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The International Treaty
ON PLANT GENETIC RESOURCES
FOR FOOD AND AGRICULTURE

**Views, Experiences and Best Practices as an example of possible options for
the national implementation of Article 9 of the International Treaty**

Note by the Secretary

At its [second meeting](#) of the Ad hoc Technical Expert Group on Farmers' Rights (AHTEG), the Expert Group agreed on a revised version of the [template](#) for collecting information on examples of national measures, best practices and lessons learned from the realization of Farmers' Rights

This document presents the updated information on best practices and measures of implementing Article 9 of the International Treaty submitted by Australian Food Sovereignty Alliance on 31 July 2019.

The submission is presented in the form and language in which it was received.



Template for submission of

Measures, Best Practices and Lessons Learned from the Realization of Farmers' Rights

Basic information

- Title of measure/practice:
Environmental Protection and Biodiversity Conservation
- Date of submission:
July 29, 2019 (resubmitted September 6, 2019)
- Name(s) of country/countries in which the measure/practice is taking place:
Australia
- Responsible institution/organization (name, address, website (if applicable), e-mail address, telephone number(s) and contact person)
Organisation: Australian Food Sovereignty Alliance
Contact: president@afsa.org.au
Website: https://afsa.org.au/
Contact person: Tammi Jonas
- Type of institution/organization (categories)
National organization – CSO. The Australian Food Sovereignty Alliance is a national organization with active and engaged participation in the international food sovereignty movement. We also work at grassroots and state level with state-specific campaigns to ensure food sovereignty in farming and planning policy reforms in Australia.
- Collaborating/supporting institutions/organizations/actors, if applicable (name, address, website (if applicable), e-mail address, telephone number(s))
Name: International Planning Committee (IPC) for Food Sovereignty
Websites: http://www.foodsovereignty.org/
ipc-cip@foodsovereignty.org
Phone: +39 06 5754091

Description of the examples

Mandatory information:¹

- Short summary to be put in the inventory (max. 200 words) including:
 - Implementing entity and partners
 - Start year
 - Objective(s)

¹ This mandatory information is required in order for the measure/practice to be included in the Inventory.



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- Summary of core components
- Key outcomes
- Lessons learned (if applicable)

In 1999 the Australian Government enacted the Environmental Protection and Biodiversity Conservation Act (EPBC Act). This recognised the important role that farmers as natural resource managers play in protecting the environment.

In March 2018, the Australian Government announced that there would be a review to find practical ways to help farmers fulfil their obligations under the EPBC Act.

The review suggested a One-Stop Shop for environmental approvals. This would accredit state or territory planning systems under the EPBC Act to create a single environmental assessment and approval process for farmers whose activities affect matters of environmental significance.

A key lesson learnt is that recognition of customary laws attached to traditional ecological knowledge is deficient.

- Brief history (including starting year), as appropriate

Australia has national biodiversity protection legislation, the Environmental Protection and Biodiversity Conservation Act 1999.

Australia is recognised as a megadiverse country, one of the most biologically rich countries in the world. Farmers of Australia are custodians for as much as 80% of the landscape, however it is unknown what total area of land is used for small-scale farming.

- Core components of the measure/practice (max 200 words)

The collection of varieties by botanical institutions through the Australian Cultivar Registration Authority (ACRA) has excluded ABTS access to cultivated native plants. Although the Australian Commonwealth owns native seeds, Australia has approved their expropriation by ceding to this international IP system. Therefore, recognition of customary laws attached to TEK is deficient, particularly in circumstances where TEK is made available to international enterprises.

Research ventures have assessed the role and economic viability of farming in managing biodiversity. A project called UWA Future Farm showed that the two could be compatible. That project's vision is to "imagine the ideal farming system for 2050 and do it now". The Cooperative Research Centre (CRC) for Safeguarding Biodiversity was set up as a national program designed to prevent the extinction of native vertebrate animals.

Australia also has a National Reserve System, which is set up as the nation's premier investment in biodiversity conservation.

- Description of the context and the history of the measure/practice is taking place (political, legal and economic framework conditions for the measure/practice) (max 200 words)



In 2001, the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA) was approved subsequent to the 1992 Convention on Biological Diversity. ITPGRFA is concerned with the conservation and sustainable use of PGRs for agriculture, and fair equitable benefit-sharing (EBS) arising from their use. It acknowledges farmers' rights to 'save, use, exchange, and sell ... saved seed'; however, it makes this a national privilege, and farmers are not broadly defined to include Traditional Aboriginal Owners.

