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**Food and Agriculture
Organization of the
United Nations**



The International Treaty
**ON PLANT GENETIC RESOURCES
FOR FOOD AND AGRICULTURE**

Item 5 of the Provisional Agenda

**INTERNATIONAL TREATY ON PLANT GENETIC RESOURCES
FOR FOOD AND AGRICULTURE**

THIRD MEETING OF THE COMPLIANCE COMMITTEE

Rome, Italy, 31 January – 1 February 2019

**UPDATE BY THE SECRETARY ON CAPACITY-BUILDING ACTIVITIES
RELATED TO COMPLIANCE**

Executive Summary

During the current biennium, the Secretary continued to provide support to Contracting Parties for the preparation and submission of reports pursuant to Section V of the *Compliance Procedures*. This document provides information on such activities and focuses, in particular, on the three regional capacity-building workshops organized by the Secretary in the last quarter of 2018 and also provides summary information on some the major issues discussed.

I. INTRODUCTION

1. At its Seventh Session, the Governing Body “*Thank[ed] the Secretary for the publication of the Online Reporting System on Compliance (ORS) and request[ed] the Secretary to continue assisting Contracting Parties during their reporting process*”.¹ Furthermore, the Governing Body emphasized the importance of the reporting process under the International Treaty in the context of the 2030 Agenda for Sustainable Development, since “*Contracting Parties’ reports under the Compliance Procedures on the implementation of their obligations under the International Treaty provide a useful source of information to assess progress in the implementation of access and benefit-sharing for PGRFA*” (Resolution 1/2017). It accordingly “*invite[ed] Contracting Parties to submit such national reports to inform on their progress towards the achievement of SDG Target 15.6.*”
2. The Online Reporting System (ORS) has been operational since 2016, and the Secretary has continuously assisted Parties using the system by both email and telephone.² Additionally, the Secretariat issued two notifications to Contracting Parties and interacted with national focal points and country representatives at various meetings to inform them about the process reporting required under the *Compliance Procedures*.
3. Up to the time of the second meeting of the Compliance Committee, in February 2017, only 14 Contracting Parties out of 140 had submitted a national report on the implementation of the International Treaty. Lack of awareness and capacity was one of the causes identified for this very low response rate in the report of the second meeting of the Compliance Committee. At its Seventh Session, the Governing Body had invited Contracting Parties that had not reported to do so as soon as possible and to other Contracting Parties to update their reports, if needed.
4. The Governing Body has repeatedly emphasized the need for adequate capacity building and training for the effective implementation of the International Treaty. The issue of compliance and reporting emerged during the last biennium as an area for which additional capacity-building efforts were needed. Numerous Contracting Parties had indicated that the reporting required under the *Compliance Procedures* would require training, time and financial resources, given that some of the information would need to be collected from different sources.
5. In October 2018, the Secretariat supported a meeting of the Plant Genetic Resources Centre (SPGRC) of Southern African Development Community (SADC) in Johannesburg on integration and harmonization of policies on plant genetic resources for food and agriculture, with the implementation of the International Treaty in the agenda of the meeting. Following the workshop and the discussions, the Chairperson of the SPGRC board submitted a note with some recommendations to the Secretary. The note is attached to this document in the form and language it was received.
6. To be able to increase awareness and strengthen the capacity at the national level during this period as requested by the Governing Body, the Secretary discussed and agreed with the Government of Germany (Federal Ministry of Food and Agriculture) on the project “*Support to developing countries to submit national implementation reports to the ITPGRFA*”. The project became operational at the end of September 2018.

II. OBJECTIVES AND BENEFICIARIES

7. The project involved the organization of three capacity building workshops for direct training in three selected regions. It was designed to support the efforts of the Secretariat, and contribute to increased training and capacity development opportunities for national focal points and government officials working on the implementation of the International Treaty and those in charge of the reporting process at the national level. Furthermore, other regionally designated representatives and experts participating in various committees of the Governing Body also attended the workshops.

¹ [Resolution 8/2017](#), paragraph 7.

