

DAY TWO **Session 5.**

The FAO International Treaty on Plant Genetic Resources for Food and Agriculture

In this session, we examine a regulatory regime that emphasizes the importance of sharing and using PGRFA, i.e., the multilateral system of access and benefit sharing of the FAO International Treaty on Plant Genetic Resources for Food and Agriculture (IT). While fully consistent with the principles underlined in the CBD—national sovereignty, mutually agreed-upon terms and prior informed consent—the IT creates a system that minimizes the costs and administrative weight of exchanging PGRFA while simultaneously creating a mechanism for benefit sharing. PGRFA are different from other genetic resources and call for a different system of access and benefit sharing for the crops and forages that are most important to food security and on which countries are most interdependent. The Treaty is a dynamic instrument and many important decisions regarding its implementation will need to be taken by the Governing Body. This session attempts to explain the rationale for the IT and its relationship with the CBD and illustrates this relationship with practical examples.

	Instructions	to	Trainers
PRE-SESSION	08:30 – 09:00 Opening of the Day’s Activities <ul style="list-style-type: none">• Review of the previous day’s activities.• Summary of the evaluation of the previous day.• Overview of the day’s activities.		
OBJECTIVES	By the end of the pre-session, the participants will be able to do the following: <ul style="list-style-type: none">• Assess the progress of the workshop.• List the objectives and describe the agenda for the day’s activities.		
OPENING	Invite a volunteer to review the previous day’s activities. (10 minutes) Summarize the evaluation of the previous day. (10 minutes) Distribute the overview and the schedule for Day Two (Handouts 2.5.1 and 2.5.2). Review the objectives and schedule using overheads 2.5.1 to 2.5.4. Ask if clarification is needed. (10 minutes)		

Make sure that all materials for Day Two activities labelled ‘handouts’ (see page headers) have been photocopied.

SESSION 5	09:00 – 10:30	Session 5. The FAO International Treaty on Plant Genetic Resources for Food and Agriculture (Presentation and Exercise 5A)
	10:30 – 10:45	Tea/Coffee Break
	10:45 – 12:30	Session 5. (Continued) (Exercise 5A continued)
	12:30 – 13:00	Session 5 (continued) (Exercise 5B)
	13:00 – 14:00	Lunch
	14:00 – 15:30	Session 5. (Continued) (Exercise 5B continued)
	15:30 – 15:45	Tea/Coffee Break
	15:45 – 17:15	Session 5. (Continued) (Exercise 5C)

OBJECTIVES By the end of this session participants will be able to do the following:

- Discuss the significance of the Treaty and its main elements.
- Identify which regime of access and benefit sharing will apply to individual cases of germplasm accession.
- Explain the relationship of the IT to the CBD.

Use overhead 2.5.2 to present the session’s objectives. (5 minutes)

PROCEDURE Learning Strategies: presentation, trip around the tables, group work exercise and role-playing

Make sure that a. handouts 2.5.4, 2.5.5, 2.5.6 and 2.5.7 are sent to the participants prior to the workshop. Prepare extra copies for distribution if necessary. b. copies of the Convention on Biological Diversity (found in the ‘Reference Materials’) are available for participants to consult during the exercises.

PRESENTATION (*experience*) Give a presentation on the International Treaty on Plant Genetic Resources for Food and Agriculture, and facilitate interaction with the participants. Before you begin your presentation, distribute the Summary of Overheads (Handout 2.5.3). You will find the information in handouts 2.5.4 and 2.5.5 very useful. Overheads 2.5.5 to 2.5.31 support the presentation. At the end of the presentation be sure to ask the participants if they have any comments or questions, or if they need any clarification. (40 minutes)

EXERCISE 5A **Exercise 5A. Making Decisions about Access to Genetic Resources (2 hours, 30 minutes)**

Handout 2.5.A.10 provides ‘practical considerations’ regarding Exercise 5A. Please be sure to read these considerations before the session. Distribute the handout only after the participants have completed exercise 5B.

