



Food and Agriculture  
Organization of the  
United Nations



**The International Treaty**

ON PLANT GENETIC RESOURCES  
FOR FOOD AND AGRICULTURE

**Second Reporting Cycle**  
**Report on the implementation of the International**  
**Treaty on Plant Genetic Resources for Food and**  
**Agriculture (ITPGRFA)**

**AUSTRIA**

**19/10/2023**

## **COUNTRY REPORT ON COMPLIANCE – ITPGRFA**

### **Austria**

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**Article 4: General Obligations**

1. Are there any laws, regulations procedures or policies in place in your country that implement the Treaty?

- Yes
- No

If your answer is 'yes', please provide details of such laws, regulations, procedures or policies:

The ITPGRFA was published in the Federal Law Gazette (BGBl. III Nr. 98/2006) in 2006 and is part of the federal legislation. (<https://www.ris.bka.gv.at/eli/bgbl/III/2006/98>)

2. Are there any other laws, regulations, procedures or policies in place in your country that apply to plant genetic resources?

- Yes
- No

If your answer is 'yes', please provide details of such laws, regulations, procedures or policies:

The Austrian law on health and food safety and the laws about agricultural research centers determine the responsibilities for the implementation of the ITPGRFA as well as various EU regulations.

3. Is there any law, regulation, procedure or policy in place in your country that needs to be adjusted / harmonized<sup>1</sup> to ensure conformity with the obligations as provided in the Treaty?

- Yes
- No

If your answer is 'yes', please provide details of such adjustments and any plans to make those adjustments:

<sup>1</sup> For the purpose of this report, a Contracting Party may choose whichever term (adjusted or harmonized) is appropriate in relation to their legal systems

**Article 5: Conservation, Exploration, Collection, Characterisation, Evaluation and Documentation of Plant Genetic Resources for Food and Agriculture**

4. Has an integrated approach to the exploration, conservation and sustainable use of plant genetic resources for food and agriculture (PGRFA) been promoted in your country?

Yes

No

5. Have PGRFA been surveyed and inventoried in your country?

Yes

No

If your answer is 'yes', please provide details of your findings, specifying species, sub-species and/or varieties, including those that are of potential use:

Ex situ collections of PGRFA are listed in the National Inventory  
[www.genbank.at](http://www.genbank.at).

If your answer is 'no', please indicate:

Any difficulties encountered in surveying or inventorying PGRFA;

Any action plans to survey and inventory PGRFA;

The most important PGRFA that should be surveyed and inventoried:

6. Has any threat to PGRFA in your country been identified?

Yes

No

If your answer is 'yes', please indicate:

The species, subspecies and/or varieties subject to such threats;

The sources (causes) of these threats;

Any steps taken to minimise or eliminate these threats;

Any difficulties encountered in implementing such steps:

Old varieties that are no longer marketed are kept in the gene banks  
(see: [www.genbank.at](http://www.genbank.at)).  
There is no concept yet for the conservation (especially in situ) of Crop  
Wild Relatives.

7. Has the collection of PGRFA and relevant associated information on those plant genetic resources that are under threat or are of potential use been promoted in your country?

Yes

No

If your answer is 'yes', please provide details of the measures taken:

8. Have farmers and local communities' efforts to manage and conserve PGRFA on-farm been promoted or supported in your country?

Yes

No

If your answer is 'yes', please provide details of the measures taken:

For underutilized species and old varieties an Agricultural Environmental Program supports the cultivation of those species and varieties.  
e.g. <https://www.ages.at/en/plant/biodiversity/rare-agricultural-crops>

9. Has in situ conservation of wild crop relatives and wild plants for food production been promoted in your country?

Yes

No

If your answer is 'yes', please indicate whether any measures have been taken to:

Promote in situ conservation in protected areas;

Support the efforts of indigenous and local communities.

If such measures have been taken, please provide details of the measures taken:

On farm conservation of the gene banks under federal control and others.  
In situ conservation in various nature conservation areas.

