



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



**International Treaty
on Plant Genetic Resources
for Food and Agriculture**

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

**FIFTH MEETING OF THE AD HOC TECHNICAL EXPERT GROUP
ON FARMERS' RIGHTS**

Rome, Italy, 24–26 June 2024

REPORT

ITEM 1. OPENING OF THE MEETING

1. The fifth meeting of the Ad Hoc Technical Expert Group on Farmers' Rights (AHTEG-FR or Expert Group) was opened by Mr. Kent Nnadozie, Secretary of the International Treaty, welcoming all participants to FAO. He recalled that the Bureau of the Eleventh Session of the Governing Body had appointed Ms. Kim Van Seeters (Netherlands) and Ms. Modester Kachapila-Millinyu (Malawi) as the two Co-Chairs of the Expert Group. He also informed the Expert Group that the Bureau had designated five representatives of farmer organizations and three other stakeholders, from academia, civil society organizations and the seed sector. Mr. Nnadozie expressed his thanks to the governments of Italy and Norway for the generous financial support, which enabled the translation of the working documents and interpretation services at the meeting into Arabic, English, French and Spanish. Finally, he assured the Expert Group of the full availability and dedication of his team to serve and support this meeting.

2. The Co-Chairs welcomed the participants to the meeting, expressing their confidence that the vast range of experience and knowledge among experts would engender constructive discussions and lead to a successful outcome. Referring to the terms of reference of the Expert Group, as established by the Governing Body, the Co-Chairs emphasized that the timeline for the production of the assessment of the state of implementation of Article 9 was tight, so that they hoped the Expert Group could agree on its outline at this meeting.

ITEM 2. ADOPTION OF THE AGENDA AND ORGANIZATION OF WORK

3. The Working Group adopted its Agenda, as provided in *Appendix 1*. The list of participants of the meeting is contained in *Appendix 4*.

4. The Co-Chairs invited the following speakers to update the experts on the work done by relevant intersessional Committees of the International Treaty, FAO and other partners related to Farmers' Rights:

- **Mr Michael Ryan**
Co-Chair, Ad Hoc Open-ended Working Group to Enhance the Functioning of the Multilateral System – update on the current work of the Working Group.
- **Ms Patricia Gadaleta and Mr Pace Lubinsky**
Co-Chairs, Ad Hoc Technical Committee on Conservation and Sustainable Use - update on the previous and current work of the Committee.

- **Mr Tobias Kiene**
Secretariat of the International Treaty – update on the work of the Compliance Committee.
 - **Ms Arshiya Noorani**
FAO Plant Production and Protection Division (NSP)/Commission on Genetic Resources for Food and Agriculture (CGRFA) – update on relevant FAO work, in particular, on the conservation and sustainable use of farmers’ varieties and landraces.
 - **Mr Claudio Chiarolla**
Alliance of Bioversity International and CIAT – update on CGIAR centers’ experiences, practices and lessons learned in facilitating and promoting the realization of Farmers’ Rights.
5. The Expert Group thanked all the speakers and discussed the relevance of the experiences presented and the interlinkages with the work of the AHTEG-FR. The presentations will be made available to the participants.

ITEM 3. OUTLINE FOR THE ASSESSMENT OF THE STATE OF IMPLEMENTATION OF ARTICLE 9 OF THE INTERNATIONAL TREATY

6. The Secretariat introduced the agenda item, giving an overview of the relevant documents. The Secretariat recalled that an informal on-line briefing of the Expert Group had been organized in consultation with the Co-Chairs, and that an updated version of the Outline incorporating the inputs and suggestions provided by Contracting Parties and stakeholders had been prepared (IT/GB-11/AHTEG-FR-5/24/3.1).
7. The Expert Group thanked the Secretariat for the documents prepared under this agenda item, and agreed to use, as a basis for the discussion, the Norwegian proposal, contained in the Appendix 2 of the document IT/GB-11/AHTEG-FR-5/24/3/Inf.1, while the document, IT/GB-11/AHTEG-FR-5/24/3.1, would serve as a reference document.
8. The Expert Group agreed on the Outline as given in *Appendix 2*.
9. The Expert Group considered that the current timeline for undertaking the assessment and presenting it on time for the next meeting of the AHTEG-FR, for its review, in 2025 is very limited. It suggested that the Secretariat could consider convening the sixth meeting of the AHTEG-FR in September 2025, to allow for more time to conclude the work.
10. The Expert Group discussed the relevance of new technologies and how they could impact on Farmers’ Rights. It agreed that this cross-cutting area could become part of future discussions.
11. The Expert Group discussed the issue of the rights of Indigenous Peoples and local communities in the context of Farmers’ Rights in the International Treaty. It agreed that the consideration of the rights of Indigenous Peoples and local communities could become part of future discussions.

