
5. The Committee will also elaborate *Annex 4* of the Funding Strategy (Information and Reporting Requirements).
6. The Committee will report on the progress of its work to the Bureau of the Governing Body and will present the results of its work in the next session of the Governing Body.

APPENDIX E

Draft**JOINT STATEMENT OF INTENT FOR COOPERATION BETWEEN THE GOVERNING BODY OF THE INTERNATIONAL TREATY ON PLANT GENETIC RESOURCES FOR FOOD AND AGRICULTURE AND THE COMMISSION ON GENETIC RESOURCES FOR FOOD AND AGRICULTURE**

Whereas the International Treaty on Plant Genetic Resources for Food and Agriculture (“the Treaty”) has as its objectives the conservation and sustainable use of plant genetic resources for food and agriculture and the fair and equitable sharing of the benefits arising from their use,

Whereas the Commission on Genetic Resources for Food and Agriculture (“the Commission”) is FAO’s inter-governmental statutory body addressing biodiversity for food and agriculture, with an internationally acknowledged competence in facilitating negotiations by governments of international instruments on aspects of biological diversity of relevance to food and agriculture,

Whereas the Commission facilitates and oversees cooperation between FAO and other international governmental and non-governmental bodies dealing with the conservation and sustainable use of genetic resources, and seeks to develop appropriate mechanisms for cooperation and coordination in consultation with them,

Whereas the Governing Body establishes and maintains cooperation with relevant international organizations and treaty bodies, on matters covered by the Treaty, including their participation in the funding strategy,

Whereas the Commission keeps under continuous review all matters relating to the policy, programmes and activities of FAO in the area of genetic resources of relevance to food and agriculture, including their conservation and sustainable use and the fair and equitable sharing of benefits derived from their utilization,

Whereas the Commission has developed and oversees a Global System on Plant Genetic Resources that includes a number of supporting components of the Treaty, in particular *The State of the World’s Plant Genetic Resources for Food and Agriculture* and the *Global Plan of Action for the Conservation and Sustainable Utilization of Plant Genetic Resources for Food and Agriculture*,

Whereas the Treaty provides for a funding strategy for priority activities, plans and programmes, in particular in developing countries and countries with economies in transition, taking into account the *Global Plan of Action*,

Whereas the Treaty provides that Contracting Parties shall cooperate with the Commission in its periodic reassessment of the state of the world’s plant genetic resources for food and agriculture in order to facilitate the updating of the *Global Plan of Action*,

Whereas the Treaty provides that sessions of its Governing Body shall, as far as possible, be held back-to-back with regular sessions of the Commission,

The Governing Body of the Treaty [and the Commission]²⁰ intend[s] to cooperate as follows:

1. The Chairs of the one body will be invited to participate in sessions of the other body, when matters of common interest are being considered.
2. The Chairs of either body may request an item to be put on the draft provisional agenda of the other body.
3. The Chairs and, as necessary, the Bureaus of the two bodies will maintain contact between sessions, in order to promote synergy in the implementation of the programmes of work of the two bodies. By mutual agreement, the Bureaus may meet jointly to address matters of common interest.
4. The Secretary of the Commission will report regularly to sessions of the Treaty on the implementation of relevant components of the Commission's Multi-year Programme of Work, in particular regarding the supporting components of the Treaty that are under its aegis, including *The State of the World's Plant Genetic Resources for Food and Agriculture* and the *Global Plan of Action*.
5. Recognizing the importance that the Treaty gives to the *Global Plan of Action*, in the development and implementation of the Treaty's funding strategy, the Commission will consider comments, suggestions or requests from the Governing Body in relation to the updating and to the implementation of the *Global Plan of Action*.

The Secretariats of the Governing Body of the Treaty [and the Commission] will cooperate as follows:

1. The Secretariats will meet regularly, in order to keep each other informed of relevant developments, to seek synergy and efficiency, and to promote coherence in the development and implementation of their respective programmes of work.
2. They will cooperate, as appropriate, in the preparation and management of meetings of the Commission and the Treaty.
3. They will consult each other in the development of relevant documents for meetings of their respective bodies, and any subsidiary processes.
4. Where relevant, they will coordinate fund-raising activities, and may develop joint projects and jointly seek donor support, as appropriate, including in the context of the Treaty's funding strategy.
5. They will endeavour to coordinate their participation in meetings of relevant international processes and bodies, such as in the Convention on Biological Diversity, the World Intellectual Property Organization and the World Trade Organization.