10. Are there any ex situ collections of PGRFA in your country?

Yes

No

If your answer is 'yes', please provide information on the holder and content of such collections:

Information about the ex situ collections of PGRFA in Austria are available on [www.genbank.at](http://www.genbank.at). Holders are: Austrian Agency for Health and Food Safety (AGES), Agricultural Research and Education Centre Raumberg-Gumpenstein, Federal Secondary College for Horticulture Schönbrunn and Austrian Federal Gardens, Federal Secondary College and Institute for Viticulture and Pomology Klosterneuburg, University of Natural Resources and Life Sciences, Office of the Federal Government of Tyrol, Office of the Federal Government of Styria, Carinthia Chamber of Agriculture, Federal Secondary College for Agriculture St. Florian, Education Center Warth-Aichhof, Association Hortus.

11. Has the development of an efficient and sustainable system of ex situ conservation of PGRFA been promoted in your country?

Yes

No

If your answer is 'yes', please indicate the measures taken to promote ex situ conservation, in particular any measures to promote the development and transfer of technologies for this purpose:

Network of the Austrian gene banks (see question 10).

12. Has the maintenance of the viability, degree of variation, and the genetic integrity of ex situ collections of PGRFA been monitored in your country?

Yes

No

If your answer is 'yes', please provide details of the main conclusions of these monitoring activities:

The holder of PGRFA maintain the material in accordance with the FAO Genebank Standards as possible.

13. Has your country cooperated with other Contracting Parties, through bilateral or regional channels, in the conservation, exploration, collection, characterization, evaluation or documentation of PGRFA?

Yes

No

If your answer is 'yes', please indicate the other Contracting Parties with whom the cooperation was undertaken (where additional to cooperation through the Governing Body or other Treaty mechanisms) and, where possible, details of any relevant projects:

Austria is member of the ECPGR Network, bilateral cooperation also exist between different Institutions (see question 10).

**Article 6: Sustainable Use of Plant Genetic Resources for Food and Agriculture**

14. Are there any policy and legal measures<sup>2</sup> in place in your country that promote the sustainable use of PGRFA?

Yes

No

If your answer is 'yes', please indicate whether such policy and legal measures include:

- Pursuing fair agricultural policies that promote the development and maintenance of diverse farming systems that enhance the sustainable use of agricultural biological diversity and other natural resources;
- Strengthening research that enhances and conserves biological diversity by maximizing intra- and inter-specific variation for the benefit of farmers;
- Promoting plant breeding efforts, with the participation of farmers, that strengthen the capacity to develop varieties particularly adapted to social, economic and ecological conditions, including in marginal areas;
- Broadening the genetic base of crops and increasing the range of genetic diversity available to farmers;
- Promoting the expanded use of local and locally adapted crops, varieties and underutilised species;
- Supporting the wider use of diversity of varieties and species in on-farm management, conservation and sustainable use of crops and creating strong links to plant breeding and agricultural development;
- Reviewing and adjusting breeding strategies and regulations concerning variety release and seed distribution.

If such policy and legal measures are in place, please provide details of the measures taken and any difficulties encountered in implementing them:

The Austrian law on health and food safety and the laws about agricultural research centers determine the measures in place.

<sup>2</sup> For the purpose of this report, legal measures may include regulations.

**Article 7: National Commitments and International Cooperation**

15. Has the conservation, exploration, collection, characterization, evaluation, documentation and sustainable use of PGRFA been integrated into your country's programmes and policies?

Yes

No

If your answer is 'yes', please provide details of the integration of such activities:

Conservation

Exploration

Collection

Characterization

Evaluation

Documentation

Sustainable use

Please indicate into which type of programmes and policies:

Agriculture and rural development

Food security

Biodiversity conservation

Climate change

Other

Additional details:

16. Has your country cooperated with other Contracting Parties, through bilateral or regional channels, in the conservation and sustainable use of PGRFA?

