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## Mutually Supportive Implementation of the International Treaty on Plant Genetic Resource for Food and Agriculture and the Nagoya Protocol on Access and Benefit-Sharing

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### Abstract

At the international level, access and benefit-sharing related to genetic resources (ABS) is governed by two agreements: the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA), coordinated under the aegis of FAO, and the Nagoya Protocol (NP) to the Convention on Biological Diversity (CBD) coordinated under the aegis of UNEP. Both instruments establish frameworks for member states to regulate access to genetic resources and to ensure the sharing of benefits generated from R&D based on those resources, including breeding. Underscoring the importance of plant genetic resources for food security, the ITPGRFA establishes a multilateral ABS system for member states to share a defined list of the most important crops and forages for food and agriculture. The NP, on the other hand, covers all genetic resources under a member state's sovereignty and establishes criteria for bilateral ABS agreements that are to be negotiated individually between users and providers.

Both agreements refer to the ABS principles of the CBD and are meant to be implemented in mutually supportive ways. Yet, in practice countries are experiencing challenges in developing mechanisms for harmonised implementation. One of the roots of these challenges is that in most countries, environment agencies are responsible for the CBD/NP, and agricultural agencies are responsible for the ITPGRFA. And in most countries, these agencies have tended to work independently, a practice that has been reinforced in developing countries by outside donor and technical support organisations. As a consequence, there is a lack of awareness within environmental sector about the ITPGRFA and little knowledge about the CBD/NP in the agricultural sector. Many policy actors perceive 'grey areas' where it is unclear which system should apply, and are struggling to develop mutually supportive systems in place. Given the extremely close objectives and subject matter of these two international agreements, it is essential that all actors involved overcome their historical divides and work together to develop mutually supportive mechanisms for implementation.

To address these challenges, Bioversity International and the GIZ-implemented ABS Capacity Development Initiative have been cooperating since 2012 to engage stakeholders from the two fields and provide guidance on the mutually supportive implementation of the ITPGRFA and the NP. In the framework of this cooperation, an expert workshop (in 2013) and a tandem workshop for teams of focal points in charge of the two instruments (in 2014) were conducted to discuss the interface between the two agreements and mechanisms for improved coordination between policy actors. These workshops led to a number of spin-off

publications. A third workshop, co-organised with the Secretariats of the ITPGRFA and CBD/NP and African Commission is scheduled for November 2015. Furthermore, Bioversity and CBD Capacity Development Initiative are co-executing a three year pilot project in cooperation with the ITPGRFA and NP focal points in Benin and Madagascar to develop and test concrete, mutually supportive, implementation approaches from community to national levels.

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