ITEM 4. ELEMENTS OF ADVICE TO THE GOVERNING BODY ON HOW THE USE OF THE “OPTIONS FOR ENCOURAGING, GUIDING AND PROMOTING THE REALIZATION OF FARMERS’ RIGHTS AS SET OUT IN ARTICLE 9 OF THE INTERNATIONAL TREATY” CAN BE PROMOTED

12. The Secretariat introduced the agenda item and recalled that the promotion of *the Options* might be part of various activities carried out by Contracting Parties, interested stakeholders and the Secretariat. An indicative list of such activities had been provided in the document, IT/GB-11/AHTEG-FR-5/24/4, as a basis for discussions by the AHTEG-FR.
13. The Expert Group thanked the Secretariat for the documents prepared under this agenda item and developed a draft list of possible activities to promote *the Options*, as given in *Appendix 3*.

14. The Expert Group requested the Secretariat to organize the suggestions presented at this meeting in the form of a simple draft strategy, to be further developed by the Expert Group at its next meeting, taking into account the discussions at this meeting.

ITEM 5. OTHER MATTERS

15. The Expert Group thanked the Governments of Italy and Norway for the generous financial support that enabled the translation of the working documents and the provision of interpretation services at the meeting into Arabic, English, French and Spanish. It invited all Contracting Parties and donors to consider supporting the work of the Expert Group.

16. The Expert Group noted that 29th of June 2024 will mark the 20th anniversary of the entry into force of the International Treaty. The Expert Group highlighted the significance of this date and recalled the crucial importance of the International Treaty, especially with regard to farmers. It further acknowledged the significant achievements attained and the progress made in the implementation of the Treaty. The Expert Group expressed its hope that Contracting Parties would celebrate this anniversary and continue to strongly support the work of the International Treaty.

17. The Secretary recalled that 2026 has been declared the International Year of the Woman Farmer by the United Nations General Assembly. This observance aims to highlight the crucial role of women farmers in food security, nutrition, and poverty eradication, and to address the challenges they face. The Expert Group highlighted the relevance of the initiative for the International Treaty and its strong connection with Farmers' Rights.

18. The Co-Chairs informed the Expert Group that the date of the next meeting will be announced as soon as possible after consulting with the Secretariat, ensuring that it does not overlap with other intersessional meetings in preparation for the Eleventh Session of the Governing Body.

ITEM 6. ADOPTION OF THE REPORT

19. The Expert Group adopted this Report of its fifth meeting.

Appendix 1

INTERNATIONAL TREATY ON PLANT GENETIC RESOURCES FOR FOOD AND AGRICULTURE

FIFTH MEETING OF THE AD HOC TECHNICAL EXPERT GROUP ON FARMERS' RIGHTS
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Rome, Italy, 24–26 June 2024

AGENDA

1. Opening of the meeting
2. Adoption of the agenda and organization of work
3. Outline for the assessment of the state of implementation of Article 9 of the International Treaty
4. Elements of advice to the Governing Body on how the use of the "Options for encouraging, guiding and promoting the realization of Farmers' Rights as set out in Article 9 of the International Treaty" can be promoted
5. Other matters
6. Adoption of the Report

Appendix 2

Outline for the Assessment of the State of Implementation of Article 9 of the International Treaty

Section 1: Executive Summary

This section will present the summary of the methodology and the results of the assessment, covering overall results as well as results by region. It will start out with key messages and end with conclusions relevant for the Governing Body in identifying ways forward for the implementation of Farmers' Rights.¹

Section 2: Background

This section will provide a brief summary of the origin, the conceptual foundation of Farmers' Rights, the provisions on Farmers' Rights in the International Treaty, intersessional work and the resolutions adopted by the Governing Body, and brief references to developments relating to Farmers' Rights in other relevant international fora.