For germplasm to be claimed, any party can enter into a negotiated settlement called a Materials Transfer Agreement (MTA). Although MTAs require mandate EBS payments, ITPGRFA lacks an enforceable scheme for how benefits are to be calculated or collected. Although the contribution of local and Indigenous communities is recognised under the treaty¹⁷, Brush argues that ITPGRFA 'does not adequately emphasise the obligations ... to support conservation of crop resources beyond the commercialised ones.'

The International Union for the Protection of new Varieties of Plants (UPOV) was introduced in 1991 for plant-breeding and patent protection of new plant varieties. New varieties are approved through UPOV criteria if they are distinct, novel, uniform and stable.

Australia's Plant Breeders Rights (PBR) registrar uses these criteria.

National PBRs are used to protect new varieties of plants that are distinct, uniform and stable.

Australian new varieties have been previously exposed as Aboriginal bush foods.

- To which provision(s) of Article 9 of the International Treaty does this measure relate

Art. 9.1 ☒

Art. 9.2a ☐

Art. 9.2b ☐

Art. 9.2c ☐

Art. 9.3 ☐

Other information, if applicable

- Please indicate which category of the Inventory is most relevant for the proposed measure, and which other categories are also relevant (if any):

No.	Category	Most relevant ²	Also relevant ³
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² Please select only one category that is most relevant, under which the measure will be listed.

³ Please select one or several categories that may also be relevant (if applicable).



1	Recognition of local and indigenous communities', farmers' contributions to conservation and sustainable use of PGRFA, such as awards and recognition of custodian/guardian farmers		yes
2	Financial contributions to support farmers conservation and sustainable use of PGRFA such as contributions to benefit-sharing funds		
3	Approaches to encourage income-generating activities to support farmers' conservation and sustainable use of PGRFA		
4	Catalogues, registries and other forms of documentation of PGRFA and protection of traditional knowledge	yes	
5	In-situ/on-farm conservation and management of PGRFA, such as social and cultural measures, community biodiversity management and conservation sites		yes
6	Facilitation of farmers' access to a diversity of PGRFA through community seed banks ⁴ , seed networks and other measures improving farmers' choices of a wider diversity of PGRFA.		
7	Participatory approaches to research on PGRFA, including characterization and evaluation, participatory plant breeding and variety selection		yes
8	Farmers' participation in decision-making at local, national and sub-regional, regional and international levels		yes
9	Training, capacity development and public awareness creation		
10	Legal measures for the implementation of Farmers' Rights, such as legislative measures related to PGRFA.		
11	Other measures / practices		

- In case you selected 'other measures', would you like to suggest a description of this measure, e.g. as a possible new category? _____
- Objective(s)
- Target group(s) and numbers of involved and affected farmers⁵
- Location(s) and geographical outreach
- Resources used for implementation of the measure/practice
- How has the measure/practice affected the conservation and sustainable use of plant genetic resources for food and agriculture?
- Please describe the achievements of the measure/ practice so far (including quantification) (max 200 words)
- Other national level instruments that are linked to the measure/practice

⁴ Including seed houses.

⁵ Any classification, e.g. of the types of farmer addressed, may be country-specific.



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- Are you aware of any other international agreements or programs that are relevant for this measure/practice?
- Other issues you wish to address, that have not yet been covered, to describe the measure/practice

Lessons learned

- Describe lessons learned which may be relevant for others who wish to do the same or similar measures/practices (max 250 words).
- What challenges encountered along the way (if applicable) (max 200 words)
- What would you consider conditions for success, if others should seek to carry out such a measure or organize such an activity? (max 100 words)

Further information

- Link(s) to further information about the measure/practice



Template for submission of

Measures, Best Practices and Lessons Learned from the Realization of Farmers' Rights as set out in Article 9 of the International Treaty

