



Access to Germplasm for Breeding
*The International Treaty on Plant Genetic
Resources for Food and Agriculture*
(ITPGRFA)

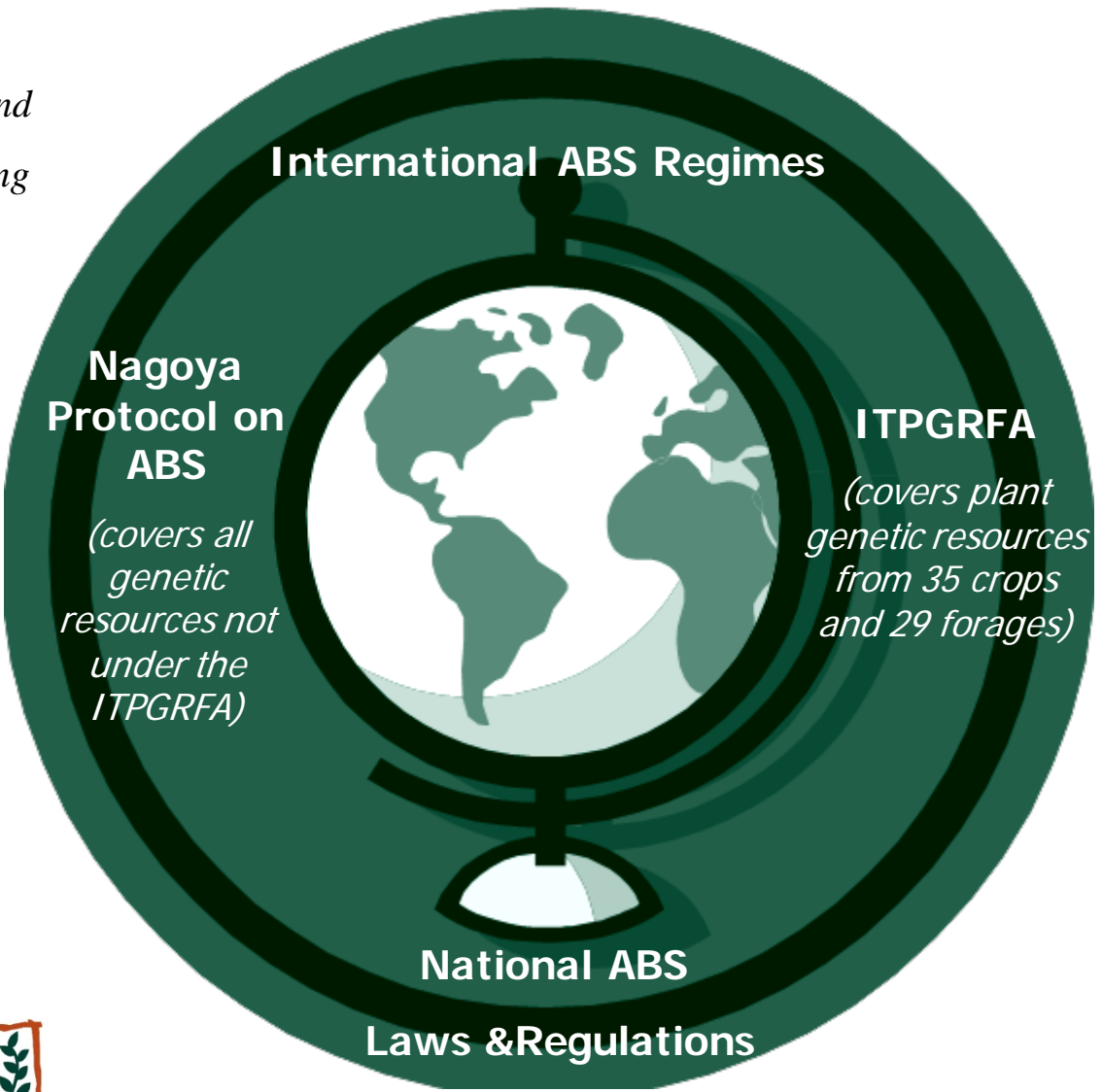
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ABS – The Big Picture



*ABS: Access and
Benefits Sharing*





- **Adopted by Parties November 2001 as a specialized global system for the management and exchange of plant genetic resources**
- **Entered into force June 2004**
- **Much of the world's germplasm is controlled under the ITPGRFA**
- **Currently 131 Contracting Parties :**

Australia	Brazil	Canada
India	Japan	Costa Rica
Uruguay	Paraguay	All Europe
- **The US is signatory, but has not completed the ratification process**
- **Notable other Non-Parties:**
Argentina, China, Mexico, Russia & Ukraine

Structure of the ITPGRFA



■ Organization of the ITPGRFA includes:

- General provisions on conservation and sustainable use – pursuing appropriate policies (developing country focused), international cooperation, supporting research e.g., “expand the use of local and locally adapted crops;
- Farmers’ Rights – saved seed endorsed (as allowed by National Law – Parties must take measures to promote and protect Farmers’ Rights and may allow farmer saved seed for breeding, exchange, sale, etc.);
- Multilateral System of Access and Benefits Sharing, which limits scope to Annex I “crops” – 35 food crops and 29 forages, describes rules for access and forms of benefit sharing, and proposes the Standard Material Transfer Agreement (SMTA);
- Supporting Components – the global plan of action, networks, information systems and cooperation involving ex-situ collections including non-Annex I crops held by IARCs of the CG system;
- Financial Provisions – strategy to fund conservation and sustainable use of PGRFA including voluntary contributions; and
- Institutional Provisions – authority of the Governing Body.

ITPGRFA Pro's & Con's



- **ASTA supports ratification of the ITPGRFA since US would provide leadership and stability needed by ASTA members**

Pro's	Con's
Contains most of the world's plant genetic resources	MLS contains only 64 crops and needs to be include many more
Administratively simple with low transaction costs for access	Compliance requires expensive tracking and tracing.
Provides legal certainty important internationally	Mandatory monetary payments on patented materials are high, can extend in perpetuity and are not necessarily used to improve commercial breeding
Recognized in the Nagoya Protocol	



▪ Why does this matter?

- **Access to germplasm globally has been affected by the international conversation on ABS**
 - **It is expected that developed countries must pay a fair and equitable share of the benefits they derived from the utilization of genetic resources to the (original) providers.**
- **The seed sector needs Contracting Parties that will advocate for reasonable rules and terms within the Governing Body of the ITPGRFA**
 - **The US government recognizes the benefits commercial breeding delivers, the value of intellectual property rights in development and the importance of global, facilitated access to plant genetic resources.**
- **The impact of Nagoya on breeding and commercial seed sales globally is uncertain, and the ITPGRFA provides protection for the seed sector**