Section 3: Introduction

This section will provide the purpose and scope of the assessment. The purpose is to assess the implementation of Farmers' Rights, experiences in this regard, the limiting factors, as well as gaps and needs. The findings will be presented to the Governing Body to consider possible further work on the implementation of Farmers' Rights.

- The scope of the assessment covers the implementation, by Contracting Parties, of:
 - the provisions of Article 9;
 - the resolutions on Farmers' Rights adopted by the Governing Body;
 - any measures undertaken with regard to the Options for encouraging, guiding and promoting the realization of Farmers' Rights as published by the Secretariat of the International Treaty upon the request of the Governing Body.
- The assessment will be carried out during the biennium 2024-2025 and presented to the Governing Body of the International Treaty at its Eleventh Session. It may cover implementation since the entry into force of the International Treaty, but should emphasize the current status.

Section 4: Approach and Methodology

This section will present the approach and methodology, which will be inclusive and participatory:

- The approach covers:
 - The measures that have been introduced for the implementation of Farmers' Rights
 - The processes that have been carried out in this regard
 - Enabling legal, policy and institutional environments
 - Experiences and lessons learned so far
 - Measures limiting the realization of Farmers' Rights
 - Prospects and plans for further implementation of Farmers' Rights
 - Gaps and needs with regard to the realization of Farmers' Rights

¹ In this document, "Farmers' Rights" refers to Farmers' Rights as set out in Article 9 of the International Treaty on Plant Genetic Resources for Food and Agriculture

- The methodology includes:
 - An assessment of relevant documents (national compliance reports from Contracting Parties with focus on Article 9, Questions 19² and 14 and other relevant information provided in the National Reports and submissions from stakeholders related to Article 9); National reports provided on the implementation of the Second Global Plan of Action on Plant Genetic Resources for Food and Agriculture;
 - An assessment of the submissions to the Inventory of national measures, best practices and lessons learned from the realization of Farmers' Rights, as set out in Article 9 of the International Treaty,³ and any other relevant documents;
 - A review of the complementary literature and relevant documents assessing implementation at the national level (to be synthesized to the regional level), measures limiting the realization of Farmers' Rights, and enabling legal, policy and institutional environments;
- and, subject to the availability of financial resources:⁴
- To the extent feasible, the outcomes or outputs of tasks undertaken by the Commission on Genetic Resources for Food and Agriculture in examining the "Impact of Seed Policies, Laws, and Regulation on Farmers' Ability to Access Seeds and Planting Materials of Diverse, Locally Adapted Farmers' Varieties/Landraces" (CGRFA-19/23/Report) of relevance for the assessment, and other relevant processes related to Article 9;
 - A multistakeholder survey among Contracting Parties and interested stakeholders in all regions to complement the information at hand, following the example of the *Background Study on Bottlenecks and Challenges to the Implementation of Articles 5 and 6 of the International Treaty*;
 - A selection of country case studies implementing Farmers' Rights experiences and lessons learned based on the Inventory;
 - Regional multi-stakeholder consultations on the results.

Section 5: The State of Implementation of Farmers' Rights

This section will present the state of implementation of Farmers' Rights synthesized at regional and global levels, as set out in the approach and methodology. It will summarize quantitative as well as qualitative findings.

To complement the analysis, this section will include the work of different organizations and relevant bodies working on the promotion, protection and realization of Farmers' Rights, such as UN bodies, CGIAR Research Centers, farmers' organizations, Indigenous Peoples' and local communities' organizations, civil society organizations, academia and public and private sectors, operating at different levels.

