

## Let's liberate diversity

Budapest

25-26 February 2011

One of the key components of the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA) is the sustainable use of these resources as specified in Art. 6. This article is different from other Treaty components. It applies to all the resources and it is not limited to those explicitly listed in the Annex I. All the Contracting Parties (CP) must implement it, without the limits imposed by national laws, as it is stated in the case of article 9 (Farmers' Rights) or in the "Conservation", where the article 5.1 says explicitly "subject to national legislation".

Article 6 rules over key areas described in the "Global Plan of Action" (GPA) for the Conservation and Sustainable Use of Plant Genetic Resources for Food And Agriculture (PGFRA) adopted during the International Technical Conference on Plant Genetic Resources in Leipzig 1996. In particular, article 6.1 mandates the implementation steps followed by the accepting parties:

"The Contracting Parties shall develop and maintain appropriate policy and legal measures that promote sustainable use of plant genetic resources for food and agriculture".

The remaining provisions expressed by the article point out few of the possible measures each countries can undertake in order to promote the sustainable use of the PGFRA. Nevertheless the measures considered are only for illustrative purpose and shall not limit the countries to take other measures for the implementation of this article, following the requirements detailed in the broader GPA. The importance of Article 6 within the Treaty has been stressed in 2007 during the second meeting of the Governing Body (GB) in Rome and in 2009 during the third meeting in Tunis, where Parties agreed to regularly submit progress report on the implementation of this article.

In order to submit such a report, regional meeting could help in sharing experiences and producing documents that take into account the positions of different stakeholders, mainly those that are usually excluded from the Treaty Negotiations.

The third GB, also, agreed in its Resolution 6/2009 on the Implementation of Article to request the Secretariat to convene regional workshops on Farmers' Rights. For this reason the Organizing committee decided to dedicate the next meeting of the European Seed Coordination to debate the relationship between article 6 and 9 in Europe, whose results will feed the next GB in Bali in 2011.

**The Budapest meeting will bring together** different way to implement the sustainable use of the PGRFA in Europe, pointing out the paramount importance of this article for European's farmers. Moreover, **Let's liberate diversity** will show how little is the boundary separating article 6 from article 9 of the Treaty and the whole idea of the sustainable use from that of Farmers' rights (FRs). For instance, many actions taken within article 6 have effects similar to

the ones defined in the article 9.

This fact is not irrelevant. FRs have usually been a hot topic during negotiations both at national level and international, while sustainable use has not these limitations, so it is supposed to be easier to be implemented by the CP.

For example, article 9.3 is one of the most controversial, where the farmers' rights to exchange use and sell the propagation material are subject to national legislation. This article has close links with the articles 6.2 (a) and (g) supporting agricultural systems maintaining genetic resources in a sustainable way and promoting laws in favor of participatory plant breeding. Moreover, the possibility of promoting diversified agricultural systems (art 6.2a) is bound also to a seeds system that is different from that currently in place. In particular, farmers' role should be broadened and the exchange, reuse and sell of the seed material in the farm should be permitted. The seeds exchange, reuse and sell from the farmers can play an important role in the experimentation of new varieties outside from the commercial seed system. In doing so, this is fully consistent with the aim of reviewing and adapting the norms on the variety release and breeding strategies. Article 9.2(a) concerning the protection and sharing of traditional knowledge can be related to article 6.2 (e) promoting the use of local varieties and underutilized species. Article 9.2 (b) concerning benefit sharing measures is quite broad and its potential implementation depends on the definition of benefit sharing. If the main driving logic is the pursue of economic benefits the risk becomes to introduce a subsidising mechanism to local varieties conservation, as it emerged in the European experience. At the contrary, introducing as non-economic benefit, the sustainable use of agricultural biodiversity - and all the measures to be adopted to implement it - becomes in itself a mean of benefit sharing. In particular, the promotion of Participatory Plant Breeding (PPB) strategies to help farmers to fulfil their needs, facilitating them in accessing the genetic resources and broadening the range of available species all they are actions aiming to bring compensation in farmers' favour. For this reason article 9.2 (b) can be considered close to articles 6,2 (b) (d) concerned about research promotion, Participatory Plant Breeding and farmers' access to the genetic resources.