



# The International Treaty

ON PLANT GENETIC RESOURCES FOR FOOD AND AGRICULTURE



## Development of a Strategy for Building the Resilience of Pastoral Communities to Climate Change in Two Ecosystems of Sudan Project (PSAP)

“Regional and International treaties on conservation and sustainable use of renewable natural resources between Practices and Adoption.

**Implementation of the International Treaty on Plant Genetic Resources for Food and Agriculture: Matters for National Legislation**

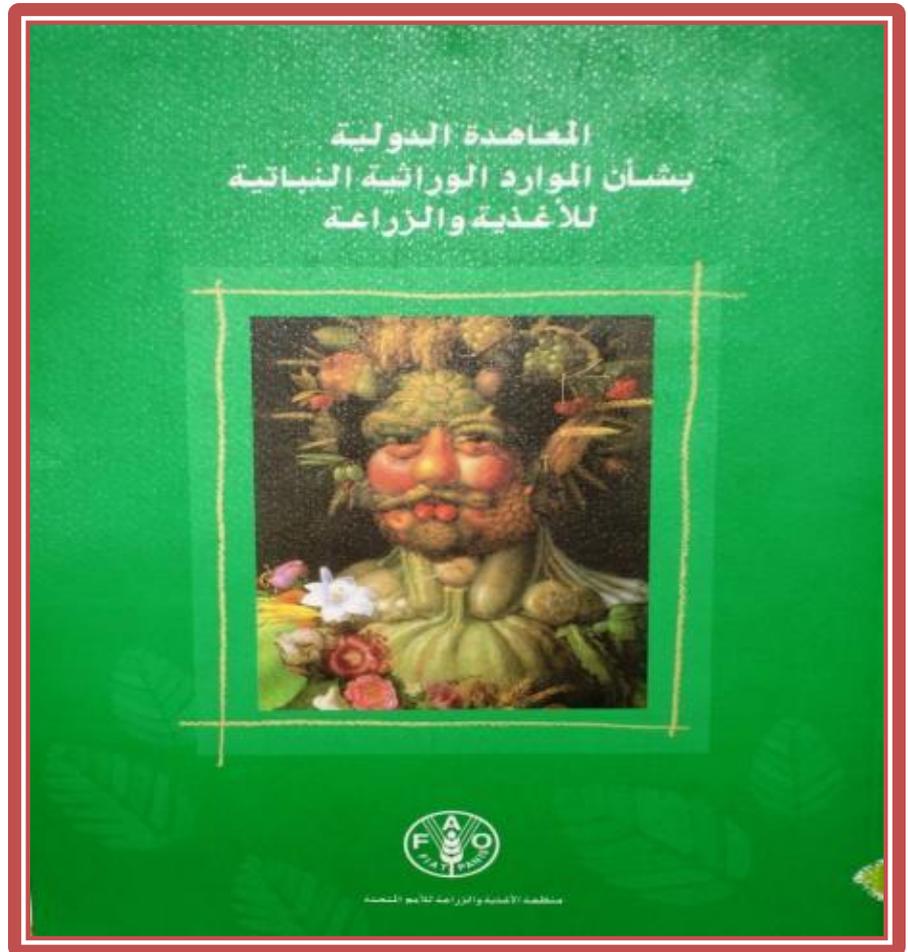
- **Dr. El Tahir Ibrahim Mohamed**
- **PGR Unit, ARC**
- **Sudan Banks Union, Gamhuria Avenue**
- **28th October 2013**

# Background

- **FAO International Undertaking on PGR 1983:**
  - **PGR common heritage.**
- **UNCED (1992): CBD –**
  - **Sovereign rights**
- **Renegotiating IUPGR: harmony with CBD**
- **ITPGRFA (2001).....June 2004**

# Treaty Contents

- Preamble
- 7 Parts
- 35 Articles
- 3 Annexes



# Scope



- **Plant Genetic Resources for Food And Agriculture:**  
**any genetic material of plant origin of actual or potential value for food and agriculture**

# Objectives

- **Conservation of PGRFA**
- **Sustainable use**
- **Fair and equitable benefit sharing**
- **Harmony with CBD**

# Conservation of PGRFA



# Conservation of PGRFA

- Survey and inventory PGRFA.
- Collection PGRFA and information.
- Conserve PGRFA on-farm.
- *In-situ* conservation: wild plants
- *Ex-situ* conservation,
- characterization, regeneration ..
- Documentation,