This section will be structured by region, accompanied by data and figures, and thematic studies, as appropriate:

- Africa
- Asia

² National Reports (www.fao.org/plant-treaty/areas-of-work/compliance/compliance-reports/en/), Question 19, 19A and B and 14 of the Compliance Report

³ Inventory of national measures, best practices and lessons learned from the realization of Farmers' Rights, as set out in Article 9 of the International Treaty (www.fao.org/plant-treaty/areas-of-work/farmers-rights/inventory-on-frs/en/)

⁴ The list of activities does not follow any specific order of priority

- Europe
- Latin America and the Caribbean
- Near East
- North America
- Southwest Pacific

Thematic areas may include, but are not limited to, the following cross-cutting areas:

- South-South cooperation;
- Gender and intergenerational and Human Rights approaches;
- Capacity building

Section 6. Conclusions

This section will present the conclusions, including the way forward on the implementation of Farmers' Rights

Appendix 3

SUGGESTED ACTIVITIES ON HOW THE USE OF *THE OPTIONS* CAN BE PROMOTED⁵

- **Recognition, awards, and designation of Ambassadors for Farmers' Rights**
 - Create a Global Award/Prize to Farmers, and the awarding ceremony can be held during the Governing Body or Global Congress
 - Designate Ambassadors for different options
 - Establish and organize World Farmers' Rights Day/International Farmers' Rights Week/Day
 - Plan for activities on the Inventory and the Options in the context of the 2026 International Year of the Woman Farmer

- **Training and capacity building**
 - Regional exchanges on practical implementation of Farmers' Rights and the relevance of the South-South Cooperation
 - Harness FAO's Strategy on Mainstreaming Biodiversity across Agricultural Sectors and to implement the Framework for Action on Biodiversity for Food and Agriculture, and the Commission's Global Plans of Action, in harmony with the Kunming-Montreal Global Biodiversity Framework
 - Organize workshops for farmers, peasants and other sectors on Farmers' Rights
 - Carry out activities for farmers to share the wealth of their knowledge and experience on PGRFA
 - Capacity building/training courses on the different measures and practices contained in the Options and how to use them in their own context
 - (Inter) regional exchange of best practices on implementing Farmers' Rights
 - Support the meetings/initiatives of farmers organizations working on the implementation of Farmers' Rights

- **Communication and awareness raising**
 - Develop standard presentation and training materials for the Contracting Parties to promote the use of the Options
 - Update the Educational Module on Farmers' Rights with an emphasis on the Options
 - The Governing Body to invite Contracting Parties to translate the Options into the local and native languages for in-country dissemination
 - The Options to be translated into all UN languages; promote their translation into local and native languages;
 - Organize Special Event on Farmers' Rights prior to the opening of the Governing Body with the Goodwill Ambassadors
 - Improve the "website" of the Options and make it more visible and user-friendly in the International Treaty Webpage
 - Promote communication and coordination of organization of joint events with UNDROP
 - Promote joint activities/cross-communication with CBD on the implementation of the GBF in relation to Targets 22 and 23
 - Promote Farmers' Rights in the Human Rights, TRIPS, CGRFA, WHO (Nutrition), CBD and other relevant fora, and invite them to the next meeting

⁵ Activities are listed in no particular order of priorities.

- To establish an open-ended working group responsible for the implementation
- Create an interactive page on the website of the International Treaty that includes *Question and Answer* section
- Organize Global Symposium
- Organize communication workshops for different audiences including the policymakers
- Promote the use of audio communications to reach a wider audience
- Awareness raising through trainings, workshops, and other means and channels, including the social media and the websites of the International Treaty, partners, and stakeholders
- **Programmes/initiatives/projects**
 - Local/National/Regional programmes/projects encouraging partnerships/cooperation among different actors to engage in South-South Cooperation and how to develop to develop legal measures supporting the promotion, protection, and realization of Farmers' Rights as set out in Article 9 of the International Treaty in their specific context
 - Raise awareness through trainings, workshops, and other means and channels, including social media and the websites of the International Treaty, partners, and stakeholders
 - The Benefit-sharing Fund to contribute to the dissemination of the Options
 - Promote the available technologies and best practices for national and local programmes
- **Technical assistance**
 - Organize donors' conference/fundraising activities on how to finance the activities in the Options
 - Call on Contracting Parties to provide financial support
 - Invite Insurance companies to cover Farmers' Rights
- **Reference to policy development**
 - The Governing Body to encourage Contracting Parties to use the Options as the basis to formulate national legislation related to Farmers' Rights
 - As an input to the ongoing and future legal actions and policy development work
 - Emphasize the need for policies at national level
 - Encourage legal aspects on distribution of plant genetic resources
 - Promote the Options in the wider policy context of discussions on climate change and food and nutrition, amongst others.

