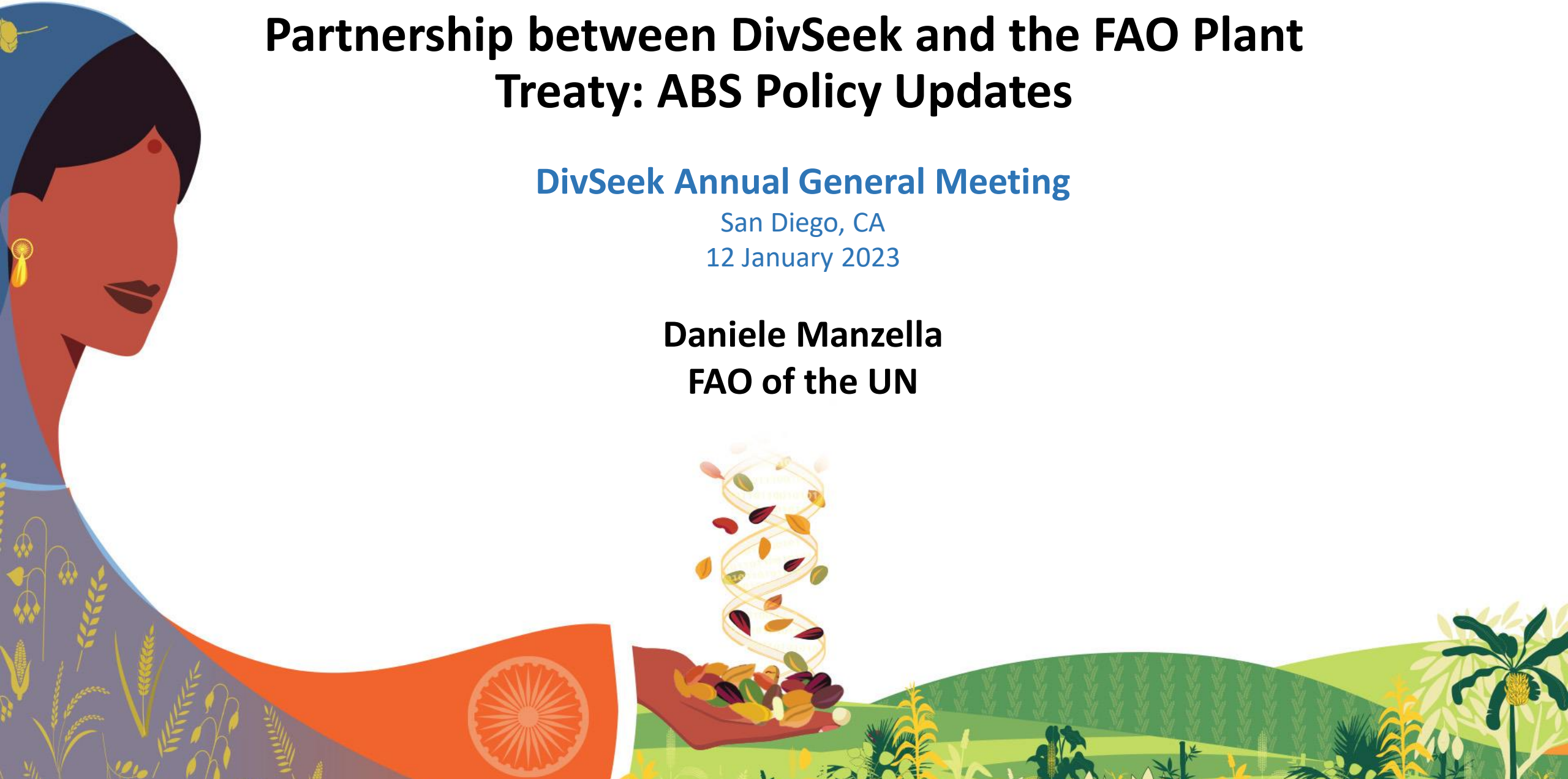


# Partnership between DivSeek and the FAO Plant Treaty: ABS Policy Updates

DivSeek Annual General Meeting

San Diego, CA  
12 January 2023

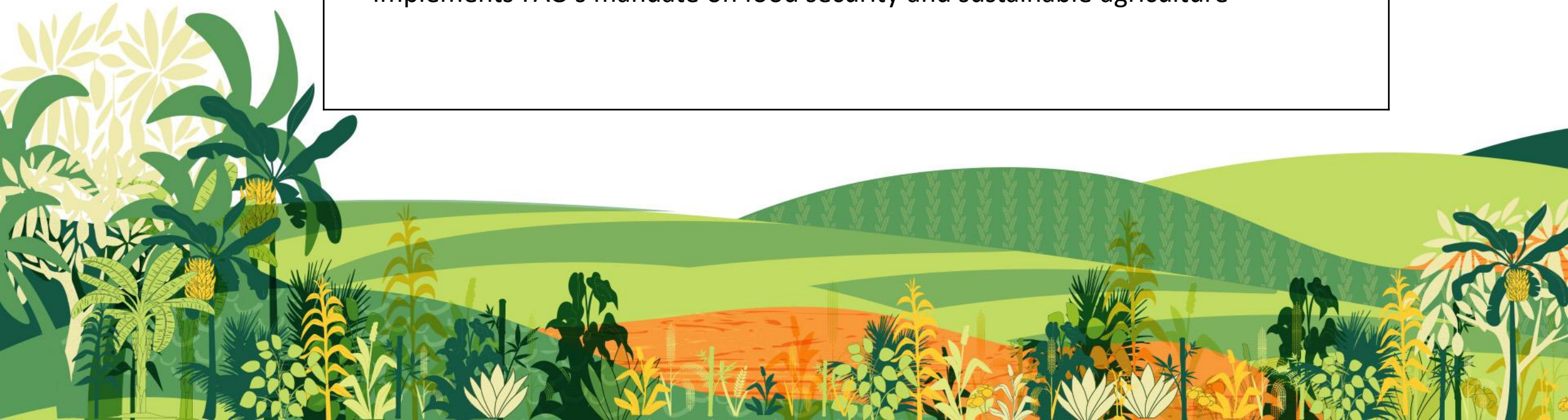
Daniele Manzella  
FAO of the UN



# The International Treaty on Plant Genetic Resources for Food and Agriculture

A global framework for the conservation, sustainable use and sharing of the benefits of crop germplasm

- 150 State Contracting Parties
- In force since 2006
- Held its Ninth Session of the Governing Body in September in India (600+delegates)
- Three objectives: conservation, sustainable use, benefit-sharing
