Food and Agriculture Organization of the United Nations

International Treaty on Plant Genetic Resources for Food and Agriculture

INTERNATIONAL TREATY ON PLANT GENETIC RESOURCES FOR FOOD AND AGRICULTURE

SIXTH MEETING OF THE AD HOC TECHNICAL EXPERT GROUP ON FARMERS' RIGHTS

Rome, Italy, 23—26 June 2025

RESULTS OF THE MULTISTAKEHOLDER SURVEY ON THE STATE OF IMPLEMENTATION OF ARTICLE 9 OF THE INTERNATIONAL TREATY

Note by the Secretary

This document presents the results of a multistakeholder survey conducted by the Secretariat, aimed at engaging all Contracting Parties and interested stakeholders in gathering comprehensive information on the state of implementation of Article 9 of the International Treaty. The survey seeks to supplement existing data and information from national reports and literature reviews. The multistakeholder survey was conducted from 12 December 2024 to 31 January 2025 and gathered 233 responses from 91 countries representing, inter alia, governmental organizations, farmers' organizations, Indigenous Peoples, and local community organizations, civil society organizations, intergovernmental organizations, and other relevant stakeholders.

The respondents were invited to provide their knowledge, measures introduced, experiences, and lessons learned from the implementation of Farmers' Rights, in their respective countries/or areas of work. The respondents were also invited to cite the gaps and needs for the realization of these rights. Moreover, they were also requested to provide feedback and ideas for further implementation of Farmers' Rights.

The results are provided in this document and incorporated in the working documents prepared for the sixth meeting of the Ad hoc Technical Expert Group on Farmers' Rights (AHTEG-FR).

This document is being made available for the information of the AHTEG-FR and to further assist its discussions, as appropriate.

TABLE OF CONTENT

1. INTRODUCTION 4
1.1. Background 4
1.2. The objectives of the multistakeholder survey 4
1.3. Methodology and questionnaire structure 5
2. RESULTS 5
I. The Respondents 5
II. Knowledge of Farmers' Rights as set out in Article 9 of the International Treaty 10
III. Measures, Experiences, and Lessons Learned from the implementation of Farmers' Rights 14
IV. Measures limiting the realization of Farmers' Rights 44
V. Supplementary information related to the implementation of Farmers' Rights 48
VI. Gaps and needs with regard to the realization of Farmers' Rights 58
VII. Prospects and plans for further implementation of Farmers' Rights 59
VIII. Conclusions 62

Abbreviations

ABS	access and benefit-sharing
AHTEG-FR	Ad Hoc Technical Expert Group on Farmers' Rights
CAP	Common Agricultural Policy
CBD	Convention on Biological Diversity
CGIAR	Consultative Group on International Agricultural Research
CSB	community seed bank
CSO	civil society organization
CWR	crop wild relatives
FFS	farmers' field school
GI	geographical indications
GIAHS	Globally Important Agricultural Heritage Systems
IFOAM	International Federation of Organic Agriculture Movements
IGOs	intergovernmental organizations
ITPGRFA	International Treaty on Plant Genetic Resources for Food and Agriculture
NGO	Non-Governmental Organization
PBR	plant breeder's rights
PGR	plant genetic resources
PGRFA	plant genetic resources for food and agriculture
PGS	participatory guarantee systems
PPB	participatory plant breeding
PVE	participatory variety evaluation
PVS	participatory variety selection
TK	traditional knowledge
UNDROP	United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas
UPOV	International Union for the Protection of New Varieties of Plants

1. INTRODUCTION

1.1. Background

Farmers play a central role in feeding the world by producing the food we rely on for our sustenance and survival. They are also key to the conservation and sustainable use of crop genetic resources for food and agriculture. Recognizing, protecting and promoting the rights of farmers, as developers and custodians of crop diversity in the field, and rewarding their contribution to crop genetic diversity, is therefore essential to ensuring global food security, and addressing biodiversity loss and climate change.

The International Treaty on Plant Genetic Resources for Food and Agriculture (International Treaty, or ITPGRFA), in its Preamble, reaffirms that "the past, present and future contributions of farmers in all regions of the world, particularly those in centres of origin and diversity, in conserving, improving and making available these resources, is the basis of Farmers' Rights", and that the right to save, use, exchange, and sell farm-saved seeds and propagating material, inter alia, are fundamental to the realization of these rights. Article 9 of the International Treaty provides an indicative set of measures for protecting and promoting these rights, including the protection of traditional knowledge(TK) relevant to plant genetic resources for food and agriculture (PGRFA), the right to participate equitably in sharing benefits arising from the use of PGRFA, and the right to participate in decision-making at national level on matters related to the conservation and sustainable use of PGRFA. Article 9 further stipulates that the responsibility for implementing Farmers' Rights[1] rests with the national governments. Article 9 is linked with other provisions, including Articles 5 and 6, which concern conservation and sustainable use, along with other ongoing processes under the International Treaty. As such, it is essential to consider Article 9 within the broader context of the International Treaty rather than in isolation.

At its Ninth Session, the Governing Body "requested the Secretary, subject to the availability of financial resources, to make an assessment of the state of implementation of Article 9 of the International Treaty and to present criteria and an outline of the assessment at its Tenth Session and the full report at its Eleventh Session; such assessment should be based on the compliance reports and submissions in the Inventory as well as on other relevant information".

The Governing Body also decided to reconvene the Ad Hoc Technical Expert Group on Farmers' Rights (AHTEG-FR or Expert Group), inter alia, "to review and agree to the outline for the assessment of the state of implementation of Article 9 of the International Treaty". Following this mandate, the Expert Group discussed and agreed on the outline for the assessment of the implementation of Article 9 of the International Treaty (the Assessment). The methodology involved conducting a multistakeholder survey among Contracting Parties and interested stakeholders across all regions.

To supplement the existing data and information from national reports and the Inventory,[2] the Secretariat conducted the multistakeholder survey from 12 December 2024 to 31 January 2025. The results are provided in this document and incorporated in the working documents prepared for the sixth meeting of the Expert Group.[3]

1.2. The objectives of the multistakeholder survey

The multistakeholder survey was designed to:

- engage all Contracting Parties and interested stakeholders in gathering comprehensive information regarding the state of implementation of Article 9 of the International Treaty.
- supplement the existing data and information from national reports, the Inventory and other sources available.

[1] All references to Farmers' Rights refer only to Article 9 of the International Treaty

[2] Inventory of national measures that may be adopted, best practices and lessons learned from the realization of Farmers' Rights, as set out in Article 9 of the International Treaty

[3] See IT/GB-11/AHTEG-FR-6/25/3 Approach, methodology and main results of the assessment of the state of implementation of Article 9 of the International Treaty; and IT/GB-11/AHTEG-FR-6/25/3.1 Draft Assessment of the State of Implementation of Article 9 of the International Treaty

1.3. Methodology and questionnaire structure

The questionnaire was developed by the Secretariat based on the scope and coverage of the outline for the Assessment, which was agreed upon by the Expert Group at its fifth meeting.[4] It was structured following the provisions of Article 9. In addition to the provisions outlined in Article 9, supplementary questions related to Farmers' Rights were included. The questionnaire comprised seven sections, as follows:

- Section I. Information about the respondents
- Section II. Knowledge of Farmers' Rights as set out in Article 9 of the International Treaty (Questions 1 to 5);
- Section III. Measures, experiences, and lessons learned from the implementation of Farmers' Rights (Questions 6 to 24);
- Section IV. Measures (or factors) limiting the implementation of Farmers' Rights (Questions 25 to 26);
- Section V. Supplementary information related to the implementation of Farmers' Rights (Questions 27 to 32);
- Section VI. Gaps and needs with regard to the implementation of Farmers' Rights (Question 33); and
- Section VII. Prospects and plans for further implementation of Farmers' Rights (Question 34).

To assist the respondents, the questionnaire provided a range of possible choices to select from, as well as space for any additional information they may wish to include. The questionnaire is presented in Appendix.

The multistakeholder survey was conducted online in three languages: English, French, and Spanish. The survey utilized the SurveyMonkey platform[5] and was also made available in PDF and MS Word formats for respondents who preferred to complete it offline. It was launched on 12 December 2024, through a notification distributed to Contracting Parties, farmers' organizations, Indigenous Peoples, and local community organizations, civil society organizations (CSOs), intergovernmental organizations (IGOs), and other relevant stakeholders.[6] Additionally, the notification was disseminated via FAO channels as well as the social media platforms of the International Treaty. The survey remained open for responses until 31 January 2025.

After the survey closed, data were exported from SurveyMonkey to MS Excel. Responses in French and Spanish were translated into English and consolidated into one database for analysis. The results are shown in tables, charts, figures, and narrative summaries.

2. RESULTS

The results of the survey are organized according to the questionnaire's structure, providing a summary of information about the respondents, both in aggregate form and by region.

I. The Respondents

a) Responses received

The multistakeholder survey received 233 responses from 91 countries, including four respondents from non-Contracting Parties., across all seven FAO regions. Specifically, there were 82 respondents from 24 countries in Africa; 43 respondents in 13 countries in Asia; 48 respondents in 25 countries in Europe; 28 respondents in 10 countries in Latin America and the Caribbean (LAC); 11 respondents in 9 countries in Near East; 5 respondents in North America, and 12 respondents in 5 countries in Southwest Pacific (SWP), as shown in Table 1.

[4] Appendix 2, IT/GB-11/AHTEG-FR-5/24/Report
[5] www.surveymonkey.com/r/state-of-implementation-of-Art9
[6] Notification NCP GB11-009, available at: www.fao.org/plant-treaty/notifications/detail-events/en/c/1730292/

Table 1 Respondent distribution by country and region

Region	Countries represented	Respondents
Africa	Benin, Burkina Faso, Burundi, Cameroon, Chad, Democratic Republic of the Congo, Gabon, Ghana, Kenya, Lesotho, Madagascar, Malawi, Mali, Morocco, Niger, Nigeria, Rwanda, Senegal, South Africa, Tunisia, Uganda, United Republic of Tanzania, Zambia, Zimbabwe	82
Asia	Bangladesh, Bhutan, Cambodia, India, Indonesia, Japan, Lao People's Democratic Republic, Malaysia, Nepal, Pakistan, Philippines, Sri Lanka	43
Europe	Albania, Austria, Belgium, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Ireland, Italy, Latvia, Malta, Netherlands (Kingdom of the), Norway, Poland, Portugal, Moldova, Serbia, Spain, Switzerland, Turkey, United Kingdom of Great Britain and Northern Ireland	48
Latin America and the Caribbean	Argentina, Brazil, Colombia, Costa Rica, Ecuador, El Salvador, Guatemala, Peru, Saint Lucia, Uruguay	28
Near East	Egypt, Jordan, Lebanon, Libya, Qatar, Sudan, Islamic Republic of Iran, Saudi Arabia, Sudan	11
North America	Canada, United States of America	5
Southwest Pacific	Australia, Tonga, Fiji, Cooks Island, Papua New Guinea	12
	Non-Contracting Parties: Bosnia and Herzegovina, China, Haiti and Mexico,	4
Total	**91 countries represented**	**233**

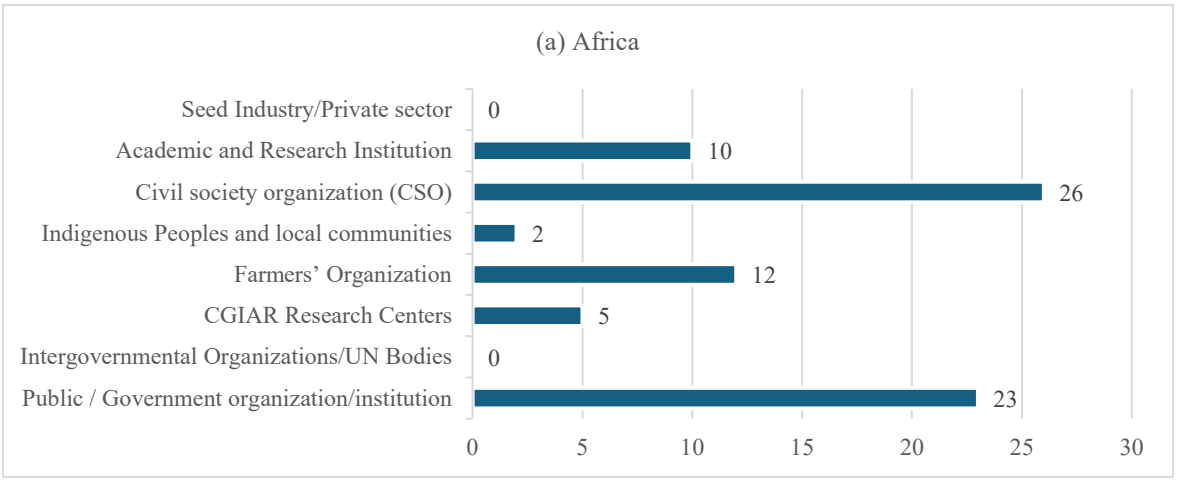
Figure 1 Map showing the countries of the respondents

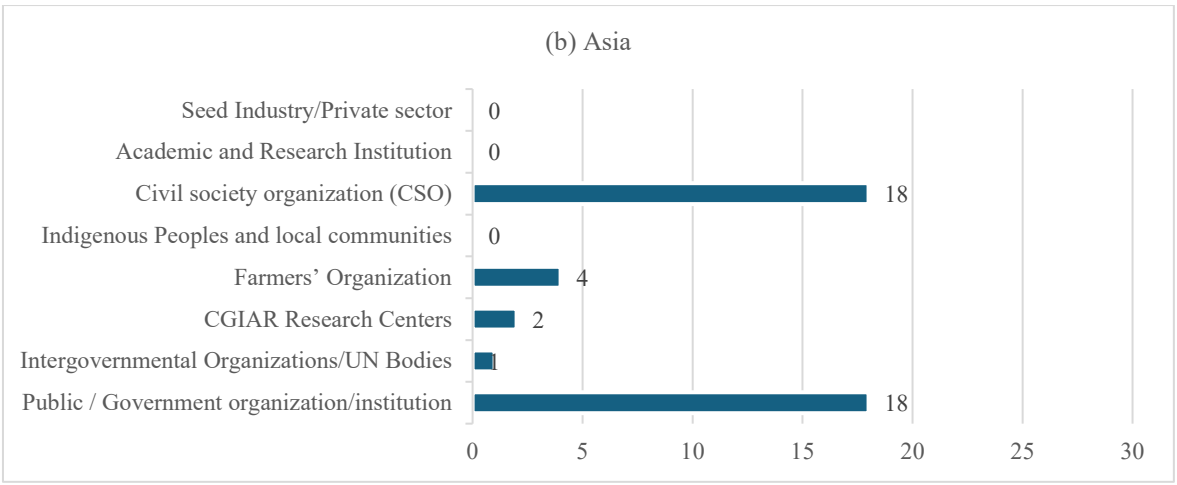
Source: Map from UN Geospatial Service. The boundaries and names shown and the designations used on this map do not imply the expression of any opinion whatsoever on the part of FAO concerning the legal status of any country, territory, city or area or of its authorities, or concerning the delimitation of its frontiers and boundaries. Dotted line represents approximately the Line of Control in Jammu and Kashmir agreed upon by India and Pakistan. The final status of Jammu and Kashmir has not yet been agreed upon by the parties. Final boundary between the Sudan and South Sudan has not yet been determined.

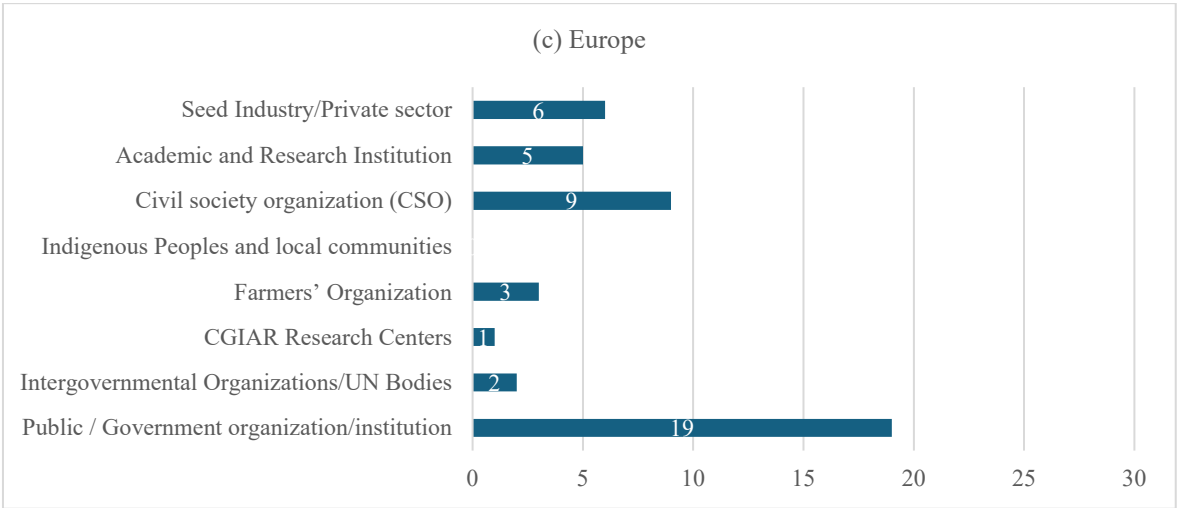
b) Organization and/or affiliation by the respondents

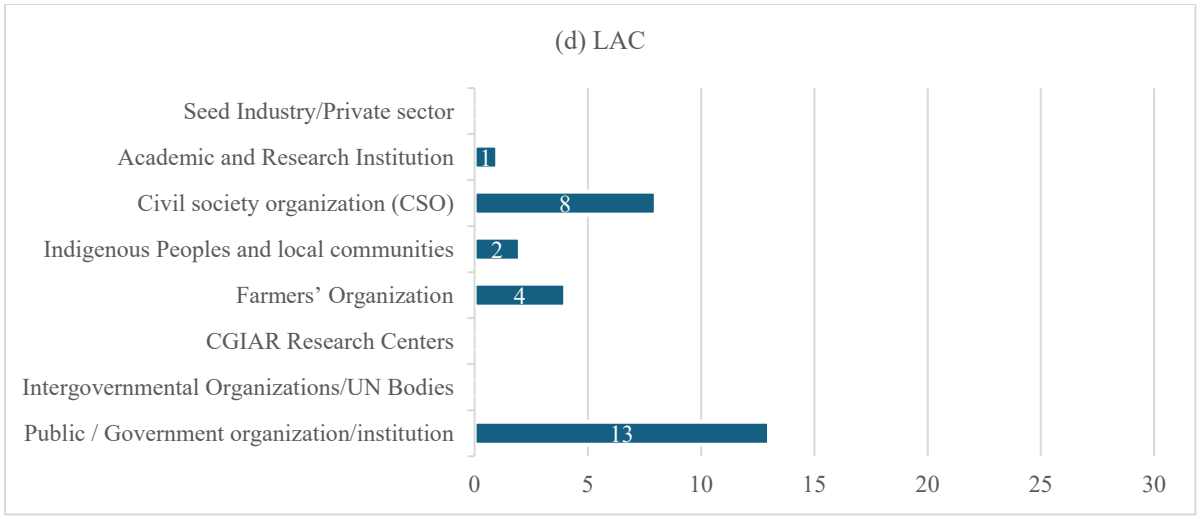
Figure 2 illustrates the distribution by organization and/or affiliation by the respondents in (a) Africa, (b) Asia, (c) Europe, (d) Near East, (e) North America, (f) LAC, and (g) SWP.

Figure 2 Respondents' distribution by organization and/or affiliation, per region








(d) LAC
Seed Industry/Private sector
Academic and Research Institution
Civil society organization (CSO)
Indigenous Peoples and local communities
Farmers' Organization
CGIAR Research Centers
Intergovernmental Organizations/UN Bodies
Public / Government organization/institution
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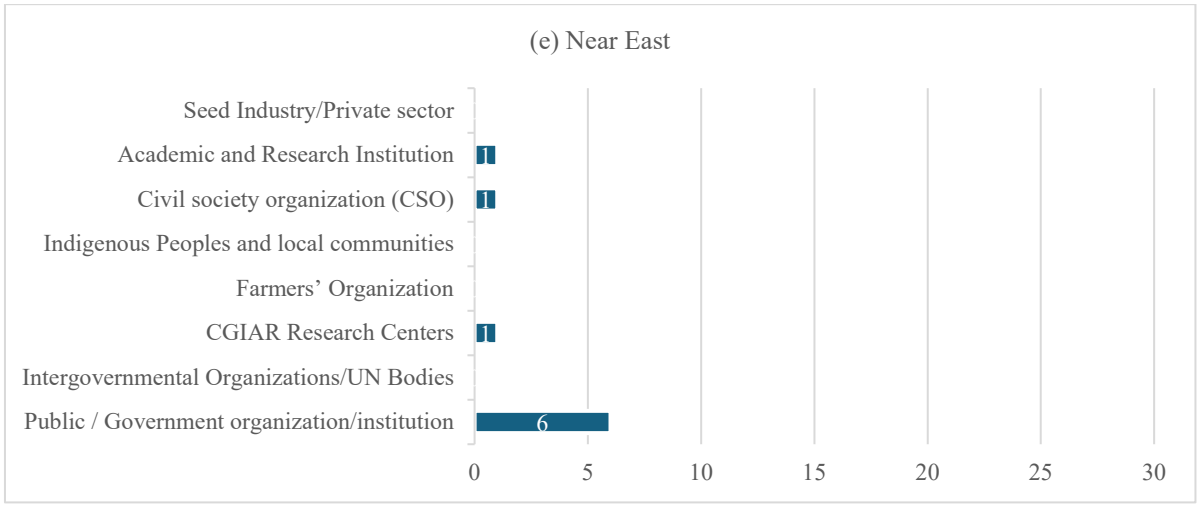
(e) Near East
Seed Industry/Private sector
Academic and Research Institution
Civil society organization (CSO)
Indigenous Peoples and local communities
Farmers' Organization
CGIAR Research Centers
Intergovernmental Organizations/UN Bodies
Public / Government organization/institution
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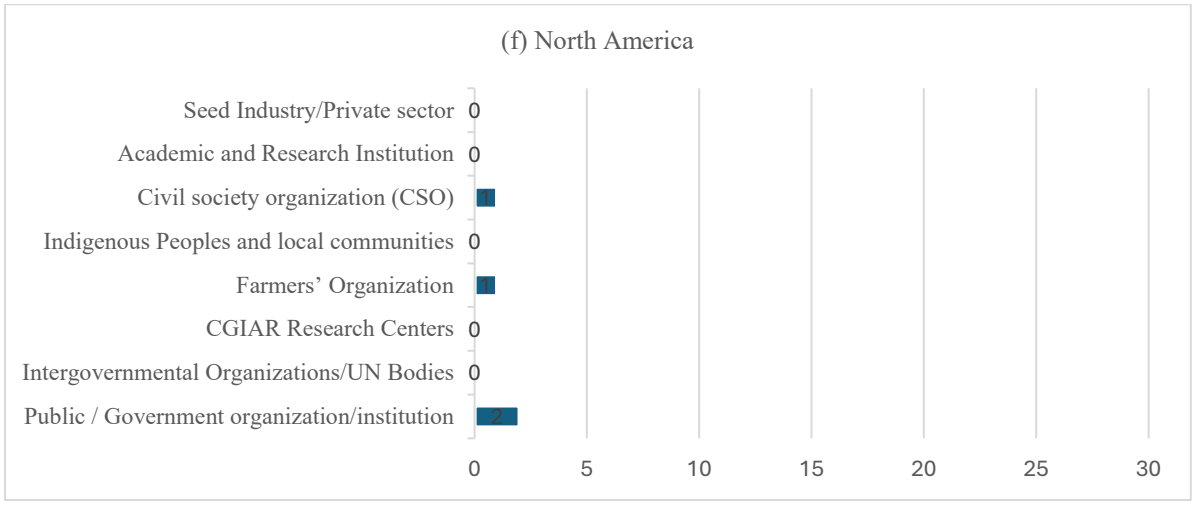
(f) North America
Seed Industry/Private sector
Academic and Research Institution
Civil society organization (CSO)
Indigenous Peoples and local communities
Farmers' Organization
CGIAR Research Centers
Intergovernmental Organizations/UN Bodies
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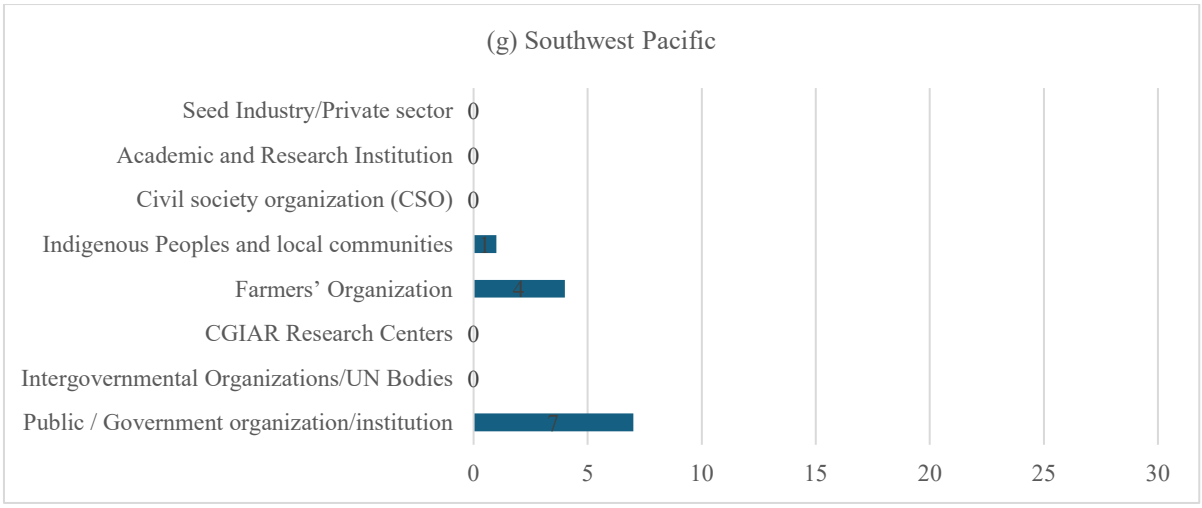
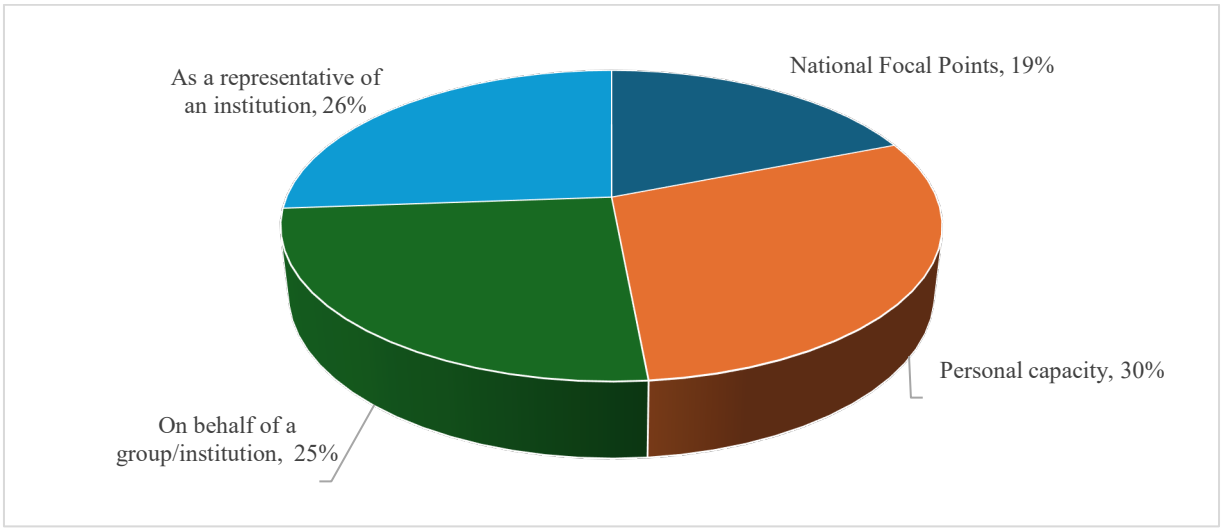


c) Respondents' representation

Figure 3 illustrates the distribution of respondents across four broad categories. It comprised 30 percent from personal capacity, 26 percent as a representative of a group or institution, 25 percent on behalf of a group or institution, and 19 percent from the national focal points.

Figure 3 Respondents' representation



d) The geographical scale on which the respondents' organization/affiliation operates

Most responses indicated that their implementation primarily occurs at the national and local levels. Additionally, some responses mentioned activities at regional and international levels, including countries involved in international cooperation or providing financial resources to other nations, as well as stakeholders operating on an international scale.

e) Engagement in issues related to protecting and promoting Farmers' Rights

Figure 4 provides a summary of respondents' engagement related to the protection and promotion of Farmers' Rights. In this question, the survey gathered a total of 229 responses. Out of 229 responses, 4 percent of respondents have indicated less than one year of engagement, 25 percent have engagement between one to five years, 18 percent have five to ten years, another 18 percent have ten to fifteen years, and 35 percent have over fifteen years of engagement in protecting and promoting Farmers' Rights. Furthermore, Table 2 provides an overview of the distribution of respondents by region regarding their indicated years of engagement in promoting and protecting Farmers' Rights.