Basic information

- Title of measure/practice
Protection of Farmers' Intellectual Property Rights
- Date of submission
July 29, 2019 (resubmitted September 6, 2019)
- Name(s) of country/countries in which the measure/practice is taking place
Australia
- Responsible institution/organization (name, address, website (if applicable), e-mail address, telephone number(s) and contact person)
Organisation: Australian Food Sovereignty Alliance
Contact: president@afsa.org.au
Website: https://afsa.org.au/
Contact person: Tammi Jonas
- Type of institution/organization (categories)
National organization – CSO. The Australian Food Sovereignty Alliance is a national organization with active and engaged participation in the international food sovereignty movement. We also work at grassroots and state level with state-specific campaigns to ensure food sovereignty in farming and planning policy reforms in Australia.
- Collaborating/supporting institutions/organizations/actors, if applicable (name, address, website (if applicable), e-mail address, telephone number(s))
Name: International Planning Committee (IPC) for Food Sovereignty
Websites: http://www.foodsovereignty.org/
ipc-cip@foodsovereignty.org
Phone: +39 06 5754091

Description of the examples

Mandatory information:¹

- Short summary to be put in the inventory (max. 200 words) including:
 - Implementing entity and partners:
 - Start year:
 - Objective(s)

¹ This mandatory information is required in order for the measure/practice to be included in the Inventory.



- Summary of core components
- Key outcomes
- Lessons learned (if applicable)
- Australia is a signatory to the WTO's Agreement on Trade Related Aspects of Intellectual Property Rights. The Australian Government, as the implementing entity, enacted the Patents Act in 1990 and the Plant Breeders Act in 1994. The objective of the IP protections enshrined in such legislation serve principally to incentivise and protect exclusive rights to commercial exploitation of inventions for the life of the patent. The key outcome is that IP rights are made available to farming industries. However, one of the lessons learned is that existing IP laws provide limited scope for protection of knowledge, innovation and practices that are significant to Indigenous culture and heritage. Brief history (including starting year), as appropriate
Australia signed the World Trade Organisation's Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS), established by the GATT in 1994. Article 27 (3) (b) of TRIPS excludes plants from patentability, but provides exceptions for other forms of life including microorganisms and biological processes. The Australian Government enacted the Patents Act in 1990 and the Plant Breeders Act in 1994.
- Core components of the measure/practice (max 200 words)
The objective of the IP protections enshrined in Australia's legislation serve principally to incentivise and protect exclusive rights to commercial exploitation of inventions for the life of the patent. The key outcome is that IP rights are made available to farming industries.
- Description of the context and the history of the measure/practice is taking place (political, legal and economic framework conditions for the measure/practice) (max 200 words)
The context and history of the measure is provided in the submissions above, but it is becoming increasingly apparent that indigenous peoples of Australia have experienced reduced IP rights to seeds because of the lack of recognition of their informal sector of agricultural practices under a colonial regulatory field that deems knowledge to be a commercially viable biogenetic resource. The effect of knowledge becoming property eroded Indigenous Australians' rights by not only diminishing their cultural interests but also the long-term sustainability of Australia's plant diversity. Ultimately, biodiversity is being compromised by these more severe limitations on Indigenous IP rights.
The current legal and policy landscape bars Indigenous Australians from making commodity gains for Traditional Ecological Knowledge, which aggravates the loss of not only Indigenous rights but also cultural knowledge itself.
- To which provision(s) of Article 9 of the International Treaty does this measure relate
Art. 9.1 ☐
Art 9.2a ☒



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Art. 9.2b ☐

Art. 9.2c ☐

Art. 9.3 ☐

Other information, if applicable

- Please indicate which category of the Inventory is most relevant for the proposed measure, and which other categories are also relevant (if any):

No.	Category	Most relevant ²	Also relevant ³
1	Recognition of local and indigenous communities', farmers' contributions to conservation and sustainable use of PGRFA, such as awards and recognition of custodian/guardian farmers		yes
2	Financial contributions to support farmers conservation and sustainable use of PGRFA such as contributions to benefit-sharing funds		
3	Approaches to encourage income-generating activities to support farmers' conservation and sustainable use of PGRFA		
4	Catalogues, registries and other forms of documentation of PGRFA and protection of traditional knowledge		yes
5	In-situ/on-farm conservation and management of PGRFA, such as social and cultural measures, community biodiversity management and conservation sites		
6	Facilitation of farmers' access to a diversity of PGRFA through community seed banks ⁴ , seed networks and other measures improving farmers' choices of a wider diversity of PGRFA.		yes
7	Participatory approaches to research on PGRFA, including characterization and evaluation, participatory plant breeding and variety selection		yes
8	Farmers' participation in decision-making at local, national and sub-regional, regional and international levels		yes
9	Training, capacity development and public awareness creation		
10	Legal measures for the implementation of Farmers' Rights, such as legislative measures related to PGRFA.	yes	

² Please select only one category that is most relevant, under which the measure will be listed.