- In harmony with the Convention on Biological Diversity
- Implements FAO's mandate on food security and sustainable agriculture



## The Multilateral System of Access and Benefit-Sharing

### A global network of genebank and field collections

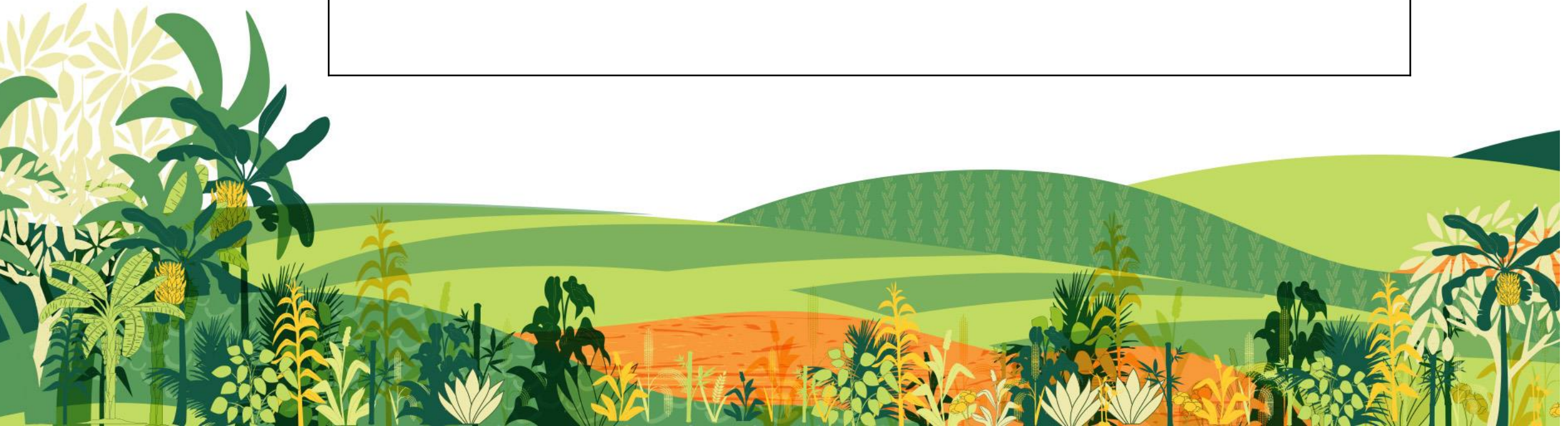
- Comprises: national public germplasm, international collections, private collections
- Mandatory for 64 crops, voluntary for others
- Collections are made available by the holders
- Under standard terms and conditions (the SMTA) for research and breeding
- Continuous access to the source germplasm
- Equitable benefit-sharing, including in case of commercialization of derived products