# Sustainable Use



# Sustainable use

- **Diverse farming systems**
- **Research: ecological principles**
- **Plant breeding: adapted varieties**
- **Broad genetic base of crops**
- **Locally adapted crops: NUCs**
- **On-farm conservation**
- **Reviewing breeding strategies, regulations..**

# Access and Benefit Sharing



# Multi-Lateral System

- Facilitated Access to PGRFA and sharing the benefit arising from their use.
  - 64 crops and genera
  - 35 food crops
  - 15 leguminous forages
  - 12 grass forages
  - 2 others
- Under public management

# Sharing of benefits

- **Exchange of information**
- **Technology transfer**
- **Capacity building**
- **Monetary commercial benefits**

# Exchange of information

- **Catalogues and inventories**
- **Technologies information**
- **Results of technical / scientific / socio-economic research**
  - **PGRFA MS**

# Access / transfer of technology

- **Technologies**
  - Conservation, characterization...
- **Genetic material: improved varieties**
  - Respect IPRs
- **Means**
  - Crop-based groups, research partnerships, joint ventures, human resources develop.

# Capacity building

- Education and training on PGRFA
- Conservation and use facilities
- Research in developing countries ..



# Commercial benefits

- **Public – private partnerships**
- **Recipients PGRFA –products**
  - **Payment to funding mechanism**
    - **Compulsory: if not available for research**
    - **Voluntary: if available**

# Farmers' Rights

- **Contribution of farmers**
  - World / centres of origin and diversity
  - Conservation and development of PGR
  - Basis for food and agricultural production
- **National responsibility**

# Farmers' Rights

- **Rights to**
  - **Save, use, exchange and sell farm-saved seeds**
  - **Participate in decision making on use of PGRFA**
  - **Fair / equitable benefit sharing**

# Status of Sudan

- Party since 2002
- NFP: Ministry of Agriculture
  - Technical and Legal Committee (2008)
    - Policy related arrangements.
    - Legal arrangements.
    - Administrative arrangements.
    - Technical arrangements

# Capacity Building Programme/Treaty Secretariat (2010)



# Capacity Building Programme

- A research paper on implementation of the Treaty and its MLS
  - incentives
  - disincentives
  - It was concluded national legislation was necessary

# Why a national legislation?

- Article 4:

"Each contracting party shall ensure the conformity of its laws, regulations and procedures with its obligations as provided in this Treaty".

# Why a national legislation?

- It is **subject to national legislation** for each party to promote an integrated approach to the exploration, conservation and sustainable use of PGRFA (Article 5.1).
- Treaty requests Contracting Parties to develop and make appropriate policy and **legal measures** that promote the sustainable use of PGRFA (Article 6.1).
- The realization of the Farmers' Rights is the responsibility of each of the contracting parties and **subject to its national legislation** (Article 9.2).
- Each Contracting Party is obliged to **take the necessary legal or other appropriate measures** to provide access to PGRFA to other Contracting parties through the MLS (Article 12.2).

# Matters for National Legislation

- Guiding principles and objectives
- Institutional arrangements
- Access to PGRFA including through the MLS
- Realization of sharing of benefits
- Implementation of farmers' rights
- Information management

# Guiding Principles and Objectives

- Guidance for developing necessary policies and actions for conservation and sustainable use of PGRFA.
- Objectives in conforming with the Treaty:
  - conservation
  - sustainable use
  - fair and equitable sharing of benefits arising out of the use

# Institutional Arrangements

- Facilities for conservation and sustainable use
- Programmes for education and training
- Regulating access to PGRFA
  - National competent authorities
  - Management of information related to PGRFA,
  - Participation in the Global Information System on PGRFA

# Access to PGRFA

- Through the MLS or otherwise:
  - necessary mechanisms
  - measures and conditions
  - Regulate through Germplasm Material Transfer Agreements.

# Benefit Sharing

- Provide for the necessary guidance and regulatory mechanisms to ensuring the fair and equitable sharing of benefits arising from using PGRFA originating from the country

# Farmers' Rights

- "Each party should as appropriate, and subject to its national legislation, take measures to protect and promote Farmers' rights":
  - What are they?
  - How should be realized?
  - .....

# Information Management

- Ensure the proper management
- Regulate related matters
  - PGRFA information is necessary for promoting conservation and sustainable use
  - Sharing of information is a benefit
  - Global Information System on PGRFA
  - Registration and protection of PGRFA of the country

**Thanks**