²⁰ Following acceptance of this draft joint statement by the Commission, the brackets in this text will be deleted

APPENDIX F

CORE ADMINISTRATIVE BUDGET OF THE INTERNATIONAL TREATY ON PLANT GENETIC RESOURCES FOR FOOD AND AGRICULTURE			
	2008	2009	Total
<u>A. Secretariat Staff and Consultancy Costs</u>			
-Module A	914 954	829 412	1 744 366
-Module B	50 000	229 466	279 466
-Module C	0	0	0
-Module D	589 866	720 948	1 310 814
Sub-total	1 554 820	1 779 826	3 334 646
<u>B. Meetings</u>			
Third Session of the Governing Body	-	630 000	630 000
Bureau Meetings (3)	24 000	12 000	36 000
Information Technology Consultations (3)	25 000	50 000	75 000
Third Party Beneficiary Committee (1)	0	25 000	25 000
Capacity-building Coordination Mechanism (2)	12 000	12 000	24 000
Sub-total	61 000	729 000	790 000
<u>C. Other Costs</u>			
Core staff duty travel	92 667	155 333	248 000
Publications	25 000	25 000	50 000
Supplies and equipment	40 000	29 000	69 000
Sub-total	157 667	209 333	367 000
D. General Operating Expenses (4% of A+B+C)	70 939	108 726	179 666
E. Operating Budget (A+B+C+D)	1 844 426	2 826 885	4 671 312
F. Project Servicing Costs (13% of E less FAO Contribution)	135 320	263 040	398 361
G. Core Administrative Budget before Working Capital Reserve (E+F)	1 979 747	3 089 925	5 069 672
H. Working Capital Reserve (10% of G less FAO Contribution)	117 625	228 643	346 267
I. Core Administrative Budget after Working Capital Reserve (G+H)	2 097 372	3 318 568	5 415 940
FAO Contribution (PE 2AP03)	803 500	803 500	1 607 000
Balance to be funded	1 293 872	2 515 068	3 808 940

Secretariat Staffing Table

Staff agreed for the Biennium 2006-07
D1
P5
P4
P3
P3
G5
G4
G3

Additional Staff agreed for the Biennium 2008-09
½ P4
P3

CLOSING CEREMONY

APPENDIX G**Closing statement by Mr Ahmed Djoghla
Executive Secretary
Convention on Biological Diversity**

Mr President,
Mr Director General of FAO,
Mr Executive Secretary,
Ladies and Gentlemen,

Since the International Treaty on Plant Genetic Resources for Food and Agriculture was approved in 2001, major achievements have been made – advances that each one of you has contributed to in some way. I am honoured to be with you this afternoon to salute these achievements and your hard-work throughout this Second Session of the Governing Body. As stipulated in the text of the Treaty itself, the conservation and the sustainable use of plant genetic resources will be attained by closely linking the Treaty to the Convention on Biological Diversity. Your work supports that of the Convention on Biological Diversity; your accomplishments help strengthen our mandate and move both Treaty and Convention further along the path to full implementation. For that I thank you.

While there are many groups that have supported the development and implementation of the Treaty, I would like to pay tribute to the Food and Agriculture Organization of the United Nations and in particular to its Director-General Mr. Jacques Diouf, for his commitment and efforts to bring the Treaty to existence. Since its inception, the Food and Agriculture Organization has worked to alleviate poverty and hunger by promoting agricultural development, improved nutrition and the pursuit of food security. The birth of the Treaty and its operationalization is another tremendous contribution to this mission.