³ Please select one or several categories that may also be relevant (if applicable).

⁴ Including seed houses.



11	Other measures / practices		
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- In case you selected ‘other measures’, would you like to suggest a description of this measure, e.g. as a possible new category? _____
- Objective(s)
- Target group(s) and numbers of involved and affected farmers⁵
- Location(s) and geographical outreach

- Resources used for implementation of the measure/practice
- How has the measure/practice affected the conservation and sustainable use of plant genetic resources for food and agriculture?
- Please describe the achievements of the measure/ practice so far (including quantification) (max 200 words)
- Other national level instruments that are linked to the measure/practice
- Are you aware of any other international agreements or programs that are relevant for this measure/practice?
- Other issues you wish to address, that have not yet been covered, to describe the measure/practice

Lessons learned

- Describe lessons learned which may be relevant for others who wish to do the same or similar measures/practices (max 250 words).
- What challenges encountered along the way (if applicable) (max 200 words)
- What would you consider conditions for success, if others should seek to carry out such a measure or organize such an activity? (max 100 words)

Further information

- Link(s) to further information about the measure/practice

⁵ Any classification, e.g. of the types of farmer addressed, may be country-specific.



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Template for submission of

Measures, Best Practices and Lessons Learned from the Realization of Farmers' Rights as set out in Article 9 of the International Treaty

Basic information

Title of measure/practice:

Seed Saving

- Date of submission:
July 29, 2019 (resubmitted September 6, 2019)
- Name(s) of country/countries in which the measure/practice is taking place:
Australia
- Responsible institution/organization (name, address, website (if applicable), e-mail address, telephone number(s) and contact person)
Organisation: Australian Food Sovereignty Alliance
Contact: president@afsa.org.au
Website: https://afsa.org.au/
Contact person: Tammi Jonas
- Type of institution/organization (categories)
National organization – CSO. The Australian Food Sovereignty Alliance is a national organization with active and engaged participation in the international food sovereignty movement. We also work at grassroots and state level with state-specific campaigns to ensure food sovereignty in farming and planning policy reforms in Australia.
- Collaborating/supporting institutions/organizations/actors, if applicable (name, address, website (if applicable), e-mail address, telephone number(s))
Name: International Planning Committee (IPC) for Food Sovereignty
Websites: http://www.foodsovereignty.org/
ipc-cip@foodsovereignty.org
Phone: +39 06 5754091

Description of the examples

Mandatory information:¹

- Short summary to be put in the inventory (max. 200 words) including:
 - Implementing entity and partners: seed-saving communities, individuals, and research partners
 - Start year: various / ongoing
 - Objective(s)

¹ This mandatory information is required in order for the measure/practice to be included in the Inventory.



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- Summary of core components:
- Key outcomes
- Lessons learned

In Australia a number of seed catalogues exist, created by seed-saving communities and small businesses for communities and small-scale farmers or gardeners². Community-based networks and small enterprises play a key role in ensuring the ongoing availability and development of open-pollinated seeds and heritage and heirloom plant varieties, thereby ensuring the diversity and availability of plant genetic resources for food and agriculture (PGRFA) for small-scale farmers and traditional owners.

To include a variety or cultivar in the catalogue, the criteria is vastly different to, for example, a commercial catalogue by Yates, which is intent on reaching export markets and does not emphasise the importance of non-GM seeds or organic seeds.

The key outcome is that open-pollinated seeds are developed and conserved in situ for the free use of individuals and communities, thereby protecting diversity and wide-use of PGRFA.

- Brief history (including starting year), as appropriate

Various seed catalogues managed by seed-saving communities and organisations, ongoing.