Appendix 4**LIST OF PARTICIPANTS**

Co-Chairs	<p>Ms Kim VAN SEETERS National Focal Point ITPGRFA Senior Policy Officer Ministry of Agriculture, Nature and Food Quality The Netherlands Phone: +31 631002237 Email: k.vanseeters@minlnv.nl</p>
	<p>Ms Modester Kachapila MILINYU Malawi Plant Genetic Resources Centre Chitedze Research Station, P.O. Box 158 Lilongwe, Malawi Phone: +265 886445798 Email: mauldyka83@gmail.com</p>
AFRICA	<p>Mr Mourtala ISSA ZAKARI Point Focal National TIRPAA Chercheur spécialisé en génétique et amélioration des plantes Institut National de la Recherche Agronomique du Niger (INRAN) BP 429 Niamey, Niger Phone: +227 96498520 E-mail: issazakarym@yahoo.fr</p>
	<p>Ms Michelle ANDRIAMHAZO Ingénieur Agro-Environnementaliste Service Environnement, Climat et Réponses aux Urgences Ministère de l'Agriculture, de l'Elevage et de la Pêche B.P. 301 Anosy Antananarivo Madagascar Phone: +261 340561031 Email: michelle.andriamahazo@gmail.com</p>

	<p>M. Arcadius Léandre ONDZALA MADZOU Point Focal National TIRPAA Directeur Centre National des Semences Améliorées 6 Rue Tréchet Brazzaville, Congo Phone: + 242 06 986 0160 / 05 572 1014 Email: ondzala.madzou@gmail.com</p>
	<p>Mme Fatou FOFANA Chef du service juridique L'institut sénégalais de recherches agricoles Dakar, Senegal Phone: +221 781630469 Fax: +39 0668219294 Email: fatou.fofana@isra.sn ; foffatou24@gmail.com</p>
	<p>Mr Mamba Mamba DAMAS Point Focal National TIRPAA Directeur Chef de Service de la Direction de Protection des Végétaux Point de Contact Officiel de la Convention Internationale pour la Protection des Végétaux Kinshasa, République Démocratique du Congo Phone: +243 81 29 59 330 Email: damasmamba@yahoo.fr</p>
ASIA	<p>Mr Muhammad SHAFIE MD SAH Senior Research Officer Agrobiodiversity & Environment Research Centre MARDI Headquarters, Persiaran MARDI-UPM 43400 Serdang, Malaysia Email: shafiems@mardi.gov.my</p>
	<p>Ms Sabnam SHIVAKOTI Joint Secretary Agriculture and Livestock Business Promotion Division Ministry of Agriculture and Livestock Development Singha Durbar, Kathmandu - Nepal Phone: +977 985 1244238 Email: shabaryal@yahoo.com ; shabnam.shivakoti@gmail.com</p>
	<p>Ms Queenie S. TABUR Ph.D. (alternate for Ms Gabertan) Agriculturist 11/BPI Focal Person PGR TWG</p>

	<p>Bureau of Plant Industry-Los Banos National Crop Research Development and Production Support Center, Los Banos, Laguna, Philippines Mobile: (0917) 816 5153 Email: queenietabur@gmail.com</p>
	<p>Mr Rinchen DORJI (alternate for Ms Yoshioka) Programme Director (ES II) National Biodiversity Centre (NBC) Ministry of Agriculture & Livestock Thimphu, Bhutan Phone: +975-2-351416 Cell: +975 17 65 36 93 Email: rinchend2003@gmail.com</p>
EUROPE	<p>Ms Regine ANDERSEN Research Director and Research Professor Fridtjof Nansen Institute (FNI) Fridtjof Nansens vei 17 1366 Lysaker, Norway Phone: + 47 95118037 Email: randersen@fni.no</p>
	<p>Mr Riccardo BOCCI Rete Semi Rurali Via di Casignano, 25 50018 Scandicci Firenze, Italy Cell.: +39 328 3876663 Email: r.bocci@semirurali.it</p>
	<p>Mr Daniel VALENGHI Senior Advisor Swiss Development Agency Embassy of Switzerland Ethiopia, Djibouti, South Sudan, African Union P.O. Box 1106, Addis Ababa Phone: +251 11 371 28 05 Email: daniel.valenghi@eda.admin.ch</p>
	<p>Mr James QUIRKE National Focal Point ITPGRFA Agricultural Inspector, Crop Policy, Evaluation & Certification Division <i>Department of Agriculture, Food and the Marine</i> Backweston Farm, Leixlip, Co. Kildare, W23AE3V, Ireland Mobile : +353 (0)86 8142043</p>