Figure 4 Number of years respondents have been engaged in issues related to protecting and promoting Farmers' Rights

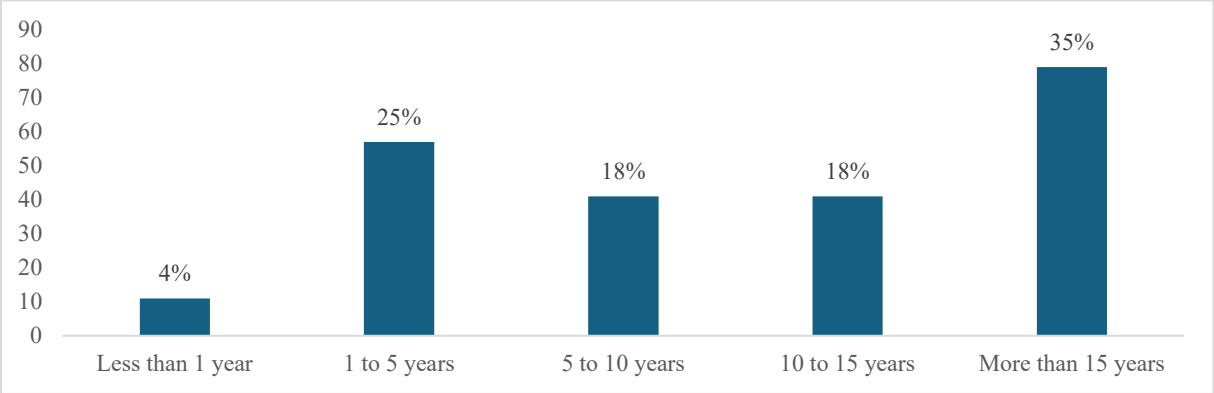


Table 2. Distribution of responses, by region

Engagement (year)	Africa	Asia	Europe	LAC	Near East	North America	SWP
Less than 1	1	4	2	0	0	1	3
1 to 5	24	6	13	3	6	0	5
5 to 10	18	10	7	2	2	0	2
10 to 15	14	11	4	10	0	1	1
More than 15	24	13	23	13	2	3	1
Sub total	**81**	**44**	**49**	**28**	**10**	**5**	**12**
Total							**229**

II. Knowledge of Farmers' Rights as set out in Article 9 of the International Treaty

1. Are you aware of the different provisions of Article 9, Farmers' Rights under the International Treaty?

Among the 233 respondents, between 75 and 92 percent answered the question regarding their awareness of the various provisions of Article 9 under the International Treaty. The majority of responses from various regions indicated awareness, with only a few responses stating "no" awareness or "somewhat" awareness. However, the total number of responses varied for each provision. Figures 5.1 (233 responses), 5.2 (215 responses), 5.3 (214 responses), 5.4 (176 responses), and 5.5 (187 responses) illustrate the responses on awareness for each provision of Article 9.

Figure 5.1 Distribution of responses across regions regarding awareness of Article 9.1, recognition of the enormous contribution that local and Indigenous communities and farmers of all regions of the world have made and will continue to make for the conservation and development of plant genetic resources

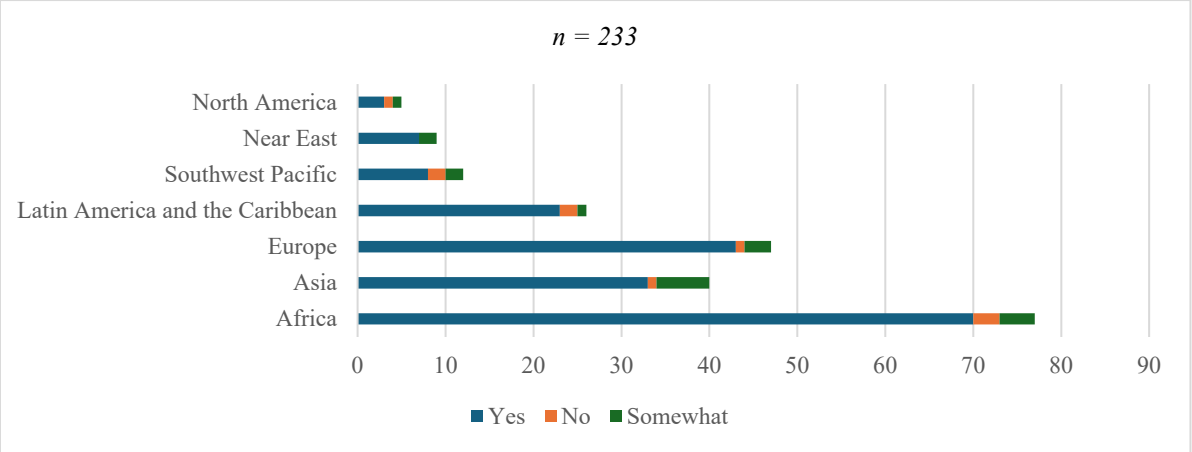


Figure 5.2 Distribution of responses across regions regarding awareness on Article 9.2a, protection of TK relevant to PGRFA

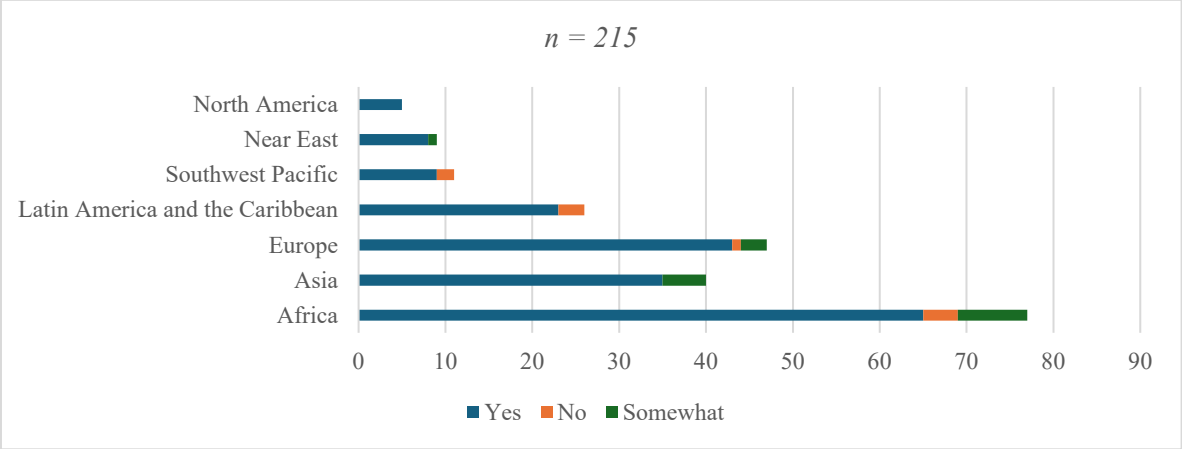


Figure 5.3 Distribution of responses across regions regarding awareness of Article 9.2b, the right to equitably participate in sharing benefits arising from the utilization of PGRFA

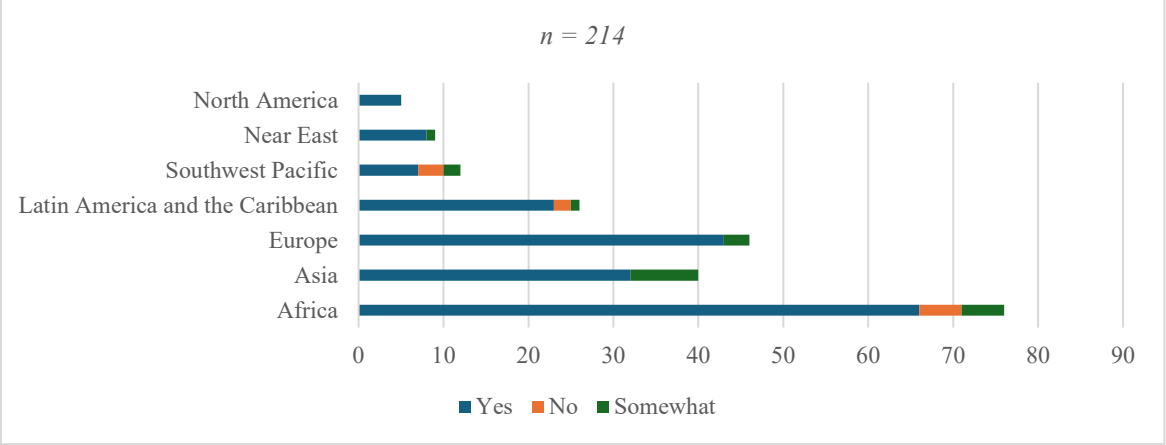


Figure 5.4 Distribution of responses across regions regarding awareness Article 9.2c, the right to participate in making decisions, at the national level, on matters related to the conservation and sustainable use of PGRFA

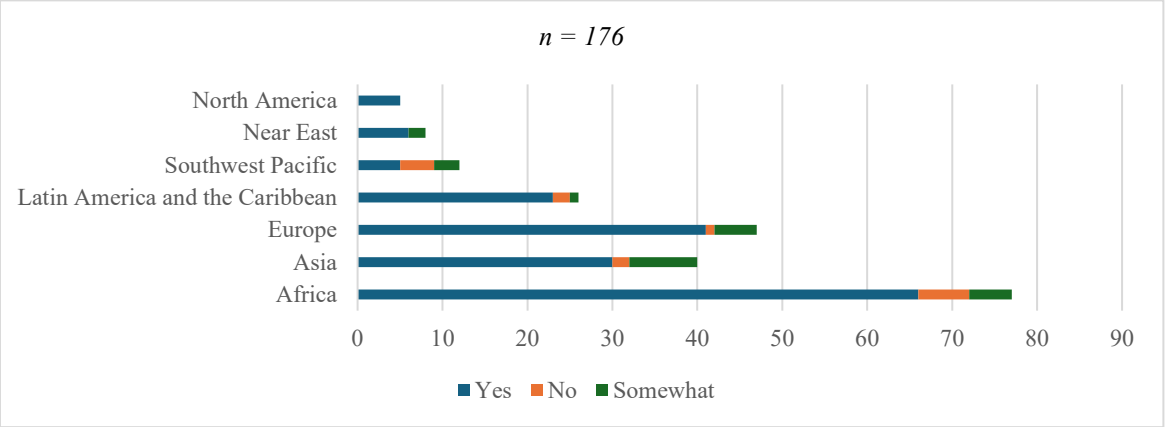
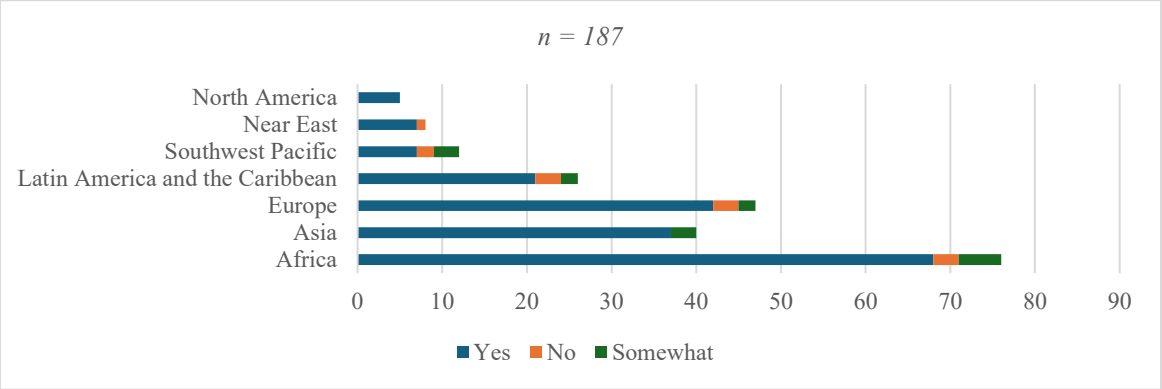


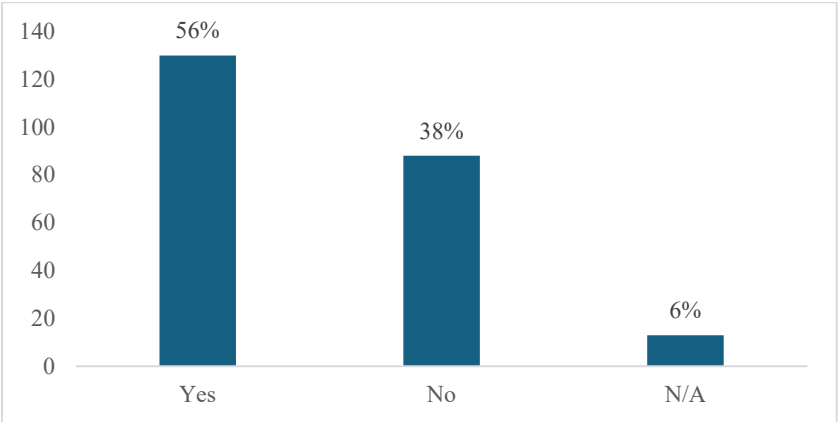
Figure 5.5 Distribution of responses across regions regarding awareness on Article 9.3, the right that farmers have to save, use, exchange and sell farm-saved seed/propagating material, subject to national law and as appropriate



2. Are you aware of the Inventory of national measures, best practices, and lessons learned from the realization of Farmers' Rights, as set out in Article 9 of the International Treaty?

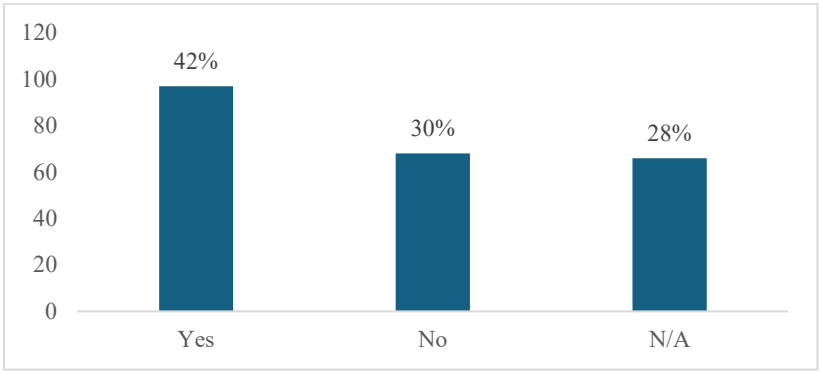
Fifty-six percent of the responses indicated being aware of the *Inventory of national measures, best practices, and lessons learned from the realization of Farmers' Rights*. Meanwhile, 38 percent indicated no awareness, and another 6 percent did not provide an answer, as shown in Figure 6.

Figure 6. Responses regarding awareness of the Inventory of national measures, best practices, and lessons learned from the realization of Farmers' Rights, as set out in Article 9 of the International Treaty



3. If your answer in Question 2 is Yes, have you accessed or contributed to the Inventory of national measures, best practices, and lessons learned from the realization of Farmers' Rights, as set out in Article 9 of the International Treaty?

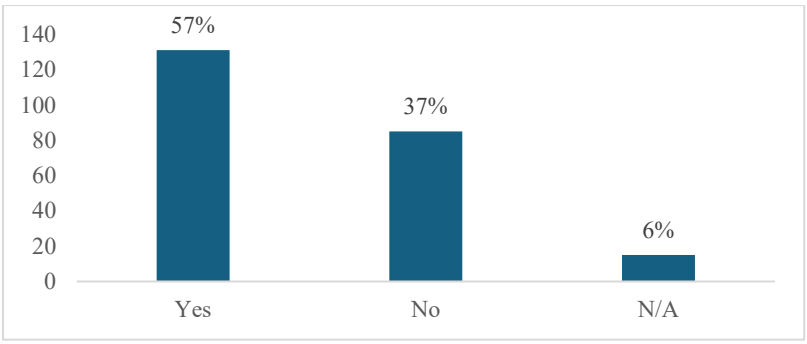
Figure 7. Responses regarding having accessed or contributed to the Inventory of national measures, best practices, and lessons learned from the realization of Farmers' Rights, as set out in Article 9 of the International Treaty



4. Are you aware of the Options for encouraging, guiding, and promoting the realization of Farmers' Rights as set out in Article 9 of the International Treaty?

Regarding awareness of the Options, 57 percent of the respondents stated being aware, 37 percent indicated they were not aware, and the remaining 6 percent did not provide an answer.

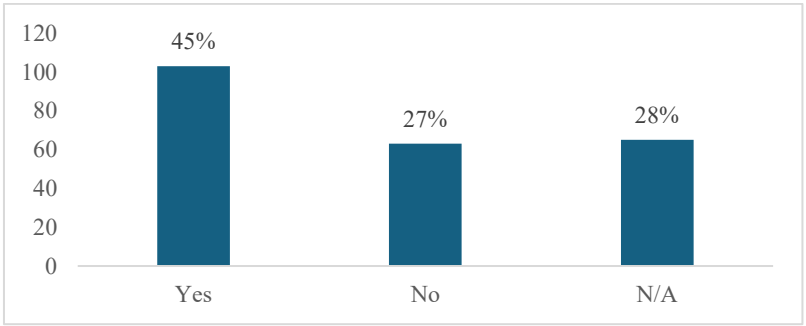
Figure 8. Responses regarding awareness of the Options for encouraging, guiding, and promoting the realization of Farmers' Rights as set out in Article 9 of the International Treaty



5. If your answer in Question 4 is Yes, have you accessed the Options for encouraging, guiding, and promoting the realization of Farmers' Rights as set out in Article 9 of the International Treaty?

In response to a follow-up question regarding access to the Options, 45 percent of respondents indicated they had accessed them, 27 percent stated they had not, while the remaining 28 percent did not provide an answer, as shown in Figure 9.

Figure 9. Responses on having accessed the Options for encouraging, guiding, and promoting the realization of Farmers' Rights as set out in Article 9 of the International Treaty



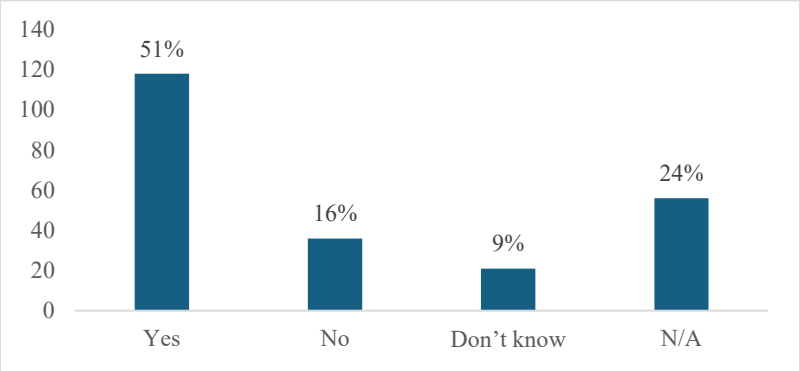
III. Measures, Experiences, and Lessons Learned from the implementation of Farmers' Rights

Recognition of the enormous contribution that local and indigenous communities and farmers of all regions of the world have made and will continue to make for the conservation and development of plant genetic resources (Article 9.1)

6. To the best of your knowledge, in your country/or area of work, have any measures been introduced/applied to recognize the enormous contribution that local and Indigenous communities and farmers of all regions of the world have made and will continue to make for the conservation and development of plant genetic resources?

Fifty-one percent of respondents indicated that in their country/or area of work, measures have been introduced or applied to recognize the significant contributions of local and Indigenous communities and farmers. Twenty-four percent did not provide a response, 9 percent stated "don't know", and the remaining 16 percent answered "no".

Figure 10. Responses on knowledge of measures introduced/applied in their country/or area of work to promote Article 9.1



7. If your answer in Question 6 is Yes, please refer to the type of measures below.

The questionnaire used the types of measures as presented in the Inventory (e.g. technical, administrative, policy and legal measures, financial support, and other measures),[7] and requested the respondents to indicate the level of implementation (local, national, regional, and global). The type of measures and their description are outlined below:

- *Technical measures:* the implementation is through initiatives/programmes/project activities supporting farmers and farming communities to develop, manage, conserve and sustainably use PGRFA.
- *Administrative measures:* the implementation is through administrative measures such as executive orders, ministerial directives, inter-ministerial collaborations, departmental instructions, circulars, memoranda, awards and recognition, as well as the establishment of protocols, codes, and guidelines to support farmers in the conservation and sustainable use of PGRFA.
- *Policy and legal measures:* the implementation is through policy and legal measures such as national and/or regional laws, policies, and any other legal instruments (e.g. act, law, bill, ordinance, and others).
- *Financial support:* the implementation is through the provision of financial support to farmers and communities' participation in meetings/trainings/workshops relevant to PGRFA.

[7] www.fao.org/plant-treaty/areas-of-work/farmers-rights/overview-inventory/en/

Table 3 presents the types of measures indicated by the respondents. Across the regions, the responses show that technical measures are commonly implemented at both local and national levels. Administrative measures are mainly executed at the national level. Policy and legal measures are primarily found at the national level, while financial assistance is distributed across local, national, regional, and global scales, with a focus on local and national implementation. This demonstrates a varied approach among different Contracting Parties and stakeholders to the implementation of measures promoting recognition and/or support for farmers, Indigenous Peoples, and local communities in the conservation and sustainable use of PGRFA.

Table 3 Responses on knowledge of measures introduced/applied to promote Article 9.1, at different geographical scales

Type of measures	**Scale of implementation**			
	Local	National	Regional	Global
Technical	46	48	14	4
Administrative	28	54	5	5
Policy and legal	15	76	5	5
Financial support	41	34	9	6
Total responses	*130*	*212*	*33*	*20*

Additional information provided by the respondents

North America

Respondents from Canada indicated various measures that have been implemented to promote recognition of the local and Indigenous communities at local, national, regional, and global levels. Examples of these measures include the provision of PGRFA from national gene banks, initiatives for knowledge exchange, conservation of heritage and heirloom varieties donated by heritage seed growers and farmers to national gene banks, as well as support for farmers and local and Indigenous communities. These actions encompass administrative, policy, and legal measures, as well as financial assistance for international projects, including support for CGIAR Centres.

CGIAR Centers

On implementing technical measures, the programme “Biodiversity for Food and Agriculture” of the Alliance of Bioversity International and the International Center for Tropical Agriculture (CIAT) manages a portfolio of 58 projects worth over US$55 million. All these projects are implemented with partner organizations that are active at local, provincial, national, or regional levels in the target countries and geographies. These partners are governmental agencies, public research organizations, non-governmental organizations, CSOs/farmers’ organizations and private companies. All the projects involve activities supporting farmers and farming communities to develop, manage, conserve and sustainably use PGRFA. The most common activities are:

- training events;
- consultations;
- plant variety characterization, evaluation, selection and breeding;
- community seed banking;
- communal seed multiplication and distribution;
- farmers’ participation in the development of country policies and laws; and
- farmers’ participation in multi-stakeholder platforms for market development.

These initiatives often focus on farming communities at the village, district, and provincial levels. Furthermore, national events such as traditional food and seed fairs are also organized. All partners collaborating with the Alliance contribute to these activities through various resources, including financial support (from their own funds or project funds), expertise, knowledge, hardware, tools, facilities, and time. While contributions from country-level partners are typically more noticeable, the involvement of local organizations is crucial. For instance, local authorities and institutions have approved the creation of

community seedbanks and provided land, construction materials, and manpower for their establishment in several countries, including Colombia, Ghana, India, Kenya, South Africa, and Uganda.

Through policy and legal measures

The Alliance cited that some countries they work with have passed policies, laws and regulations that directly or indirectly recognize and support farmers' role as custodians and developers of crop diversity. Some salient examples are provided below:

- In 2011, India adopted the Protection of Plant Variety and Farmer's Rights Act.
- In 2016, Peru passed a regulation for the establishment of agrobiodiversity areas. So far, 10 areas covering more than 220 000 ha have been established as agrobiodiversity areas.

Through administrative measures

- Some (not many) countries have adopted plant variety registration procedures that are adapted to crop varieties developed by farmers and that allow farmers to release varieties maintained and developed by them in national seed markets. One example is Nepal, where in 2013, specific procedures and templates were developed for the implementation of the National Seed Regulation's provisions that allow for the registration of farmers' local varieties.
- A number of countries have adopted the Quality Declared Seed system proposed by FAO for seed quality monitoring and certification. Ethiopia, Uganda, Tanzania and Kenya (for vegetatively propagated materials) are some of them. This system makes it easier for farmers to commercialize their own seed with certified quality.
- In 2009, Nepal's government developed "Community Seed Bank Guidelines", a comprehensive document that guides planning, implementation, and regular monitoring of community seed bank activities in the country.
- In 2024, the government of Colombia approved the "Action plan for the conservation, multiplication, use, and exchange of native and creole seeds. Phase 2 (2024-2028)," in support of farmer varieties.
- In India, the authority in charge of Plant Variety Protection and Farmers' Rights has identified 22 agrobiodiversity hotspots where the most important genetic diversity in agriculture is found and needs safeguarding. Among other purposes, the hotspots will inform the disbursement of funds from the National Gene Fund.

The Alliance of Bioversity and CIAT, in collaboration with national and international partners such as FAO, has contributed to the development of conservation strategies for PGRFA in various countries. These strategies emphasize the engagement and compensation of farmers for in situ/on-farm conservation of PGRFA. Notably, a proposed national PGRFA conservation strategy is currently under consideration by the government of St. Lucia, as part of the Programme for Capacity Building Related to Multilateral Environmental Agreements across nations within the Organisation of African, Caribbean and Pacific States.

8. If your answer in Question 6 is Yes, please describe your experiences and lessons learned in relation to the measures.

Experiences and lessons learned from the implementation of measures related to the promotion of Article 9.1

Across different regions, respondents described their experiences and lessons learned regarding measures introduced/applied to recognize the contributions made by local and Indigenous communities and farmers in the conservation and development of PGRFA.

Africa

- Partnering with institutions, farmers, and local communities is crucial for researching, developing, and improving crop varieties suited to specific environments and preferences.

- Establishing supportive legal frameworks that recognize Farmers' Rights and farmers' varieties through a comprehensive consultative process, as well as local dialogues with farming communities, is crucial in promoting these rights.
- Supporting farmers in gaining access to a diverse range of genetic materials, improving their knowledge and skills in seed saving and multiplication, recovering lost varieties, and raising awareness about local food systems is essential for achieving food security and economic stability.
- Farmers are increasing their knowledge and experience in local seed saving and multiplication, recovering lost varieties, and spreading awareness about local food systems.
- Investing in capacity building, including raising awareness of the value of plant genetic resources (PGR), developing value chains, and enhancing farmers' knowledge and skills in sustainable agricultural practices, plays a crucial role in mitigating the impacts of climate change, fostering resilience within farming communities and contributing to livelihood development while improving crop productivity and diversity.
- Supporting community-based initiatives, farmer-led or farmer-managed seed system and related activities (such as community seed banks (CSB), seed lots, participatory plant breeding (PPB), participatory varietal selection, seed fairs, and other activities, are practical measures helping farmers to connect and support each other in sustaining local crop diversity and livelihoods and thus realizing Farmers' Rights.
- A legal framework specific to Farmers' Rights is essential, in addition to a national strategy or action plan. Policies should enable farmers to save, use, exchange, and sell seeds, which is important for conserving and sustainably using PGRFA.
- Farmers appreciate when their efforts are recognized and supported by the central government.
- Initiatives and programs for the promotion of Farmers' Rights need to be intensified and integrated into national programs and strategies with sustained financial resources.
- Knowledge-sharing platforms, such as seed and food fairs, serve as venues for farmers and communities to exchange information, improve crop production, and sell and trade seeds.
- The role of CSOs is highlighted in creating awareness and advocacy for the rights of farmers related to PGRFA, and empowering farmers through training and capacity-building activities.
- The conservation and sustainable use of PGRFA relies on the availability and sustainability of funding. Several respondents recalled having national strategies and/or legal frameworks, but they were not operationalized or implemented due to a lack of financial resources.
- Collaborative projects between research institutions and local farmers have empowered communities by integrating TK with scientific methods through participatory plant breeding and varietal selection.

Asia

- Several measures were introduced/applied to recognize the contributions of local and indigenous communities and farmers in the conservation and development of PGR. These initiatives included awarding individuals or farming communities, implementing geographical indications (GIs) for specific crop products, and providing technical support and capacity building.
- Simply labeling farmers as "best farmers" or custodians of agrobiodiversity and TK is deemed insufficient. Farmers require genuine recognition and support for their crucial role in conserving and managing PGR.
- There is a notable gap in implementing measures that truly acknowledge farmers' contributions to conservation, development, and sustainable use of PGR. Existing initiatives are often ad hoc and primarily driven by CSOs, which typically operate with limited resources and capacity.
- Key initiatives supporting farmers include CSB, seed fairs, PPB, farmers' field schools (FFS), and access to PGR through national gene banks. Involving farmers in policy discussions related to PGR at both local and national levels is fundamental.
- To effectively support farmers' efforts in the conservation and development of PGR, sustained financial assistance is essential, along with an enabling environment characterized by farmer-supportive seed policies and regulations. Continuous engagement with farmers, targeted capacity

building, and raising awareness about the importance of local crop diversity and the role of farmers in conservation are also necessary components.