Phase 1. *Group work (60 minutes)*

1. Distribute handouts 2.5.4, 2.5.5, 2.5.6, 2.5.A.1 through 2.5.A.9. Handout 2.5.A.1 gives clear instructions for the exercise. Ask a participant to read the instructions aloud. Go over the instructions with the participants step by step.
(5 minutes)
2. Form four groups of participants. Have each group elect a rapporteur.
(5 minutes)
3. (*experience*) Each group works on the case study assigned to it, as follows:
 3. Group A: Hypothetical Case 1 (handout 2.5.A.3)
 4. Group B: Hypothetical Case 2 (handout 2.5.A.4)
 5. Group C: Hypothetical Case 3 (handout 2.5.A.5)
 6. Group D; Hypothetical Case 4 (handout 2.5.A.6)
(50 minutes)

Phase 2. *Trip around the tables (45 minutes)*

4. (*experience*) Invite the rapporteurs to begin their trip around the tables. They have 10 minutes to visit each table. They present their group's inputs and collect contributions to improve their list of responses.
(30 minutes)
5. (*experience*) Ask the rapporteurs to return to their own groups and share the contributions collected during the trip and decide on the best answers. The rapporteurs write the results on a flipchart and prepare to present their group's results.
(15 minutes)

Phase 3. *Reporting and discussion (50 minutes)*

6. (*process, generalization*) The rapporteurs present the results to the audience. Five minutes are available for each presentation, followed by another 10 minutes for discussion.
(20 minutes)
7. Distribute Handout 2.5.A.10 to the participants and explain to them that they will need it for the next exercise (Exercise 5B).
8. The trainer analyses the responses, provides feedback on the context of the presentations and closes the session.
(30 minutes)

CLOSURE

Closure (5 minutes)

(*application*) Ask the participants 'What might you do differently in your job as a result of what you have learnt?'

Make a transition to the next session.

EXERCISE 5B

Exercise 5B. Interpreting the International Treaty on Plant on Genetic Resources for Food and Agriculture
(2 hours)

Handout 2.5.B.3 provides 'practical considerations' regarding the Interpreting the International Treaty on Plant Genetic Resources for Food and Agriculture exercise. Please be sure to read these considerations before the session. Distribute the handout *only after the participants have completed exercise 5B.*

1. Distribute handouts 2.5.B.1 and 2.5.B.2. Handout 2.5.B.1 gives clear instructions for the exercise. Ask a participant to read the instructions aloud. Go over the instructions with the participants step by step. (5 minutes)

Phase 1. *Group work* (55 minutes)

2. Divide the participants into four groups and ask each group to elect a rapporteur.
3. (*experience*) Each group discusses the questions/concerns/ problems related to the official International Treaty document provided in Exercise 5B (handout 2.5.B.1). Invite the participants to use handout 2.5.B.2 to record their ideas. As they work, circulate from group to group to check progress. Clarify any concerns the groups may have while they are working. Be sure to remind them of the remaining time. The rapporteurs summarize the results of their groups' discussions on a flipchart to present to the audience during Phase 2.

Phase 2. *Presentation and discussion* (55 minutes)

4. (*experience, process*) Each group has ten minutes to present their results. Stay on schedule. (40 minutes)
5. (*process, generalization*) After all presentations have been made, distribute handout 2.5.B.3 (practical considerations) and stimulate a brief discussion. Finally, discuss the groups' responses and provide feedback on the content of the presentations. Ask the participants questions such as, 'How did you feel doing this exercise?' and 'What did you learn?' to generate discussion of the process. (15 minutes)

CLOSURE

Closure (5 minutes)

(*application*) Ask the participants, 'What might you do differently in your job as a result of what you have learned?'

Make a transition to the next session.

EXERCISE 5C **Exercise 5C. ABS Considerations** (2 hours 55 minutes)
(1 hour 25 minutes – today)
(1 hour, 30 minutes – tomorrow)

Handout 2.5.C.4 provides ‘practical considerations’ regarding critical decision-making points in ABS. Please be sure to read these considerations before the session. Distribute the handout only after the participants have completed exercise 5C.

1. Form four groups of participants, have each group elect a rapporteur. (5 minutes)

Phase 1. *Group work* (1 hour 25 minutes) – **Today**

2. (*experience, process*) Remind the participants that they can find good insights for this exercise in handout 2.5.A.10, which was distributed to them after the completion of Exercise 5A. Ask the groups to analyze the hypothetical case presented in Exercise 5C (handout 2.5.C.1) in two different roles, as follows:

Role A: Pretend you are a National Competent Authority in the Latin American country Venezuelru. Your national genebank has many accessions of tropical forage legumes.

Role B: Pretend you represent a national genebank from the African country Tanenyabia. Your genebank has many interesting landraces, including accessions of tropical grass.

3. The participants’ task is to respond to the following:
 - a) What elements would you need to see in ABS legislation to facilitate access in cases where you determine it is in the national interest to facilitate access?
 - b) Would the legislation in Exercise 5A have helped or hindered you in coming to your decision?
 - c) If you were asked to devise ABS legislation, what information about your country would you want to have in order to facilitate your consideration of approaches and options?
 - d) Create a flow chart of decision-points that you came to while deciding on access in part A.

As the groups work, circulate to check their progress. Clarify any concerns a group might have. Remind the groups of the time remaining.