Yes

No



If your answer is 'yes', please indicate whether the aim of such cooperation is to:

Strengthen the capability of developing countries and countries with economies in transition with respect to conservation and sustainable use of PGRFA;

Enhance international activities to promote conservation, evaluation, documentation, genetic enhancement, plant breeding, seed multiplication, and sharing, providing access to and exchanging PGRFA and appropriate information and technology, in conformity with the Multilateral System of Access and Benefit-Sharing under the Treaty.

If, in addition to cooperation through the Governing Body or other Treaty mechanisms, your country has cooperated with other Contracting Parties directly or through FAO and other relevant international organizations, please indicate such other Contracting Parties and, where possible, details of any relevant projects:

Austria cooperates with other contracting parties and/or institutions within the framework of ECPGR and with other genebanks.

#### **Article 8: Technical Assistance**

17. Has your country promoted the provision of technical assistance to developing countries and countries with economies in transition, with the objective of facilitating the implementation of the Treaty?

Yes

No

Not applicable

If your answer is 'yes', please provide details of the measures taken:

Exchange of information

Access to and transfer of technology

Capacity building

Please explain:

18. Has your country received technical assistance with the objective of facilitating the implementation of the Treaty?

Yes

No

Not applicable

If your answer is 'yes', please provide details of such technical assistance:

- Exchange of information
- Access to and transfer of technology
- Capacity building

Please explain:

### Article 9: Farmers' Rights

19. Subject to national law, as appropriate, have any measures been taken to protect and promote farmers rights in your country?

- Yes
- No

If your answer is 'yes', please indicate whether such measures were related to:

- Recognition 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;
- The protection of traditional knowledge relevant to PGRFA;
- The right to equitably participate in sharing benefits arising from the utilisation of PGRFA;
- The right to participate in making decisions, at the national level, on matters related to the conservation and sustainable use of PGRFA;
- Any rights that farmers have to save, use, exchange, and sell farm-saved seed / propagating material.

If such measures were taken, please provide details of the measures taken and any difficulties encountered in implementing them:

Farmers in Austria are liable to the human rights as well as the general civil law like all citizens. Next to the federal laws there are specific state's laws related to farmers as well as EU regulations, giving them special privileges related to farming.

**Article 11: Coverage of the Multilateral System**

20. Has your country notified all PGRFA listed in Annex I to the Treaty that are under the management and control of your Government and in the public domain as included in the Multilateral System of Access and Benefit-Sharing (MLS)?

- All
- Partially
- None

If your answer is 'all', please provide details of any difficulties encountered in including Annex I PGRFA in the MLS:

If your answer is 'partially', please provide details of:

The extent to which Annex I PGRFA have been included in the MLS;

The crops that have been included in the MLS; and

The difficulties encountered in including Annex I PGRFA in the MLS:

If your answer is 'none', please indicate the difficulties encountered in including Annex I PGRFA in the MLS:

- Lack of guidelines for the identification and inclusion of material;
- There is no national genebank;
- Lack of catalogue of PGRFA in the country
- Lack of specialised human resources;
- Limited economic resources and the need for capacity building;
- Other, please explain

21. Has your country taken measures to encourage natural and legal persons within your jurisdiction who hold Annex I PGRFA to include those resources in the MLS?

- Yes
- No

If your answer is 'yes', please provide details of:

- The natural or legal persons within your jurisdiction that included Annex I PGRFA in the MLS;
- The crops that have been included in the MLS by these persons; and

□ Any difficulties these persons encountered in including Annex I PGRFA in the MLS:

Regarding the natural or legal persons within the Austrian jurisdiction that included Annex I PGRFA in the MLS and the crops included, see question 10 as well as [www.genbank.at](http://www.genbank.at).

If your answer is 'no' please provide details, in particular details of any difficulties encountered in encouraging these persons to include Annex I PGRFA in the MLS:

**Article 12: Facilitated access to plant genetic resources for food and agriculture within the Multilateral System**

22. Has your country taken measures to provide facilitated access to Annex I PGRFA, in accordance with the conditions set out in Article 12.4 of the Treaty?