- CSOs implement various practices for the conservation and sustainable use of PGRFA in the field, such as CSBs, FFS, PPB, participatory variety selection (PVS), community biodiversity registers, diversity fairs, and community biodiversity management funds supporting farmers' organizations that manage community resources. These activities contribute to the realization of Farmers' Rights and need to be included in public policies and plans for broader impact and sustainability.

Europe

- Supporting the maintenance of PGRFA is crucial. This includes collecting PGR for gene banks, documenting TK, enhancing crop diversity, providing financial support to institutions, promoting the cultivation of traditional plant varieties, and raising awareness about PGRFA.
- Farmers' Rights should extend beyond the sustainable use of genetic resources to include protection against fraudulent seeds and the ability to choose the best available seeds.
- Plant Breeder's Rights (PBR), the International Treaty, and the UPOV 1991 Convention are mutually supportive.
- From a global perspective, maintaining diversity is essential to respond to changing conditions with a wide range of options.
- Giving awards/prizes to farmers provides them and the public with information on genetic resources and biodiversity, while offering information on how to utilize such resources. It boosts conservation efforts, promotes sustainable use of older plant varieties, and increases demand for their propagating material, safeguarding against genetic erosion.
- It is essential to offer storage for duplicates of seed accessions conserved by national, regional and international genebanks, research institutes, and NGOs, as a "backup" of the ex-situ collections of the world.

Latin America and the Caribbean

- Supplementary information from the multistakeholder survey highlighted governmental initiatives to protect and promote Farmers' Rights through various measures, such as policy and legal frameworks and technical support for the conservation and sustainable use of PGRFA and acknowledging the role of farmers and local and indigenous communities, thereby promoting the realization of Farmers' Rights.
- One example of implemented measures recognizes the role of farmers and local and Indigenous communities within the regulations governing access to genetic resources and their derivatives. These regulations ensure that both monetary and non-monetary benefits are provided to farmers or communities as suppliers of biological resources containing genetic materials. In this context, these regulations aim to improve the living conditions of farmers and Indigenous Peoples while enhancing and integrating the conservation, sustainable use, and local management of native agrobiodiversity.
- Positive outcomes have been achieved through interministerial collaboration on promoting community-based agrobiodiversity management, revitalization of biodiverse traditional agricultural systems, promotion of agroecology, and capacity-building support to empower farmers as well as local and indigenous communities.
- However, several countries have raised concerns that these efforts may be insufficient to fully realize Farmers' Rights. Additionally, they noted that the initiatives have been sporadic, often with limited financial support, and may not adequately address the specific challenges faced by farmers.

Near East

- Some agricultural laws cover the recognition and support to farmers.

- However, these laws necessitate further detail and support, including a need for continuous institutional and financial backing for initiatives, projects, and programs.

North America

- Inclusive cooperation at the national and international levels is described in Canada's Compliance Reports on the implementation of the International Treaty of 2017 and 2024.
- A Memorandum of Understanding between the Canadian national genebank and a non-governmental organization engaged in conservation and sustainable use of PGRFA has been in place since 1995.

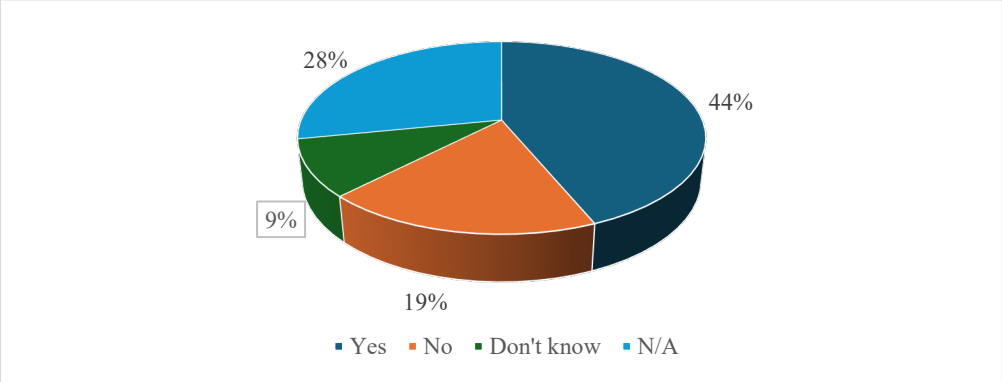
CGIAR Research Centres

- Effective recognition of Farmers' Rights over PGRFA in national policies, programmes and laws relies on many years of continuous work by coalitions of governmental and non-governmental organizations.
- The existence of farmers' organizations and farmers' representatives is instrumental in making the farmers' voice heard in local and national policy and law-making processes related to PGRFA conservation and use.

Knowledge of respondents with regard to the measures introduced/applied to protect TK relevant to PGRFA (Article 9.2a).

9. To the best of your knowledge, in your country/or area of work, have any measures been introduced/applied to protect and promote TK relevant to PGRFA?

Figure 11 shows that 44 percent of the respondents have indicated that measures to protect TK relevant to PGRFA were implemented in their countries, 19 percent indicated that there is no measures in place in their countries, 9 percent indicated they did not know, and 28 percent did not provide a response.



10. If your answer in Question 9 is Yes, please refer to the type of measures that have been introduced.

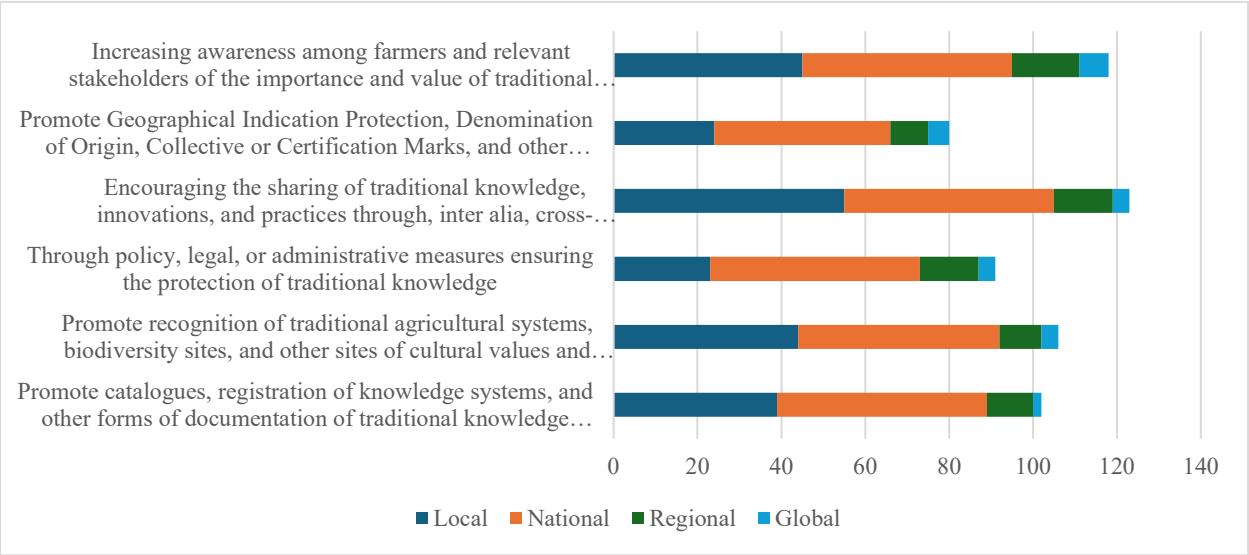
The questionnaire included six examples of measures to choose from, along with an option to write their own. Respondents can also indicate the geographical scale of implementation. The examples of measures included are:

- Promote catalogues, registration of knowledge systems, and other forms of documentation of TK related to PGRFA;
- Promote recognition of traditional agricultural systems, biodiversity sites, and other sites of cultural values and associated knowledge systems as a way to protect TK;
- Through policy, legal, or administrative measures ensuring the protection of TK;
- Encouraging the sharing of TK, innovations, and practices through, inter alia, cross-visitations, seed fairs, and local markets and between farmers and researchers/scientists;

- Promote Geographical Indication Protection, Denomination of Origin, Collective or Certification Marks, and other food crop product labeling system;
- Increasing awareness among farmers and relevant stakeholders of the importance and value of TK for the conservation and sustainable use of PGRFA; and
- Other, please specify.

Figure 11 provides a detailed overview of the distribution of responses across various geographical scales of implementation. The data indicates a nearly equal representation of measures at the national level. At the local level, there is a notable focus on promoting and sharing TK, innovations, and practices through structured activities such as cross-visitations, seed fairs, local markets, and collaborative interactions between farmers and researchers or scientists. Furthermore, the figure illustrates the range of measures that have been introduced along with their respective geographical scales. The majority of responses are concentrated at the local and national levels. In contrast, fewer responses are gathered at the regional and global levels, reflecting broader responses from regional or international entities, such as CGIAR Centres, internationally focused organizations, and some countries engaged in international cooperation through overseas development assistance.

Figure 11 Distribution of responses of the type of measures introduced/applied to protect and promote TK relevant to PGRFA, at different geographical scales



Figures 12.1 to 12.4 present the distribution of responses regarding the types of measures introduced or applied to protect Traditional Knowledge (TK) at different levels in Africa, Asia, Europe, and the Latin American and Caribbean (LAC) regions.

Figure 12.1 Distribution of responses to the type of measures introduced/applied to protect TK at different levels in Africa

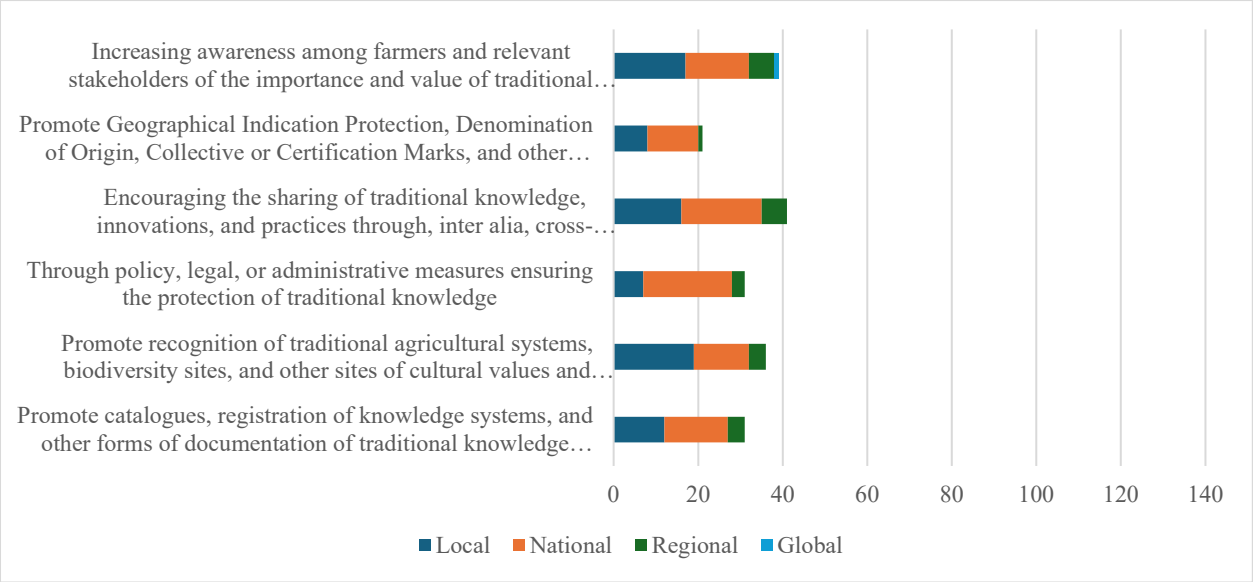


Figure 12.2 Distribution of responses to the type of measures to protect TK at different levels in Asia

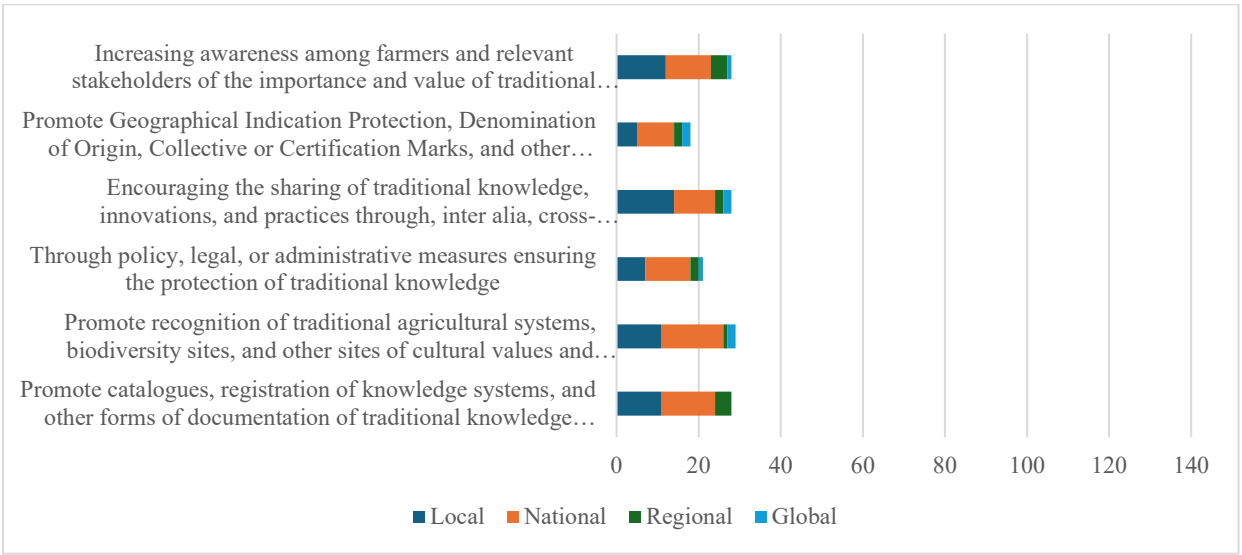


Figure 12.3 Distribution of responses to the type of measures to protect TK at different levels in Europe

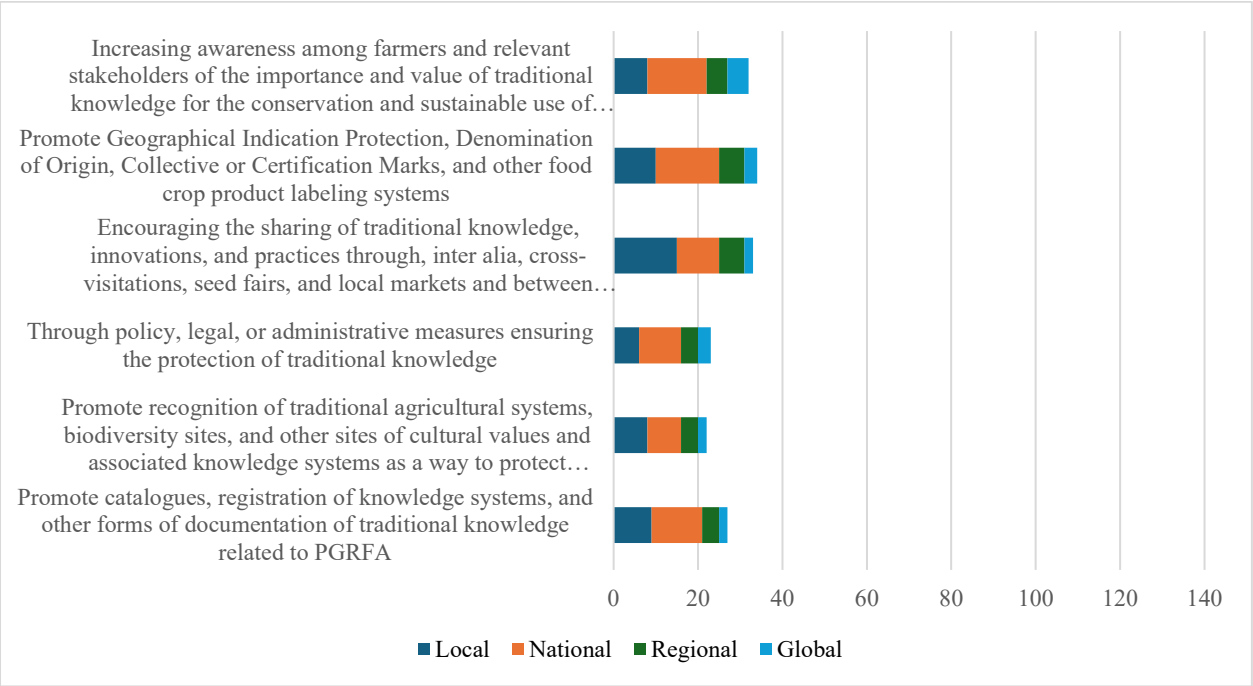
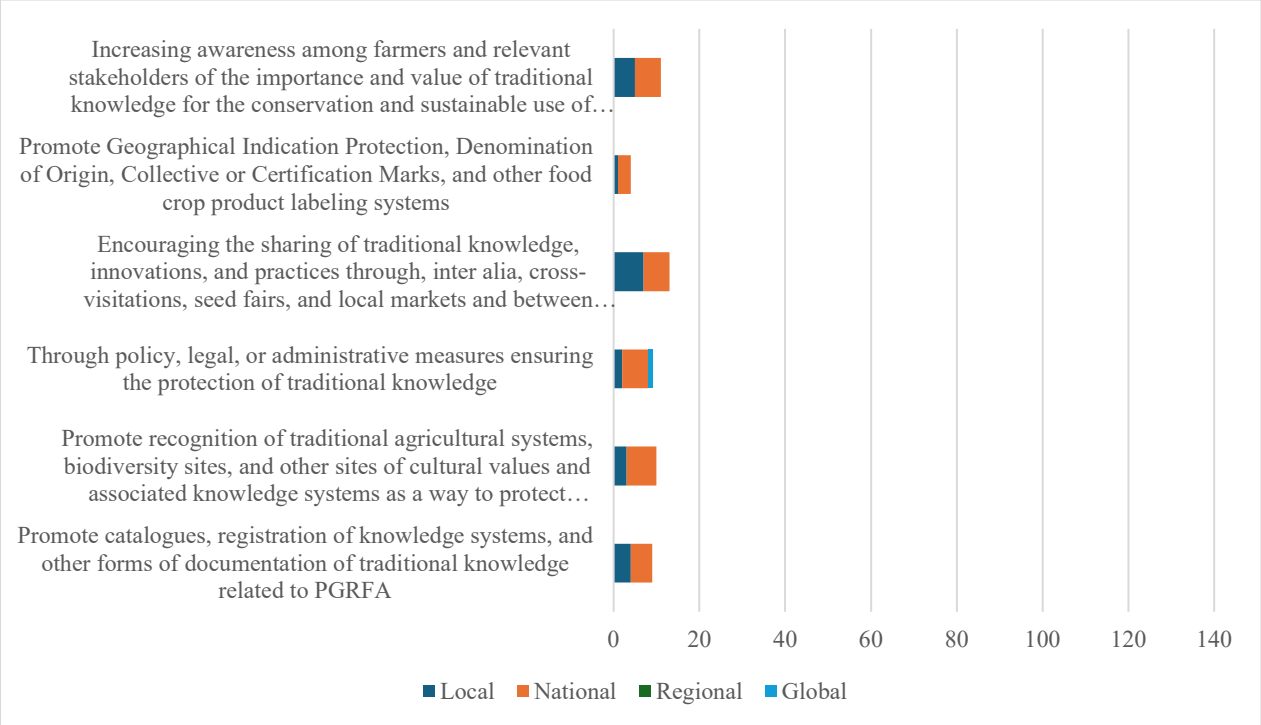


Figure 12.4 Distribution of responses to the type of measures to protect TK at different levels in LAC



11. If your answer in Question 9 is yes, please describe your experiences and lessons learned in implementing these measures.

Experiences and Lessons Learned

The responses provided valuable experience and lessons on safeguarding TK associated with PGRFA. These experiences are summarized below for each region, in no particular order:

Africa

- Highlighting the value of TK in conserving and using PGR sustainably can help communities improve their livelihoods and value local products.
- Farmers have a wealth of knowledge on managing and sustaining PGR, and they are generally willing to share TK associated with PGR, but they may withhold information if researchers/outsiders probe into the use values of these resources.
- Seed fairs motivate farmers to improve crop productivity and serve as a social platform for knowledge and seeds exchange.
- Platform are needed to facilitate knowledge sharing.
- Despite the importance of Farmers' Rights to national food and nutrition security, policy and legal frameworks do not fully support them. There is a need for transparent measures and good monitoring and evaluation frameworks to track progress.
- Community-based resource management and documentation initiatives play a crucial role in maintaining and disseminating TK.
- The lack of financial resources and technical capacity from national governments limits the implementation of legal and policy frameworks to protect knowledge.
- Capacity building, training, and advocacy campaigns organized by CSOs focus on seed saving, PPB, and the importance of TK.
- National research institutions and other organizations are promoting modern conservation techniques while respecting traditional methods and enhancing the understanding of the nutritional value of indigenous crops.
- Some countries have adopted policies and legal frameworks aimed at protecting TK. For example, in Rwanda, the government requires written permission from relevant authorities and knowledge holders to access TK. In Kenya, the Constitution acknowledges the rights of communities to their cultural heritage and TK. The Kenya Environmental Management and Coordination Act and the Seeds and Plant Varieties Act contain provisions that can be interpreted as protecting TK related to agriculture and biodiversity. Additionally, the Kenya "Protection of TK and Cultural Expressions Act (2016)" states that "the owners and holders of TK authorize or prevent others from exploiting their knowledge." Communities are thus empowered to create rules for usage, prevent misuse, and seek legal recourse to stop unauthorized use.
- Documenting and cataloguing, such as recording indigenous crop cultivation systems, seed varieties, and crop management techniques, are vital activities to preserve TK.
- Recovering lost crop varieties is essential, and there is growing awareness among consumers about the importance of these varieties in sustaining local food systems.
- Promoting recognition of traditional agricultural systems, biodiversity sites, and other sites of cultural values and associated knowledge systems serve as a way to protect TK.

Asia

- Respondents from five countries in the Asia region highlighted the significance of safeguarding TK related to PGRFA. they pointed out the need for strong legal frameworks, extensive awareness programs, and capacity-building efforts among farmers to protect TK.
- One country cited the existence of a law to protect TK which, however is not implemented at all, yet some local governments are enacting legislation to support the protection of TK. Moreover, other responses pointed out several initiatives by CSOs to systematically document TK, such as the creation of community biodiversity registers.
- Several countries have reported the decline of traditional agricultural practices pertinent to PGRFA, emphasizing the importance of promoting local knowledge systems instead of modern technologies where sustainability is yet to be demonstrated. In addition, the responses highlighted the existence of several capacity-building initiatives that promote the protection of TK related to PGRFA, while also addressing the skills and knowledge of farmers and their organizations.

- The capacity-building initiatives are crucial for empowering farmers, promoting sustainable agricultural practices, and preserving TK. These initiatives include:
    - Research and innovation emphasizing the use of local germplasm for crop development, improvement and research. This involves dedicated research efforts to innovate and improve crop varieties that are well-suited to local conditions.
    - Investing in capacity building, training programs and awareness raising. Various training programs on use and maintenance of local crop varieties and TK, and agricultural adaptation to climate change. These programs can facilitate knowledge sharing among farmers from different provinces, helping them adapt to changing environmental conditions and improve their agricultural practices while protecting TK systems.
    - Organizing seed fairs where farmers can share their TK on safe seed practices and variety selection. These fairs provide an important platform for farmers to exchange valuable information and learn from each other's experiences.
    - Documentation of TK, farmers' varieties, and raising awareness of the importance of TK and local crop cultivars.

Europe

- All the measures adopted promote conservation of PGRFA and the associated TK, cultural, and ecosystem value. It is important to preserve these achievements for future generations through educational activities in schools.
- One respondent said that their country has adopted three European Union schemes known as protected designation of origin (PDO), protected geographical indication (PGI), and traditional specialties guaranteed (TSG). These schemes promote and protect the names of quality agricultural products and foodstuffs, including TK relevant to plant genetic resources.
- National seed savers associations conserve and use traditional and local varieties, organize seed fairs, participate in local markets, and share knowledge. Projects have been implemented to reintroduce traditional crops and develop value chains with farmers. Documentation of TK may exist locally, and one national database provides information on historical vegetable varieties.
- Despite the current focus on promoting registered varieties, some NGOs are advocating for TK. However, integrating TK into mainstream policies is challenging as it is often seen as less compatible with modern development goals.
- One respondent cited its regulations to protect TK related to genetic resources, although its impact is limited. A national program on "Selected cultural landscape" includes agricultural sites where traditional management of the landscape is important. There is quite a lot of action on the sharing of TK by voluntary organizations (seed savers and others), indicating that their work should be further supported.
- National efforts include knowledge inventories with limited influence on the food system, and collecting TK is challenging and requires extensive research.
- Various local initiatives aim to protect and promote TK relevant to PGRFA. These initiatives often remain at the fringes but have innovative potential when food security, resilience, sustainability, and local economic concerns are recognized.
- Institutional and financial capacities for biodiversity conservation are insufficient, and TK is often excluded from decision-making.
- There is a need for continued support and promotion of TK to ensure its preservation and integration into modern agricultural practices.
- To promote on-farm conservation, it is crucial to collaborate with CSOs working on conservation. This will facilitate connections with farmers and institutions engaged in on-farm management practices.
- The importance of linking *ex situ*, *in situ,* and on-farm conservation management is highlighted by many respondents.

- Modern agricultural practices have made traditional and local knowledge less relevant, prioritizing scientifically-based methods. However, these methods have not prevented issues like biodiversity loss. Farm concentration continues despite these challenges, with security and insurance systems in place to manage disaster risks.

Latin America and the Caribbean

- Several countries highlighted national strategies on PGRFA, access and benefit-sharing (ABS) policies, municipal ordinances, and projects funded by multilateral financing institutions as key in promoting community-based agrobiodiversity management. These projects support agrobiodiversity conservation zones, the recognition of Globally Important and Nationally Important Agricultural Heritage Systems, and efforts to enable farming communities to manage their agrobiodiversity effectively.
- One country described the recognition of Andean systems as a Globally Important Agricultural Heritage System (GIAHS), helping to promote the value of crop genetic resources diversity and ancient traditional practices.
- A number of countries have successfully implemented farmer-centred approaches and community initiatives, such as the exchange of knowledge, innovations, and traditional practices through cross-visits to farmers' farms by communities, researchers, and other stakeholders. Additionally, traditional seed and food fairs, as well as local markets (seed routes), have led to increased awareness and a better understanding of the nutritional value of native crops and traditional knowledge for the conservation and sustainable use of local crop diversity. Efforts to raise awareness of the importance of PGRFA have also been promoted through educational centres in rural areas, including school gardens, workshops, and the incorporation of agrobiodiversity into educational curricula, among other initiatives.
- Several countries noted the impacts of these initiatives in fostering interaction and knowledge exchange among farmers, indigenous peoples, and traditional communities, training, and seed exchanges that facilitate the recovery and renewal of genetic material for on-farm conservation, alongside the development of local seed catalogues.
- Many countries emphasized key lessons from the implementation of these measures, stressing the importance of TK, training, and adopting sustainable practices, while balancing conservation with commercialization.
- Many countries also described community-based training as particularly effective in promoting knowledge exchange, revealing the diverse range of seeds that these communities protect. Additionally, the documentation of TK, agrobiodiversity, and the establishment of protected designations related to specific crop products have been emphasized.
- Some countries stressed the role of collaborations with CSOs, NGOs, and indigenous communities in promoting knowledge exchange and fostering a deeper understanding of the importance of TK in agrobiodiversity conservation.

North America

- Numerous local initiatives have been undertaken by communities, academic institutions, and government entities as provided in Canada's country report.[8]

8 Diederichsen A. and Davidson C. 2022. Canada's Country Report for the Third Report on the State of the World's Plant Genetic Resources for Food and Agriculture. AAFC, Ottawa 106 p. (https://agriculture.canada.ca/sites/default/files/documents/2022-07/Canadas_Country_Report_for_3rd_Rpt_on_State_of_the_World_PGRFA_EN-Final.pdf) / Rapport du Canada en vue du Troisième Rapport sur l'état des ressources phytogénétiques pour l'alimentation et l'agriculture dans le monde. Ottawa, Agriculture et Agroalimentaire Canada. 120 p. https://agriculture.canada.ca/sites/default/files/documents/2022-07/Rapport_du_Canada_en_vue_du_3e_Rpt_sur_l%27etat_RPGAA_FR-Final.pdf).

Near East

- The respondent from Jordan noted that work in this field is primarily focused on wild food plants, rather than local landraces and farmers' varieties. The latter requires further efforts to document and develop catalogues that describe their phenotypes, facilitating their identification and distribution.

Southwest Pacific

- The respondent highlighted the small-scale agroecology practiced by farmers and Indigenous Peoples, which facilitates the exchange of knowledge and promotes the sustainable management and conservation of PGRFA. Additionally, the respondent noted that both their national government and state/local governments still lack the essential legal frameworks required to safeguard Farmers' Rights, particularly for Indigenous Peoples.

