



**Food and Agriculture
Organization of the
United Nations**



The International Treaty
ON PLANT GENETIC RESOURCES
FOR FOOD AND AGRICULTURE

Item 1 of the Provisional Agenda
INTERNATIONAL TREATY ON PLANT GENETIC RESOURCES FOR FOOD AND AGRICULTURE
THIRD MEETING OF THE AD HOC TECHNICAL EXPERT GROUP ON FARMERS' RIGHTS
Virtual meeting 25 –28 August 2020
ANNOTATED PROVISIONAL AGENDA AND PROVISIONAL TIMETABLE

INTRODUCTION

1. At its Eighth Session, the Governing Body, through Resolution 6/2019,¹ endorsed the structure of the *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 (the *Inventory*), as well as the template for collecting information, as developed by the Expert Group during the previous biennium, and took note of the outline of the *Options for Encouraging, Guiding and Promoting the Realization of Farmers' Rights*, as set out in Article 9 of the International Treaty (the *Options*).
2. It also decided to reconvene the Expert Group for the 2020–2021 biennium in order to complete its tasks based on the Terms of Reference established at the Seventh Session of the Governing Body and the provisions of Resolution 6/2019.²
3. In developing the *Options*, the Expert Group will be guided by the existing terms of reference established by Governing Body at its Seventh Session, provided in *Appendix 2* to this document, and further reaffirmed through Resolution 6/2019, excerpts of which are also provided in *Appendix 3* to this document.
4. This document annotates the document, IT/GB-9/AHTEG-3/20/1, *Draft Provisional Agenda*, and contains a draft indicative timetable, in *Appendix 1*, for the consideration of the Expert Group in order to organize its work.

ORGANIZATIONAL MATTERS

5. The Eighth Session of the Governing had decided that the Expert Group may hold up to two meetings in the biennium 2020-2021, subject to the availability of financial resources. However, due to the ongoing global COVID-19 pandemic and the consequent national and international measures entailing restrictions to travel and gatherings, a physical meeting of the Expert Group will not be feasible in July 2020, as planned, and is not foreseeable in the near future.

¹ Resolution 6/2019 implementation of article 9, Farmers' Rights <http://www.fao.org/3/nb784en/nb784en.pdf>

² Resolution 7/2017 implementation of article 9, Farmers' Rights <http://www.fao.org/3/a-mv102e.pdf>

In the current circumstances, different options were considered on how best to proceed, taking into account the volume of work that the Expert Group would need to undertake to fulfil its tasks.

6. Accordingly, following consultations with the Co-Chairs and the Meeting Services of FAO, and following current practice for other similarly affected international meetings, it was decided that the Expert Group will hold its initial meeting remotely by electronic means, but adapted to take into account the specificities of this mode of meeting. The Bureau of the Ninth Session of the Governing Body has also been informed accordingly.

7. FAO uses the Zoom platform for organizing virtual meetings, which has been customized to its needs and specifications, including the capability for simultaneous interpretations. A detailed information note on the precise schedule and how to remotely access the virtual meeting or any related online forum will be sent separately to the members and observers, closer to the date of the meeting.

8. The third meeting of the Expert Group will therefore be held virtually, from 25 to 28 August 2020, using the Zoom platform. Given some of the specific challenges of virtual meetings, it is proposed that the meeting should last for no more than 3 hours on each day of the meeting. Attempts will be made to minimize, to the extent possible, the unavoidable inconveniences that will arise because of time zone differences.

9. It will be recalled that, by Resolution 6/2019, the Governing Body decided to expand the Ad Hoc Technical Expert Group with two more representatives of farmers' organizations, particularly from centres of origin and crop diversity, to be designated by the Bureau. Accordingly, the Bureau has designated those additional members and filled the vacancies that had arisen since the last meeting of the Expert Group. Some regions have also made some changes in the members nominated by them. The current list of members is contained in the document, IT/GB-9/AHTEG-FR-3/20/Inf.6 at <http://www.fao.org/3/ca9702en/ca9702en.pdf>

10. Thanks to the generous extra-budgetary contribution by the Governments of Italy and Norway, the meeting will be conducted in English with simultaneous interpretation into Arabic, French and Spanish. The working documents are also made available in all four languages.

OPENING OF THE MEETING

11. The opening session will begin at 15:00 Central European Summer Time (CEST, i.e. 13:00 GMT) on Tuesday, 25 August 2020. Precise time zone conversions based on the location of each of the participants will be made available with the information note referred to above.

