



# **BASIC CONSIDERATIONS**

**OF**

**the European seed sector to enhance the functioning of the Multilateral System of Access and Benefit Sharing of the International Treaty on Plant Genetic Resources for Food and Agriculture**

## 1. Background

Plant breeding is the science of improving plant genetic resources for agricultural production to the benefit of society. In the process of plant breeding each year thousands of genetic resources – primarily commercial varieties but also other material - are screened in observation and disease trials to single out the resources with interesting characteristics in order to create new plant varieties which are themselves genetic resources. A lot of work needs to be done before all desired characteristics are combined into a modern variety that can be offered to consumers. This is done during a complex and time consuming process of crossing, backcrossing and selection. The development cycle of a new variety on average takes 10 years and may take even longer when wild types or landraces are used.

So, the ancestry of every single plant variety is very complex combining thousands of different genetic resources from different sources and regions. In addition, it is important to underline that there is a strong interdependence between plant breeders across the world to develop new plant varieties, which are, for instance, resistant to diseases, better adapted to local climatic conditions, providing higher yields etc. Therefore a continuous flow of plant genetic resources between countries and continents and easy and speedy access to the totality of the plant gene pool worldwide is indispensable.

Plant breeding therefore requires a specific access and benefit-sharing (hereinafter: ‘ABS’) regime which understands its functioning and is adapted to its specificities. The International Treaty on Plant Genetic Resources for Food and Agriculture (hereinafter: the ‘Treaty’) recognizes these specificities and is therefore the preferred ABS system of the European seed sector.

## 2. Basic considerations & principles of a future system

The European seed sector is ready to participate in and provide input to the discussions to enhance the functioning of the Multilateral System of the Treaty. It has to be noted however that in the discussions around the improvement of the Treaty the expectations of the different stakeholders vary on a large scale. Resolution 2/2013 adopted at the fifth session of the Governing Body sets out some expectation in general terms. For the sake of transparency and more constructive discussions

the European seed sector is of the opinion that the expectations of stakeholders participating in the discussions should become much clearer.

The working group established by the Governing Body to enhance the Multilateral System of the Treaty has two objectives:

- a) Increase user-based payments and contributions to the Benefit-Sharing Fund in a sustainable and predictable long-term manner, and
- b) Enhance the functioning of the Multilateral System by additional measures.

To make the system work it is important that both targets are going to results in solutions in a balanced manner. With regard to the work to be done by the working group, the European seed sector is:

- ✿ committed to support and further develop the Treaty;
- ✿ ready and committed to take financial engagement to support the Treaty;
- ✿ committed to be proactively involved in and propose solutions for shaping the future financing mechanism of the Treaty which should provide sustainable, long-term income to the Treaty's Benefit Sharing Fund;
- ✿ ready and committed to provide input for additional measures to further enhance the Multilateral System.

As concerns the future financing mechanism of the Treaty the European seed sector is of the view that all Parties and stakeholders should take their responsibility to contribute to the system. With regard to the financial mechanism for recipients of material from the Multilateral System the European seed sector believes that the mechanism should be based on the following principles:

- ✿ solidarity: creating a mechanism which is as inclusive as possible, avoiding free-riding to the extent possible;
- ✿ simplicity;
- ✿ minimum administrative burden (no "track & trace" obligation);
- ✿ predictability: providing for high legal certainty for users;
- ✿ proportionality: providing a level playing field within the industry to the extent possible;
- ✿ differentiated approach to material available without restrictions for breeding, research and training and material which is not.

This mechanism can only become functional if:

- ✿ the Treaty gives better recognition to the value of in-kind benefit-sharing activities undertaken by the seed sector;
- ✿ it results in the fulfillment by Contracting Parties of their obligations by bringing more material under the Multilateral System;
- ✿ it results in the extension of Annex I of the Treaty to all plant genetic resources for food and agriculture;
- ✿ it promotes that that projects financed from the Benefit Sharing Fund can also have a link to *ex situ* conservation;
- ✿ it allows more transparency and possibilities for involvement for the seed sector in the decision-making concerning the projects on which money from the Benefit Sharing Fund is spent.