The Treaty is vital to ensuring the continued availability of the plant genetic resources that countries will need to feed their people. Biological diversity is essential for the development of crop varieties and the breeding of domesticated livestock, as well as supporting agricultural production through pollinators, soil organisms and the natural enemies of crop, pests. The Convention on Biological Diversity recognizes the Treaty's contribution to the implementation of the Programme of Work on Agriculture. The Convention also welcomes the Treaty's contribution to the cross-cutting initiative on biodiversity for food and nutrition which aims to promote the sustainable use of biodiversity in programmes contributing to food security and improved human nutrition. Efforts to link biodiversity, food and nutrition issues are expected to contribute to achieving the Millennium Development Goals, in particular Target 2 of Goal 1 - to reduce by half, by 2015, the proportion of people who suffer from hunger.

Through the conservation of plant genetic resources, the Treaty also supports the Convention's Global Strategy for Plant Conservation, in particular target 9. Plants are universally recognized as a vital part of the world's biological diversity and an essential resource for the planet.

I wish to note the important contribution of the Global Crop Diversity Trust, which is an essential element of the funding strategy with regards to the *ex-situ* conservation and availability of plant genetic resources. The Global Crop Diversity Trust surely contributed to the success of the Treaty.

In a speech at a World Food Day ceremony in Rome, Mr. Diouf, you said that "Preserving biodiversity should be a joint effort involving farmers, commercial plant breeders and the scientific community". Likewise, we are also combining our efforts, to secure the conservation and sustainable utilization of the world's agricultural genetic diversity while ensuring that these resources remain available to all. As I already mentioned, the synergies between the Treaty, the Food and Agriculture Organization of the United Nations, and the Convention on Biological Diversity are all vital to the programme of work of each group. One specific example of this mutual reinforcement is Article 9 of the Treaty and the comparable Article 8(j) of the Convention on Biological Diversity. Both underscore the role of indigenous and local communities and farmers all over the world in the protection of traditional knowledge, and the fact that their right to participate equitably in benefit-sharing and in national decision-making is crucial for the conservation of plant genetic diversity.

Moreover, in 2002, at the World Summit on Sustainable Development, in Johannesburg, World Leaders called for action to negotiate, within the framework of the Convention on Biological Diversity, an international regime to promote and safeguard the fair and equitable sharing of benefits arising out of the utilization of genetic resources. As you will be aware, the Conference of the Parties to the Convention followed up on this request and mandated one of its subsidiary bodies to carry out and finalize this negotiation as soon as possible and no later than 2010. In this connection, it should be noted that the Conference of the Parties recognizes the important contribution of the Treaty in this negotiation. According to many observers, the Treaty could constitute an important component of the future international regime. I think the lessons learned from the operationalization of the Treaty are essential and can benefit the process of elaborating the new international regime.

In this regards, I want to congratulate the Governing Body of the Treaty for the progress made on compliance. As a truly modern answer to access and benefit-sharing, I am very pleased to see that the Treaty counts at this time 115 Parties, around 370 Standard Material Transfer Agreements, which together amount to approximately 40,000 plant samples. This is a testament not only of the operational success of the Treaty but also of global commitment to sustainable development. It is a commonly accepted fact that resilience and ability of ecosystems, including agricultural ones, to adapt is enhanced by high levels of biodiversity. Thus, bearing in mind the anticipated, yet not wholly predictable, impacts of climate change, the Standard Material Transfer Agreements are a vital step toward the conservation of plant genetic resources and, ultimately, future food security.

Additional congruencies are seen in each other's efforts to achieve the 2010 Biodiversity Target. I am very pleased to announce that next year's celebration of the International Day on Biodiversity under the theme of "Agriculture and Biodiversity" will be jointly celebrated with FAO, in Bonn, on 22 May. It will be the first time that such an event will be jointly celebrated with a sister agency and it will also be the first time that such an event will be celebrated during the proceeding of a conference of the Parties which will be held with the participation of Heads of State and Governments. The Food and Agriculture Organization of the United Nations and the Treaty will also have a major contribution to make during the celebration in 2010 of the International Year on Biodiversity which will coincide with the tenth meeting of the Conference of the Parties, which the city of Nagoya, Japan, has offered to host.