Yes

No

If your answer is 'yes', please provide details of such measures:

Annex I PGRFA are available under the conditions of the SMTA from the gene banks listed in [www.genbank.at](http://www.genbank.at).

If your answer is 'no', please provide details of any difficulties encountered in providing facilitated access to Annex I PGRFA:

23. Has facilitated access been provided in your country to Annex I PGRFA using the Standard Material Transfer Agreement (SMTA)?

Yes

No

If your answer is 'no', please provide details of any difficulties encountered in providing facilitated access to Annex I PGRFA using the SMTA:

24. Has the SMTA been used voluntarily in your country to provide access to non-Annex I PGRFA?

Yes

No

No, but the issue is under consideration

25. Does the legal system of your country provide an opportunity for parties to the material transfer agreements (MTAs) to seek recourse in case of contractual disputes arising under such agreements?

Yes

No

If your answer is 'yes', please provide details of the relevant laws, regulations or procedures:

The ITPGRFA is included in the Austrian federal law. Legal enforcement is guaranteed by civil law. In legal cases, involving foreign elements, international civil procedural law has to be applied.

26 Does the legal system of your country provide for the enforcement of arbitral decisions related to disputes arising under the SMTA?

Yes

No

If your answer is 'yes', please provide details of the relevant laws, regulations or procedures:

See question 25.

27. Have there been any emergency disaster situations in respect of which your country has provided facilitated access to Annex I PGRFA for the purpose of contributing to the re-establishment of agricultural systems?

Yes

No

If your answer is 'yes', please provide details of such emergency disaster situations and the Annex I PGRFA to which access was provided:

**Article 13: Benefit-sharing in the Multilateral System**

28. Has your country made any information available regarding Annex I PGRFA?

- Yes
- No

If your answer is 'yes', please provide details of any information made available regarding Annex I PGRFA:

- Catalogues and inventories
- Information on technologies
- Results of scientific and socio-economic research, including characterisation, evaluation and utilisation
- Other

29. Has your country provided or facilitated access to technologies for the conservation, characterisation, evaluation and use of Annex I PGRFA?

- Yes
- No

If your answer is 'yes', please indicate whether your country:

- Has established or participated in crop-based thematic groups on utilisation of PGRFA;
- Is aware of any partnerships in your country in research and development and in commercial joint ventures relating to the material received through the MLS, human resource development and effective access to research facilities.

Please provide details:

Austria is involved in Working Groups in the frame of ECPGR.  
Regarding partnerships in Austria see question 10.

30. Has your country provided for and/or benefitted from capacity building measures in respect of Annex I PGRFA?<sup>3</sup>

- Yes
- No

If your answer is 'yes', please indicate whether such measures were related to:

- Establishing and/or strengthening programmes for scientific and technical education and training in conservation and sustainable use of PGRFA;
- Developing and strengthening facilities for conservation and sustainable use of PGRFA;

<sup>3</sup> Please note that this question differs from question 15 as it only concerns Annex I PGRFA and is more specific

- Carrying out scientific research and developing capacity for such research.

If your country provided for and/or benefitted from such measures, please provide details:

See question 29. Austria is involved in such measures in the given frame.

**Article 14: Global Plan of Action**

31. Has your country promoted the implementation of the Global Plan of Action for the Conservation and Sustainable Use of Plant Genetic Resources for Food and Agriculture?

Yes

No

If your answer is 'yes', please indicate whether the implementation of the plan was done through:

National actions;

International cooperation;

Other actions

Please provide details:

Austria is involved in Working Groups in the frame of ECPGR.  
Regarding partnerships in Austria see question 10.

**Article 15: Ex Situ Collections of Plant Genetic Resources for Food and Agriculture held by the International Agricultural Research Centres of the Consultative Group on International Agricultural Research and other International Institutions**

32. Has facilitated access to Annex I PGRFA been provided in your country to the International Agricultural Research Centres of the Consultative Group on International Agricultural Research (IARCs) or other international institutions that have signed agreements with the Governing Body of the Treaty?