² The Online Reporting System is available at <http://faoitpgrfa.ort-production.linode.unep-wcmc.org/>

8. The workshops were organized in collaboration with other technical units of FAO, which provided information on the monitoring mechanisms of the Second Global Plan of Action on Plant Genetic Resources for Food and Agriculture. The beneficiaries of the project were national focal points of the International Treaty and reporting officers of developing country Contracting Parties, amongst others.
9. On 25 September 2018, the Secretariat issued a notification informing Contracting Parties about the workshops,³ whose objectives, are:
- (i) to enhance the capacity of the national focal points to prepare and submit their national reports on the implementation of the International Treaty;
 - (ii) to provide an overview of the major areas of work and an update on the status of intersessional processes;
 - (iii) to facilitate discussion and coordination on ongoing policy and operational processes under the International Treaty that affect implementation.
10. The first workshop took place in Addis Ababa, Ethiopia, from 30 October to 1 November 2018 and was organized in collaboration with the African Union Commission. It involved both national focal points for the International Treaty and other government officials from the Sub-Saharan Africa and the North Africa Regions and three participants from English speaking Contracting Parties in the Caribbean.
11. The second workshop took place in Antigua, Guatemala, from 4 to 6 December 2018. It was organized in collaboration with the Ministry of Agriculture, Livestock and Food of Guatemala (MAGA), the FAO Country Office and hosted by the Training Center of the Spanish Agency for International Cooperation and Development (AECID).
12. The third regional workshop took place in New Delhi, India, from 11 to 13 December 2018, at the premises of the Indian Council for Agricultural Research (ICAR), and was organized in collaboration with the National Bureau of Plant Genetic Resources (NBPGR) and the FAO Country Office. In addition to the national focal points of the Asia Region and other officials, two participants from the South West Pacific attended.
13. The three-day workshops followed a similar structure and approach with three sections. The first one comprised of presentations on the *Compliance Procedures*, the reporting obligations and the mechanism in place, the standard reporting format, the online reporting system. Additionally, information was also provided on how the data provided is published and used for the preparation of a synthesis report. The second section focused on presentations and updates on the major work tracks, systems and intersessional committees of the International Treaty.
14. Finally, the third section comprised of interactive discussions and the exchange of experiences in the implementation of the International Treaty at the national level, as well as exploring possible regional coordination. All sections were held in an interactive format, allowing ample space for questions and debate, and thus helped to identify both difficulties and opportunities, taking into account the respective national contexts and situations.
15. The presentations were by the Secretariat and by current or former members of the Compliance Committee. Similarly, several national focal points and officers that had previously submitted their reports pursuant to Section V of the *Compliance Procedures* shared their experiences.
16. Overall, the three workshops contributed to increased awareness about the implementation of the International Treaty and the reporting mechanisms. For many national focal points, the workshops were also their first opportunity to exchange practical experiences with the implementation of the International Treaty in their respective countries.
17. Despite the fact that the workshops were organized in the last quarter of the year, the Secretariat noted a direct link between these activities and the increased number of reports received. The events also helped to gather first-hand information on the implementation in many countries, and about the status and process of the preparation and clearance of several national reports.

³ Notification GB8-11- Regional Workshops Implementation, available at <http://www.fao.org/3/CA1589EN/ca1589en.pdf>

III. NOTES FROM THE WORKSHOPS

18. During the discussions at the workshops, in relation to the preparation of the national reports, the participants enumerated several actions that may help to improve the implementation of the International Treaty. The following is a non-exhaustive list of some of the actions discussed and related comments:

- a. **Harmonizing legal or regulatory frameworks.** Many participants indicated that, although no specific legislation was in force in their countries for the implementation of the International Treaty, there were many relevant laws and legislative regulations, and that in many cases, there was the need for a detailed study of these regulations for their harmonization. They noted that this is or should be an ongoing activity, as any new legislation may affect the existing framework.
- b. **Establishing or strengthening national coordination mechanisms.** Participants indicated that the implementation of the International Treaty requires a coherent institutional setting. In most Contracting Parties, the mandate on PGRFA is distributed among several public organizations and coordination is done at inter-ministerial level. Some participants indicated that their institutions had a very strong commitment towards the implementation of the International Treaty, while others noted that the fragmented institutional setting constituted a major barrier. Some participants informed that in their countries there are committees that have a specific mandate on the International Treaty and were created for this purpose. In other cases, coordination is done through existing committees on genetic resources, on access and benefit-sharing, on agricultural development, etc. A few participants indicated that there is no formal mechanism in place for coordination and that in the best cases, the coordination is done through informal personal contacts, or as needed.
- c. **Support to national focal points.** Some participants indicated that it would be very useful to get more clarity and information on the role and functions of the national focal points and how can they obtain support to carry out those functions.
- d. **Development of implementation plans for the International Treaty at the national level.** At the meetings, participants shared some national experiences on the implementation of the International Treaty, for example, the organization of national workshops with holders of PGRFA from both the public and the private sectors. These activities help to increase the awareness of the International Treaty and its importance for the conservation and use of PGRFA through, for example, seed fairs with farmers and activities with plant breeders. In general, most participants recalled that it is the responsibility of each Contracting Party to implement the Treaty at the national level with existing resources and through the improvement of the planning. At the same time, they also noted that in some countries there is the need to provide support to the national focal points for the organization of certain activities, for example, through mini-projects specifically focused on the implementation of the International Treaty.
- e. **Increasing capacity building.** The participants also expressed the need to increase training and capacity building activities in various technical areas, for example, on the use of the SMTA for the transfer of material, the documentation of plant genetic resources, the formulation of funding proposals and how to notify material available in the Multilateral System through the Global Information System.
- f. **Creating new opportunities for collaboration at the regional level.** The participants indicated that the implementation of the International Treaty would greatly benefit from an increased collaboration among countries at the regional and sub-regional levels. At the three workshops, participants discussed potential collaboration and synergies with regional organizations that could also double to play a supporting role. On one hand, they may help to increase the political profile and importance of the International Treaty as a key biodiversity instrument related to food security and climate change, and its contribution to the achievement of the Sustainable Development Goals (SDGs). On the other hand, their secretariats may also help to coordinate regional positions on relevant issues and also collaborate with the Secretariat of the International Treaty's existing initiatives and activities at the regional level, particularly in the areas of capacity building and awareness raising.

*Annex***Resolutions of the SADC regional workshop on PGR policy integration and harmonization****Held at Holiday Inn, Johannesburg, South Africa****24 - 25 October 2018**

In an effort to streamline and accelerate coordination of PGR conservation and utilization in the SADC region, Member States met to discuss and deliberate on the possible areas for immediate address in the regional integration and harmonization of PGRFA policies drive. After the workshop, delegates came up with the following resolutions as a basis for moving forward:

1. Having established that the domestication of the Treaty is generally limited among Member States in the region the meeting recommended the need to review the status of domestication of the Treaty in Member States countries and urged Member States to accelerate the process domestication of the Treaty
2. It was observed that there are inadequate PGRFA policies and other measures for the effective implementation of required programmes and activities. To address this problem, the meeting recommended that a study be undertaken to assess and establish PGRFA policies and other measures CPs have put in place. The study would explore the feasibility of harmonization of PGRFA policies in the region, including identification of main elements around which the harmonization is to be premised.
3. The workshop also observed that participation of key stakeholders like farmers themselves on matters dealing with farmers' rights, was low in the SADC region and therefore resolved that implementation of farmers' rights in the region MS should have consultations on Farmers' Rights involving all stakeholders including key government ministries/ departments, farmers, farmers' organizations, and traditional leaders.
4. The meeting also noted that existing national Intellectual Property policies and legislations in the SADC Member States do not adequately address PGR issues including area of Farmers' Rights and recommended that a review of national Intellectual Property policies and legislations be carried out to adequately address PGR issues.
5. It was also noted that there is insufficient information on the status of PGR conservation and utilization in the region and recommended that studies to generate baseline and evidence-based data on the status of PGR in the region be carried out in the SADC region.

6. The meeting also acknowledged that there is limited understanding on the subject of PGR conservation and utilization among policy makers and the general public in the SADC region and recommended that awareness programs targeting policy makers and the general public on importance and contribution of PGRFA to food and nutrition security be initiated.

7. There was an observation that what constitutes farmers' rights is not known in general among Member States hence the general inadequate recognition of what constitutes Farmers' Rights and linking it to their needs and priorities. In this view, the meeting recommended that Farmers Rights be clearly defined and the interests of farmers be well articulated in order to address Farmers' Rights issues in Member States.