Without biodiversity, food and agriculture cannot meet the needs of populations worldwide, and conversely, without adequate food and agricultural resources, populations will over-harvest wild resources and compromise not only biodiversity, but their own well-being as well. While our organizations cannot solve these problems independently, and each individual must do their part, together we can provide the leadership essential to reducing biodiversity loss.

Thus, continued cooperation between the Food and Agriculture Organization of the United Nations, the Treaty and the Convention on Biological Diversity is important not only for the success of each organization's programme of work, but for the synergism these create together. Let us keep in mind, as Dante Alighieri said, that "from a little spark may burst a flame". May our organizations be these sparks, and our combined efforts the flames which will provide for human well-being.

The expected increased negative impact of climate change on agriculture and the recent increase in price of major cereals, as highlighted by the World Food Day celebrated early this month by the Food and Agriculture Organization of the United Nations highlight the need to enhance the cooperation between our two sister agencies. In this regard, I would like to pay tribute to Mr Jacques Diouf for his decision to second a staff member of the Food and Agriculture Organization of the United Nations to the Secretariat of the Convention on Biological Diversity, as well as for hosting, for the first time in the history of the Convention, the next meeting of the scientific subsidiary body of the Convention here in Rome, in February 2008, which will review the programme of work on forests and agriculture.

On behalf of the staff of the Secretariat of the Convention and the 190 Parties to the Convention, let me tell you, Mr Director-General, thank you and let me also congratulate again the Secretary of the Governing Body, Mr. Dr Shakeel Bhatti, for his latest appointment and reaffirm the commitment of the Secretariat of the Convention to work in harmony with the Treaty and his host organization.

Thank you for your kind attention.

Closing Statement by Mr Jacques Diouf
Director-General
Food and Agriculture Organization

Mesdames et Messieurs les Délégués,

Excellences,

Mesdames et Messieurs,

C'est avec un grand plaisir que je suis parmi vous aujourd'hui pour cette cérémonie de clôture de la deuxième session de l'Organe directeur du Traité international sur les ressources phytogénétiques pour l'alimentation et l'agriculture. Toutefois, si vous me le permettez, plutôt que de me lancer dans un exercice de célébration, habituel à l'issue d'une réunion comme celle-ci, je souhaiterais vous proposer plutôt un discours d'ouverture.

Je suis très fier que le Traité, et le secteur agricole et alimentaire qu'il représente, ait construit un mécanisme concret d'accès et de partage des avantages. C'est le seul accord global à ce jour, à y être parvenu. Il ne tient qu'à vous maintenant qu'il devienne effectif et de faire du Traité un élément central de la gouvernance internationale des ressources génétiques.

A ce moment de son existence, le Traité entre dans sa phase d'opérationnalisation qui marque en réalité le commencement de votre travail. Parvenir à un accord a indéniablement été un gros effort mais ce qui vous attend va en exiger sans aucun doute encore davantage.

Ces efforts seront nécessaires pour faire que ce Traité fonctionne et remplisse les objectifs ambitieux qu'il s'est fixé et je suis sûr que vous, membres de l'Organe directeur, saurez tout mettre en oeuvre pour cela.

Vous savez bien, le vrai pouvoir décisionnaire n'appartient pas à ceux qui rédigent la Loi mais à ceux qui l'interprètent et l'appliquent. En cela, le travail qu'il reste à accomplir est immense et nécessitera encore sans doute d'importants engagements de votre part, d'importants efforts, d'importants compromis pour rendre effectif ce qui a été mis sur le papier.

Le Traité doit établir en effet un ensemble de procédures fonctionnelles pour permettre de réguler efficacement des milliers de transactions quotidiennes entre un nombre élevé de pays aux systèmes administratifs et juridiques distincts, utilisant des langues différentes et faisant intervenir une grande diversité d'acteurs et d'institutions.

Déjà, pour les seuls sept premiers mois de l'année 2007, plus de 90 000 transactions dans le cadre du système multilatéral ont été répertoriées.