- Core components of the measure/practice (max 200 words)

Seed Savers Networks provides open-pollinated seed stock to individuals, groups and communities. They give financial and educational assistance to community development projects – local and overseas and help to develop and promote:

- Educational programmes for the preservation of open-pollinated (non-hybrid) seeds and the genetic diversity of plant varieties;
- Non-profit seed exchange programmes;
- Agricultural and horticultural programmes with particular emphasis on the propagation of open-pollinated plant varieties;
- Preservation gardens for open-pollinated plant varieties;

² Eden Seeds on-hybrid- non-GMO, old-traditional, open-pollinated, heirloom seeds

Diggers Club – 'garden worthy' plants that suit climate change, are not genetically modified seeds and do not support industrial agriculture or the corporatisation of our food supply

Southern Harvest - quality cottage garden, native and vegetable and herb seeds

The Seed Collection - Heirloom and open-pollinated, no hybrids or GMO's or chemically treated seeds

Australian Seed- natives, bush foods

Green Harvest – organic vegetable seeds

Fair Dinkum Seeds - Native Australian bush tucker, rare fruit, unusual heirloom vegetables and herbs

Yilgarn Seeds, Western Australia – non-GMO, chemical free



- Seed banks for non-hybrid plant varieties;
 - Scientific research relating to the above matters, either alone or in conjunction with a public university or other institution.
-
- Description of the context and the history of the measure/practice is taking place (political, legal and economic framework conditions for the measure/practice) (max 200 words)

Australian law recognises the role of farmers in the conservation of biodiversity, however in regard to seeds, a set of criteria is set out for farmers who wish to save seed for food and agriculture.

Australia belongs to the International Union for the Protection of New Varieties of Plants (UPOV). There are over 70 member countries, including all major industrial countries and Australia's key trading partners.

UPOV was developed for a particular form of plant breeding, and supports *industrial seed systems*, designed to bring profit via exclusivity, and are at risk of being produced using ecologically-unsound practices for private gain. They usually must be deemed new, distinct, uniform, and stable to qualify for certification. Yates' catalogue would be consistent with the UPOV criteria for distinctness, stability and uniformity.

Unfortunately, UPOV, the Plant Breeders Rights Act, and Australian IP law undermines and contravenes efforts to seed save and conserve and develop PGRFA for public benefit. This is why independent seed-saving initiatives have emerged.

- To which provision(s) of Article 9 of the International Treaty does this measure relate

Art. 9.1 ☒

Art. 9.2a ☒

Art. 9.2b ☐

Art. 9.2c ☐

Art. 9.3 ☒

Other information, if applicable

- Please indicate which category of the Inventory is most relevant for the proposed measure, and which other categories are also relevant (if any):

No.	Category	Most relevant ³	Also relevant ⁴
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³ Please select only one category that is most relevant, under which the measure will be listed.

⁴ Please select one or several categories that may also be relevant (if applicable).



1	Recognition of local and indigenous communities', farmers' contributions to conservation and sustainable use of PGRFA, such as awards and recognition of custodian/guardian farmers		yes
2	Financial contributions to support farmers conservation and sustainable use of PGRFA such as contributions to benefit-sharing funds		
3	Approaches to encourage income-generating activities to support farmers' conservation and sustainable use of PGRFA		yes
4	Catalogues, registries and other forms of documentation of PGRFA and protection of traditional knowledge		yes
5	In-situ/on-farm conservation and management of PGRFA, such as social and cultural measures, community biodiversity management and conservation sites		yes
6	Facilitation of farmers' access to a diversity of PGRFA through community seed banks ⁵ , seed networks and other measures improving farmers' choices of a wider diversity of PGRFA.	YES	
7	Participatory approaches to research on PGRFA, including characterization and evaluation, participatory plant breeding and variety selection		yes
8	Farmers' participation in decision-making at local, national and sub-regional, regional and international levels		yes
9	Training, capacity development and public awareness creation		
10	Legal measures for the implementation of Farmers' Rights, such as legislative measures related to PGRFA.		yes
11	Other measures / practices		

- In case you selected 'other measures', would you like to suggest a description of this measure, e.g. as a possible new category? _____

- Objective(s)
- Target group(s) and numbers of involved and affected farmers⁶
- Location(s) and geographical outreach

- Resources used for implementation of the measure/practice
- How has the measure/practice affected the conservation and sustainable use of plant genetic resources for food and agriculture?

