

Biodiversity

Background information for Euroseeds Congress

International Treaty on Plant Genetic Resources for Food and Agriculture

The Governing Body (GB) of the International Treaty (Treaty) held its 9th session on September 19-24, 2022 in New Delhi, in India. The session was meant to be held in 2021 but had to be postponed due to the COVID-19 pandemic. The GB adopted resolutions on a number of topics that are relevant for the operation of the Treaty and also clearly designated some key milestones for the work ahead in the coming year since the GB decided to hold its next session already in 2023. From the point of view of the seed industry, the following matters are important to note:

Enhancement of the Multilateral System:

Following the failure to come to an agreement on a revised SMTA at the 8th session of the GB in 2019, Contracting Parties now decided to re-start the process and re-established the open-ended working group on the enhancement of the MLS. The enhancement process is in charge of developing a package of measures including measures to increase user-based payments to the benefit-sharing fund, measures to expand Annex I of the Treaty and measures to make sure that the system can smoothly enter into force. The Co-Chairs of the working group will deliver a checkpoint report on the progress made for the next GB session in 2023. The report will cover considerations on digital sequence information (DSI). The seed sector has 2 seats in the working group and can thus continue to provide its input to the process.

Non-monetary benefit-sharing:

In a resolution on the Treaty's Funding Strategy, the GB decided to charge the Committee on the Funding Strategy with the development of a methodology for measuring non-monetary benefit-sharing in the course of 2022-2023. This is quite an important step since several stakeholder groups, including the seed industry, have since a long time been asking for a better recognition of the value that non-monetary benefit-sharing activities bring to farmers and local communities. The seed sector will have to make sure to provide input to this work of the Treaty and share the relevant experiences.

Digital sequence information:

The GB decided to adopt a separate resolution on the topic of DSI during its 9th session. The resolution requests the Treaty Secretariat to follow developments in the CBD but at the same time recognizes that there should be enough room left for the Treaty to adopt its own solution for DSI coming from plant genetic resources for food and agriculture. The CBD process on DSI will continue in the meantime and GB 10 will be a good occasion to reflect on developments.

Farmers' Rights:

Article 9 of the Treaty deals with Farmers' Rights and sets out that Contracting Parties should, as appropriate, and subject to their national legislation, take measures to protect and promote Farmers' Rights. The GB adopted a resolution on Farmers' Rights and took note of a document that has been developed to provide options for guiding Contracting Parties in their national implementation of Farmers' Rights. Unfortunately the document adopted does not clearly recognize that UPOV-type plant breeder's rights systems and Farmers' Rights can be implemented in a mutually supportive manner in national legislation. The GB also decided to organize a Global Symposium on Farmers' Rights in 2023 to discuss about areas of future work on the topic.

The next session of the Governing Body is scheduled already for November 2023.

Convention on Biological Diversity / Nagoya Protocol

The 15th meeting of the Conference of the Parties (COP) will be held in Montréal on December 7-19, 2022. The biggest topic of discussion will be the post-2020 Global Biodiversity Framework (GBF) which is supposed to set the next targets and commitments in terms of biodiversity conservation globally for the coming decades. Part of the deal on the GBF will however include also a an agreement on the application of access

and benefit-sharing regulations on the access and use of digital sequence information. At the moment, there are a number of potential policy options are on the table for regulating DSI but it is not yet clear in what direction the negotiations will go at COP 15.

Euroseeds has not been in favor of any regulation on the use of DSI and has communicated its positions accordingly towards the European Commission and other stakeholders. Instead, Euroseeds – as well as other industry sectors – would prefer to see a complete re-thinking of the current access and benefit-sharing approach and would be in favor of creating a simple, global system that could cover genetic resources and DSI and would allow for the possibility to continue innovation without regulatory burdens while providing sufficient monetary flow to satisfy benefit-sharing requirements. In a workshop in May a consultation of Euroseeds members took place on these matters and inputs have been given to the relevant decision-makers on that basis. Euroseeds will continue to reach out to relevant partners ahead of and during the COP meeting. More details are available on request from the Euroseeds Secretariat.



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