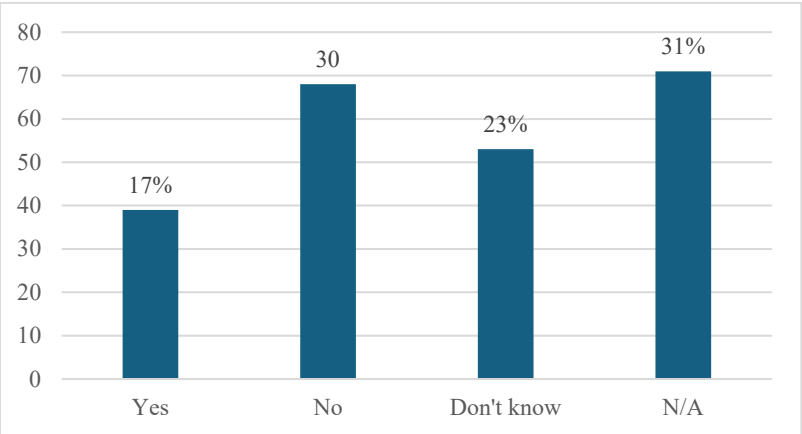
CGIAR Centres

- Registers can be effective tools for identifying custodian farmers. Establishing a register can spark interest in conserving indigenous species, rare varieties, and related uses, as farmers become aware of useful characteristics and interesting uses for culinary, medicinal, and other purposes. Especially when maintained over time, a register can foster a sense of ownership, pride, and empowerment, as it allows for the recognition of the community's knowledge and guardianship over its biological resources, both by members of the community and outsiders.
- Community biodiversity registers and protocols generate more benefits for farmers if they are recognized by, and integrated into, the country's policies and programmes on the conservation and use of PGRFA and access and benefit sharing. Without such a connection to country-level programmes, their maintenance becomes a challenge, and their potential impact decreases.
- Quality marks like GIs and organic agriculture benefit farmers but can be challenging for smallholders. Alternative systems, such as Participatory Guarantee Systems (PGS), are promoted by the International Federation of Organic Agriculture Movements (IFOAM). PGS operates at the local level, certifying producers based on the active participation of stakeholders, including producers and consumers.

12. In your country or area of work, do you know any cases of misappropriation or misuse of TK relevant to PGRFA?

Seventeen percent of the respondents indicated that in their country or areas of work they knew cases of misappropriation of TK related to PGRFA, 30 percent said there were no cases, 23 percent stated that they "don't know", and 31 percent did not respond, as shown in Figure 13.

Figure 13 Distribution of responses gathered on knowledge of any cases of misappropriation or misuse of TK relevant to PGRFA



13. If your answer in question 12 is Yes, please briefly describe the case and any action undertaken against misappropriation.

Respondents cited instances of misappropriation and actions undertaken

Africa

- A respondent stated that a seed company tried to apply for a PBR Certificate for a traditional variety of onion called "Galmi violet". The certificate was initially refused due to misappropriation, but the breeder resubmitted the variety under a different name, "Damari Violet", and it was accepted.
- A respondent cited biopiracy and unfair benefit-sharing involving indigenous seeds and plant varieties. It was said that these cases undermine the rights of farmers and Indigenous communities, erode trust, and discourage the sharing of TK. Additionally, a case regarding Kikuyu and Maasai grasses was taken to court by the government and the farmers' organization, and the farmers won.
- A respondent mentioned some research program activities that involve collecting knowledge and seeds from peasant communities without any established protocol or agreement ensuring a commitment to never deposit property rights on the seed or its genetic components.
- One respondent cited the possible risk of contamination of local cowpea varieties by BT GMO cowpea.
- One respondent cited a case where farmers' knowledge is used for varietal development without citing them, and said that that there is no mechanism for fair and equitable sharing of benefits derived from the use of farmers' varieties and TK.

Asia

- Several respondents indicated they knew cases of misappropriation or misuse of TK. However, no specific details or descriptions were provided.

Europe

- A respondent mentioned some fraudulent practices related to GIs and denominations of origin. Other responses highlighted the misappropriation of materials and names linked to trademarks, GIs, and variety registration. A respondent mentioned cases, including the ramallet tomato, canoneta orange, bubango, and mongeta del gantxet.[9]
- Another respondent mentioned that seed companies are registering heritage varieties as their own through the Community Plant Variety Office, and there are instances of misappropriation of landraces denominations by these companies.
- The responses also mentioned cases of biopiracy related to TK and patenting, such as the attempt to trademark an old wheat landrace, but finally the trademark was not issued.
- One respondent described the European Patent Office, which regularly issues patents that monopolize PGRFA, and organizations like SWISSAID have appealed against several such patents, including one by Syngenta on peppers with natural resistance against white flies.[10]

Latin America and the Caribbean

- Some responses cited cases of the misappropriation of TK related to native species in both their traditional and industrial uses. According to the responses, these cases involve bioprospecting, technological development, and product formulation by academics, researchers, and industry professionals who do not recognize the rights of farmers or the legislation that is in the court. The

9 References provided: Case of the ramallet tomato: www.redsemillas.info/la-tomatiga-de-ramellet-queda-registrada-como-variedad-de-conservacion-para-evitar-su-apropiacion/ case of canoneta orange: www.varietatslocals.org/oposicio-a-la-creacio-de-la-marca-canoneta/ case of bubango: www.eldigitaldecanarias.net/fisgon-indiscreto/29136-las-redes-de-semillas-canarias-ponen-en-marcha-la-operacion-bubango-apoyo-icca-. Case mongeta del gantxet: www.redsemillas.info/dop-ganxet-provoca-erosion-genetica-limita-derechos-agricultores/. Case of different tomatoes: www.redsemillas.info/apropiacion-de-variedades-tradicionales-catalanas-o-mala-gestion-de-la-administracion/

10 Reference provided: www.swissaid.ch/en/media/will-syngentas-controversial-pepper-patent-finally-be-revoked/

responses also cited instances of biopiracy of local varieties, such as patents on plants like cupuaçu and andiroba. Unauthorized use of TK, particularly related to medicinal and food plants, is exploited without prior informed consent or compensation to indigenous communities.

- The responses also cited erosion of TK due to the abandonment of traditional agricultural practices. The expansion of monocultures and the adoption of commercial seeds have led to the replacement of local varieties, thus resulting to agricultural biodiversity erosion. For example, traditional varieties of beans and corn in the Cerrado region are being replaced by hybrids. Migration of younger generations to urban areas has disrupted the transmission of TK, especially regarding seed management and *in situ* conservation. Some examples of misappropriation include *Theobroma grandiflorum*, *Maytenus ilicifolia*, *Astrocaryum murumuru*, *Stevia rebudiana*, *Bixa orellana*, *Attalea speciosa*, *Paullinia cupana*, Copaifera sp, and various fruit and forest species.

CGIAR Centers

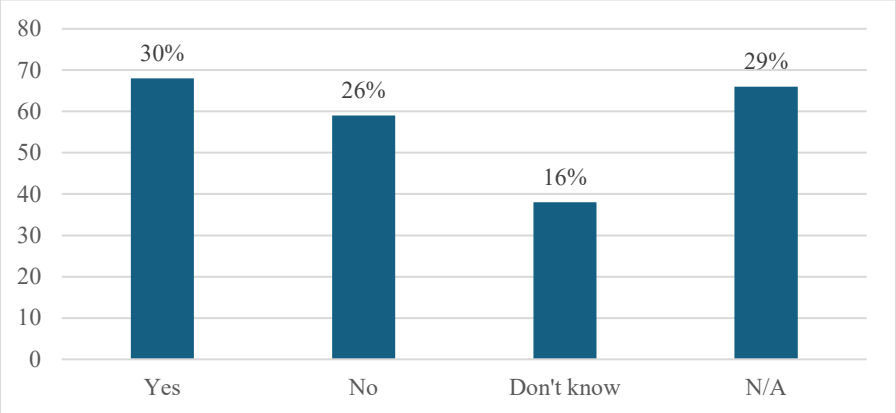
Experts from the Alliance of Bioversity and CIAT were involved in the re-examination of the patent over the Enola bean, a yellow bean which was genetically and phenotypically identical to landraces that were maintained by farmers in Mexico and by the CIAT genebank in Cali.[11]

The right to equitably participate in sharing benefits arising from the utilization of PGRFA (9.2b)

14. To the best of your knowledge, in your country or area of work, have any measures been introduced/applied for farmers to equitably participate in sharing benefits arising from the utilization of PGRFA

Overall, 30 percent of the responses indicated knowledge within their country/or area of work regarding measures introduced or applied to enable farmers to equitably participate in sharing benefits arising from the use of PGRFA. Conversely, 26 percent of respondents indicated having no knowledge of such measures, 16 percent were unaware, and 31 percent did not provide a response, as illustrated in Figure 14.

Figure 14 Information gathered on any measures that have been introduced/applied for farmers to equitably participate in sharing benefits arising from the utilization of PGRFA



15. If your answer in Question 14 is Yes, please refer to the type of measures that have been introduced. You may tick more than one as appropriate.

The examples of measures for selection included the following:

a) Access to and transfer of technologies
b) Access to information, for example, catalogues and inventories, information on technologies and results of technical, scientific and socio-economic research on PGRFA, including data on characterization, evaluation and information on use.
c) Capacity building, for example, participatory approaches to research on PGRFA, participation of farmers in scientific education and training in conservation and use of PGRFA

11 See: openknowledge.fao.org/server/api/core/bitstreams/2cb4fd5f-d44c-43c0-aa0a-4e4a17f4005c/content

d) Financial contribution to the International Treaty's Benefit-sharing Fund (BSF)
e) Through financial support, incentives, or national funds.
f) Other, please specify

Respondents who answered Question 14 have also responded to Question 15. Figures 15.1 to 15.5 illustrate the distribution of responses regarding the types of measures in their country/or area of work that have been introduced or implemented, as well as the scale of these implementations. The responses indicate that measures have been introduced and applied at both local and national levels across various regions. Furthermore, some measures have been implemented on a regional (or inter-regional) and global scale. Responses indicated measures introduced include access to and transfer of technologies, access to information on PGRFA, and capacity-building initiatives, which often involve participatory approaches to research on PGRFA, as well as involving farmers in scientific education and training related to the conservation and sustainable use of PGRFA.

Figure 15.1 Access to and transfer of technologies

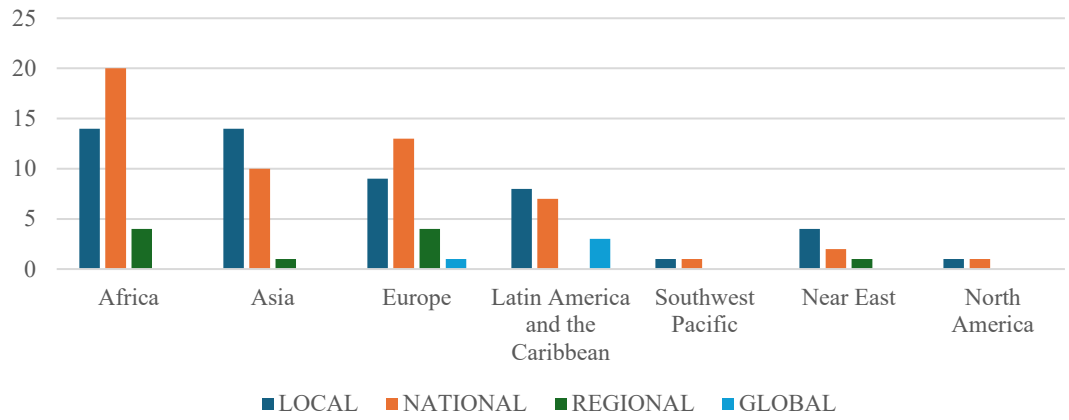


Figure 15.1 Access to information, for example catalogues and inventories, information on technologies and results of technical, scientific and socio-economic research on PGRFA including data on characterization, evaluation and information on use

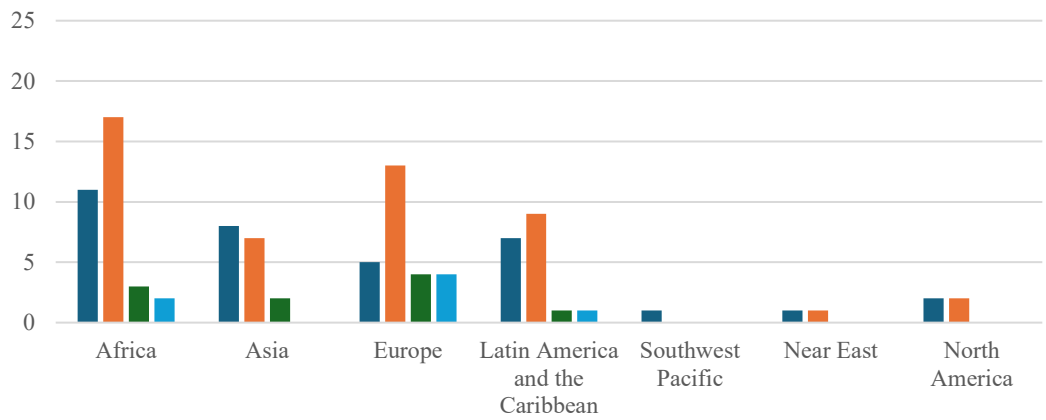


Figure 15.3 Capacity building, for example participatory approaches to research on PGRFA, participation of farmers in scientific education and training in conservation and use of PGRFA

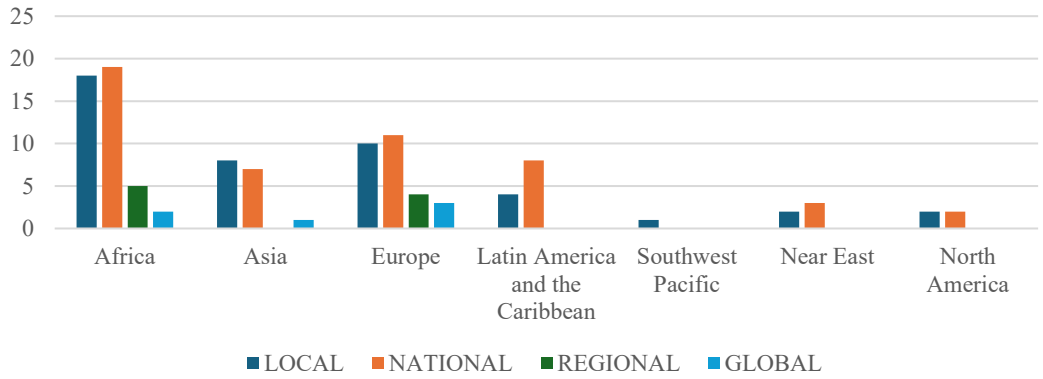


Figure 15.4 Financial contribution to the International Treaty's Benefit-sharing Fund (BSF)

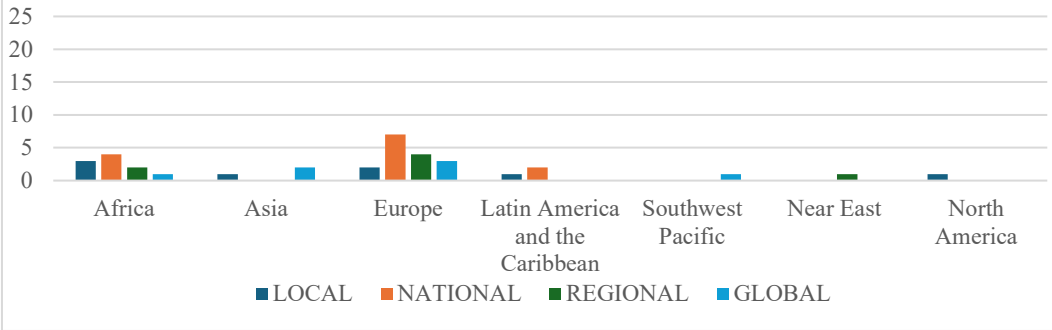
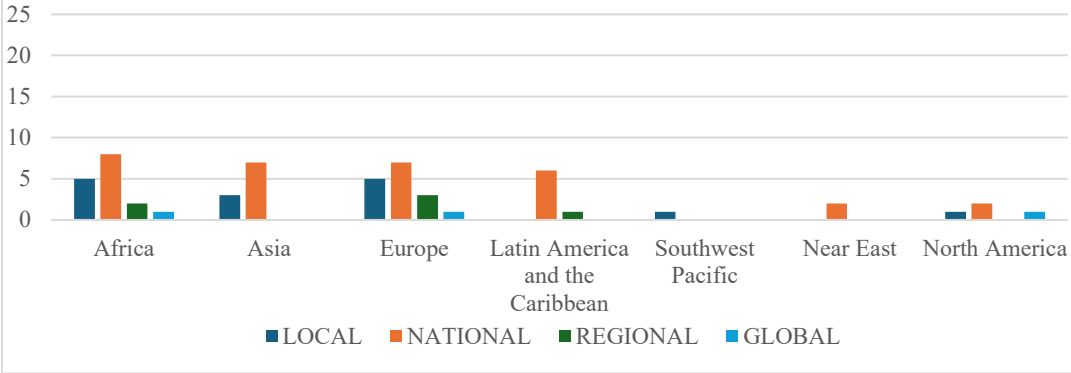


Figure 15.5 Through financial support, incentives, or national funds



16. If your answer in Question 14 is Yes, please describe your experiences and lessons learned.

Experiences and Lessons learned

The respondents cited experiences and lessons learned on promoting the rights of farmers to participate in equitable sharing of benefits arising from the use of PGRFA. These experiences are summarized below for each region, in no particular order:

Africa

- Farmers can participate in non-monetary benefits as recipients of projects, capacity building and training on on-farm and *in situ* management and conservation of PGRFA.
- Creating awareness with key government officials and administrators about the significance of PGRFA is essential for shaping policies that incorporate ABS laws into national legislation.
- Establishing ownership and origin helps prevent disputes or counterclaims.
- On-farm conservation with farmers has been pivotal in restoring lost diversity and increasing diversity in smallholder farms through PVS, although scaling out conservation work is limited by resources.
- Farmers and local NGOs contribute to supporting Farmers' Rights through their activities, despite the obstacles presented by restrictive seed certification standards and privatization mechanisms.
- A respondent discussed the challenges associated with ABS agreements related to indigenous teas such as Rooibos and Honeybush. These difficulties include determining how benefits should be shared and identifying which institutions can fairly represent the holders of TK.
- Farmers possess valuable knowledge regarding PGRFA, which is essential for developing and enhancing crop varieties capable of adapting to climate change.
- Farmers' participation in PGRFA conservation, capacity building, and research increases the relevance of the results and contributes to their empowerment.

Asia

- CSBs managed by farmers, along with participatory approaches and equitable participation, require continuous engagement with stakeholders, and sharing knowledge and crop genetic resources enables other farmers to increase their self-sufficiency level in rice.
- Quantifying and monitoring the sharing of benefits is challenging. Therefore, it is essential to establish clear indicators and effective monitoring tools.
- Seed and food fairs represent effective and practical methods that enhance farmers' access to plant genetic resources from breeding institutes and gene banks. These initiatives merit recognition and should be supported through measures such as funding provisions, policy backing, and technology transfer.
- There are legal provisions for the sustainable use of PGRFA with the involvement of farmers, but government policies favour modernization and commercialization of agriculture, leading to a loss of over 50% of crop diversity and often neglecting the TK of farming communities.

Europe

- The responses discussed some experiences related to sharing benefits arising from the utilization of PGRFA, through practices such as: (i) PPB and organic agriculture in enhancing crop diversity and seed autonomy; (ii) community seed exchange including the sharing of TK among farmers; and (iii) benefits of new varieties provided by the seed industry to farmers. These new varieties allow farmers to benefit directly from the use of genetic resources by breeders. The characteristics of various genetic resources are combined into innovative combinations in each new variety. This innovation and technology are made available to farmers through these new varieties. In countries with a catalogue of varieties, information about the qualities of the varieties is provided. In countries without a variety registration system, breeders provide all relevant information to farmers. In addition, farmers are often provided with information on uses and best agricultural practices.
- One respondent described the availability of a red list publication that helps farmers apply for financial support for managing landraces. Existing capacity-building options are effective, but the national programme for PGR highlighted the need to enhance capacity building in PGRFA conservation and utilization.
- One respondent indicated that, in the absence of specific measures related to Farmers' Rights, the approach adopted is to promote benefit sharing across society rather than restrict access to PGRFA. Access to genetic resources is generally free unless property rights are involved. The legal system allows the use of protected plant varieties for research and breeding without the consent of the

owner of the protected variety, and farmers can use farm-saved seeds from protected varieties with lower remuneration fees to the small-scale farmers as defined in their context.

LAC

- Establishing a national fund for benefit sharing that receives a fixed percentage from profits made from reproductive material, with decisions on resource allocation to be made by a committee that includes peasants as its members.
- Establishment of a national fund for benefit sharing to fund projects from the state funds.
- Some respondents described the benefit-sharing through engagement in technological advancements and capacity-building initiatives.
- Establishment of a mechanism on “Regulation on Access to Genetic Resources and their Derivatives includes monetary and non-monetary benefits for providers of biological resources containing genetic resources of cultivated species of origin”. These providers can be farmers, communities, or others, as outlined in the Nagoya Protocol of the Convention on Biological Diversity (CBD), which the country is a signatory.
- Different countries have varying approaches, or have specific regulations, for instance, one country allows provinces to manage genetic resources, while in another country, a prior informed consent is the only regulatory mechanism for benefit distribution.
- Through social movements, ensuring their involvement in decision-making processes. However, some stakeholders believe that public policies do not adequately address Farmers' Rights.

North America

The respondents in Canada detailed several initiatives in response to question 14, including measures that provide access to and transfer of agricultural technologies and information, as well as financial support, incentives, or funds. These initiatives span local, national, regional, and global levels, involving collaboration with government and university research institutions. This work encompasses capacity building and participatory approaches, including PPB of vegetables, oats, wheat, and potatoes, as well as supporting projects such as the "Growth Opportunities for Canadian-Grown Organic and Climate-Resilient Seed" project. The respondents also emphasized their activities in germplasm characterization and the provision of access to information on PGRFA, along with providing financial support at both national and international levels. Additionally, the respondents highlighted their efforts to back up the storage of seed material from NGOs at the national genebank, Plant Gene Resources of Canada. Capturing lessons learned from all ongoing projects in Canad , as well as those supported in other countries, is very challenging. Several government departments are involved in these related projects.

Near East

The respondent from Jordan explained that the current legal framework concerning ABS will be addressed through a by-law to be adopted following the implementation of the Nagoya Protocol, while the respondent from Sudan stated that the registration of local farmer varieties has led to commercial seed production and marketing. This process has enabled farmers to legally produce and distribute seeds, resulting in an increase in millet cultivation and improved food security across the country.

CGIAR Centres

The Alliance of Biodiversity and CIAT has led or participated in multiple projects aimed at improving farmers' access to: 1) promising PGRFA stored in national and international gene banks; and 2) promising varieties developed through national and international breeding programs.

One notable initiative is the Seeds for Needs Initiative, which provides smallholder seed systems with improved information and access to a diverse portfolio of adapted crops and varieties. Launched in Ethiopia in 2009, this initiative is now active in 14 countries across Africa, Asia, and Central and South America.

Globally, over 50,000 farmers are involved as citizen scientists, evaluating and selecting varieties while providing critical feedback on the seeds that best meet their requirements. Farmers' observations are

collected through a crowdsourcing approach. Overall, this initiative has strengthened local seed systems by facilitating better access to quality seeds, exposing participating farmers to a broader range of crop varieties, enhancing their knowledge of different traits, and empowering them to choose the options that best suit their needs.

17. To the best of your knowledge, in your country /or area of work, have any measures been introduced for farmers to participate in making decisions, at the national level, on matters related to the conservation and sustainable use of PGRFA?

Twenty-eight percent of respondents indicated that measures for farmers to participate in making decisions, at the national level have been introduced in their countries/or areas of work,26 percent indicated no knowledge, while. Additionally, 17 percent indicated they " don't know" , and 29 percent did not provide an answer, as shown in Figure 16.1.

Figure 16.2 illustrates the number of responses, by region, that provided further information on measures introduced/applied for farmers to participate in making decisions at the national level, on matters related to the conservation and sustainable use of PGRFA.

Figure 16.1 Distribution of responses indicating the introduction/application of measures, for farmers to participate in making decisions, at the national level, on matters related to the conservation and sustainable use of PGRFA

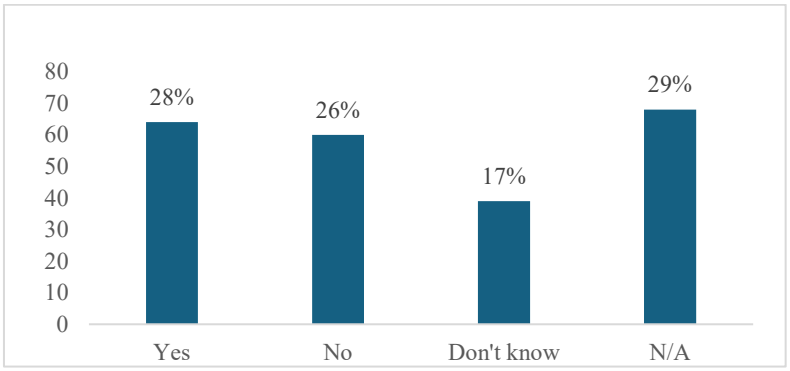
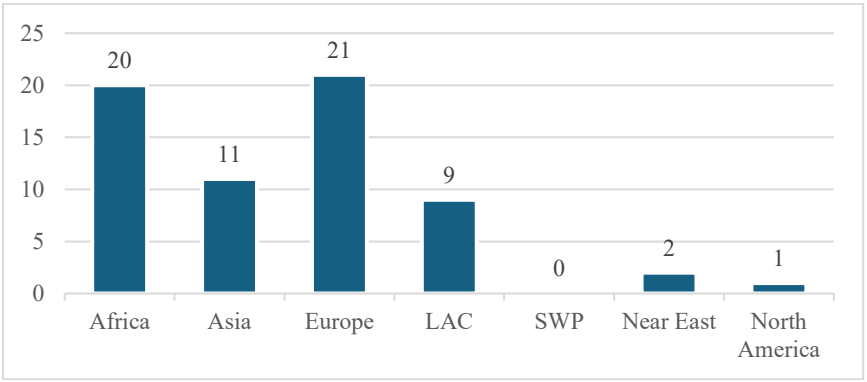


Figure 16.2 Distribution of responses indicating the introduction/application of measures, for farmers to participate in making decisions, at the national level, on matters related to the conservation and sustainable use of PGRFA, by region



18. If your answer in Question 17 is Yes, please refer to the type of measures below that describe the measures that have been introduced.

This question is accompanied by examples of measures, as follows:

- Participation and representation of farmers is covered by administrative, policy and legal measures (e.g. farmer representation in technical committees related to PGRFA, consultations and dialogues on seed legislations)
- Financial assistance to support farmers' participation in national, regional and international meetings related to PGRFA.

- Others, if any.

Figure 17.1 shows responses from various regions, except the SWP, which had no responses. Respondents indicated that farmers participate in discussions, technical committees, advisory bodies, and other relevant forums at local and national levels. Some respondents in Europe also indicated the representation of farmers at the regional and global levels. Figure 17.2 illustrates the responses to participation of farmers in making decisions at national, regional, and international levels, across various regions, at different geographical scales.