ITEM 1. ADOPTION OF THE AGENDA AND TIMETABLE

12. The Provisional Agenda was prepared by the Secretary under the guidance of the Co-Chairs of the Expert Group. The substantive agenda items have corresponding working documents, in addition to information documents, where relevant.

13. The list of documents for this meeting is contained in the document, IT/GB-9/AHTEG-3/20/Inf.1, *List of Documents*.

ITEM 2. OPTIONS FOR ENCOURAGING, GUIDING AND PROMOTING THE REALIZATION OF FARMERS' RIGHTS AS SET OUT IN ARTICLE 9 OF THE INTERNATIONAL TREATY

14. Pursuant to its Terms of Reference, the Expert Group is mandated to develop options for encouraging, guiding and promoting the realization of Farmers' Rights, as set out in Article 9 of the International Treaty, based on *the Inventory*.

15. As requested by the Governing Body and the AHTEG, the Secretariat prepared the document, IT/GB-9/AHTEG-3/20/2, *Options for encouraging, guiding and promoting the*

realization of Farmers' Rights as set out in Article 9 of the International Treaty, as a possible basis for the discussions. The document explores how to:

- i) encourage the realization of Farmers' Rights by showing the range of Options that are available, based on the experiences that have been attained and shared by Contracting Parties and relevant Stakeholders, including in different regions and contexts;
- ii) guide the realization of Farmers' Rights by explaining how these Options relate to Article 9 of the International Treaty; why they can be regarded as Options for encouraging, guiding and promoting the realization of Farmers' Rights; and what types of measures would typically be involved;
- iii) promote the realization of Farmers' Rights, recognizing the enormous contribution that the 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, which constitute the basis of food and agriculture production throughout the world.

16. The Expert Group may wish to use this document as a possible basis for discussion, in order to finalize its tasks.

ITEM 3. ANY OTHER BUSINESS

17. Under this agenda item, the Expert Group may wish to discuss any other relevant matters that may be raised by its members and experts.

ITEM 4. ADOPTION OF THE REPORT

18. Pursuant to Resolution 6/2019, the Expert Group is to report back to the Governing Body on its work for further consideration at the Ninth Session of the Governing Body.

19. Under this agenda item, the Expert Group is invited to consider and adopt its report of this meeting.

20. Due to limitations in financial resources, the draft report will be available in English only, while interpretation into the other languages will be provided during the report adoption session.

21. The draft report will be shared with participants electronically and adopted as orally amended under this agenda item.

Appendix 1

PROVISIONAL INDICATIVE TIMETABLE
Virtual Meeting

Time	Agenda Item	Title	Relevant documents
Tuesday, 25 August 2020			
15.00-18:00		Opening of the meeting	
Rome Time zone (CEST)		Organizational matters	IT/GB-9/AHTEG-FR-3/20/1.2
	1	Adoption of the agenda and timetable	IT/GB-9/AHTEG-FR-3/20/1 IT/GB-9/AHTEG-FR-3/20/1.2
	2	Options for encouraging, guiding and promoting the realization of Farmers' Rights as set out in Article 9 of the International Treaty	IT/GB-9/AHTEG-FR-3/20/2 IT/GB-9/AHTEG-FR-3/20/Inf.3 IT/GB-9/AHTEG-FR-3/20/Inf.4 IT/GB-9/AHTEG-FR-3/20/Inf.5
Wednesday, 26 August 2020			
15:00-18:00	2 (cont'd)	Options for encouraging, guiding and promoting the realization of Farmers' Rights as set out in Article 9 of the International Treaty	IT/GB-9/AHTEG-FR-3/20/2
Rome Time zone (CEST)			
Thursday, 27 August 2020			
15:00-18:00	2 (cont'd)	Options for encouraging, guiding and promoting the realization of Farmers' Rights as set out in Article 9 of the International Treaty	IT/GB-9/AHTEG-FR-3/20/2
Rome Time zone (CEST)			
	3	Any other business	
Friday, 28 August 2020			
Morning		(Report writing)	
Rome Time zone (CEST)			

