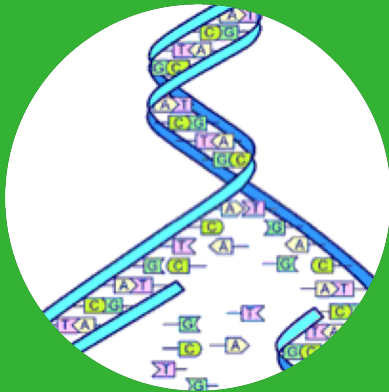


'DSI' and the International Treaty on Plant Genetic Resources for Food and Agriculture

Martin Brink

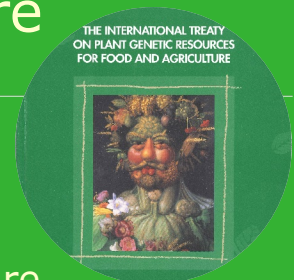
10 December 2019



Centre for Genetic Resources, The Netherlands (CGN)

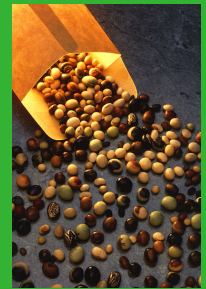
International Treaty on Plant Genetic Resources for Food and Agriculture

- Negotiated in FAO
 - specifically aimed at Food and Agriculture
- Objectives
 - conservation of biological diversity
 - sustainable use of its components
 - fair and equitable sharing of the benefits
 - *same objectives as CBD*
- Signed: 2001; entry into force: 29 June 2004
- 146 parties



International Treaty on Plant Genetic Resources for Food and Agriculture

- ABS goals to be achieved through a multilateral system (MLS)
 - covers 35 crops and 29 forages (Annex I of the ITPGRFA)
 - *only if under the management and control of the Contracting Parties and in the public domain*
 - genetic resources in MLS available for research, breeding and training for food and agriculture
 - access under a standard contract (Standard Material Transfer Agreement, SMTA)



Multilateral system (MLS)

- facilitated access to PGR itself considered an important benefit of the MLS
- other forms of benefit sharing also considered important: exchange of information, technology transfer, capacity building, and the sharing of commercial benefits
- monetary benefit-sharing only mandatory when product developed on the basis of genetic resources is not available without restriction to others for further research and breeding
- monetary benefits paid into common fund to support conservation and further development of agriculture in the developing world



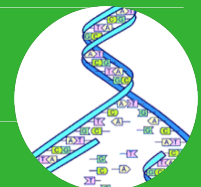
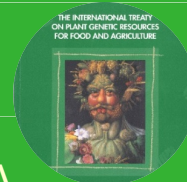
Multilateral system (MLS)



- Perceived shortcomings:
 - lack of access
 - lack of monetary benefit-sharing

- Enhancement process going on since 2013:
 - expansion of the scope of the MLS from the 64 food crops and forages now mentioned in Annex I to include (in principle) all PGRFA
 - subscription system to assure earlier and more monetary benefit-sharing
 - also mandatory monetary benefit sharing when product is available without restriction
 - reflected in revised SMTA

'DSI' and the ITPGRFA



- 'DSI' not explicitly covered by ITPGRFA
- Scoping study on the potential implications of new synthetic biology and genomic research (2017)
- 'DSI' first on agenda during 7th Governing Board meeting (2017)
- Outcomes 7th Governing Board meeting:
 - no consensus at meeting on if and how to reflect issues related to 'DSI' in the revised SMTA
 - decision to include "the consideration of scientific and technical issues of relevance to genetic sequence information, as far as generated from PGRFA (...)" in the terms of reference of the Scientific and Advisory Committee (SAC) of the Global Information System (GLIS)

'DSI' and the ITPGRFA



- Outcomes 7th Governing Board meeting (cont.):
 - decision to consider at next meeting the potential implications of the use of 'DSI' on genetic resources for the objectives of the ITPGRFA
 - invitation to Contracting Parties and other governments and stakeholders to provide information on 'DSI' (terminology, actors, types and extent of use, relevance for food security and nutrition)
 - Secretariat requested to:
 - compile views received and make them available.
 - continue following relevant discussions and coordinating with the CBD and the FAO Commission on Genetic Resources for Food and Agriculture (CGRFA) on 'DSI' issues

'DSI' and the ITPGRFA



- 8th Governing Board meeting in 2019:
 - chair of intersessional working group on enhancement of the MLS announced that much progress had been made but no agreement was reached, because of divergent opinions on whether and how to address 'DSI'
 - suggested to first solve 'DSI' issue before continuing working on the MLS enhancement
 - also during the meeting no agreement could be reached on enhancement of the MLS
 - insufficient support for continuation of intersessional work on enhancement of the MLS

'DSI' and the ITPGRFA



■ 8th Governing Board meeting in 2019 (cont.):

- chair of the Scientific and Advisory Committee (SAC) of the Global Information System (GLIS) suggested that the use of Digital Object Identifiers (DOIs) could be useful starting point to address 'genetic sequence data'
- during meeting: discussion on terminology and how to address 'DSI'/'genetic sequence data'
- resolution: SAC requested "to continue considering scientific and technical issues of relevance to genetic sequence data (...) and considering relevant national legislation, as appropriate"

'DSI' and the ITPGRFA



■ 8th Governing Board meeting in 2019 (cont.):

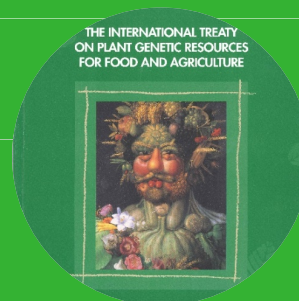
- regarding the Multi-Year Programme of Work, the ITPGRFA Secretariat was requested to
 - continue following relevant discussions in other fora and coordinating with the CBD and the FAO Commission on Genetic Resources for Food and Agriculture (CGRFA) on 'DSI' issues
 - inform the 9th Governing Board meeting (GB9, 2021) on the state of discussions and outcomes of related processes

'DSI' and the ITPGRFA



- 9th Governing Board meeting (2021) expected to:
 - consider the status of the science-based process on 'DSI' of the CBD, and the discussion on 'DSI' of the FAO Commission on Genetic Resources for Food and Agriculture (CGRFA)
 - consider additional inputs from parties on 'DSI' and updates by the Secretariat on the relevant CBD and CGRFA processes

Conclusions



1. Contracting Parties of the ITPGRFA have not been able to reach agreement on if and how to address 'DSI' in its ABS system
2. Because of this disagreement on 'DSI', work on the enhancement of the ABS system of the ITPGRFA has stopped (after 6 years of work)
3. In other agenda items of the 8th Governing Body meeting little agreement and progress on 'DSI'
4. The ITPGRFA is now waiting for developments in the CBD and other fora