Figure 17.1 Distribution of responses to measures that have been introduced/applied to promote farmers' participation in making decisions, at the national level, on matters related to the conservation and sustainable use of PGRFA, by region

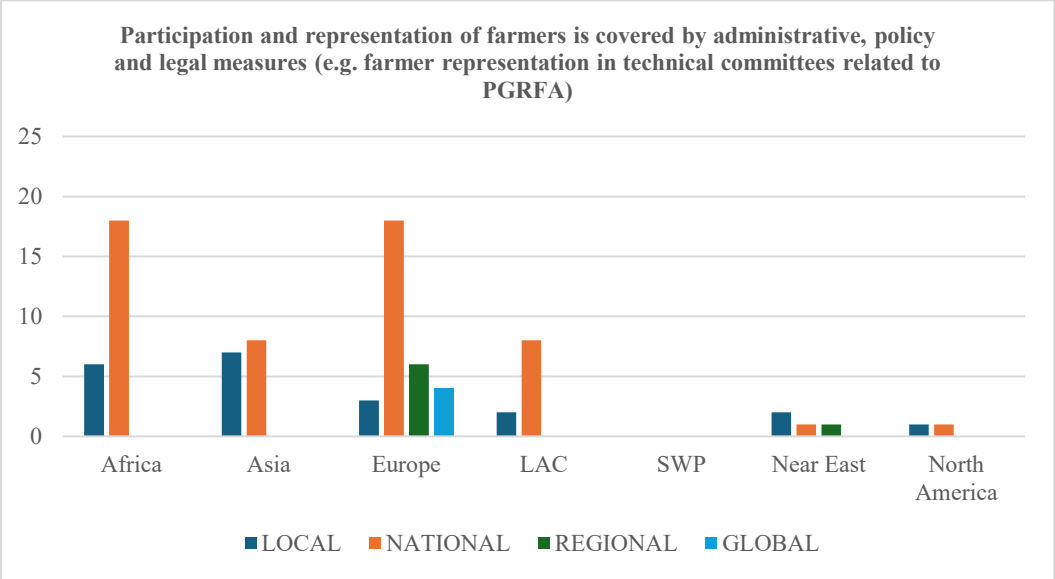
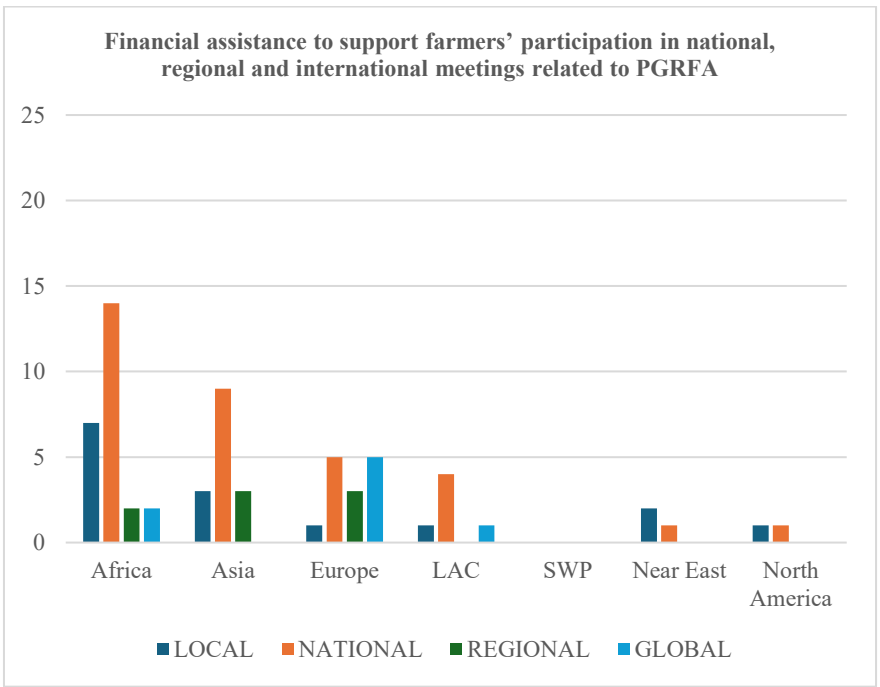


Figure 17.2 Distribution of responses to measures that have been introduced/applied to promote farmers' participation in making decisions, at the national level, on matters related to the conservation and sustainable use of PGRFA, by region



Additional information provided by the respondents

Europe

Some respondents referenced their submissions in the Inventory and their national reports under the International Treaty's Compliance Procedures. These documents provide information on administrative, policy, and legal measures supporting farmers, such as farmer representation in PGRFA technical committees and other initiatives. They also detail technical and financial assistance for farmers' participation in meetings related to PGRFA at national, regional, and international levels.

North America

Awareness-raising by communications and publications at local and national levels

CGIAR Centres

Framework agreements and protocols for long-term collaboration between community seedbanks and national seedbanks have been adopted in Kenya, Nepal, Uganda, South Africa, and Zimbabwe at local and national levels.

19. If your answer in Question 17 is Yes, please describe your experiences and lessons learned in implementing these measures.

Experiences and lessons learned

The respondents cited experiences and lessons learned on promoting farmers' participation in making decisions, at the national level, on matters related to the conservation and sustainable use of PGRFA. These experiences are summarized below for each region, in no particular order:

Africa

- Contracting Parties and stakeholders discussed the importance of empowering farmers through their participation in various forums, keeping farmers informed about developments and decisions made, and enabling them to advocate for their rights related to PGRFA, share their knowledge, and address issues with a broader audience. This participation enables farmers to influence decisions based on their perspectives and gain insight into global, regional, and national outlooks. Additionally, farmers can exchange experiences with peers from different regions, which they subsequently share with their local communities.
- CSOs have played a crucial role in facilitating farmers' participation by preparing technical documents that are more accessible and lobbying for public consultations.
- Despite ongoing policy discussions, current laws often favor influential seed industry players, thereby hindering the realization of Farmers' Rights.
- Some legislative barriers remain. In some instances, the law allows for limited exemptions to PBR and plant improvement requirements, providing some scope for farmers to sell, exchange, and save seed. The government has expressed interest in supporting farmer-led seed systems and Farmers' Rights, but this initiative has yet to be implemented.
- One Contracting Party underscored the need to provide continuous feedback and support to encourage the participation of underrepresented groups, such as women and individuals with disabilities, in discussions related to PGRFA.
- Some Contracting Parties and stakeholders mentioned that there are no measures in place, or if there are, the measures are not adequate. A Contracting Party described the measures currently in place as temporary and contingent upon the specific project procedures.

Asia

- A respondent described the role of the Farmers' Seed Network, inviting farmers to express their views on their rights related to saving and exchanging their own seeds. This event brought together farmers and scientists to collaborate on a policy proposal submitted to the legislative department.

This multistakeholder dialogue and platform are crucial for farmers to stay informed about policy developments and ensure their voices are heard.

- Another respondent highlighted the importance of participation in decision-making bodies, which is crucial for implementing rules and regulations. A respondent described their experiences using events, such as seed fairs and consultation meetings, which were organized to discuss and formulate seed policies and decrees, and farmers actively participated in these meetings, sharing their valuable experiences on accessing, conserving, and utilizing PGRFA. Farmers and other stakeholders are enriched with knowledge on PGRFA through training, meetings, exchange visits, festivals, and farmers' gatherings. Knowledge on seed management, multiple cropping, mixed cropping, and relay cropping has been shared and replicated.
- A respondent noted that farmers should receive support and empowerment before representing themselves on national committees.

Europe

- The responses described the participation of farmers in the decision-making process concerning PGRFA as well-developed and aligned with established participation principles. Legislative acts concerning the agricultural sector are communicated to farmers' organizations for public consultations, seeking their feedback or comments. Regulations are established through dialogue with farmers and their organizations.
- The farmer lobby in parliament is very strong, and farmers are more aware of the processes related to seed regulation, sharing their needs and requirements to be considered by the regulatory framework.
- Farmers maintain a great diversity of genotypes. It has been crucial to understand farmers' perspectives, and they have been informed about PGR laws, regulations, and opportunities for utilizing PGR, support measures, and other concerns of interest to them.
- According to the joint rules of procedure of the Federal Government, federations, general associations, and expert groups at the federal level must be involved timely in the drawing up of bills, including relevant agricultural associations.
- Farmer organizations participate in discussions and processes led by the Ministry of Agriculture, and representatives of agricultural organizations can participate in Genetic Resource Council meetings and decision-making processes.
- The national commission should expand its mandate to have space for participation.

LAC

- Most of the countries in the region have measures for engaging farmers and local and indigenous communities, and authorities enable or support their participation and representation in technical committees, dialogues, and discussions concerning PGRFA.
- However, one country emphasized the importance of continued discussions with farmers, indigenous communities, farming communities, and government entities for effective implementation of Farmers' Rights.
- Additionally, current actions promoting farmer participation in decision-making related to PGRFA are necessary, and face-to-face participation at national and international levels is needed.

Near East

- The respondent from Jordan cited that the implementation of this provision is contingent upon specific projects and the proximity and accessibility of farmers. It is essential to enhance coverage across all farming regions and strengthen the representation of farmers at various levels.

North America

- Besides farmer participation through administrative, policy and legal measures like representation in technical committees on PGRFA and consultations on national seed legislations, respondents also cited raising awareness via local and national communications and publications.

- The interactions are positive and decentralized.

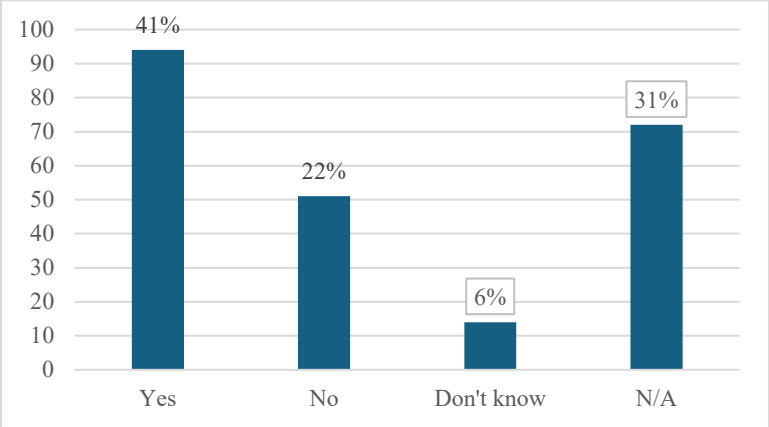
CG Centres

Farmers' participation in conserving PGRFA, building capacity, and conducting research makes results more relevant and empowers them.

20. To the best of your knowledge, in your country/or area of work, have any measures been introduced/applied for the rights that farmers have to save, use, exchange and sell farm-saved seed/propagating material, subject to national law and as appropriate?

Forty-one percent of the respondents indicated that in their countries/or areas of work have implemented measures for the right of farmers to save, use, exchange, and sell farm-saved seeds and propagating material. Twenty-two percent have indicated that there are no measures, 6 percent have indicated that they do not know, and 31 percent did not answer, as shown in Figure 18.

Figure 18 l Distribution of responses indicating the introduction/application of measures for the rights that farmers have to save, use, exchange and sell farm-saved seed/propagating material



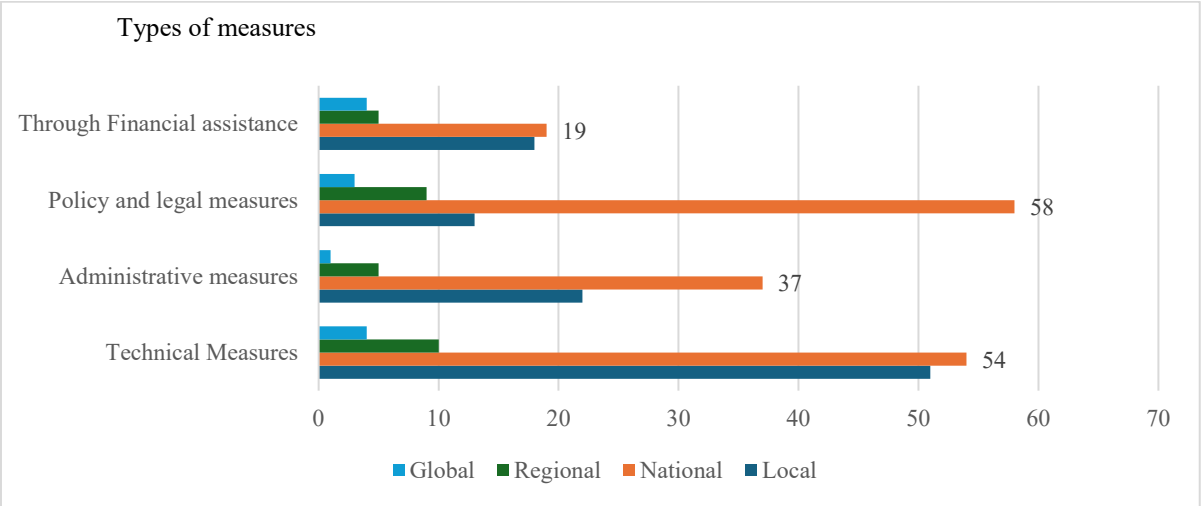
21. If your answer in Question 20 is Yes, please refer to the type of measures below that describe the measures you have introduced. You may tick more than one as appropriate.

Types of measures and their descriptions as provided in the questionnaire:

- Technical measures. Through initiatives/programmes/project activities, for example, supporting farmer-led seed systems / farmer-managed seed systems, community seedbanks, seed fairs, and other farmer-to-farmer traditional seed exchange practices.
- Administrative measures. Through administrative measures such as executive orders, ministerial, inter-ministerial, departmental instructions/circulars/memoranda, the establishment of protocols, codes, guidelines, etc., to support farmers' conservation and sustainable use of PGRFA.
- Policy and legal measures. Through policy and legal measures such as national/regional laws, policies, and any other legal instruments (act, law, bill, ordinance, etc.). and
- Financial assistance.

The responses gathered regarding the protection and promotion of the rights of farmers to save, use, exchange and sell farm-saved seed/propagating material, subject to national law and as appropriate, through measures such as, technical, administrative, policy and legal measures, and financial assistance, are presented in Figure 19. Policy and legal measures were noted to be slightly more common compared to other measures. Moreover, it appeared that technical measures were prevalent at both the national and local scales of implementation.

Figure 19 Distribution of responses regarding various measures implemented at different scales



Figures 20.1 to 20.4 provide an overview of the responses regarding measures (technical, administrative, policy and legal, and financial assistance) in their countries/or areas of work that have been introduced to protect and promote the rights of farmers to save, use, exchange and sell farm-saved seed/propagating material, in different regions and across different scales. Although the responses collected account for less than half of the total respondents, they offer an indication of the degree and extent to which various measures have been implemented across different regions. The responses to question 22 offer additional information to these responses.

Figure 20.1 Distribution of responses across different regions: through technical measures

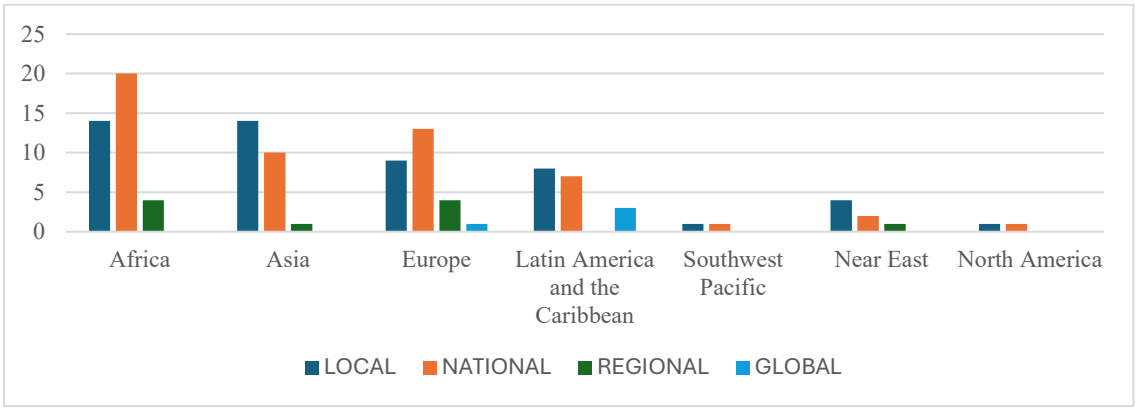


Figure 20.2 Distribution of responses across different regions: through administrative measures

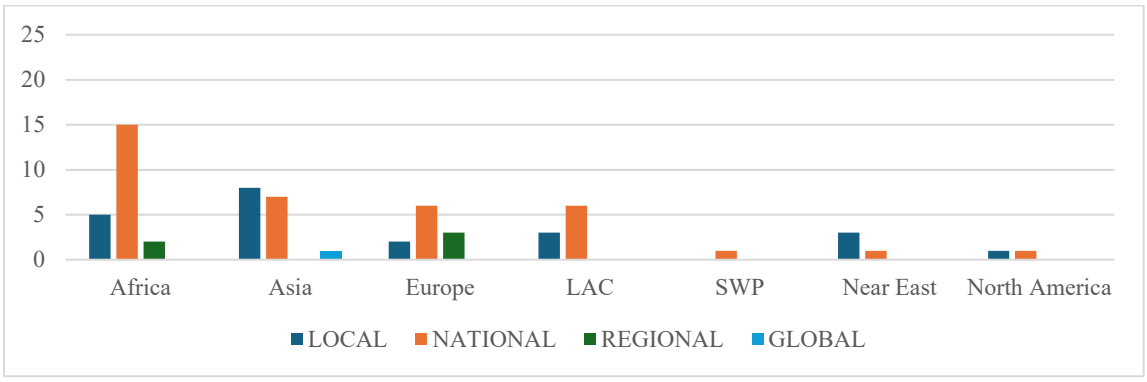


Figure 20.3 Distribution of responses across different regions: through policy and legal measures

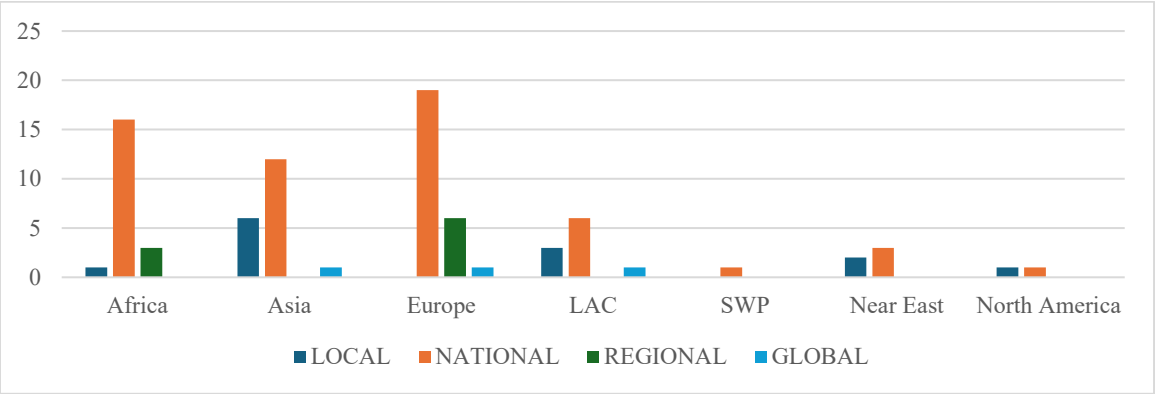
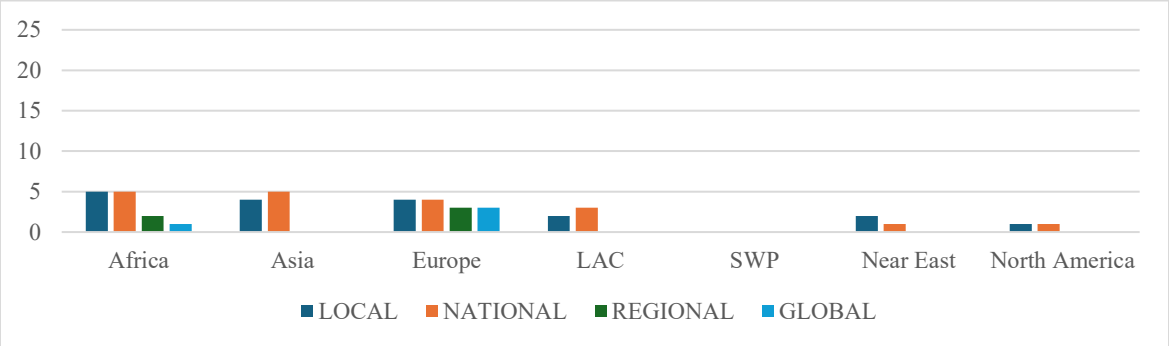


Figure 20.4 Distribution of responses across different regions: through financial assistance



Additional information provided by the respondents
Some responses in Europe indicated that farmers and farming communities can apply for financial assistance at various national funding sources.

22. If your answer in Question 20 is Yes, please describe your experiences and lessons learned in implementing these measures.

Experiences and lessons learned

The responses cited experiences and lessons learned on protecting and promoting the rights of farmers to save, use, exchange and sell farm-saved seed/propagating material, subject to national law and as appropriate. These experiences are summarized below for each region, in no particular order:

Africa

- Policies are in place to assist farmers in the conservation and sustainable use of PGRFA.
- Farmers are happy that their materials can compete with improved varieties in local and national markets.
- Technical support, collaboration with research institutions and capacity building of farmers and stakeholders at all levels on various PGRFA conservation and management practices is essential.
- The FFS approach is a vehicle for farmers' capacity building, economic empowerment, knowledge sharing, and technology transfer. PVS and PVE in FFS are critical elements in creating sustainable community-based and farmer-managed seed systems.
- Collaboration with research institutions is critical for increased and improved access to PGRFA.
- Linking farmers to markets creates an opportunity for improving the production of PGRFA.
- Engagement of policymakers are critical for creating a conducive policy environment for promoting climate-resilient interventions.
- Seed fairs serve as platforms for farmers to exchange and sell farm-saved seeds.

- Stakeholder consultations at different levels are essential for promoting and managing the expression of Farmers' Rights.
- Recognition of the importance of farmers' roles in the ongoing development and conservation of crop diversity and resilience is crucial.
- Farmer seed systems to be maintained/managed by farmers are to be encouraged.
- State support to farmer-led seed systems is limited, and the implementation and technical support is mostly through projects.
- In some countries, there are no policy and legal measures in place, selling and exchanges are taking place at seed fairs, agricultural fairs, and through other informal ways.

Seed Fairs

The basis of seed fairs is solidarity, friendship, and trust. You must believe in the other person and in the seed that he or she is going to give, in his or her identity, in his or her ability to germinate and give a flowering plant that bears fruit. The conservation and exchange of seeds is part of the culture, of a way of being, of celebrating, of relating to families in the countryside, and celebrating life. In seed fairs, certain elements that make the Gift, giving, without expecting to receive, are also recovered. The exchange is very simple, it is the exchange of one thing for another, of the seeds, plus the knowledge, the knowledge associated with it.

Quoted by a respondent

Asia

- The importance of building the capacities of farmers, the role of community-based initiatives, such as seed fairs, farmers' field days, and CSBs as vital support for promoting seed conservation and exchanges between and among farmers. However, these initiatives often lack government support and are primarily facilitated by CSOs.
- Many of the stakeholders in the region stressed the need for awareness raising and enhancing understanding of the importance of local PGR and the need for sustainable financing for the sustainable use of PGR and the implementation of Farmers' Rights.
- Most initiatives that promote the implementation of Farmers' Rights are project-based. Many respondents emphasized the importance of sustainable financing and support for community-based and farmer-led/managed seed systems, such as CSBs, seed fairs, and other platforms that facilitate traditional farmer-to-farmer seed exchange practices.
- Grassroots actions and measures, such as CSBs and seed fairs, should be recognized and incorporated into local policy-making to benefit farmers directly.
- Farmers' varieties should be considered private goods, and marketing of any items that farmers produce should be allowed.
- The importance of local varieties and adaptation to extreme climatic conditions.
- Legal barriers, for instance, farmers face obstacles due to the implementation of laws like the PVP Act, the Plant Cultivation System, and the Sustainable Agricultural Farming System. Some farmers have been sued and jailed due to these laws, which are seen as setbacks.
- Regarding the protection of farmers' varieties, clear guidelines need to be developed for verifying the ownership, as most of the farmers' varieties belong to communities and not to individual farmers. For testing the farmers' varieties, certain relaxations in uniformity are needed, as these varieties contain some mixtures. Farmers should be provided protection without any kind of fee before the registration or after the registration (annual/renewal fee).
- In one country, nearly 90% of major crop varieties, including vegetables, rice, potatoes, and fruits, are from the public domain. This allows farmers to save, use, and sell these varieties without restrictions. The PVP system in this country has produced over 30,000 varieties as of 2024, with 23,000 entering the public domain. This system has significantly contributed to its high-quality agricultural outputs. Additionally, efforts are being made to conserve native and heirloom varieties, ensuring the preservation of traditional vegetables through regional seed production and superior variety selection.

Europe

- Respondents referred to the EU regulations (national and regional scopes) on the marketing of seed and conservation varieties and policy and legislation on PBR and how these are balanced towards Farmers' Rights, and the rights of farmers to seeds as recognized in the national strategy on genetic resources for food and agriculture, and in the action plan to implement this strategy.
- Several respondents highlighted the importance of regulatory frameworks, farmer participation in decision-making, the benefits of using locally adapted seeds, and farmers can use their own seeds for crop production.
- Farmers and their organizations actively participate in relevant decision-making processes at local, national and international levels, which is essential.
- In one country, the Seed Trade Act regulates the marketing of seed and planting stock for certain species. Based on the EU Directives, the Seed Trade Act, together with the regulations issued in that regard, regulates the marketing of seed and planting stock and the authorization of plant varieties. For all species not listed in the directory of species associated with the Seed Trade Act, no authorization of the varieties is necessary for the seed to be traded. The seed trade regulations are important to farmers and gardeners, as they serve to guarantee the availability of efficient, site-adapted varieties with a high yield potential and improved quality and resistance properties, which offer good income opportunities.
- The implementation in 2009 and 2011 of the EU directives on conservation varieties and seed mixtures facilitates the production and marketing of seed and planting material of farmers' varieties, old varieties and landraces, which are of interest for the conservation of PGRFA. So-called "conservation varieties" can be registered in a simplified procedure if they are significant for conservation as a genetic resource. An official recognition of the seed is not necessary as a prerequisite for marketing it; however, the seed must fulfil the same quality requirements as other certified seed (or respectively standard seed in the case of vegetable species). This also pertains to "amateur varieties", which refer to vegetable varieties that are not suited for large-scale horticultural production but possess specific traits that make them suitable for cultivation and home gardening. The regulation on "seed mixtures" facilitates the commercialization of mixtures used in the ambit of nature protection for pastures, grassland etc.
- No payment is required for farm-saved seed of protected varieties, and contracts limiting farmers' privileges are null and void.
- One respondent mentioned that the national law created limitations for farmers producing endemic seeds.
- Farmers can choose any variety to grow but must adhere to regulations concerning landraces, commercial varieties, and intellectual property rights. Exceptions exist for private and non-commercial use, particularly for subsistence farmers. The implementation of EU directives has facilitated the production and marketing of conservation varieties and amateur varieties, allowing for simplified registration processes and quality requirements for seeds. It emphasizes careful implementation of UPOV and the International Treaty, advocating for the introduction of Article 9 into national law only when necessary to support the conservation and sustainable use of plant genetic resources.
- A respondent explained that under PVP laws, farmers may or may not save and use seeds and in most cases, farmers are not allowed to exchange and sell farm-saved seeds of protected varieties. This, however, exclusively applies to protected varieties, which normally can only be new varieties. PVP has no bearing on seeds of traditional or farmer varieties and would not have any negative effect on their possibilities to continue their practices of seed saving. This is very often misinterpreted, and there is a need to clarify that PVP does not apply to all varieties but only to those that fulfill the condition of PVP protection and that are applied for and granted such protection.

LAC

- Some countries in the region addressed the conservation activities of PGRFA but emphasized the absence of public policy to ensure specific financial resources for sustainable use activities, noting that existing actions are insufficient and ineffective.
- Provincial and national legislation concerning access to and circulation of propagation material of native species are mentioned. The respondents cited initiatives and activities that facilitate the sharing, selling, and exchanging seeds, platforms such as seed fairs, CSBs, market fairs, and value-addition activities. The respondents highlighted the role of seed fairs, which are based on solidarity, friendship, and trust, and play a crucial role in climate change adaptation and food sovereignty. Additionally, the respondents discussed the threats posed by extractive mining projects to the production of native and creole seeds.
- Various initiatives at governmental and non-governmental levels are promoting the recognition of Farmers' Rights through capacity building, PPB, demonstration plots, CSBs, and FFS. However, some countries stressed that the implementation of Farmers' Rights is still lacking.

Near East

One respondent stated that the measure needs to be integrated in the relevant national programme or strategy and should not be on an ad hoc basis.

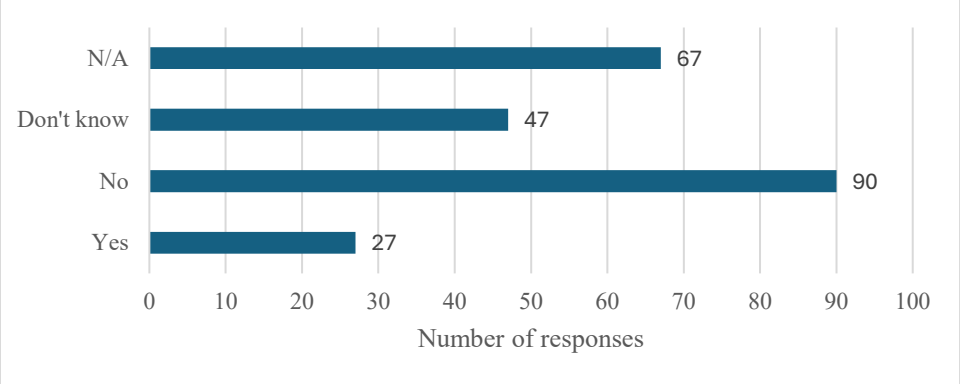
North America

The respondent in Canada described that the interactions are increasing, in part due to reconciliation policies with Indigenous Peoples that are implemented and affect many interactions on the national level.

23. In your country/or area of work, do you know if there has been any case where farmers have been taken to court, fined or otherwise sanctioned for saving, exchanging and/or selling seed/propagating material of varieties protected with plant breeder's rights or patents?