Cela illustre le fait que le Traité est déjà entré dans sa phase de démarrage et que celui-ci est très rapide. Un tel démarrage est encourageant et significatif du fait que le Traité répond à une demande réelle de la part des utilisateurs du système. Je sais que vous saurez donner l'impulsion nécessaire à cette phase et que vous saurez continuer à répondre à cette demande qui ne va cesser de croître. Et c'est du devoir du secrétariat de vous aider à accomplir cette tâche. Et c'est de mon devoir de lui apporter tout le soutien nécessaire et de créer l'environnement le plus favorable pour qu'il puisse accomplir au mieux cette importante mission.

J'ai récemment procédé au recrutement du premier secrétaire du Traité international, Monsieur Shakeel Bhatti, et je suis heureux de vous dire que vous avez la chance, pour cette période de démarrage et de mise en oeuvre du Traité, de pouvoir compter sur un nouveau secrétariat, jeune, dynamique et compétent.

Mais c'est à vous, membre de l'Organe directeur, de mettre le Traité en œuvre dans cette période cruciale. Pour cela :

- *il est essentiel* d'apporter dès maintenant les ressources financières et l'appui nécessaire,
- *il est essentiel* d'assurer la cohérence dans la mise en œuvre opérationnelle au niveau international et national sous la direction de vous, membres de l'organe directeur et de son secrétariat.
- *il est essentiel* d'inclure dès maintenant toutes les ressources génétiques concernées dans le système multilatéral.
- *il est essentiel* d'apporter l'appui nécessaire aux pays en développement pour qu'ils puissent prendre une part active au système multilatéral d'accès et de partage des avantages.

A travers son système multilatéral couvrant un large ensemble d'espèces agricoles et fourragères indispensable à la sécurité alimentaire, le Traité constitue en effet un outil novateur qui permet de répondre simultanément à de nombreux objectifs globaux cruciaux pour notre planète :

- la sécurité alimentaire dans un environnement évoluant de plus en vite sous la pression du changement climatique,
- le développement des agricultures du monde du fait d'une plus grande équité dans les échanges internationaux et de la reconnaissance du droit des agriculteurs,
- la lutte contre l'érosion de la diversité génétique,

L'interdépendance entre les pays ne va cesser d'augmenter du fait de l'importance accrue de ces défis planétaires tels que le changement climatique. Il est indispensable, pour y faire face, d'assurer l'opérationnalisation du système multilatéral. Je vous assure que je suivrai attentivement, avec le Secrétaire, les progrès réalisés et que la FAO mettra les efforts nécessaires pour contribuer à son succès.

Excellences,

Mesdames et Messieurs,

Je voudrais remercier les États qui ont envoyé des représentants, et leur souhaiter d'œuvrer à leur niveau, pour continuer à bâtir sur l'important acquis que constitue ce nouveau Traité.

APPENDIX H

LIST OF DOCUMENTS

Working Documents

IT/GB-2/07/1	Draft Provisional Agenda
IT/GB-2/07/2	Draft Provisional Annotated Agenda and Time-table
IT/GB-2/07/3	Report of the Credentials Committee
IT/GB-2/07/4	Report of the Chair
IT/GB-2/07/5	Report by the Secretary
IT/GB-2/07/6	Financial Rules of the Governing Body
IT/GB-2/07/7	Report of the Chair of the <i>Ad Hoc</i> Advisory Committee on the Funding Strategy: <i>Annexes 1, 2 and 3</i> of the Funding Strategy
IT/GB-2/07/8	Implementation of the Funding Strategy of the International Treaty
IT/GB-2/07/9	Compilation and analysis of submissions by Contracting Parties and other relevant organizations concerning the implementation of the Funding Strategy
IT/GB-2/07/10	Report from the Global Crop Diversity Trust
IT/GB-2/07/11	Progress in the inclusion of plant genetic resources for food and agriculture in the Multilateral System
IT/GB-2/07/12	Draft Procedures for the Third Party Beneficiary
IT/GB-2/07/13.1	Consideration of the Material Transfer Agreement to be used by the International Agricultural Research Centers of the Consultative Group on International Agricultural Research and other relevant international institutions, for plant genetic resources for food and agriculture not included in <i>Annex I</i> of the Treaty
IT/GB-2/07/14	Draft procedures and operational mechanisms to promote compliance and to address issues of non-compliance
IT/GB-2/07/15	Compilation and analysis of submissions by Contracting Parties and other relevant organizations concerning the implementation of Article 6
IT/GB-2/07/16	Joint report by the Secretary of the Governing Body and the Secretary of the Commission on Genetic Resources for Food and Agriculture on matters concerning the relationship between the Governing Body and the Commission