	<p>Phone : +353 (0)1 6302906 E-mail: James.quirke@agriculture.gov.ie</p>
	<p>Ms Pétronille DELORME Adjointe au chef de bureau des semences et des solutions alternatives Direction générale de l'alimentation Ministère de l'agriculture et de l'alimentation 51 rue de Vaugirard 75732 Paris Cedex 15, France Phone : +33 1 49 55 42 51 Email : petronille.delorme@agriculture.gouv.fr</p>
GRULAC	<p>Mr Gustavo de Britto FREIRE PACHECO First Secretary Head of the Biodiversity Division Ministry of Foreign Affairs Brasilia, Brazil Email: gustavo.pacheco@itamaraty.gov.br; dbio@itamaraty.gov.br</p>
	<p>Sra. Teresa AGÜERO TEARE Punto Focal Nacional para el TIRFAA Encargada asuntos ambientales, recursos genéticos y bioseguridad Oficina de Estudios y Políticas Agrarias, Ministerio de Agricultura Teatinos 40 – Piso 8 Santiago, Chile Phone: +56 223973039 Email: taguero@odepa.gob.cl</p>
	<p>Sra. Lianne FERNÁNDEZ GRANDA Punto Focal Nacional para el TIRFAA Coordinadora Técnica de Recursos Fitogenéticos Departamento Recursos Fitogenéticos y Mejoramiento Vegetal Instituto de Investigaciones Fundamentales en Agricultura Tropical (INIFAT) La Habana, Cuba Phone: +53 7683 0098 Email: lfernandez@inifat.co.cu; lfdezgranda@gmail.com</p>
	<p>Sr. César TAPIA BASTIDAS Punto Focal Nacional TIRFAA Responsable Departamento Nacional de Recursos Genéticos Instituto Nacional de Investigaciones Agropecuarias (INIAP) Panamericana Sur Km. 1 vía Tambillo, Cantón Mejía</p>

	<p>Quito, Ecuador Phone: +593 23006089 Email: denareg@yahoo.com; cesar.tapia@iniap.gob.ec</p> <p>Sr. Roger Alberto BECERRA GALLARDO Punto Focal Nacional para el TIRFAA Coordinador del Área de Acceso a Recursos Genéticos Instituto Nacional de Innovación Agraria - INIA Av. La Molina N° 1981, Distrito La Molina Lima, Perú Phone: + 511 240-2100, Anexo 355 Celular: 939269910 Email: rbecerra@inia.gob.pe</p>
NEAR EAST	<p>Mr Khaled ABULAILA National Focal Point ITPGRFA Botanist, Conservation Biologist Director/Directorate of Plant Diversity National Center for Agricultural Research & Extension (NCARE) PO Box 639, Baqa'a, 19381, Jordan Phone: +962 64725071 Mobile: +962 796602987 Fax: +962 64726099 Email : kabulaila@gmail.com; Khaled.Abulaila@narc.gov.jo</p>
	<p>Ms Laila SASI YOUNES National Focal Point ITPGRFA Director Research and Studies Department Agricultural Research Center Ministry of Agriculture, Livestock and Marine Wealth Tripoli, Libya Email: laila_younes69@yahoo.com</p>
	<p>Ms Samia Gaafar Mohamed BITIK National Focal Point ITPGRFA Directorate of Administration of Quality Control and Export Development Ministry of Agriculture and Forestry Khartoum, Sudan Phone: +249 912246197 Email: samiabitik@yahoo.com</p>