Out of 231 responses, 27 respondents have indicated that in their countries/or areas of work, they knew cases where farmers have been taken to court, fined, or otherwise sanctioned for saving, exchanging, and/or selling seed or propagating materials of varieties protected by plant breeder's rights or patents. Ninety responses have indicated that no such cases exist in their countries/or areas of work, while 47 responses indicated they do not know any. The remaining 67 responses did not provide a response, as shown in Figure 21.

Figure 21. Distribution of responses indicating having knowledge of cases where farmers have been taken to court, fined, or otherwise sanctioned for saving, exchanging, and/or selling seed or propagating materials of varieties protected by plant breeder's rights or patents.



24. If your answer in Question 23 is Yes, please briefly describe the situation, where it occurred, and the final outcome.

Responses on cases where farmers have been taken to court, fined or otherwise sanctioned for saving, exchanging and/or selling seed/propagating material of varieties protected with plant breeder's rights or patents

Africa

- The very few responses gathered from the region cited no specific cases or details, but they described the legal challenges faced by farmers concerning seed sales, including when the current regulations prohibit the sale of uncertified seeds.
- One response indicated that Niger's seed law adopted in 2014 provides for penalties, including imprisonment ranging from two months to two years and fines between 20 000 and 1 000 000 CFA francs[12] for those involved in the production, introduction, or marketing of traditional seed varieties.
- Another response indicated that, despite uncertainty about the details, farmers have reported being threatened with fines, and a proposed law would increase jail sentences to up to 10 years.

Asia

- One response cited the case of farmers in India and the PEPSICO company. The company filed a case against farmers in Gujarat for illegally growing its potato variety, which is registered for "lays" chips. After discussions with the government, the company withdrew the case against farmers.
- One response cited that between 2004 and 2010, Farmers in Indonesia are accused and jailed because of maize seed production.[13]

Europe

- One response shared information that in Norway, there have been instances where farmers were taken to court for having stored Linda in their barns with a view to further using this variety on their own fields. Linda was by then, withdrawn from the market, and a combination of PVP and variety release legislation resulted in this situation. Norway balances farmers' rights and PBR by adhering to the 1978 Act of UPOV, rather than the 1991 Act.
- A respondent cited that in Finland, there are instances where uncertified seeds are sold as certified.
- A respondent mentioned an instance in Italy where a private company, funded by seed companies, sued farmers in court.
- One respondent in Spain cited a case against a farmer with authorized copying of licensed protected blueberry variety.[14]

Latin America and the Caribbean

- Some respondents cited that in Brazil, between the years 2000 and 2015, there was a significant industry campaign aimed at discrediting commodity crop producers (farmers) who saved seeds from their own crops when using industrial seeds. These seeds were labeled as "pirate seeds" in an effort to combat the non-payment of patent royalties. This campaign also criminalized and severely impacted family farmers, peasants, and traditional communities who use, save, and conserve genetic resources of interest to food and agriculture (traditional seeds and local varieties).

[12] Based on xe.com currency converter: 1 USD = 572.41 XAF (central African Francs), as of June 2025

[13] References provided: https://research.wur.nl/en/publications/clashes-between-formal-and-informal-seed-systems-a-case-study-of-

15 Canada's Country Report, available at: https://agriculture.canada.ca/sites/default/files/documents/2022-07/Canadas_Country_Report_for_3rd_Rpt_on_State_of_the_World_PGRFA_EN-Final.pdf; https://agriculture.canada.ca/sites/default/files/documents/2022-07/Rapport_du_Canada_en_vue_du_3e_Rpt_sur_l%27etat_RPGAA_FR-Final.pdf).

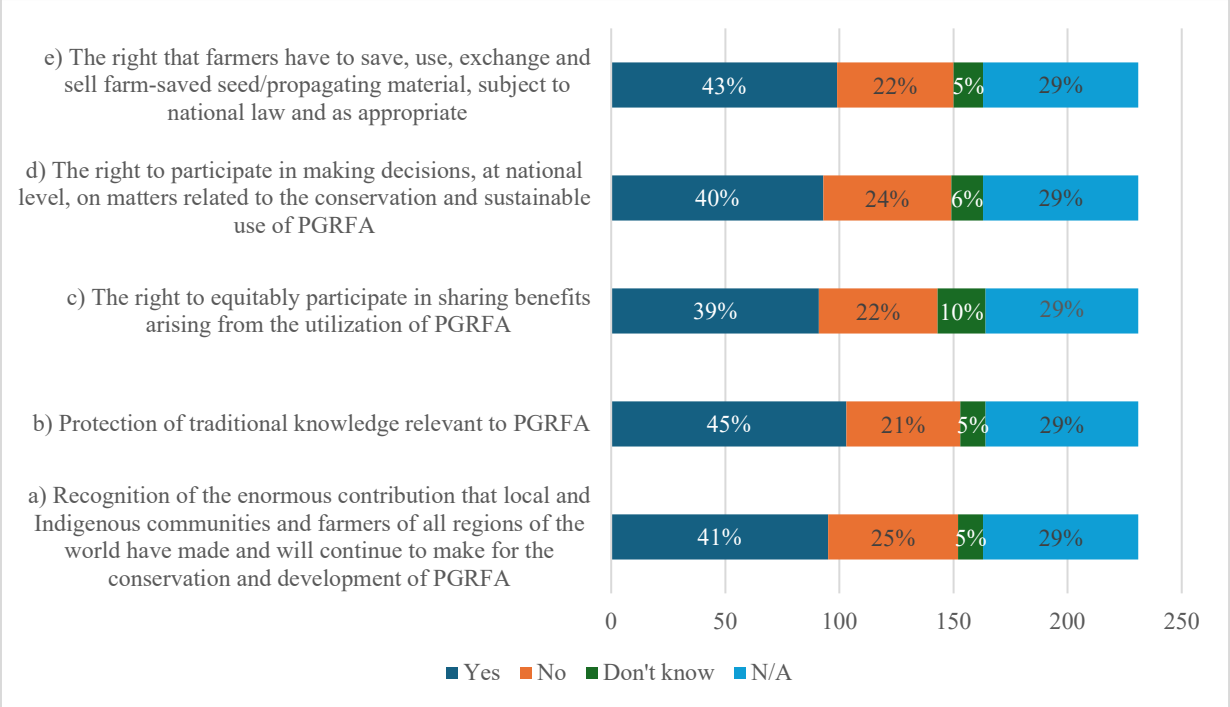
- One response cited that in Costa Rica, the use of the Rosé pineapple has been documented in several regions of the country. Consequently, the State Phytosanitary Service conducted inspections and issued warnings to those in possession of this variety, as it is a GMO.
- Some respondents in Argentina stated that the issue inprotected varietieshas not involved native species, but rather commercial varieties. Commercial farmers, who produce cereals and oilseeds for the commercial market have used protected varieties without acknowledging their ownership at the time of access, thereby acquiring illegal seeds. However, if the seeds were acquired legally, farmers are permitted to use them without seeking authorization from the breeder.
- One respondent in Colombia, there were instances of seed seizure between 2010 and 2012 under the application of Resolution 970 of 2010. The most notable case occurred in the department of Huila, where the ICA seized and destroyed rice seeds from small farmers. These seizures led to the peasant movement demanding the repeal of this resolution. Although the resolution was amended, full guarantees have not been provided for the recovery, protection, production, and free circulation of native and creole seeds, as well as for the protection of associated TK.

IV. Measures limiting the realization of Farmers' Rights

25. Based on your knowledge and experiences, are there measures or factors limiting the realization of Farmers' Rights? Please answer (a) to (e)

Figure 22 presents the overview of the respondents' knowledge on measures or factors limiting the realization of Farmers' Rights. Approximately 50 percent of respondents have indicated that there are measures or factors limiting the realization of Farmers' Rights, up to 25 percent indicated that there are no measures or factors limiting the realization of Farmers' Rights, between 5 and 10 percent of responses have indicated that they do not know about this issue, while around 30 percent chose not to answer the question.

Figure 22. Responses regarding knowledge of measures or> factors limiting the realization of Farmers' Rights



Measures of factors limiting the realization of Farmers' Rights

The information below summarizes the inputs provided by the respondents.

Africa

Lack of enabling legal and policy frameworks at the local and national levels

- Lack of a specific legal framework on Farmers' Rights, political will, and awareness among both farmers and other actors involved.
- Restrictive seed laws and regulations that do not consider the rights of farmers to PGRFA.
- Policies and market conditions favouring privatization and strong intellectual property rights hinder the promotion of Farmers' Rights.
- Existing national seed policies promote the formal seed system and exclude farmers' varieties from certification and sale.
- Prevailing community regulations and laws favoring formal seed systems limit the rights of farmers to utilize traditional varieties.
- The lack of internal measures to implement international obligations, despite signing and ratifying international instruments.

Lack of sustainable funding resources

- Limited access to resources to support farmers' participation in decision-making forums and to the implementation of activities for the conservation and sustainable use of PGRFA at the national and local levels.
- Government institutions or CSOs provide support, but mostly on an ad hoc basis.

Lack of awareness and understanding of Farmers' Rights, the role of farmers, and the importance of PGR

- There is a lack of understanding among farmers, policymakers, and other actors about Farmers' Rights, the role of farmers in the conservation and sustainable use of PGRFA, and the importance of local crops for food security and nutrition awareness, resulting in insufficient political will.

Asia

Responses in the region indicated a general lack of awareness about the important role of farmers in the conservation and sustainable use of PGRFA. This lack of awareness is not only evident in policymaking bodies but also among farming communities. Due to a lack of awareness, current government policies related to seed law, food security, and water management do not fully address farmers' needs. Additionally, existing programs and initiatives promoting hybrid and transgenic crops are leading to farmers losing their TK on PGR. Additionally, contradictions exist between policies and laws, specifically between the Law on the Plant Cultivation System and Plant Variety Protection.

Europe

Most respondents in Europe indicated that there are no measures or factors that limit the realization of the provisions stipulated in Article 9 of the International Treaty. However, a few of the respondents noted some barriers or challenges to the realization of Farmers' Rights in other countries or regions. For instance, one respondent identified the challenges faced by peasant farmers in the Global South, such as limited access to land, seeds according to their needs, affordable credit, and knowledge, as well as social inequalities affecting local cooperation, including gender disparities and patriarchal structures. Another respondent discussed the effects of negotiating trade agreements that include clauses related to the International Union for the Protection of New Varieties of Plants (UPOV). According to the respondent, these agreements can impact Farmers' Rights by enforcing strict PVP regulations, which restrict farmers from saving, using, exchanging, and selling seeds saved from their farms. The lack of transparency in these negotiations further complicates the situation by limiting farmers' participation in decision-making processes regarding PGRFA, thus affecting their rights and benefit-sharing.

LAC

Only a few have provided additional responses in the region. One response described that their national legislation does not take into account Farmers' Rights. The seed legislation favors the rights of companies over privatized seeds. There are no regulations in place to protect farmers' seed production or their

associated TK. One of the reasons for this is the lack of political will and interest in promoting and protecting Farmers' Rights.

Near East

Four respondents indicated that there are measures limiting the implementation of Farmers' Rights.

North America

No measures limit the implementation of Article 9.

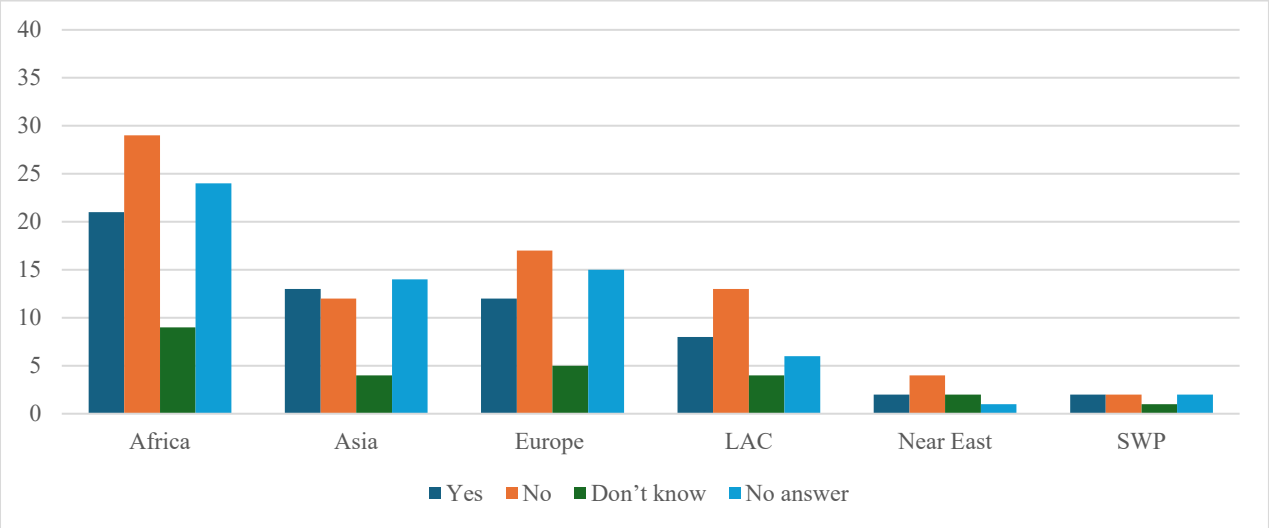
Southwest Pacific

Two responses from the region identified the major limitation as the lack of national policy and legal frameworks that would promote and protect Farmers' Rights. These include issues such as legal clarity on ownership of PGRFA, benefit-sharing arrangements, and the protection of TK.

26. To the best of your knowledge, are there gender-related factors that may limit the realization of Farmers' Rights?

Of the 231 responses obtained from various regions, 38 percent of the responses have indicated that there are no gender-related factors potentially limiting the realization of Farmers' Rights. In contrast, 25 percent of the responses have indicated the existence of such gender-related factors. Approximately 10 percent of the responses indicated they do not know, while the remaining 29 percent chose to skip the question, as shown in Figure 23.

Figure 23. Distribution of responses across different regions that indicated knowledge on gender-related factors that may limit the realization of Farmers' Rights



Gender-related factors affecting the realization of Farmers' Rights as provided in the responses

Africa

There is a general recognition of the crucial role that women play in the management of seeds on farms and in agriculture, often making decisions on farms that prioritize food security over commercial sales. Women are described as custodians of agrobiodiversity, with the role of selecting good seeds, saving, and keeping being predominantly the work of women. However, responses gathered if there are gender-related factors that may limit the realization of Farmers' Rights point to a broader description of gender inequality in agriculture, driven by traditional norms, biased policies, limited access to resources, lack of participation in decision-making, and lack of the ability of women to own and manage land, which hinders the crucial role of women in managing the seeds they produce.

Asia

While several responses indicate that gender-related factors may limit the realization of Farmers' Rights, most descriptions of these factors, apart from the low participation of women in decision-making processes, refer to broader issues. These include government policies that do not recognize the role of farmers in the conservation and sustainable use of PGRFA, the absence of clear strategies and administrative measures to support farmers especially women farmers, the lack of education and land rights, and the lack of awareness of farmers on the importance of PGRFA and their rights regarding it.

Europe

Many responses in the region referred to the gender-related factors that may limit the realization of Farmers' Rights, as well as the challenges encountered by women farmers in other countries or regions (outside of Europe) due to traditional norms and legal systems. These issues include limited participation and underrepresentation of women in decision-making processes, disparities in farm and land ownership, unequal access to natural resources, and discriminatory policies and legal frameworks, among others. Additionally, some responses mentioned measures or factors that limit the realization of Farmers' Rights, such as the limited financial resources available to communities and farmers for understanding and navigating complex legal systems. One respondent referred to their advocacy for prioritizing farmers' access to crop diversity in seed policy and practice.

LAC

The response emphasized the policies that overlook the condition of many women farmers, where the allocation of financial resources is limited, consequently impacting their capacity for innovation and entrepreneurship. This, in turn, hinders their ability to manage and conserve PGRFA.

Near East

A respondent stated that some gender norms often restrict women's ability to participate in various agricultural activities, while another respondent articulated that farmers' organizations or associations need to have better representation in decision-making processes, and Farmers' Rights should be more clearly addressed in legal and policy frameworks.

North America

One response indicated discrimination against women farmers but provided no details.

Southwest Pacific

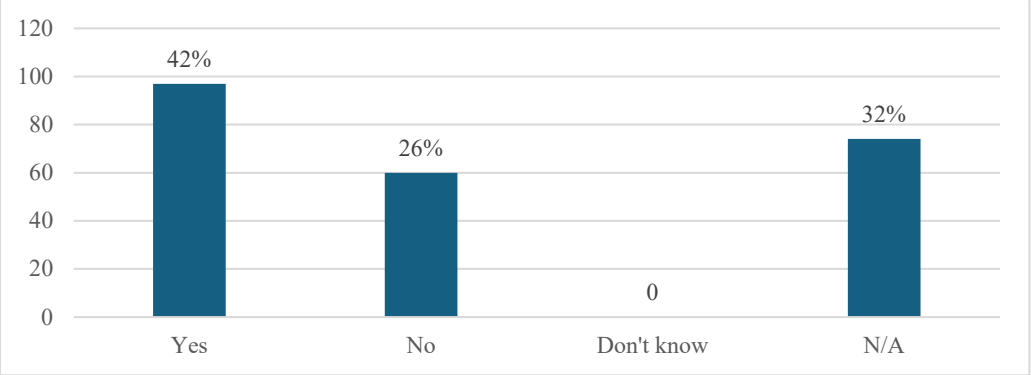
Two responses indicated that women are often denied the right to own resources in cultures where patrilineal inheritance predominates.

V. Supplementary information related to the implementation of Farmers' Rights

27. In your country/or area of work, has *in situ* conservation of wild crop relatives (CWR) and wild plants for food production been promoted?

Figure 24 shows that 42 percent of responses have indicated that in their countries/or areas of work, *in situ* conservation of wild crop relatives and wild plants for food production were promoted, while 26 percent of the responses have indicated that they have not promoted, and 32 percent of the responses have skipped the question. It is noted that most responses came from the public sectors or government organizations, national research institutions, and international organizations.

Figure 24 Responses regarding the promotion of in situ conservation efforts for CWR and wild plants for food production



28. If your answer in Question 27 is Yes, please specify the measures promoted. You may tick more than one as appropriate.

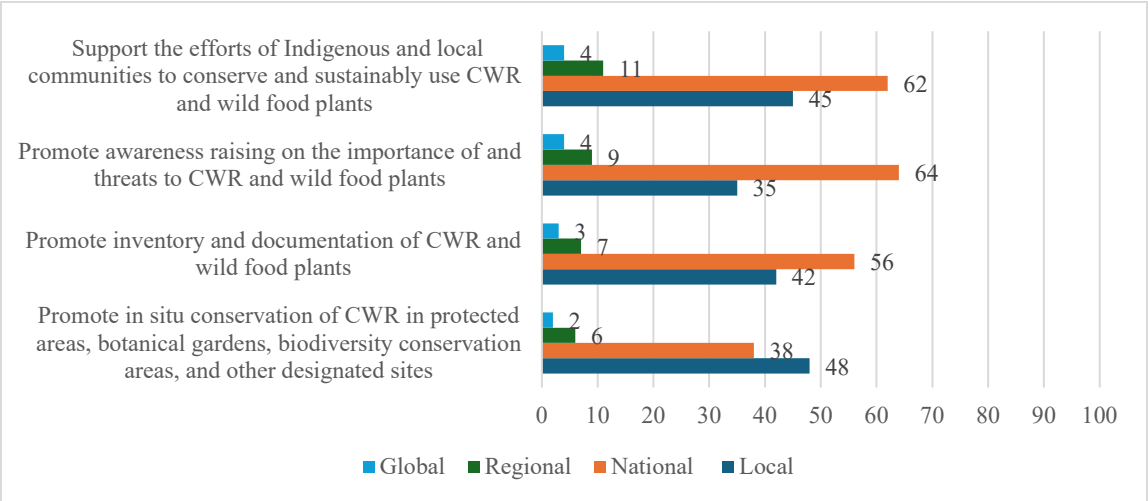
To assist the respondents, several relevant measures within Articles 5 and 6 from the Compliance questionnaire were provided as selections:

- Promote *in situ* conservation of CWR in protected areas, botanical gardens, biodiversity conservation areas, and other designated sites;
- Promote inventory and documentation of CWR and wild food plants;
- Promote awareness raising on the importance of and threats to CWR and wild food plants; and
- Support the efforts of Indigenous and local communities to conserve and sustainably use CWR and wild food plants.

The respondents were also requested to specify the scale of implementation.

Figure 25 presents the responses to the various measures for *in situ* conservation of CWR and wild food plants that they are implementing in their countries/or areas of work. Respondents were requested to indicate all the measures they are implementing and to specify the scale of implementation. The majority of the responses have indicated efforts at the national scale, such as supporting farming initiatives, local community projects, raising awareness about the significance of CWR and wild food plants, and engaging in inventorying and documentation activities. Local implementation primarily focuses on the *in situ* conservation of CWR within protected areas, botanical gardens, and similar conservation zones. Respondents have stated that activities at the regional and global scales result from cooperative and collaborative initiatives with other countries within the region or internationally. These efforts include allocating financial resources to agrobiodiversity-related initiatives and participating in programs or projects in partnership with other countries in the region.

Figure 25 Number of responses regarding measures implemented to promote in situ conservation of CWR and wild food plants, at different geographical scales



Additional information provided by the respondents

Europe

A respondent quoted the existence of cooperation on CWR within the region.

Near East

Three countries in the region have indicated that they are promoting the *in situ* conservation of CWR and wild plants for local food production.

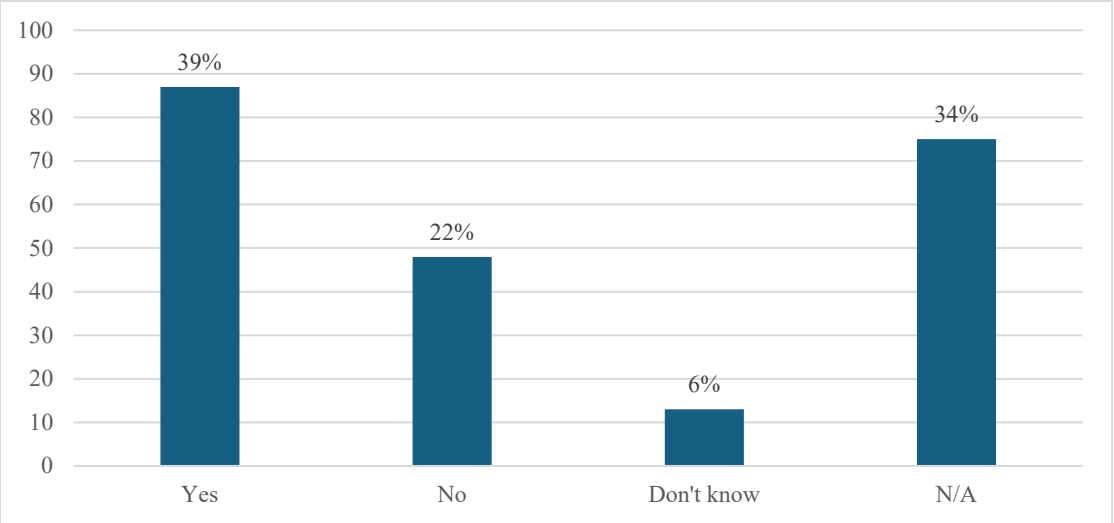
North America

Canada has indicated its provision of financial resources to promote *in situ* conservation of CWR, aiming to enhance organic and climate-resilient farming, and supporting indigenous and local community efforts in this area. Additionally, the government's workshops have been conducted with the participation of indigenous people and local communities to aid their development of viable economic models involving indigenous PGR.

29. In your country/or area of work, have farmers and local communities' efforts to manage and conserve on-farm their plant genetic resources for food and agriculture been promoted or supported?

Figure 26 shows the responses regarding the promotion or support for farmers' and local communities' efforts in managing and conserving their PGRFA on-farm. About 40 percent of respondents indicated that, in their countries or areas of work, farmers' and local communities' efforts to manage and conserve on-farm PGRFA were supported. Twenty-two percent of the responses have indicated that there is no support, 6 percent have stated they do not know, and nearly 35 percent of the responses skipped the question.

Figure 26 Responses regarding the promotion or support to farmers' and local communities' efforts in managing and conserving their PGRFA on-farm



Additional information provided by the respondents

Respondents from various regions provided information on the support given to farmers and local communities in managing and conserving PGRFA on-farm, including training and capacity building, access to PGR, financial assistance, and other technical support. Additional information on the measures promoted, as well as the experiences and lessons learned, is summarized below.

Africa

- Organizing training and capacity-building for farmers in seed selection, maintenance, and conservation techniques, as well as providing access to materials in the gene banks.
- Capacity-building activities are provided through extension approaches, such as FFS, PVS, PVE, and other participatory mechanisms that engage farmers in research and development.
- Collaborative efforts with national and international research institutions, promoting access to germplasm materials, PVS, seed multiplication, and market linkages to enhance agricultural production.
- Community-based initiatives/farmer-led seed systems, such as the establishment of CSBs, seed lots, seed huts, and seed fairs, as platforms for farmers to market their seeds and interact with each other. The establishment of CSBs allows farmers to produce seeds individually or collectively, market their seeds, and continue the sustainable use of local crops.
- Awareness-raising initiatives designed to inform and educate rural farmers, enhancing their capabilities, facilitating the introduction of wild relatives of crop plants into farming systems through strengthened agroforestry practices, and promoting local crop diversification.
- Financial assistance and technical support from governments, CSOs and international organizations. Many initiatives are backed by CSOs and international organizations, often with limited government support. These efforts include training and capacity building, helping farmers access genebank materials, market support, technical expertise, recognition, and support for local knowledge exchanges, as well as the promotion of agroecological approaches.
- Integration of *in situ*, on-farm conservation strategies within the framework of national agricultural programs and projects, alongside the conservation of protected areas.

Asia

- Home gardens, school nurseries, CSBs managed by farmers, along with participatory approaches and equitable participation, require continuous engagement with stakeholders, and sharing knowledge and crop genetic resources enables other farmers to increase their self-sufficiency level in rice.
- Seed and food fairs represent effective and practical methods that enhance farmers' access to plant genetic resources from breeding institutes and gene banks. These initiatives merit recognition and should be supported through measures such as funding provisions, policy backing, and technology transfer.
- There are legal provisions for the sustainable use of PGRFA with the involvement of farmers, but government policies favour modernization and commercialization of agriculture, leading to a loss of over 50% of crop diversity and often neglecting the TK of farming communities.

Europe

The respondents indicated various initiatives across different countries in the region. The initiatives involve collaboration with farmers, local communities, and other stakeholders to support the evaluation, propagation, and valorization of PGRFA. Specific examples include:

- Institutional support, e.g. genebank staff provide technical support or involve farmers and local communities in conservation activities of traditional varieties, national authorities make contracts with farmers to support on-farm conservation of selected genetic resources from a genebank
- The EU's Common Agricultural Policy rewards farmers for activities related to on-farm conservation
- National Strategies and Action Plan that includes specific reference to farmers and/or prioritizes *in situ,* on-farm conservation
- Financial allocation from the CAP
- National seed savers associations that support on-farm conservation and offer funding schemes for NGOs and seed savers associations
- Farmers and community-based associations supporting the on-farm management of PGRFA
- Stakeholders’ initiatives to organize community seed banks to support organic agriculture and gardening activities

LAC

Responses indicated various support for farmers' and local communities' efforts to manage and conserve PGRGA on-farm, including:

- Institutional support to ancient and traditional farmers and local communities, e.g., biodiverse chakras, restitution of traditional seeds, and other initiatives, largely funded externally, that aim to enhance on-farm conservation and the sustainable use of PGR,
- Agrobiodiversity Zones, which aim to preserve the traditional practice that enhances food security and resilience against climate change, and promote the conservation and sustainable use of native agrobiodiversity and agroecosystems,
- Exemption from registration fee of native plant variety
- Technical support to conservation and multiplication of native varieties
- Financial support from the national budget and through external funding

Near East

Farmers and local communities are supported through participatory breeding and extension programs, as well as capacity-building initiatives, to enhance cultivation of local varieties and horticultural crops.

North America

The government collaborates with NGOs that promote on-farm conservation of PGRFA through a Memorandum of Understanding with the national plant gene resources genebank, which stores security backup samples of germplasm for these NGOs. The national institution also cooperates on projects involving another NGO and a local community in germplasm regeneration. Additionally, the government provides support through field projects aimed at boosting organic and climate-resilient farming.

Southwest Pacific

Promoted on-farm conservation approaches in some locations through the BSF.