⁵ Including seed houses.

⁶ Any classification, e.g. of the types of farmer addressed, may be country-specific.



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- Please describe the achievements of the measure/ practice so far (including quantification) (max 200 words)
- Other national level instruments that are linked to the measure/practice
- Are you aware of any other international agreements or programs that are relevant for this measure/practice?
- Other issues you wish to address, that have not yet been covered, to describe the measure/practice

Lessons learned

- Describe lessons learned which may be relevant for others who wish to do the same or similar measures/practices (max 250 words).
- What challenges encountered along the way (if applicable) (max 200 words)
- What would you consider conditions for success, if others should seek to carry out such a measure or organize such an activity? (max 100 words)

Further information

- Link(s) to further information about the measure/practice



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Template for submission of

Measures, Best Practices and Lessons Learned from the Realization of Farmers' Rights as set out in Article 9 of the International Treaty

Basic information

- Title of measure/practice:
Plant Breeders Rights Scheme
- Date of submission:
July 29, 2019 (resubmitted September 6, 2019)
- Name(s) of country/countries in which the measure/practice is taking place:
Australia
- Responsible institution/organization (name, address, website (if applicable), e-mail address, telephone number(s) and contact person)
Organisation: Australian Food Sovereignty Alliance
Contact: president@afsa.org.au
Website: https://afsa.org.au/
Contact person: Tammi Jonas
- Type of institution/organization (categories)
National organization – CSO. The Australian Food Sovereignty Alliance is a national organisation with active and engaged participation in the international food sovereignty movement. We work at grassroots and state level with state-specific campaigns to ensure food sovereignty in farming and planning policy reforms in Australia.
- Collaborating/supporting institutions/organizations/actors, if applicable (name, address, website (if applicable), e-mail address, telephone number(s))

Name: International Planning Committee (IPC) for Food Sovereignty
Websites: http://www.foodsovereignty.org/
ipc-cip@foodsovereignty.org
Phone: +39 06 5754091

Description of the examples

Mandatory information:¹

- Short summary to be put in the inventory (max. 200 words) including:
 - Implementing entity and partners
 - Start year
 - Objective(s)
 - Summary of core components

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- Key Outcomes
- Lessons Learned (if applicable)

The plant breeder's rights scheme was first established under the *Plant Variety Rights Act 1987* and administered by the then Department of Agriculture, Fisheries and Forestry (present Department of Agriculture) to regulate farmers' use of seed and other propagating material. Its key outcome is to allow for a form of intellectual property to thrive in a holder exclusive market by way of commercial rights to register plant varieties.

Australia since instated Plant Breeders' Rights (**PBR**) under the *Plant Breeders' Rights Act 1994* (Cth) (the **Act**). Section 17 of the Act specifically allows farmers to reuse seed and other propagating material, within certain conditions and limitations. It essentially sets out what seeds may be saved without infringing PBR. Interpreted strictly, it provides four conditions to save seed on farm.

The lessons from the operation of the Act relate to the negative impact on Indigenous peoples who have stewarded this land for over 60,000 years. Effectively the framework of the Act largely ignores the role of Indigenous peoples in seed custodianship, such as by commercialisation of "bushfoods" and lack of support for the morphology of cultural food varieties brought to light by Bruce Pascoe² and or promotion of "informal" seed systems such as communal patents and Traditional Ecological Knowledge (**TEK**).

- Brief history (including starting year), as appropriate

In 2010, the Australian Seed Federation produced a National Code of Practice for Labelling and Marketing of Seeds for Sowing (the **Code**).³ The Code applies to seeds sold or supplied for the purpose of sowing. 'Sold' or 'sell' includes barter, exchange, and exposing, having in possession, or delivering for sale, in Australia and its Territories. The standards set out in the Code are Australia's minimum standards unless some higher standard is required by a law of a State, Territory or the Commonwealth.

- Core components of the measure/practice (max 200 words)

The core components are:

1. uniformisation of seed legislation in terms of labelling, biological treatment, description of whether there is chemical additive treatment or alike, and quality assurance ;
2. repeal of all seed legislation for consistency and effectiveness of application; and
3. industry self-regulation in terms of the fair marketing, compliance and administration of the Code.