NORTH AMERICA	<p>Mr Hasan AHMED (alternate for Christian Hannon) Patent Attorney Office of Policy and International Affairs U.S. Patent and Trademark Office Email: hasan.ahmed@uspto.gov</p>
	<p>Mr Marc DE WIT Policy and Program Team Leader Plant Breeders' Rights Office Canadian Food Inspection Agency / Government of Canada 59 Camelot Drive Ottawa, Canada Ontario K1A 0Y9 Phone: +1 613 773 7198 Email: marc.dewit@inspection.gc.ca</p>
SOUTHWEST PACIFIC	<p>Mr Charles LAWSON Professor Griffith University Queensland, Australia Phone: +61 (0)7 5552 7249 Email: c.lawson@griffith.edu.au</p>

FARMERS' ORGANIZATIONS

COORDINATION NATIONALE DES ORGANISATIONS PAYSANNES (CNOP)	<p>Ms Alimata TRAORE (AFRICA) Coordination Nationale des Organisations Paysannes (CNOP) Bamako, Mali Phone: +223 99 05 51 51 Email: alimaatou@yahoo.fr</p>
COMMUNITY SEEDS BANKS ASSOCIATION OF NEPAL (CSBAN)	<p>Mr Pitambar SHRESTHA (ASIA) Programme Advisor Community Seeds Banks Association of Nepal (CSBAN) Nepal E-mail: info.csbnepal@gmail.com</p>
ASOCIACIÓN DE ORGANIZACIONES DE LOS CUCHUMATANES (ASOCUCH)	<p>Mr Sergio ALONZO (GRULAC) Technical Manager Asociación de organizaciones de los Cuchumatanes (ASOCUCH) 9Av. 7-82 Zona 1 Chiantla, Huehuetenango, Guatemala</p>

	Phone: +502 77645332 33 Email: alonzo.sergio@gmail.com
AUSTRALIAN FOOD SOVEREIGNTY ALLIANCE (AFSA)	Ms Jessica POWER (SWP) General Coordinator, AFSA Australian Food Sovereignty Alliance (AFSA) Mobile: 0403 795 670 Email: coordinator@afsa.org.au Australia
INTERNATIONAL INDIAN TREATY COUNCIL (ITTC)	Ms Alicia SARMIENTO SÁNCHEZ Member International Indian Treaty Council (ITTC) Oaxaca, Mexico Email: alisarsan@hotmail.com

STAKEHOLDER GROUPS

Academia

UNIVERSIDAD CATÓLICA BOLIVIANA - SAN PABLO (SOCLA)	Ms Georgina M. CATAORA-VARGAS Professor of Agroecology Academic Peasant Unit “Tiahuanacu” Universidad Católica Boliviana La Paz, Bolivia Phone: +591 7640 6030 Email: g.cataora@gmail.com
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Civil Society Organizations

SOUTHEAST ASIA REGIONAL INITIATIVES FOR COMMUNITY EMPOWERMENT (SEARICE)	Mr Elpidio V. PERIA Policy Advocacy Adviser Southeast Asia Regional Initiatives for Community Empowerment (SEARICE) Avila Compound, Nursery Road, Lagao General Santos City 9500 Philippines PLDT landline: (+6383) 553-7208 Cell phone: (+63917) 548-6362 Email: pingperia16@gmail.com
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Seed sector

SEMAE	Mr Nicolas PERRIN (alternate for Ms CSÖRGÖ) Directeur des Affaires Internationales
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	<p>Direction Générale 44 rue du Louvre 75001 Paris, France Phone: +33 07 64 74 07 44 Email: nicolas.perrin@semae.fr</p>
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OBSERVERS

