

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

## **Fifth Session of the Governing Body**

*Muscat, Oman, 24/09/2013 - 28/09/2013*

### **Statement by CSOs to the Final Plenary**

#### **28 September 2013**

Thank You Chair

We are from CENESTA, an Iranian NGO involved in participatory and evolutionary plant breeding with farmers, speaking on behalf of the CSOs and farmers' organizations who are present at this fifth session of the Governing Body, in the beautiful Sultanate of Oman – we thank our hosts for their generous hospitality.

#### **Introduction**

We welcome this opportunity to make a concluding statement and would like to thank you, Chair and the Secretariat, for facilitating our involvement in this fifth session of the GB.

At the 4th session of the GB we hoped that Contracting Parties would resolve to find the means and political commitment to make the Treaty work in the interests of the key users and developers of PGRFA – the world's small-scale farmers, who feed the world, but, frankly, since then, not much happened.

Our Treaty should be at the heart of securing future food and agriculture through establishing effective governance of PGRFA that will enable farmers to continue to conserve, develop and sustainably use a wide range of crop biodiversity on-farm, at a time of increasing social, economic, environmental and political threats. The Treaty will be judged on whether it can stop the losses and improve access to existing PGRFA which has been developed by small-scale farmers *in situ* and on-farm.

The Treaty must change in direction and process if it is to realise its objectives. And to do so it must provide facilitated inclusion of the organisations and social movements of biodiversity-conserving farmers, and support CSOs, in the deliberations and work of the Treaty.

#### **Farmers' Rights**

We appreciate the efforts of Contracting Parties at GB5 to reaffirm, in a new decision, their legally-binding commitment to the realisation of Farmers' Rights and improved access to PGRFA by small-scale farmers, and we commit to providing our analysis of the State of implementation of Farmers' Rights to the next GB. We look forward to participating in your intersessional work on FRs, so long as you can help facilitate this.

The realisation of inalienable Farmers Rights, in the framework of food sovereignty will sustain the diversity of PGRFA on-farm and diversity of food on our tables. Small-scale farmers across the world take on the responsibility of renewing their fields and feeding us with the vast biodiversity of their crops that they inherited from their parents and will pass on to their children. But they cannot accomplish their contribution to our food and agriculture if their rights to save, use, exchange and sell their seeds are not respected and protected and upheld, and if they cannot participate in decision-taking.

At the same time, the future of many public genebanks is threatened: some are destroyed by wars or lack of funding; others get privatised and abandon many accessions; many intellectual property rights are granted on traits and genes found in stored seeds, which are then no longer accessible to farmers. Meanwhile, the Treaty provides free access for industry to all the seeds, covered by the MLS. Farmers have already provided all their seed materials to the world for free. The seed materials they continue to create are also free. It is a disservice to farmers, who continually feed us to receive only scant benefits from the treasure they provided the global community.

Small-scale farmers cannot adapt their production to climate change and defend their resilient production systems, which are not dependent on external inputs, if they have to rely on commercial varieties and do not have access to their diverse seeds.

### **Multilateral System of Access and Benefit Sharing**

We are pleased that the Governing Body has opened a serious process to fix the glaring deficiencies of the Treaty's multilateral system. We see this decision is based on the widely shared conclusion that the current system has only minimally generated access and benefit sharing and will need radical reform if it is to do so in the future. If there is no fix, the Treaty will become irrelevant. We welcome the understanding that improvements to the multilateral system will be user-based, and insist that all core activities of the new system be built upon mandatory contributions.

We regard, with caution, the decision to potentially "enhance" the functioning of the Multilateral System, and reiterate that benefit sharing must be demonstrably fixed before discussion of "enhancement" begins. If and when that time comes, the first considerations should be both to prevent pillaging of the System by patents on native traits, and to open the doors of private PGRFA collections – a well-kept secret – if the Treaty intends to retain facilitated access for industry in the future.

The decision taken at this Governing Body is the first step to create a new and viable Access and Benefit Sharing mechanism. We appreciate being afforded some opportunity to participate in this process. This is a move in the right direction for the Treaty, which should ensure that this inclusion is facilitated and consistent. We therefore look forward to the intersessional process in order to contribute to save this Treaty and its Multilateral System.

### **Benefit Sharing Fund**

In defining the strategic direction of the Benefit Sharing Fund, we reiterate that direct, demonstrable, and measurable benefits for farmers need to be prioritised. We call on country focal points to support, facilitate and endorse applications from farmers' organisations as it remains very difficult for them to apply for the Benefit Sharing Fund.

We welcome the voluntary contributions made by Norway, Italy, Spain and the European Union. We believe, however, that the Benefit Sharing Fund needs to evolve from a voluntary grant mechanism to a mandatory fund that will support increased *in situ* and on-farm efforts by small-scale farmers worldwide to conserve and develop PGRFA towards the realisation of Farmers Rights.

### **In conclusion**

The perilous convergence of a rapid erosion of PGRFA on-farm and Climate Change, among other threats, call for radical and profound responses if the biodiverse, nutritious and resilient production systems of small-scale farmers, who provide food and nutrition for most people in the world, are to be sustained. If the Treaty cannot realise its declared purposes of the conservation, sustainable use and benefit sharing of PGRFA, we would question its relevance.

The Treaty has the responsibility to ensure support for small-scale farmers in their task; the Treaty's future depends on this. We urge the GB to assume this responsibility; we look forward to collaborating with the Secretariat and Bureau, intersessionally, and to purposeful mutual engagement in the next Governing Body meeting.

Chair, let us conclude by saying that we, CSOs and farmers organisations, will continue, in the face of many challenges, to take our responsibilities: we will resist, we will organise and we will transform the seed and food system so that our Farmers' Rights and food sovereignty are realised.

We request that our full statement be added to the report of this meeting.

Thank you.