



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



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

Item 9 of the Provisional Agenda
SEVENTH SESSION OF THE GOVERNING BODY
Kigali, Rwanda, 30 October – 3 November 2017
Proposal for an Amendment of the International Treaty

1. Introduction

1. This document contains a proposal by the Government of Switzerland for an amendment of Annex I to the International Treaty, in accordance with Articles 23 and 24 of the International Treaty.

2. On 21 April 2017, the Secretary received the proposal through a communication from the Permanent Representation of Switzerland to FAO, IFAD and WFP and brought it to the attention of Contracting Parties through Notification NCP GB7-023, dated 21 April 2017.

3. Switzerland proposes the following new paragraph to be added in Annex I, below the current list of crops contained in Annex I, for adoption by the Governing Body at this Session:

In addition to the Food Crops and Forages listed above, and in furtherance of the objectives and scope of the International Treaty, the Multilateral System shall cover all other plant genetic resources for food and agriculture in accordance with Article 3 of the International Treaty.

2. Background

4. Pursuant to Article 23 of the International Treaty, amendments may be proposed by any Contracting Party for adoption at a session of the Governing Body. The text of any proposed amendment shall be communicated to Contracting Parties by the Secretary at least six months before the session at which it is proposed for adoption. All amendments shall be made by consensus of the Contracting Parties present at the Governing Body session.

5. Under Article 24.2 of the International Treaty, these provisions shall apply to the amendment of Annexes to the International Treaty.

6. Following consultation with the Chairperson and the Vice-chairpersons of the Seventh Session of the Governing Body of the International Treaty, this proposal has been put on the Agenda of this Session of the Governing Body.

3. Guidance Sought

7. The Governing Body is invited to consider the proposed amendment of the International Treaty, and, should it not reach consensus, to postpone the decision until its next session or provide any further guidance it deems appropriate.

Annex – Text of the letter from the Government of Switzerland to the Secretary

Amendment to Annex 1 of the International Treaty on Plant Genetic Resources for Food and Agriculture

Dear Dr Nnadozie,

In accordance with the provisions of article 24.2 of the International Treaty for Plant Genetic Resources for Food and Agriculture (herewith after the International Treaty), Switzerland presents a proposal for an amendment to Annex I of the International Treaty in order to expand the scope of its Multilateral System of Access and Benefit-Sharing (MLS) contained in Part IV of the International Treaty.

Switzerland proposes that a new paragraph should be added below the current list of crops contained in Annex I. The new paragraph should read as follows:

"In addition to the Food Crops and Forages listed above, and in furtherance of the objectives and scope of the International Treaty, the Multilateral System shall cover all other plant genetic resources for food and agriculture in accordance with Article 3 of the International Treaty." Switzerland requests the Secretary of the International Treaty to communicate this submission prior to the next ordinary session of the Governing Body to all Contracting Parties in accordance with Art. 23.2 of the International Treaty."

In making this submission Switzerland was guided by the following considerations:

- a) Recalling the need to increase user-based payment and contributions to the Benefit-sharing Fund in a sustainable and predictable long-term manner, Resolution 01/2015 of the Governing Body includes the elaboration of adapting the coverage of the Multilateral System as part of the mandate of the Ad Hoc Open-ended Working Group to Enhance the Functioning of the Multilateral System (the Working Group).
- b) The Working Group considered at its 6th meeting the expansion of the MLS and stressed the need to identify the most effective, clear, simple and rapid modality to give effect to such expansion.
- c) In its Art. 23 and 24, the International Treaty sets out the procedures of adoption and entering into force of amendments. These procedures include amendments of its annexes.
- d) By following these procedures, the proposed amendment above, will enable the 7th session of the Governing Body to make a decision on the coverage of the Multilateral System as part of the enhanced functioning of the Multilateral System.

Yours sincerely,

Federal Office for Agriculture FOAG

Prof Dr Bernard Lehmann

Director-General