Yes

No

If your answer is 'yes', please indicate:

To which IARCs or other international institutions facilitated access was provided;

The number of SMTAs entered into with each IARC or other international institution:

If your answer is 'no', please provide details of any difficulties encountered in providing facilitated access to Annex I PGRFA to IARCs and other international institutions that have signed agreements with the Governing Body of the Treaty:

So far there has been no reason for inducement. All data are globally available by [www.genbank.at](http://www.genbank.at) and material could be requested under the conditions of the ITPGRFA via SMTA.

33. Has access to non-Annex I PGRFA been provided in your country to IARCs or other international institutions that have signed agreements with the Governing Body of the Treaty?

Yes

No

If your answer is 'yes', please indicate:

To which IARCs or other international institutions access was provided;

The number of MTAs entered into with each IARC or other international institution:

If your answer is 'no', please provide details of any difficulties encountered in providing access to non-Annex I PGRFA to IARCs and other international institutions that have signed agreements with the Governing Body of the Treaty:

See question 32.



## Article 16: International Plant Genetic Resources Networks

34. Has your country undertaken any activities to encourage government, private, non-governmental, research, breeding and other institutions to participate in the international plant genetic resources networks?

Yes

No

If your answer is 'yes', please provide details of such activities:

Numerous institutions are part of the governmental Austrian network for PGRFA. See question 10.

## Article 18: Financial Resources

35. Has your country provided financial resources for national activities for the conservation and sustainable use of PGRFA?

Yes

No

If your answer is 'yes', please provide the estimated amount of funds provided during the last five years, including government resources:

Annual contribution to the ITPGRFA: <https://www.fao.org/plant-treaty>  
Annual contribution to the ECPGR: <https://www.ecpgr.cgiar.org/>  
Enhancement of the governmental gene banks from side of the government and of the gen banks from federal states from the side of the federal governments.

Please indicate if your country has developed a strategy or other measures to enhance the availability, transparency, efficiency and effectiveness of the provision of financial resources to implement the International Treaty:

Basis of the governmental finances concerning the enhancement of PGRFA is the Austrian Federal Budget Act/Bundeshaushaltsgesetz BGBl. I Nr. 139/2009 (<https://www.ris.bka.gv.at/GeltendeFassung/Bundesnormen/20006632/BHG%202013%20Fassung%20vom%2029.09.2023.pdf>) in connection with the Austrian Federal Ministries Act/Bundesministeriengesetz BGBl. Nr. 76/1986 ([RIS - Bundesministeriengesetz 1986 - Bundesrecht konsolidiert, Fassung vom 29.09.2023 \(bka.gv.at\)](#))

36. Has your country provided financial resources for the implementation of the International Treaty?

Yes

No

If your answer is 'yes', where possible, please provide details of such channels and the amount of the financial resources involved during the last 5 years:

Total amount:

Channel:

Bilateral

Regional

Multilateral



Please provide details:

See question 35.

37. Has your country received financial resources for the implementation of the International Treaty?

Yes



No



If your answer is 'yes', where possible, please provide details of such channels and the amount of the financial resources involved during the last 5 years:

Total amount:

Channel:

Bilateral



Regional



Multilateral



Please provide details:

### General remarks on the implementation of the ITPGRFA

38. You may use this box to share any advice you may have arising from your country's experience with implementation of the Treaty:

39. You may use this box to share any additional information that may be useful to provide a broader perspective of difficulties in implementation of the Treaty:

40. You may use this box to share any additional information that may be useful to provide a broader perspective of measures that could help to promote compliance:

*[ --- Question to be administered separately --- ]*

***About this reporting***

41. Have you encountered any difficulties in completing this reporting format?

Yes

No

If your answer is 'yes', please provide details on such difficulties:

If you have suggestions for improvement of this reporting format, please share them:

I noticed a lot of overlapping questions in the reporting format.