15:00-18:00 Rome Time zone (CEST)	4	Adoption of the Report	

Appendix 2

Terms of reference for the Ad Hoc Technical Expert Group on Farmers' Rights³

1. The Ad Hoc Technical Expert Group on Farmers' Rights will:
 - i) Produce an 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;
 - ii) Based on the inventory, develop options for encouraging, guiding and promoting the realization of Farmers' Rights as set out in Article 9 of the International Treaty.
2. In the development of its work, the Ad Hoc Technical Expert Group may consider the proceedings from the Global Consultation on Farmers' Rights held in Bali, Indonesia, in 2016, as well as other relevant consultations.
3. The Ad Hoc Technical Expert Group will comprise up to five members designated by each FAO region, up to three representatives of farmer organizations, particularly from the centers of origin and crop diversity, and up to three other stakeholders, including the seed sector, designated by the Bureau of the Eighth Session of the Governing Body.
4. The Bureau of the Eighth Session of the Governing Body will appoint two Co-Chairs from the Contracting Parties of the International Treaty - one from a developing country and one from a developed country.
5. The Ad Hoc Technical Expert Group may hold up to two meetings in the biennium 2018-2019, subject to the availability of financial resources.
6. The Ad Hoc Technical Expert Group will report back to the Governing Body on its work for further consideration at the Eight Session of the Governing Body.
7. The Secretary will facilitate the process and assist the Ad Hoc Technical Expert Group in its work.

³ Resolution 7/2017 Implementation of Article 9, Farmers' Rights. Available at: <http://www.fao.org/3/a-mv102e.pdf>

RESOLUTION 6/2019

IMPLEMENTATION OF ARTICLE 9, FARMERS' RIGHTS

THE GOVERNING BODY,

Recalling the recognition, in the International Treaty, of the enormous contribution that the local and indigenous communities and farmers of all regions of the world have made, and will continue to make, to the conservation, development and use of plant genetic resources as the basis of food and agriculture production throughout the world;

Recalling its Resolutions 2/2007, 6/2009, 6/2011, 8/2013, 5/2015 and 7/2017;

1. **Welcomes** the *Report of the Ad Hoc Technical Expert Group on Farmers' Rights*, and **thinks** the Ad Hoc Technical Expert Group for the significant progress so far made by it in fulfilling its tasks;
2. **Takes note** of the officials and members of the Ad Hoc Technical Expert Group appointed or designated by the Bureau of the Eighth Session of the Governing Body;
3. **Welcomes** the *Inventory of National Measures, Best Practices and Lessons Learned on the Realization of Farmers' Rights* (the Inventory), recognizing that it will be periodically reviewed and updated, as necessary;
4. **Endorses** the structure of the Inventory and the template for collecting information, as developed by the Ad Hoc Technical Expert Group for inclusion or for further updating of the information in the Inventory;
5. **Welcomes** the establishment of an online electronic version of the Inventory, and **requests** the Secretary to continue soliciting more information to be included or to update existing information in the Inventory;
6. **Takes note** of the outline of the *Options for Encouraging, Guiding and Promoting the Realization of Farmers' Rights, as set out in Article 9 of the International Treaty*, which will form the basis for the completion of the task of the Ad Hoc Technical Expert Group in this regard;
7. **Decides** to reconvene the Ad Hoc Technical Expert Group for the 2020–2021 biennium in order to complete its tasks based on the Terms of Reference established at the Seventh Session of the Governing Body and the provisions of this Resolution;
8. **Decides** to expand the Ad Hoc Technical Expert Group with two more representatives of farmer organizations particularly from centres of origin and crop diversity;
9. **Decides** that, subject to financial resources, the Ad Hoc Technical Expert Group may hold up to two meetings in the biennium 2020–2021, as currently constituted, and report to the Ninth Session of Governing Body on its work for further consideration;
10. **Requests** the Secretary to prepare the relevant documentation to facilitate the work of the Ad Hoc Technical Expert Group;
11. **Requests** the Bureau of the Ninth Session of the Governing Body, working with the relevant region or stakeholder group, to fill any vacant positions that may arise in the membership of the Ad Hoc Technical Expert Group;
12. **Requests** the Ad Hoc Technical Expert Group to present the results of its work at the Ninth Session of the Governing Body for its consideration;

13. **Thanks** the Governments of Italy and Norway for their generous financial support to the meetings of the Ad Hoc Technical Expert Group and **appeals** to Contracting Parties and other donors to provide additional financial resources for the work of the Ad Hoc Technical Expert Group, including to cover the costs of interpretation and the translation of documents into relevant languages;

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