- Description of the context and the history of the measure/practice is taking place (political, legal and economic framework conditions for the measure/practice) (max 200 words)

The development of the Code is attributed to Federal and State legislative developments, and a dedication of plant breeders and proprietary marketers to adopt strict standards of conduct in the production and marketing of seed for sowing. "Mutual Recognition" legislation was introduced in 1992, the principle objective being, that goods produced in or imported into the first state, that may be lawfully sold in that state either generally or in particular circumstances, may, because of the Act, be sold in the second state either generally or in particular circumstances, without the necessity for compliance with further

² Pascoe is an Australian Indigenous writer and author of *Dark Emu* from the Bunurong clan, of the Kulin nation. He unearthed important evidence substantiating Aboriginal engagement in the irrigation, harvesting, storing and trade of seeds across regions, which developed the morphology of grains and food sources.

³ <http://www.asf.asn.au/code-of-practice/>



requirements that the goods satisfy standards of the second state, for example, packaging, labelling, date stamping or age. In response to Mutual Recognition, the Australian Seeds Committee (ASC) sought advice from the Federal Attorney General's Department with respect to establishing the full extent of the impact of Mutual Recognition on state seed legislation. The response from the Attorney General's office was that the provisions of state seed legislation governing the sale of seed for sowing purposes would be subject to Mutual Recognition. The Australian Seed Committee's response to this advice was the establishment of an 'ASC Working Group on National Seed Legislation' which includes representation from the Australian Seed Federation, the Grains Council of Australia, and the Australian Seeds Committee.

- To which provision(s) of Article 9 of the International Treaty does this measure relate
 - Art. 9.1 ☐
 - Art. 9.2a ☐
 - Art. 9.2b ☐
 - Art. 9.2c ☐
 - Art. 9.3 ☒

Other information, if applicable

- Please indicate which category of the Inventory is most relevant for the proposed measure, and which other categories are also relevant (if any):

No.	Category	Most relevant ⁴	Also relevant ⁵
1	Recognition of local and indigenous communities', farmers' contributions to conservation and sustainable use of PGRFA, such as awards and recognition of custodian/guardian farmers		yes
2	Financial contributions to support farmers conservation and sustainable use of PGRFA such as contributions to benefit-sharing funds		
3	Approaches to encourage income-generating activities to support farmers' conservation and sustainable use of PGRFA		
4	Catalogues, registries and other forms of documentation of PGRFA and protection of traditional knowledge		yes
5	In-situ/on-farm conservation and management of PGRFA, such as social and cultural measures, community biodiversity management and conservation sites		yes

⁴ Please select only one category that is most relevant, under which the measure will be listed.

⁵ Please select one or several categories that may also be relevant (if applicable).



6	Facilitation of farmers' access to a diversity of PGRFA through community seed banks ⁶ , seed networks and other measures improving farmers' choices of a wider diversity of PGRFA.		yes
7	Participatory approaches to research on PGRFA, including characterization and evaluation, participatory plant breeding and variety selection		yes
8	Farmers' participation in decision-making at local, national and sub-regional, regional and international levels		yes
9	Training, capacity development and public awareness creation		
10	Legal measures for the implementation of Farmers' Rights, such as legislative measures related to PGRFA.	yes	
11	Other measures / practices		

- In case you selected 'other measures', would you like to suggest a description of this measure, e.g. as a possible new category? _____
- Objective(s)
- Target group(s) and numbers of involved and affected farmers⁷
- Location(s) and geographical outreach
- Resources used for implementation of the measure/practice
- How has the measure/practice affected the conservation and sustainable use of plant genetic resources for food and agriculture?
- Please describe the achievements of the measure/ practice so far (including quantification) (max 200 words)
- Other national level instruments that are linked to the measure/practice
- Are you aware of any other international agreements or programs that are relevant for this measure/practice?
- Other issues you wish to address, that have not yet been covered, to describe the measure/practice

Lessons learned

- Describe lessons learned which may be relevant for others who wish to do the same or similar measures/practices (max 250 words).
- What challenges encountered along the way (if applicable) (max 200 words)
- What would you consider conditions for success, if others should seek to carry out such a measure or organize such an activity? (max 100 words)

Further information

- Link(s) to further information about the measure/practice

⁶ Including seed houses.

⁷ Any classification, e.g. of the types of farmer addressed, may be country-specific.