## The Multilateral System of Access and Benefit-Sharing

### Some figures

- 2.4 million samples of plant genetic material (37% international collections)
- 91k SMTAs in the biennium 2020-21 to transfer 6.4 mil. samples
- USD 38 mil. disbursed under the Benefit-Sharing Fund since 2007
- USD 320 mil. capitalized into the Endowment Fund of the Crop Trust



## On-going reform of the Multilateral System

### Resumed at GB-9

- Increase the benefits both monetary and non-monetary
- Increase user-based income to the Benefit-sharing Fund in a sustainable, predictable, long-term manner
- Expand the crops and plant genetic diversity available
- Improve the availability of plant genetic resources for food and agriculture in the Multilateral System
- Create legal certainty, administrative simplicity and transparency

Open-Ended Working Group reconstituted



## Digital Sequence Information / Genetic Sequence Data

### GB-9 decisions

- Terminology not agreed upon yet
- Early attention to the issue by the Open-Ended Working Group
- Scientific Advisory Committee on the Global Information System will continue considering technical issues related to information management
- Secretary to continue monitoring developments in other fora and report at GB-10 in 2023
- Contracting Parties and stakeholders to provide information about their capacity building needs for accessing and using DSI/GSD
- Donors are called to provide financial resources and technical assistance to reduce the existing gap on capacity regarding DSI/GSD between developed and developing countries



## Policy developments at the CBD

### The new Kunming-Montreal Global Biodiversity Framework

#### GOAL C

The monetary and non-monetary benefits from the utilization of genetic resources, and digital sequence information on genetic resources, and of traditional knowledge associated with genetic resources, as applicable, are shared fairly and equitably, including, as appropriate with indigenous peoples and local communities, and substantially increased by 2050 ...

#### TARGET 13

Take effective legal, policy, administrative and capacity-building measures at all levels, as appropriate, to ensure the fair and equitable sharing of benefits that arise from the utilization of genetic resources and from digital sequence information on genetic resources, as well as traditional knowledge associated with genetic resources, and facilitating appropriate access to genetic resources, and by 2030 facilitating a significant increase of the benefits shared, in accordance with applicable international access and benefit-sharing instruments.



## Digital Sequence Information

### Excerpts from the decision

2. *Agrees* that the benefits from the use of digital sequence information on genetic resources should be shared fairly and equitably;

4. *Encourages* the depositing of more digital sequence information on genetic resources, with appropriate information on geographical origin and other relevant metadata, in public databases;

5. *Recognizes* that tracking and tracing of all digital sequence information on genetic resources is not practical;

9. *Agrees* that a solution for fair and equitable benefit-sharing on digital sequence information on genetic resources should, inter alia:

...

(e) Not hinder research and innovation;

(f) Be consistent with open access to data;





## Digital Sequence Information

### Excerpts from the decision (cont.)

6. *Recognizes* that a multilateral approach on the sharing of the benefits arising from the use of digital sequence information on genetic resources has the potential to meet the criteria identified in paragraph 9;

11. *Agrees* that the approach set out in this decision to fair and equitable benefit-sharing from the use of digital sequence information on genetic resources ... is without prejudice to national access and benefit-sharing measures;

16. *Decides* to establish, as part of the global biodiversity framework, a multilateral mechanism for benefit-sharing from the use of digital sequence information on genetic resources, including a global fund;



## Relevant considerations for the research community

- Open access is recognized
- Benefit-sharing is also recognized
- Negotiations will center on financing
- Reduced legal certainty due to the co-existence of multilateral and national
- A specialized regime for the International Treaty?
- Work across institutional regimes and organizational boundaries — data interoperability



## 2023 outlook

- Take stock, analyze and seek guidance
- Continue maintaining the systems up and running
- Maintain presence in CBD processes
- GB-10 will likely function as a checkpoint in 3-year negotiation and implementation cycles





# Thank you!

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