CG Centres

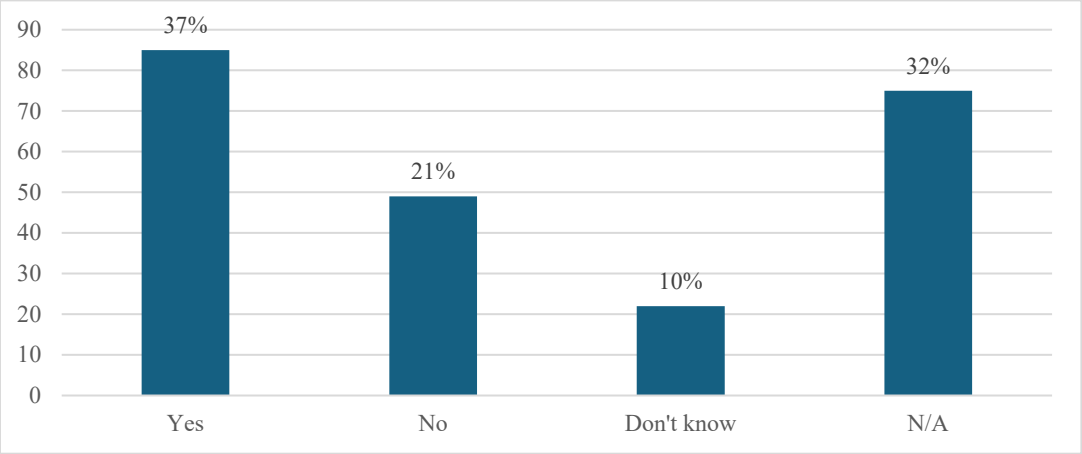
The Alliance of Bioversity and CIAT supports the implementation of various measures, as described in Question 27, at multiple scales, including local, national, regional, and global levels.

30. In your country/or area of work, are there government administrative measures, institutional policies, and legal measures in place that promote the sustainable use of PGRFA with the involvement of farmers?

Out of 231 responses, 37 percent of the responses have indicated that in their countries/or areas of work, government administrative measures, institutional policies, and legal measures are in place to promote the sustainable use of PGRFA with the involvement of farmers. Twenty-one percent of the responses have indicated that there is no measure in place, 9 percent of respondents have indicated that they do not know, and 32 percent of the responses mostly responding as individuals or from CSOs and farmers' organizations, skipped the question, , as shown in Figure 27.

Several respondents from different regions have provided details of measures, including national legislation on seeds, strategies and action plans for PGRFA, and relevant sectoral programs, as well as administrative measures and initiatives pertinent to the conservation and sustainable use of PGRFA.

Figure 27. Responses on the existence of government administrative measures, institutional policies and, legal measures in place that promote the sustainable use of PGRFA with the involvement of farmers



Additional information on measures promoting the sustainable use of PGRFA involving farmers provided by respondents

Africa

The responses provided an overview of administrative measures, national policies and strategies, including technical measures that promote the sustainable use of PGRFA with the involvement of farmers in different countries in Africa. Some of the measures provided did not elaborate on how farmers are involved or supported.

Legal and administrative measures:

- National Seed Policy
- Draft Seed Bill, which aims to incorporate farmers' contributions to the sustainable use of PGRFA
- National Strategy on PGRFA and implementation regulations

Anchored in sectoral policies

- Environmental Management and Coordination Regulations, which include governing genetic resources and prioritizing the participation of farmers
- Agricultural policies with reference to farmers' involvement

Technical measures

- Project implementation dealing with recognition of farmers and supporting them through projects, e.g., CSBs, PPB, seed system development, and capacity building activities aimed at farmers

Institutional measures

- National programmes promoting conservation and sustainable use of PGRFA
- Collaborative activities between farmers and research centers

Asia

Several respondents provided information on national legislation, administrative measures, and initiatives pertinent to the sustainable use of PGRFA involving or supporting farmers, including:

National policies, strategies and action plans

- The Cereals Conservation Strategic Action Plan and Food and Nutritional Policy 2024 include clauses to guide and promote the conservation and use of PGRFA with farmers' participation.
- The Basic Plan for Food, Agriculture, and Rural Areas establishes policies to promote the sustainable use of plant genetic resources.
- The National Biodiversity Policy 2022-2030 emphasizes sustainable cultivation, restricting commercial farming in forest areas to protect natural plant resources. The department also collects, regenerates, and stores genetic resources.

Administrative measures

- Policies on agrobiodiversity, national genebanks, committees with farmer representation, and initiatives like participatory plant breeding, grassroots breeding, local variety registration, value addition, and marketing support the conservation and sustainable use of PGRFA.
- The sustainable use of PGRFA is supported through initiatives such as GIAHS, GIs, and intangible cultural heritage, which offer international and national recognition to traditional farming communities.

Europe

Many respondents provided additional information about the existing measures that promote the sustainable use of PGRFA with the involvement of farmers, which are carried out through:

- Strategic Plans and strategies in line with the EU's Common Agricultural Policy
- National strategies and national action plan for the conservation and sustainable use of PGRFA and/or Biodiversity and related programmes where there is involvement of farmers
- Marketing of seeds that allows the selling of small quantities of heritage varieties
- Administrative measures on the conservation of PGRFA coordinated by the relevant ministries
- Actions promoting *in situ* conservation, characterization, collection, and utilization of genetic resources in agriculture, including registration of varieties
- Committee for PGRFA is in place
- Through small-scale conservation of varieties

LAC

Some respondents described the administrative policies and legal measures currently in place. These included the formation of national committees with farmer representation and a national institution responsible for implementing relevant policies on PGRFA, including regulations focused on access to genetic resources and their derivatives. There are also guidelines for designated areas known as Agrobiodiversity Zones, which are specifically managed for the conservation and sustainable use of native species cultivated by Indigenous Peoples. Another respondent mentioned an information portal designed to facilitate communication between institutions, farmers, and other stakeholders.

Near East

One respondent noted that various institutions have administrative policies aimed at promoting the *in situ* conservation of local land races. However, these policies do not provide adequate reference or mention farmers.

North America

The respondent referred to their Country Report for the Third Report on the State of the World's Plant Genetic Resources for Food and Agriculture for the information regarding administrative measures, national policies and strategies, including programmes and initiatives that promote the sustainable use of PGRFA with the involvement of farmers and indigenous communities.[15]

CG Centres

The Alliance of Bioversity and CIAT manages a portfolio of 58 projects worth over US$55 million. All these projects are implemented with partner organizations that are active at local, provincial, national or regional levels in the target countries and geographies. All the projects involve activities that support farmers and farming communities in developing, managing, conserving, and sustainably using PGRFA. Activities include:

15 Canada's Country Report, available at: https://agriculture.canada.ca/sites/default/files/documents/2022-07/Canadas_Country_Report_for_3rd_Rpt_on_State_of_the_World_PGRFA_EN-Final.pdf; https://agriculture.canada.ca/sites/default/files/documents/2022-07/Rapport_du_Canada_en_vue_du_3e_Rpt_sur_l%27etat_RPGAA_FR-Final.pdf).

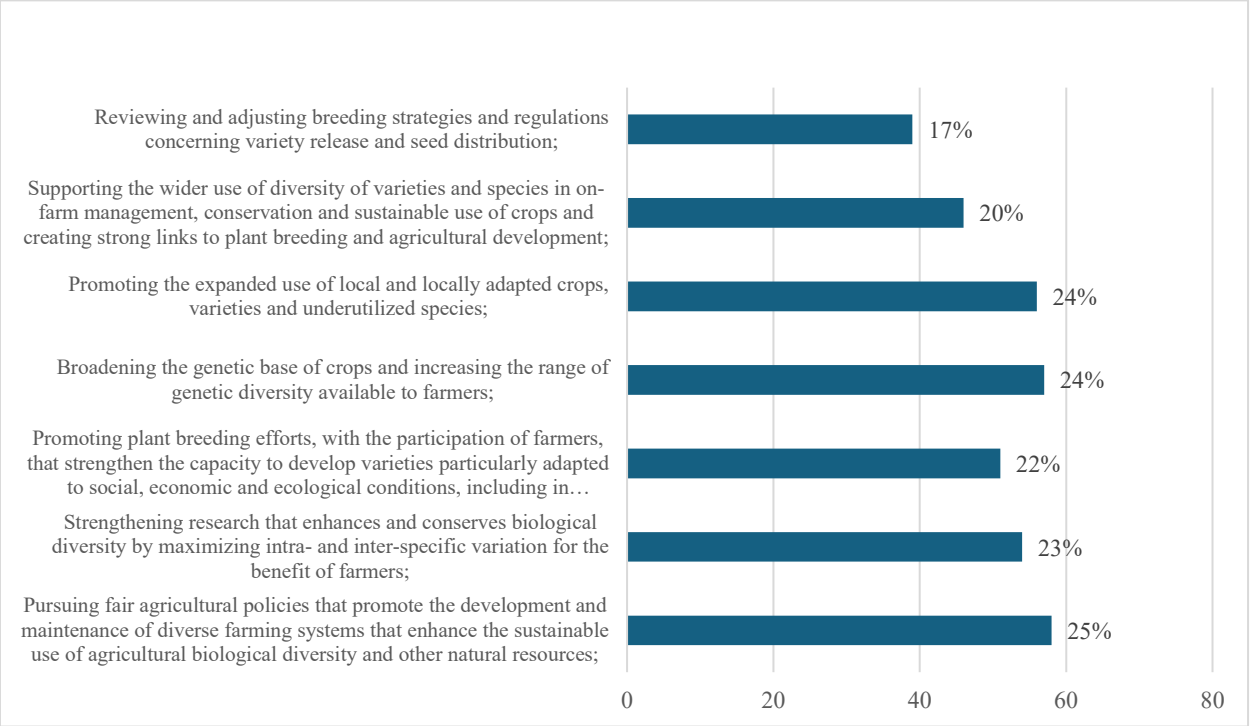
- training events,
- consultations,
- plant variety characterization, evaluation, selection and breeding,
- community seed banking,
- communal seed multiplication and distribution,
- farmers' participation in the development of country policies and laws,
- farmers' participation in multi-stakeholder platforms for market development,
- policy advocacy to promote the integration of farmers' role in the national strategy and action plan on PGR
- seed fairs at the village, district levels, and other country-wide PGRFA-related events

31. If your answer in Question 30 is 'yes', please indicate whether such policy and legal measures include:

i. Pursuing fair agricultural policies that promote the development and maintenance of diverse farming systems that enhance the sustainable use of agricultural biological diversity and other natural resources;
ii. Strengthening research that enhances and conserves biological diversity by maximizing intra- and inter-specific variation for the benefit of farmers;
iii. Promoting plant breeding efforts, with the participation of farmers, that strengthen the capacity to develop varieties particularly adapted to social, economic and ecological conditions, including in marginal areas;
iv. Broadening the genetic base of crops and increasing the range of genetic diversity available to farmers;
v. Promoting the expanded use of local and locally adapted crops, varieties and underutilized species;
vi. Supporting the wider use of diversity of varieties and species in on-farm management, conservation and sustainable use of crops and creating strong links to plant breeding and agricultural development;
vii. Reviewing and adjusting breeding strategies and regulations concerning variety release and seed distribution;
viii. Other, please specify

Figure 28 illustrates the responses to a follow-up question regarding the legal and policy measures that facilitate the participation of farmers in the sustainable use PGRFA. It is noted that only up to 25 percent of respondents have contributed inputs related to the measures addressed in the question.

Figure 28. Responses on the existence of policy and legal measures that promote participation of farmers in the sustainable use of PGRFA



Additional information on policies and legal measures as provided by respondents

Africa

Several respondents emphasized the importance of CSBs as a critical resource for accessing a variety of farmers' seeds. One respondent advocated for enhancing the capacity of sectoral actors in pest and disease management, which significantly impacts farmers' sustainable use of PGRFA. Another respondent did not specify any existing administrative, institutional, or legal measures but suggested implementing strategies that promote the sustainable use of PGRFA, involving farmers and extending beyond conventional agricultural practices.

Asia

One respondent commented that strengthening and supporting crop varietal development should be done according to specific locations and the needs of farmers.

Europe

A few of the responses provided additional information, such as policy on broadening the genetic base of crops and increasing the range of genetic diversity available to farmers, guidance about the rules and regulations on the marketing of seeds, and as part of the national strategy and national programme for the conservation of PGRFA where many relevant areas including provisioning of funding for conservation groups.

LAC

About half of the responses in the region representing the government or from the national institutions have policy and legal measures that include all the listed elements, except for the last element, which is about “reviewing and adjusting breeding strategies and regulations concerning variety release and seed distribution”. Promoting plant breeding efforts through the participation of farmers, utilizing local and locally adapted crops, varieties, and underutilized species, and supporting the broader adoption of crops, while creating strong links to plant breeding and agricultural development, are common elements among

the respondents. One country described that all propagation material of native species has the corresponding authorizations from the province and the holders of the resources.

Near East

Only two respondents in the region, representing the national government, indicated having measures as provided in the question, though not all the measures were mentioned. No other details were given.

North America

Canada promotes all the indicated measures.

CG Centres

The CG Centres, on their part, indicated that they are promoting the sustainable use of PGRFA with the involvement of farmers through the following:

- strengthening research that enhances and conserves biological diversity by maximizing intra- and inter-specific variation for the benefit of farmers;
- promoting plant breeding efforts, with the participation of farmers, that strengthen the capacity to develop varieties particularly adapted to social, economic and ecological conditions, including in marginal areas; and
- promoting the expanded use of local and locally adapted crops, varieties and underutilized species.

In addition to this, the CG Centres are also seeking to integrate the role of farmers into national strategies for the conservation and sustainable use of PGRFA, facilitate the registration of farmers' varieties, and promote the commercialization of farmers' seeds. Furthermore, they aim to promote PGRFA conservation through their use in traditional farming areas with high agricultural biodiversity.

32. In your country/or area of work, if such policy and legal measures are in place, please provide details of the measures taken and any difficulties encountered in implementing them.

Summary of the responses provided by respondents

Europe

A respondent from the region described guidance on vegetable seeds, field seeds, seeds for commercial use, and rules for trade and transfer of seeds for non-commercial use and conservation, all relating to the marketing regulations for seeds. The respondent stated no difficulties encountered. Some respondents who provided additional information noted the lack of policy and legal measures that include the items listed under Question 31. However, they mentioned their national strategy and national program as covering several of those items, such as: strengthening research that enhances and conserves biological diversity by maximizing intra- and inter-specific variation for the benefit of farmers; promoting plant breeding efforts, with the participation of farmers, that strengthen the capacity to develop varieties particularly adapted to social, economic and ecological conditions, including in marginal areas; broadening the genetic base of crops and increasing the range of genetic diversity available to farmers; and promoting the expanded use of local and locally adapted crops, varieties and underutilized species. These areas are addressed by stakeholders through their respective work or by applying for project funding. Additionally, a respondent highlighted actions promoting the *ex situ* and *in situ* conservation, characterization, collection, and utilization of genetic resources in agriculture, including web-based inventories.

LAC

In the region, some respondents identified existing policy and legal measures that are integrated into broader policies such as agricultural policies, rural development, rights of traditional communities, sustainable development, family farming, agrarian reform, environmental management, among other relevant sectors. Some respondents expressed that most of these administrative and legal measures primarily aim at rural development and agricultural production, without directly addressing the sustainable use of PGRFA.

Furthermore, some responses indicated the existence of administrative and legal measures promoting the sustainable use of PGRFA with farmer involvement. However, these measures have not been implemented, nor has the committee been established. Another respondent described the country's economic situation as negatively impacting various sectors, including support for Indigenous Peasant family agriculture and the dismantling of food-related public policies, which significantly affects initiatives historically supporting family and community agriculture, including long-standing programs promoting food security and sovereignty through agricultural production and access to healthy products. One respondent mentioned that their new regulations governing access to genetic resources, developed in alignment with the Nagoya Protocol of the CBD and with external funding, cover relevant areas. Nonetheless, there remain legal gaps concerning TK associated with PGRFA. Another respondent provided information via a link to the national institution's website, which includes comprehensive details on policies, committees, services related to seeds, and serves as a platform for communication.

Near East

Several respondents identified key challenges, including: (i) the absence of legal measures that recognize the essential role of farmers in the conservation and sustainable use of PGRFA (ii) delays in the legislative approval process, (iii) a lack of awareness among policymakers about the importance of PGR conservation for food security, (iv) inadequate policy and legal support for enhancing the marketing of farmers' varieties, and (v) limited financial resources to support activities geared towards protecting and promoting Farmers' Rights.

VI. Gaps and needs with regard to the realization of Farmers' Rights

33. Based on your knowledge and experience, what do you see as major gaps and needs to the realization of Farmers' Rights? Please check all that apply.

For this question, gaps and needs are classified into three broad categories: (i) policy and legal measures and institutional support; (ii) technical knowledge and awareness; and (iii) financial and incentive support. Categories (i) and (ii) include a list of potential gaps that respondents can select based on their knowledge and experience.

Figures 29.1 to 29.3 illustrate the gaps and needs to the realization of Farmers' Rights, as indicated by respondents.

In addition, some respondents have provided additional gaps and needs to the realization of Farmers' Rights.

Figure 29.1 Responses on major gaps and needs to the realization of Farmers' Rights: policy and legal measures and institutional support.

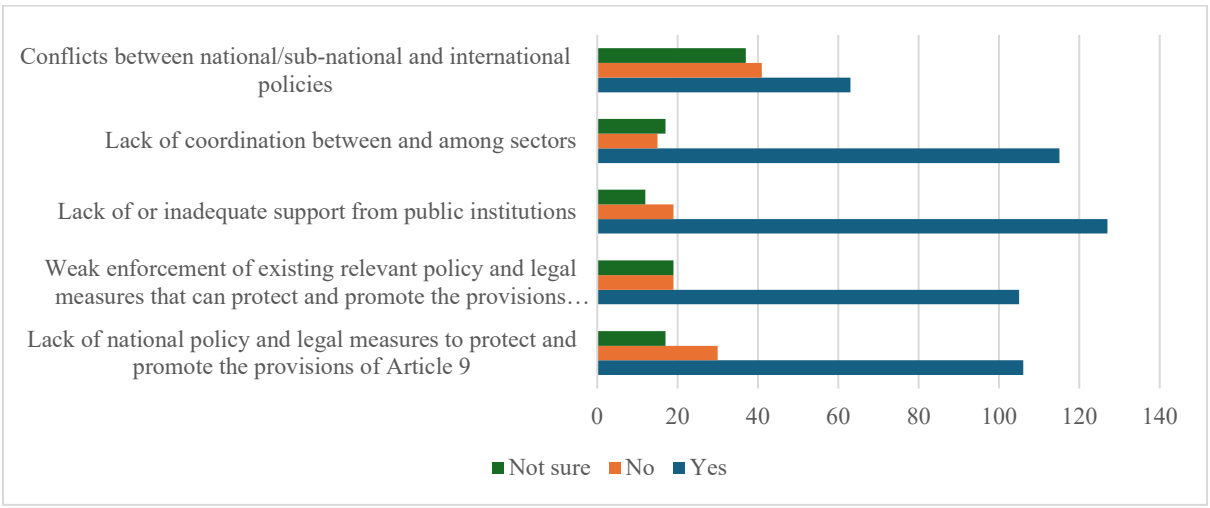


Figure 29.2 Responses on major gaps and needs to the realization of Farmers' Rights: technical, knowledge and awareness

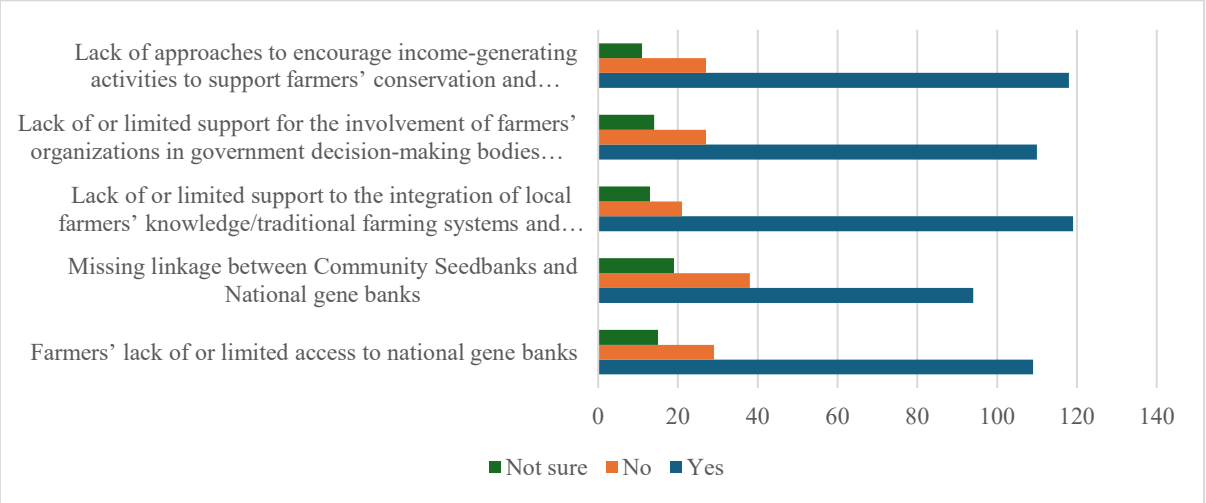
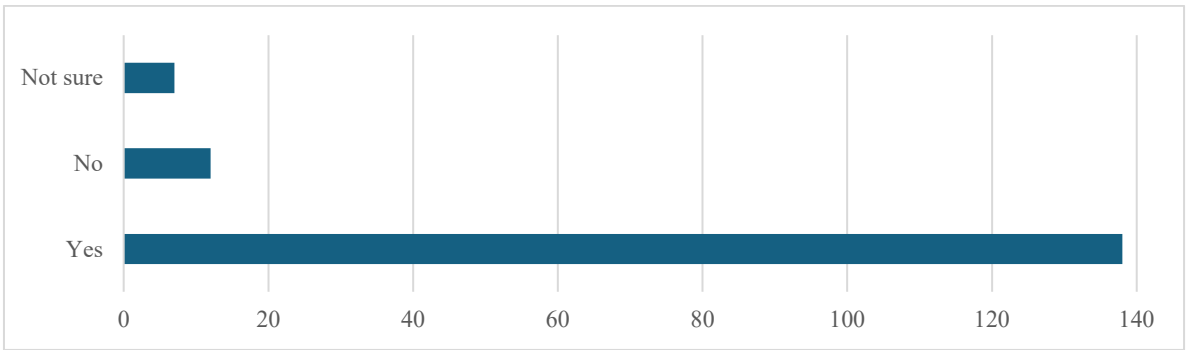


Figure 29.3 Responses on major gaps and needs to the realization of Farmers' Rights: financial and incentive support



Additional gaps and needs identified by respondents

- Conflicts between national/sub-national and international policies
- Lack of or limited financial assistance to support farmers' activities contributing to the conservation and sustainable use of PGRFA
- Farmers' Rights are disconnected from the broader policies

- Farmers' Rights are threatened by circumstances that are not directly related to PGRFA conservation and sustainable use, such as uncertain land tenure rights, non-existence of food markets, social conflicts and terrorism, climate change, and others.

VII. Prospects and plans for further implementation of Farmers' Rights

34. Can you tell us about you or your organization's prospects and plans to protect and promote Farmers' Rights?

The survey included three broad categories of possible prospects and future plans for further implementation of Farmers' Rights. The three categories of possible prospects included:

(i) Awareness raising, outreaching and communication

- Promote recognition of local and Indigenous communities and farmers' contributions to the conservation and sustainable use of PGRFA, such as awards and recognition of custodian/guardian farmers
- Support farmers' participation in decision-making at local, national and sub-regional, regional, and international levels

- Promote annual events to raise awareness of the importance of PGRFA and the role of farmers in the conservation and sustainable use of crop genetic diversity
- Encourage sharing and dissemination of measures and practices and submission to the *Inventory*
- *Use, promote, and disseminate the Options for encouraging, guiding, and promoting the realization of Farmers' Rights as set out in Article 9 of the International Treaty*
- Organize global, regional, national and local/community sharing of experiences, practices and lessons learned

(ii) Capacity development, training, and technical cooperation

- Promote regional exchanges on practical implementation of Farmers' Rights and the relevance of South-South cooperation, North-South cooperation
- Conduct training, capacity development and awareness raising on new themes/topics that can protect and promote Farmers' Rights as set out in Article 9, such as: PGRFA data management and governance, fairness in research partnerships, impact of new technologies on Farmers' Rights, implementation of human rights instruments and declarations
- Local/National/Regional programmes/projects encouraging partnerships/strengthening cooperation among different actors to engage in South-South Cooperation

(iii) National implementation of Farmers' Rights.

- Raise awareness and build capacity among farmers, policymakers, institutions, and stakeholders on the implementation of Farmers' Rights.
- Encourage collaboration and coordination across various sectors (such as agriculture, environment, education, rural development, trade/commerce/enterprise, and other relevant sectors) to protect and promote the implementation of the different provisions of Article 9.
- Review national measures that affect the realization of Farmers' Rights, in particular legislation concerning variety release and seed distribution, to protect, promote and realize Farmers' Rights, as set out in Article 9 of the International Treaty, as appropriate and subject to national legislation
- Promote sustainable biodiverse production systems and facilitate participatory approaches such as community seed banks, community biodiversity registries, participatory plant breeding and seed fairs, including providing legal recognition of such approaches as tools for realizing Farmers' Rights

More or less of the respondents have provided positive feedback on the list of prospects and plans. Some respondents have indicated varying preferences both within the country and across different regions. For instance, one region expressed positive feedback on activities related to awareness raising, outreach, and communication, as well as initiatives aimed at promoting recognition of local and Indigenous communities and the contributions of farmers to the conservation and sustainable use of PGRFA, including the national implementation of Farmers' Rights. In contrast, other respondents have skipped the question, with some indicating that additional action was unnecessary as Farmers' Rights are already addressed in the national strategy/action plan for the conservation and sustainable use of PGRFA. The responses gathered on the three broad categories of prospects and plans for further implementation of Farmers' Rights are presented in Figures 30.1 to 30.3.

In addition to the list of prospects and plans, some respondents have provided further prospects and plans. Other responses have included comments stating that their input was not reflective of their own needs but rather considered the needs of other countries, specifically developing countries.

Figure 30.1 Responses received regarding prospects and plans: awareness raising, outreaching and communication

Figure 30.2 Responses received regarding prospects and plans: capacity development, training, and technical cooperation

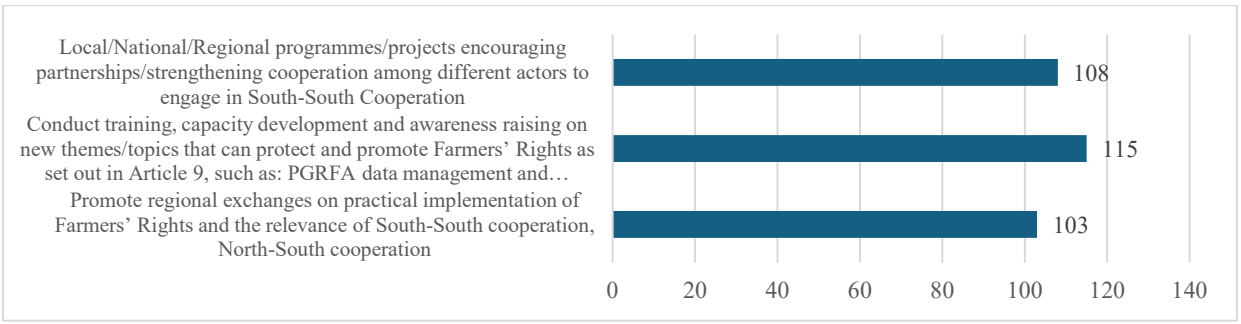
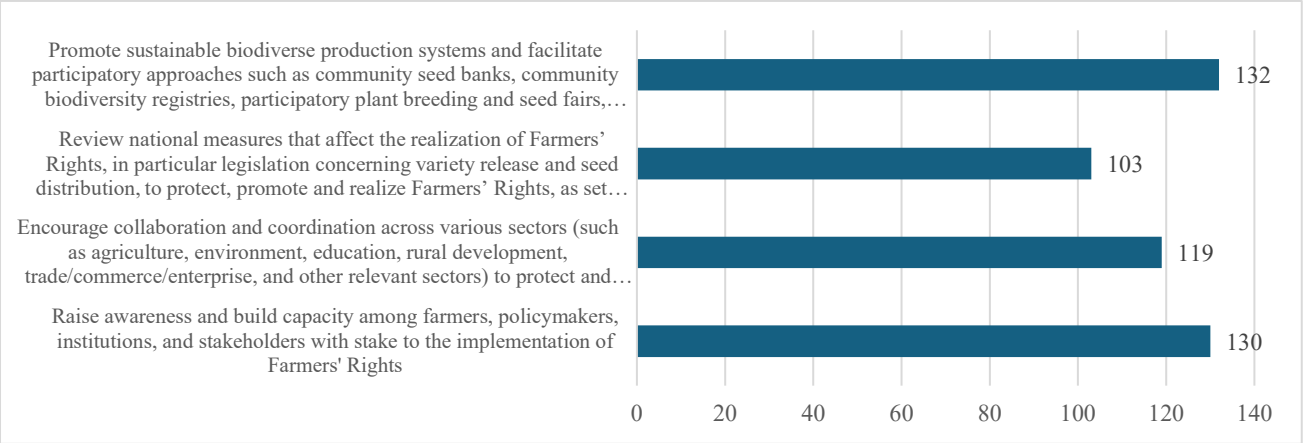


Figure 30.3 Responses received regarding prospects and plans: national implementation of Farmers' Rights



Additional activities suggested by respondents are as follows, listed in no particular order:

Support through Programs and Projects

- Continue to support the implementation of Farmers' Rights through programmes and projects at local, national, regional, and global levels

Rights-Based Approaches

- Support for rights-based approaches such as the United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas (UNDROP), which includes the right to seeds and contributes to the implementation of Article 9 of the International Treaty

Access to High-Quality Seeds

- Continue to highlight the importance of ensuring the availability of high-quality seeds of improved varieties, and promote access to seeds of choice and good quality to prevent crop failures and enhance economic benefits

National Programme/Strategies on PGR

- Review and monitoring of national programmes and strategies on PGR, which inherently include several principles or activities related to Farmers' Rights. It also suggests further developing the framework conditions for placing seed and propagating material on the market, considering the impacts on on-farm management

Knowledge Sharing, Education, and Awareness

- Promote knowledge sharing on the cultivation and propagation of landraces, including plant health aspects and regulations on seed exchange
- Supports organizations that promote education and raise awareness on PGR

Strengthen Farmers' Rights

- Strengthen and support Farmers' Rights to use and sell self-bred seeds and livestock within relevant areas, and ensure these rights are reflected in regulations, and actively participate in discussions and development of international agreements related to this matter.