BRAZIL	<p>Ms Mariana MARSHALL PARRA Second Secretary Alternate Permanent Representative of the Federative Republic of Brazil to FAO Permanent Delegation of Brazil to the FAO of the UN and related International Organizations Via di Santa Maria dell'Anima 32 00186 Rome, Italy Phone: +39 06 678 9353 Email: mariana.marshall@itamaraty.gov.br</p>
CUBA	<p>Sra. Claudia GONZÁLEZ TOLEDO Representante Adjunta ante los Organismos Internacionales con sede en Roma Secretaría Organismos Internacionales Embajada de Cuba Via Licinia n.7 00153 Roma, Italy</p>
THE PHILIPPINES	<p>Ms Josyline C. JAVELOSA Deputy Permanent Representative to Rome-based Agencies of the United Nations Agriculture Attaché to Italy, Albania, San Marino, Malta and the United Kingdom Embassy of the Philippines Via Aurelia 290A 00165, Rome, Italy Email: Josyline.Javelosa@da.gov.ph</p>

Non-Governmental Organizations

FRIDTJOF NANSEN INSTITUTE (FNI)	<p>Ms Viviana MEIXNER VÁSQUEZ Researcher P.O. Box 326 1326 Lysaker Norway Phone: +47-97303118 Email: vmvasquez@fni.no</p>
--	--

SEARICE	<p>Ms Normita G. IGNACIO Executive Director SEARICE 14D Maalalahanin, Diliman, Lungsod Quezon, 1101 Kalakhang Maynila, Philippines Phone: +632 8922 6710 Email: nori_ignacio@searice.org.ph</p>

Intergovernmental Organizations

<p>CGIAR Genebank Initiative/Alliance of Bioversity International & CIAT's policy team</p>	<p>Mr Claudio CHIAROLLA Legal Officer Headquarters – Rome, Italy Via Di San Domenico, 1 00153 Rome, Italy Email: c.chiarolla@cgiar.org</p>
<p>CENTER FOR NATIVE AMERICAN AND INDIGENOUS RESEARCH (CNAIR)</p>	<p>Mr Reynaldo A MORALES Northwestern University Assistant Professor Medill School of Journalism and Media Faculty Fellow Buffett Institute for Global Affairs Affiliated to Center for Native American and Indigenous Research CNAIR Email: ramorale@cnaair.northwestern.edu</p>

Representatives from Farmers organizations

<p>INTERNATIONAL PLANNING COMMITTEE FOR FOOD SOVEREIGNTY</p>	<p>Mr Stefano MORI Coordinator of the Activities Crocevia Centro Internazionale (CIC) Rome, Italy Email: s.mori@croceviaterra.it</p>
	<p>Mr Francesco PANIÉ Communication Officer Crocevia Centro Internazionale (CIC) Rome, Italy Email: f.panie@croceviaterra.it</p>

ITPGRFA SECRETARIAT

ITPGRFA Secretariat	<p>Mr Kent NNADOZIE Secretary Secretariat of the International Treaty on Plant Genetic Resources for Food and Agriculture Food and Agriculture Organization of the United Nations Viale delle Terme di Caracalla 00153 Rome, Italy Phone: +39 06 570 53441 Email: kent.nnadozie@fao.org</p>
	<p>Mr Mario MARINO Technical Officer Secretariat of the International Treaty on Plant Genetic Resources for Food and Agriculture Food and Agriculture Organization of the United Nations Viale delle Terme di Caracalla 00153 Rome, Italy Phone: +39 06 570 55084 Email: mario.marino@fao.org</p>
	<p>Ms Mary Jane Ramos DE LA CRUZ Technical Officer Secretariat of the International Treaty on Plant Genetic Resources for Food and Agriculture Food and Agriculture Organization of the United Nations Viale delle Terme di Caracalla 00153 Rome, Italy Phone: +39 06 570 54273 Email: maryjane.ramosdelacruz@fao.org</p>
	<p>Mr Tobias KIENE Technical Officer Secretariat of the International Treaty on Plant Genetic Resources for Food and Agriculture Food and Agriculture Organization of the United Nations Viale delle Terme di Caracalla 00153 Rome, Italy Phone: +39 06 570 56347 Email: tobias.kiene@fao.org</p>

	<p>Ms Michela TUDINI Consultant International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA) Food and Agriculture Organization of the United Nations Viale delle Terme di Caracalla 00153 Rome, Italy Email: michela.tudini@fao.org</p>
	<p>Ms Allison ACTON Intern International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA) Food and Agriculture Organization of the United Nations Viale delle Terme di Caracalla 00153 Rome, Italy Email: allison.acton@fao.org</p>