IT/GB-2/07/17	Report on the status of cooperation with other international organizations, including Agreements between the Governing Body and the International Agricultural Research Centers of the Consultative Group on International Agricultural Research and other relevant international institutions
IT/GB-2/07/18	Possible establishment of a permanent Technical Advisory Committee
IT/GB-2/07/19	Report on progress of Programme of Work and Budget, 2006/7 and on actions taken by the Secretariat regarding decisions of the First Session of the Governing Body
IT/GB-2/07/20	Draft Programme of Work and Budget for the 2008/9 Biennium

Information Documents

IT/GB-2/07/Inf.1	List of documents
IT/GB-2/07/Inf.2	Delegates' Handbook
IT/GB-2/07/Inf.3	Draft Provisional List of Participants
IT/GB-2/07/Inf.4	Technology support for the implementation of the Multilateral System
IT/GB-2/07/Inf.5	Compilation and analysis of submissions made by Contracting Parties and observers on compliance.
IT/GB-2/07/Inf.6	The development of Farmers' Rights in the context of the International Undertaking and Article 9
IT/GB-2/07/Inf.7	Activities related to the supporting components of the Treaty
IT/GB-2/07/Inf.8	Information received from relevant organizations concerning the implementation of Article 6. Contribution from the IARCs of the CGIAR
IT/GB-2/07/Inf.8.1	Information received from relevant organizations concerning the implementation of Article 6. Contribution from FAO
IT/GB-2/07/Inf.9	Report by the Consultative Group on International Agricultural Research (CGIAR) on its activities to support the implementation of the Funding Strategy of the Treaty
IT/GB-2/07/Inf.10	Statement of competence and voting rights submitted by the European Community (EC) and its member states
IT/GB-2/07/Inf.11	Experience of the centres of the Consultative Group on International Agricultural Research (CGIAR) with the implementation of the agreements with the Governing Body, with particular reference to the Standard Material Transfer Agreement
IT/GB-2/07/Inf.12	List of observers who have requested approval to be represented at the Second Session of the Governing Body

IT/GB-1/06/Inf.7 (From the First Session of the Governing Body) Compilation of submissions and comments on the draft procedures and mechanisms to promote compliance and to address issues of non-compliance

Other Documents

Available, upon request, at the Documents Desk

Reports of previous meetings

GB-1/06/REPORT Report of the First Session of Governing Body of the International Treaty on Plant Genetic Resources for Food and Agriculture

Background Study papers

Background Study Paper No. 29 (English only) Report on the Types of Funding and Assistance and Institutions with Relevant Mandates to the Funding Strategy of the International Treaty on Plant Genetic Resources for Food and Agriculture

Background Study Paper No. 31 (English only) Policy and criteria for the Funding Strategy for the implementation of the International Treaty on Plant Genetic Resources for Food and Agriculture

Other documents

CGRFA/IC/Inf.1 Vienna Convention on the Law of Treaties
Section 3: Interpretation of Treaties

Documents circulated at the request of Contracting Parties

IT/GB-2/07/Circ.1 (English only) Implementation of Article 9 of the FAO International Treaty on Plant Genetic Resources for Food and Agriculture: Farmers Rights. Submission by Norway and Zambia

APPENDIX I

**LIST OF PARTICIPANTS
LIST DES PARTICIPANTS
LISTA DE PARTICIPANTES**

Chair: Mr Godfrey MWILA

Président: (Zambia)

Presidente:

Vice-Chairs: Mr Sugiono MOELJOPAWIRO

Vice-présidents: (Indonesia)

Vicepresidentes:

Ms Anna SOMERVILLE

(Australia)

Mr Campbell DAVIDSON

(Canada)

Mr Modesto FERNANDEZ DIAZ-SILVEIRA

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Ms Hanaiya EL ITRIBY

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