VIII. Conclusions

The multistakeholder survey results presented in this document provide valuable information and insights on the implementation of Article 9 of the International Treaty in various regions. The survey gathered responses from Contracting Parties and various stakeholders across all seven regions.

A significant majority of respondents indicated substantial engagement in the issue of protecting and promoting Farmers' Rights, with over half indicating that their engagement in this topic has been for more than a decade.

Most respondents, regardless of the region or country to which they belong, indicated awareness of Article 9 and its provisions. Additionally, more than half were familiar with the Inventory, and nearly half were aware of the Options. Regarding the measures, experiences, and lessons learned from implementing Farmers' Rights, respondents shared knowledge and detailed the information they possessed about the national measures, policies, institutional frameworks, financial assistance, and technical support and capacity development activities in their countries or areas of work, particularly at the local and national levels.

Respondents shared their knowledge and experiences from their respective countries/or areas of work in the implementations of measures. This includes lessons learned from implementing the different provisions of Farmers' Rights:

- Article 9.1 recognition of the enormous contribution that local and indigenous communities and farmers of all regions of the world have made and will continue to make for the conservation and development of plant genetic resources;
- Article 9.2.a protection of traditional knowledge relevant to plant genetic resources for food and agriculture;
- Article 9.2.b the right to equitably participate in sharing benefits arising from the utilization of plant genetic resources for food and agriculture;
- Article 9.2.c the right to participate in making decisions, at national level, on matters related to the conservation and sustainable use of plant genetic resources for food and agriculture;
- Article 9.3 the right that farmers have to save, use, exchange and sell farm-saved seed/propagating material, subject to national law and as appropriate.

Around half of the respondents indicated that there are factors that may limit the realization of these rights, such as the lack of enabling legal and policy frameworks, insufficient awareness of the importance of PGRFA, and the need to enhance understanding of Farmers' Rights. Respondents also mentioned several gaps and needs, including the need for sustained financial resources. Some respondents cited gender-related issues as challenges, with traditional norms and limited access to resources impacting women's participation in agriculture.

Furthermore, the survey provided valuable insights and gathered additional ideas for the prospects and plans for further implementing Farmers' Rights.

All these results have been incorporated into the Draft Assessment of the State of Implementation of Article 9 of the International Treaty.

Food and Agriculture Organization of the United Nations

International Treaty on Plant Genetic Resources for Food and Agriculture

Multistakeholder Survey on the State of Implementation of Article 9 of the International Treaty

Introduction

Farmers play a central role in feeding the world by producing the food we rely on for our sustenance and survival, as well as contributing to the conservation and sustainable use of crop genetic resources for food and agriculture. Consequently, recognizing, protecting and promoting their rights, as developers and custodians of crop diversity in the field, and rewarding their contribution to crop genetic diversity is essential to ensuring global food security, and addressing biodiversity loss and climate change.

The International Treaty on Plant Genetic Resources for Food and Agriculture (International Treaty, or ITPGRFA), in its Preamble, reaffirms that "the past, present and future contributions of farmers in all regions of the world, particularly those in centres of origin and diversity, in conserving, improving and making available these resources, is the basis of Farmers' Rights", and that the right to save, use, exchange, and sell farm-saved seeds and propagating material, inter alia, are fundamental to the realization of these rights. Article 9 of the Treaty provides an indicative set of measures for protecting and promoting these rights, including the protection of traditional knowledge relevant to crop genetic resources, the right to participate equitably in sharing benefits arising from the use of crop genetic resources, and the right to participate in decision-making at national level on matters related to the conservation and sustainable use of crop genetic resources. Article 9 further stipulates that the responsibility for implementing Farmers' Rights rests with the national governments. Article 9 is linked with other provisions, including Articles 5 and 6, which address conservation and sustainable use, along with other ongoing processes under the International Treaty. As such, it is essential to consider Article 9 within this broader context rather than in isolation.

At its Ninth Session, the Governing Body "requested the Secretary, subject to the availability of financial resources, to make an assessment of the state of implementation of Article 9 of the International Treaty and to present criteria and an outline of the assessment at its Tenth Session and the full report at its Eleventh Session; such assessment should be based on the compliance reports and submissions in the Inventory as well as on other relevant information".

The Governing Body also decided to reconvene the Ad Hoc Technical Expert Group on Farmers' Rights (AHTEG-FR), inter alia, "to review and agree to the outline for the assessment of the state of implementation of Article 9 of the International Treaty". Following this mandate, the Expert Group discussed and agreed on the outline for the assessment of the implementation of Article 9 of the International Treaty (the Assessment). The methodology involves conducting a survey among Contracting Parties and interested stakeholders across all regions.

Objectives of the survey

This survey aims to engage all Contracting Parties and interested stakeholders in gathering comprehensive information regarding the state of implementation of Article 9 of the International Treaty.
The survey results will supplement existing data from national reports and literature reviews, forming a basis for the Assessment.
The draft Assessment will be presented at the sixth meeting of the AHTEG-FR, prior to the submission to the Governing Body, for consideration, at its Eleventh Session in November 2025.

The Questionnaire

The survey questionnaire includes the Respondent's personal data, which will be kept confidential and secure in FAO's information management systems, and will not be disclosed or reflected in the Report or in any public document. The questionnaire is structured following the provisions of Article 9. It encompasses:

- the measures that have been introduced, the experiences and lessons learned
- the measures/factors limiting the implementation of Farmers' Rights
- supplementary information related to these rights
- identified gaps and needs
- prospects and plans for the implementation of Farmers' Rights.

Food and Agriculture Organization of the United Nations

International Treaty on Plant Genetic Resources for Food and Agriculture

Multistakeholder Survey on the State of Implementation of Article 9 of the International Treaty

I. Information about the Respondent/s

Name and Surname

Position

Organization/Affiliation

Country

Region

Email

Email address

The Secretariat will maintain the privacy and confidentiality of the respondent's information in accordance with the FAO Data and Privacy Notice. Do you agree that we:

- [ ] use your answers as input for the Assessment Report
- [ ] contact you for further information, if needed

Please select the type of organization you are either employed by or affiliated with:

- ◯ Public / Government organization/institution
- ◯ Intergovernmental Organizations/UN Bodies
- ◯ CGIAR Research Centers
- ◯ Farmers' Organization
- ◯ Indigenous Peoples and local communities
- ◯ Civil society organization (CSO)*
- ◯ Academic and Research Institution
- ◯ Seed Industry/Private sector
- ◯ Other, please specify:

*FAO considers CSO as non-state actors that fit within three categories:

1. Member-based organizations (MBOs);
2. Non-governmental organizations (NGOs); and
3. Social movements (SMs) that work in areas related to FAO's mandate.

Source: https://www.fao.org/4/i3443e/i3443e.pdf

In which capacity are you filling out this Survey Questionnaire?

- ◯ National Focal Point of the International Treaty
- ◯ Personal capacity
- ◯ On behalf of a group/institution
- ◯ As a representative of an institution

Please indicate at which geographical scale your organization operates:

- ◯ Community/local
- ◯ National
- ◯ Regional
- ◯ International
- ◯ Other, please specify:

Please select the country where your organization is based:

How long have you been involved in issues related to protecting and promoting Farmers' Rights?

- ◯ Less than 1 year
- ◯ 1 to 5 years
- ◯ 5 to 10 years
- ◯ 10 to 15 years
- ◯ More than 15 years

Food and Agriculture Organization of the United Nations

International Treaty on Plant Genetic Resources for Food and Agriculture

Multistakeholder Survey on the State of Implementation of Article 9 of the International Treaty

II. Knowledge of Farmers' Rights as set out in Article 9 of the International Treaty

1. Are you aware of the different provisions of Article 9, Farmers' Rights under the International Treaty?

	Yes	No	Somewhat
Article 9.1 Recognition of the enormous contribution that local and Indigenous communities and farmers of all regions of the world have made and will continue to make for the conservation and development of plant genetic resources	◯	◯	◯
Article 9.2 (a) Protection of traditional knowledge relevant to plant genetic resources for food and agriculture	◯	◯	◯
Article 9.2 (b) The right to equitably participate in sharing benefits arising from the utilization of plant genetic resources for food and agriculture	◯	◯	◯
Article 9.2 (c)			

The right to participate in making decisions, at national level, on matters related to the conservation and sustainable use of plant genetic resources for food and agriculture	◯	◯	◯
Article 9.3 The right that farmers have to save, use, exchange and sell farm-saved seed/propagating material, subject to national law and as appropriate	◯	◯	◯

2. Are you aware of the Inventory of national measures, best practices, and lessons learned from the realization of Farmers' Rights, as set out in Article 9 of the International Treaty? (This is a catalogue of actual measures and practices for implementing Farmers' Rights.)

◯ Yes

◯ No

3. If your answer in Question 2 is Yes, have you accessed or contributed to the Inventory of national measures, best practices, and lessons learned from the realization of Farmers' Rights, as set out in Article 9 of the International Treaty?

◯ Yes

◯ No

4. Are you aware of the Options for encouraging, guiding, and promoting the realization of Farmers' Rights as set out in Article 9 of the International Treaty? (It is a document containing numerous options based on actual measures, best practices, and experiences of the Contracting Parties and stakeholders from across the globe.)

◯ Yes

◯ No

5. If your answer in Question 4 is Yes, have you accessed the Options for encouraging, guiding, and promoting the realization of Farmers' Rights as set out in Article 9 of the International Treaty?

- ◯ Yes
- ◯ No

Food and Agriculture Organization of the United Nations

International Treaty on Plant Genetic Resources for Food and Agriculture

Multistakeholder Survey on the State of Implementation of Article 9 of the International Treaty

III. Measures, Experiences, and Lessons Learned from the Implementation of Farmers' Rights*

* Measures can be administrative, technical, legal or other initiatives aiming to protect and promote the realization of Farmers' Rights. For more information of the types of measures, please click here.

6. To the best of your knowledge, in your country/or area of work, have any measures been introduced/applied to recognize the enormous contribution that local and Indigenous communities and farmers of all regions of the world have made and will continue to make for the conservation and development of plant genetic resources?

- ◯ Yes
- ◯ No
- ◯ Don't know

7. If your answer in Question 6 is Yes, please refer to the type of measures below.

	Tick, as appropriate	Local (Scope of implementation)	National (Scope of implementation)	Regional (Scope of implementation)	Global (Scope of implementation)
Through **initiatives/programmes/project** activities supporting farmers and farming communities to develop, manage, conserve and sustainably use PGRFA.	◯	◯	◯	◯	◯

Please specify

Please tick one box as appropriate.

	Tick, as appropriate	Local (Scope of implementation)	National (Scope of implementation)	Regional (Scope of implementation)	Global (Scope of implementation)
Through **administrative measures** such as executive orders, ministerial directives, inter-ministerial collaborations, departmental instructions, circulars, memoranda, awards and recognition, as well as the establishment of protocols, codes, and guidelines to support farmers in the conservation and sustainable use of plant genetic resources for food and agriculture (PGRFA).	○	○	○	○	○

Please specify

Please tick one box as appropriate.

	Tick, as appropriate	Local (Scope of implementation)	National (Scope of implementation)	Regional (Scope of implementation)	Global (Scope of implementation)
Through **policy and legal measures** such as national and/or regional laws, policies and any other legal instruments (act, law, bill, ordinance, etc.)	○	○	○	○	○

Please specify

Please tick one box as appropriate.

	Tick, as appropriate	Local (Scope of implementation)	National (Scope of implementation)	Regional (Scope of implementation)	Global (Scope of implementation)
Through **financial assistance** to support farmers and communities' participation in meetings/trainings/workshops relevant to PGRFA	◯	◯	◯	◯	◯

Please specify

Other, please specify

8. If your answer in Question 6 is Yes, please describe your experiences and lessons learned in relation to the measures.

9. To the best of your knowledge, in your country/or area of work, have any measures been introduced/applied to protect and promote traditional knowledge relevant to PGRFA?

- ◯ Yes
- ◯ No
- ◯ I don't know

10. If your answer in Question 9 is Yes, please refer to the type of measures that have been introduced. You may tick more than one as appropriate.

	Tick, as appropriate	Local (Scope of Implementation)	National (Scope of Implementation)	Regional (Scope of Implementation)	Global (Scope of Implementation)
Promote catalogues, registration of knowledge systems, and other forms of documentation of traditional knowledge related to PGRFA	☐	☐	☐	☐	☐

Promote recognition

of traditional agricultural systems, biodiversity sites, and other sites of cultural values and associated knowledge systems as a way to protect traditional knowledge	☐	☐	☐	☐	☐
Through policy, legal, or administrative measures ensuring the protection of traditional knowledge	☐	☐	☐	☐	☐
Encouraging the sharing of traditional knowledge, innovations, and practices through, inter alia, cross-visitations, seed fairs, and local markets and between farmers and researchers/scientists	☐	☐	☐	☐	☐
Promote Geographical Indication Protection, Denomination of Origin, Collective or Certification Marks, and other food crop product labeling system	☐	☐	☐	☐	☐
Increasing awareness among farmers and relevant stakeholders of the importance and value of traditional knowledge for the conservation and sustainable use of PGRFA	☐	☐	☐	☐	☐

Other, please specify

11. If your answer in Question 9 is Yes, please describe your experiences and lessons learned in implementing these measures.

12. In your country/or in your area of work, do you know of any cases of misappropriation or misuse of traditional knowledge relevant to PGRFA?

- ◯ Yes
- ◯ No
- ◯ I don't know

13. If your answer in Question 12 is Yes, please briefly describe the case and any action undertaken against the misappropriation.

14. To the best of your knowledge, in your country or area of work, have any measures been introduced/applied for farmers to equitably participate in sharing benefits arising from the utilization of PGRFA?

- ◯ Yes
- ◯ No
- ◯ I don't know

15. If your answer in Question 14 is Yes, please refer to the type of measures that have been introduced. You may tick more than one as appropriate.

	Tick, as appropriate	Local (Scope of Implementation)	National (Scope of Implementation)	Regional (Scope of Implementation)	Global (Scope of Implementation)
Access to and transfer of technologies	☐	☐	☐	☐	☐

Please specify

You may tick more than one as appropriate.

	Tick, as appropriate	Local (Scope of Implementation)	National (Scope of Implementation)	Regional (Scope of Implementation)	Global (Scope of Implementation)
Access to information, for example catalogues and inventories, information on technologies and results of technical, scientific and socio-economic research on PGRFA including data on characterization, evaluation and information on use	☐	☐	☐	☐	☐

Please specify

You may tick more than one as appropriate.

	Tick, as appropriate	Local (Scope of Implementation)	National (Scope of Implementation)	Regional (Scope of Implementation)	Global (Scope of Implementation)
Capacity building, for example participatory approaches to research on PGRFA, participation of farmers in scientific education and training in conservation and use of PGRFA	☐	☐	☐	☐	☐

Please specify

You may tick more than one as appropriate.

	Tick, as appropriate	Local (Scope of Implementation)	National (Scope of Implementation)	Regional (Scope of Implementation)	Global (Scope of Implementation)
Financial contribution to the International Treaty's Benefit-sharing Fund (BSF)	☐	☐	☐	☐	☐

Please specify

You may tick more than one as appropriate.

	Tick, as appropriate	Local (Scope of Implementation)	National (Scope of Implementation)	Regional (Scope of Implementation)	Global (Scope of Implementation)
Through financial support, incentives, or national funds	☐	☐	☐	☐	☐

Please specify

Other, please specify

16. If your answer in Question 14 is Yes, please describe your experiences and lessons learned in implementing these measures.

17. To the best of your knowledge, in your country /or area of work, have any measures been introduced for farmers to participate in making decisions, at the national level, on matters related to the conservation and sustainable use of PGRFA?

- ◯ Yes
- ◯ No
- ◯ I don't know

18. If your answer in Question 17 is Yes, please refer to the type of measures below that describe the measures have been introduced. You may tick more than one as appropriate.

	Tick, as appropriate	Local (Scope of Implementation)	National (Scope of Implementation)	Regional (Scope of Implementation)	Global (Scope of Implementation)
Participation and representation of farmers is covered by administrative, policy and legal measures (e.g. farmer representation in technical committees related to PGRFA)	☐	☐	☐	☐	☐

Please specify

You may tick more than one as appropriate.

	Tick, as appropriate	Local (Scope of Implementation)	National (Scope of Implementation)	Regional (Scope of Implementation)	Global (Scope of Implementation)
Financial assistance to support farmers' participation in national, regional and international meetings related to PGRFA	☐	☐	☐	☐	☐

Please specify

19. If your answer in Question 17 is Yes, please describe your experiences and lessons learned in implementing these measures.

20. To the best of your knowledge, in your country/or area of work, have any measures been introduced/applied for the rights that farmers have to save, use, exchange and sell farm-saved seed/propagating material, subject to national law and as appropriate?

- ◯ Yes
- ◯ No
- ◯ I don't know

21. If your answer in Question 20 is Yes, please refer to the type of measures below that describe the measures you have introduced. You may tick more than one as appropriate.

	Tick, as appropriate	Local (Scope of Implementation)	National (Scope of Implementation)	Regional (Scope of Implementation)	Global (Scope of Implementation)
Through **initiatives/programmes/project activities,** for example supporting farmer-led seed systems / farmer managed seed system, community seedbanks, seed fairs, and other farmer to farmer traditional seed exchange practices	☐	☐	☐	☐	☐

Please specify

You may tick more than one as appropriate.

	Tick, as appropriate	Local (Scope of Implementation)	National (Scope of Implementation)	Regional (Scope of Implementation)	Global (Scope of Implementation)
Through **administrative measures** such as executive orders, ministerial, inter-ministerial, departmental instructions/circulars/memoranda, the establishment of protocols, codes, guidelines, etc., to support farmers' conservation and sustainable use of PGRFA	☐	☐	☐	☐	☐

Please specify

You may tick more than one as appropriate.

	Tick, as appropriate	Local (Scope of Implementation)	National (Scope of Implementation)	Regional (Scope of Implementation)	Global (Scope of Implementation)
Through **policy and legal measures** such as national/regional laws, policies and any other legal instruments (act, law, bill, ordinance, etc.)	☐	☐	☐	☐	☐

Please specify

You may tick more than one as appropriate.

	Tick, as appropriate	Local (Scope of Implementation)	National (Scope of Implementation)	Regional (Scope of Implementation)	Global (Scope of Implementation)
Through **Financial assistance**	☐	☐	☐	☐	☐

Please specify

Other, please specify

22. If your answer in Question 20 is Yes, please describe your experiences and lessons learned in implementing these measures.

23. In your country/or area of work, do you know if there has been any case where farmers have been taken to court, fined or otherwise sanctioned for saving, exchanging and/or selling seed/propagating material of varieties protected with plant breeder's rights or patents?

- ◯ Yes
- ◯ No
- ◯ I don't know

24. If your answer in Question 23 is Yes, please briefly describe the situation, where it occurred, and the final outcome. If the details are not sufficient in this space, please send it to PGRFA-Treaty@fao.org

Food and Agriculture Organization of the United Nations

International Treaty on Plant Genetic Resources for Food and Agriculture

Multistakeholder Survey on the State of Implementation of Article 9 of the International Treaty

IV. Measures limiting the realization of Farmers' Rights*

* Limitation as in limit, restriction or constraints. Constraints are limitations or restrictions that cannot be easily changed or removed. While challenges may require problem-solving and strategic thinking to navigate, constraints may require adaptation and compromise to work within their limitations. Both challenges and constraints can present opportunities for growth and innovation, but they require different approaches to address effectively. Sources: Challenges vs. Constraints and Limitation

25. Based on your knowledge and experiences, are there measures or factors limiting the realization of Farmers' Rights? Please answer (a) to (e)

a) Recognition of the enormous contribution that local and Indigenous communities and farmers of all regions of the world have made and will continue to make for the conservation and development of PGRFA

- ◯ Yes
- ◯ No
- ◯ I don't know

b) Protection of traditional knowledge relevant to PGRFA

- ◯ Yes
- ◯ No
- ◯ I don't know

c) The right to equitably participate in sharing benefits arising from the utilization of PGRFA

- ◯ Yes
- ◯ No
- ◯ I don't know

d) The right to participate in making decisions, at national level, on matters related to the conservation and sustainable use of PGRFA

- ◯ Yes
- ◯ No
- ◯ I don't know

e) The right that farmers have to save, use, exchange and sell farm-saved seed/propagating material, subject to national law and as appropriate

- ◯ Yes
- ◯ No
- ◯ I don't know

26. To the best of your knowledge, are there gender-related factors that may limit the realization of Farmers' Rights?

- ◯ Yes
- ◯ No
- ◯ I don't know

If Yes, please describe the major limitations

Food and Agriculture Organization of the United Nations

International Treaty on Plant Genetic Resources for Food and Agriculture

Multistakeholder Survey on the State of Implementation of Article 9 of the International Treaty

V. Supplementary Information related to the Implementation of Farmers' Rights

27. In your country/or area of work, has in situ conservation of wild crop relatives (CWR) and wild plants for food production been promoted?

- ◯ Yes
- ◯ No

28. If your answer in Question 27 is Yes, please specify the measures promoted. You may tick more than one as appropriate.

	Tick, as appropriate	Local (Scope of Implementation)	National (Scope of Implementation)	Regional (Scope of Implementation)	Global (Scope of Implementation)
Promote in situ conservation of CWR in protected areas, botanical gardens, biodiversity conservation areas and other designated sites	☐	☐	☐	☐	☐
Promote inventory and documentation of CWR and wild food plants	☐	☐	☐	☐	☐
Promote awareness raising on the importance of and threat to CWR and wild food plants	☐	☐	☐	☐	☐
Support the efforts of Indigenous and local communities to conserve and sustainably use CWR and wild food plants	☐	☐	☐	☐	☐

Other, please specify

29. In your country/or area of work, have farmers and local communities' efforts to manage and conserve on-farm their plant genetic resources for food and agriculture been promoted or supported?

- ◯ Yes
- ◯ No
- ◯ I don't know

If Yes, please describe

30. In your country/or area of work, are there government administrative measures, institutional policies and, legal measures in place that promote the sustainable use of PGRFA with the involvement of farmers?

- ◯ Yes
- ◯ No
- ◯ I don't know

If Yes, please describe

31. If your answer in Question 30 is 'yes', please indicate whether such policy and legal measures include:

- [ ] Pursuing fair agricultural policies that promote the development and maintenance of diverse farming systems that enhance the sustainable use of agricultural biological diversity and other natural resources;
- [ ] Strengthening research that enhances and conserves biological diversity by maximizing intra- and inter-specific variation for the benefit of farmers;
- [ ] Promoting plant breeding efforts, with the participation of farmers, that strengthen the capacity to develop varieties particularly adapted to social, economic and ecological conditions, including in marginal areas;
- [ ] Broadening the genetic base of crops and increasing the range of genetic diversity available to farmers;
- [ ] Promoting the expanded use of local and locally adapted crops, varieties and underutilized species;
- [ ] Supporting the wider use of diversity of varieties and species in on-farm management, conservation and sustainable use of crops and creating strong links to plant breeding and agricultural development;
- [ ] Reviewing and adjusting breeding strategies and regulations concerning variety release and seed distribution;
- [ ] Other, please specify

32. In your country/or area of work, if such policy and legal measures are in place, please provide details of the measures taken and any difficulties encountered in implementing them.

Food and Agriculture Organization of the United Nations

International Treaty on Plant Genetic Resources for Food and Agriculture

Multistakeholder Survey on the State of Implementation of Article 9 of the International Treaty

VI. Gaps and needs with regard to the realization of Farmers' Rights

33. Based on your knowledge and experience, what do you see as major gaps and needs to the realization of Farmers' Rights? Please check all that apply.

Policy and legal measures and Institutional Support

	Yes	No	Not sure
Lack of national policy and legal measures to protect and promote the provisions of Article 9	☐	☐	☐
Weak enforcement of existing relevant policy and legal measures that can protect and promote the provisions of Article 9	☐	☐	☐
Lack of or inadequate support from public institutions	☐	☐	☐
Lack of coordination between and among sectors	☐	☐	☐
Conflicts between national/sub-national and international policies	☐	☐	☐

Please cite examples

Other, please specify

Technical, Knowledge and Awareness

	Yes	No	Not sure
Farmers' lack of or limited access to national gene banks	☐	☐	☐
Missing linkage between Community Seedbanks and National gene banks	☐	☐	☐
Lack of or limited support to the integration of local farmers' knowledge/traditional farming systems and practices into PGRFA research and breeding projects/programmes	☐	☐	☐
Lack of or limited support for the involvement of farmers' organizations in government decision-making bodies related to PGRFA	☐	☐	☐
Lack of approaches to encourage income-generating activities to support farmers' conservation and sustainable use of PGRFA, such as value chain development, market development etc.	☐	☐	☐

Other, please specify

Financial and incentive support

	Yes	No	Not sure
Lack of or limited financial assistance to support farmers' activities contributing to the conservation and sustainable use of PGRFA	☐	☐	☐

Other, please specify

Any other important gaps and needs? Please specify

Food and Agriculture Organization of the United Nations

International Treaty on Plant Genetic Resources for Food and Agriculture

Multistakeholder Survey on the State of Implementation of Article 9 of the International Treaty

VII. Prospects and plans for further implementation of Farmers' Rights

34. Can you tell us about your or your organization's prospects and plans to protect and promote Farmers' Rights?

Examples of prospects and plans are provided below. If this is something that aligns with your prospects and plans, you may tick it, or please share your prospects and plans in the space provided.

(i) Awareness raising, outreaching and communication

	Tick as appropriate
Promote recognition of local and Indigenous communities and farmers' contributions to the conservation and sustainable use of PGRFA, such as awards and recognition of custodian/guardian farmers	☐
Support farmers' participation in decision-making at local, national and sub-regional, regional, and international levels	☐
Promote annual events to raise awareness of the importance of PGRFA and the role of farmers in the conservation and sustainable use of crop genetic diversity	☐
Encourage sharing	

and dissemination of measures and practices and submission to the Inventory	☐
Use, promote, and disseminate the Options for encouraging, guiding, and promoting the realization of Farmers' Rights as set out in Article 9 of the International Treaty	☐
Organize global, regional, national and local/community sharing of experiences, practices and lessons learned	☐

(ii) Capacity development, training, and technical cooperation

	Tick as appropriate
Promote regional exchanges on practical implementation of Farmers' Rights and the relevance of South-South cooperation, North-South cooperation	☐
Conduct training, capacity development and awareness raising on new themes/topics that can protect and promote Farmers' Rights as set out in Article 9, such as: PGRFA data management and governance, fairness in research partnerships, impact of new technologies on Farmers' Rights, implementation of human rights instruments and declarations	☐
Local/National/Regional programmes/projects encouraging partnerships/strengthening cooperation among different actors to engage in South-South Cooperation	☐

(iii) National implementation of Farmers' Rights

	Tick as appropriate
Raise awareness and build capacity among farmers, policymakers, institutions, and stakeholders with stake to the implementation of Farmers' Rights.	☐
Encourage collaboration and coordination across various sectors (such as agriculture, environment, education, rural development, trade/commerce/enterprise, and other relevant sectors) to protect and promote the implementation of the different provisions of Article 9.	☐
Review national measures that affect the realization of Farmers' Rights, in particular legislation concerning variety release and seed distribution, to protect, promote and realize Farmers' Rights, as set out in Article 9 of the International Treaty, as appropriate and subject to national legislation	☐
Promote sustainable biodiverse production systems and facilitate participatory approaches such as community seed banks, community biodiversity registries, participatory plant breeding and seed fairs, including to provide legal recognition of such approaches as tools for realizing Farmer's Rights	☐

If your plans and prospects for the implementation of Farmers' Rights are not in the above description, please specify here:

If you have additional lessons learned or insights that have not been covered in this questionnaire regarding the implementation of Farmers' Rights, we invite you to share your thoughts here or email them to PGRFA-Treaty@fao.org.

Food and Agriculture Organization of the United Nations

International Treaty on Plant Genetic Resources for Food and Agriculture

Multistakeholder Survey on the State of Implementation of Article 9 of the International Treaty

Thank you for your contributions and for your time!