4. (*process, generalization*) Ask the rapporteurs to record their groups’ conclusions on a flipchart to present to the audience.

Phase 2. *Presentation and discussion*
(1 hour and 30 minutes) – **Tomorrow**

5. (*process, generalization*) Invite the rapporteurs to present the results of their group’s discussions to the audience. Each rapporteur has 10 minutes to report. (40 minutes)

6. (*generalization*) Distribute handout 2.5.C.4 (practical considerations). Stimulate a discussion and provide feedback on the context of the presentation. Close the session.
(50 minutes)

CLOSURE

Closure (5 minutes)

(*application*) Ask the participants, ‘What might you do differently in your job as a result of what you have learned?’

Make a transition to the next session.

17:15 – 17:30 Feedback on the Day’s Activities and PAPA

OBJECTIVES

By the end of this session, the participants will be able to do the following:

- Provide feedback on the day’s activities.
- Consider possible actions they would like to take in their own organizations.

PROCEDURE

Training technique: individual exercise.

FEEDBACK

Highlight positive and negative points of the day. Note areas that may need additional attention in the workshop. Participants can describe some strengths and weaknesses of this day on handout 2.5.7
(5 minutes)

PAPA

(*application*) Ask the participants to take time to jot down some action ideas they may have for themselves as a result of today’s activities. They can use handout 2.5.8.
(10 minutes)

Remember to invite a volunteer to prepare a brief report of this day, summarizing major lessons learned, for presentation during the next day’s pre-session.

Prepare a summary of the day’s evaluation for the next morning.

<p>Reminder: Make sure that all materials for Day 3 labelled ‘handouts’ (see page headers) have been photocopied.</p>
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Handout — Overview of Day Two

Law and Policy of Relevance to the Management of Plant Genetic Resources

Objectives

By the end of the day, the participants will be able to do the following:

1. Discuss the significance of the Treaty and its main elements.
2. Identify which regime of access and benefit sharing will apply to individual cases of germplasm accession.
3. Explain the relationship of the IT to the CBD.

Handouts

- 2.5.1 Overview of Day Two
- 2.5.2 Tentative Schedule of Day Two
- 2.5.3 Summary of Overheads of Session 5
- 2.5.4 A Brief Rationale for the International Treaty on Plant Genetic Resources for Food and Agriculture (IT) (Summary of Presentation)
- 2.5.5 An Overview of the Provisions of the IT
- 2.5.6 Some Outstanding Legal Issues: Sovereignty, Property Rights, Conflicts
 - 2.5.A.1. Exercise 5A. Making Decisions about Access to Genetic Resources
 - 2.5.A.2 Exercise 5A. Worksheet
 - 2.5.A.3 Exercise 5A: Hypothetical Case 1
 - 2.5.A.4 Exercise 5A: Hypothetical Case 2
 - 2.5.A.5 Exercise 5A: Hypothetical Case 3
 - 2.5.A.6 Exercise 5A: Hypothetical Case 4
 - 2.5.A.7 Exercise 5A: Situation A: National ABS Legislation
 - 2.5.A.8 Exercise 5A: Situation B: National ABS Legislation
 - 2.5.A.9 Exercise 5A: Situation C: No ABS Legislation
 - 2.5.A.10 Exercise 5A: Practical Considerations for Exercise 5A
- 2.5.B.1 Exercise 5B. Interpreting the International Treaty on Plant Genetic Resources for Food and Agriculture
- 2.5.B.2 Exercise 5B. Worksheet
- 2.5.B.3 Exercise 5B. Practical Considerations for Exercise 5B
- 2.5.C.1 Exercise 5C: ABS Considerations
- 2.5.C.2 Exercise 5C: Worksheet (Role A)
- 2.5.C.3 Exercise 5C: Worksheet (Role B)
- 2.5.C.4 Exercise 5C. Practical Considerations for Exercise 5C
- 2.5.7 Strengths and Weaknesses of Day Two
- 2.5.8 PAPA—First Stage

Handout — Tentative Schedule of Day Two

Law and Policy of Relevance to the Management of Plant Genetic Resources

08:30 – 09:00	Opening of the Day’s Activities
09:00 – 10:30	Session 5. The FAO International Treaty on Plant Genetic Resources for Food and Agriculture (Presentation and Exercise 5A)
10:30 – 10:45	Tea/Coffee Break
10:45 – 12:30	Session 5. (Continued) (Exercise 5A. continued)
12:30 – 13:00	Session 5. (Continued) (Exercise 5B)
<hr/> 13:00 – 14:00 Lunch <hr/>	
14:00 – 15:30	Session 5. (Continued) (Exercise 5B. continued)
15:30 – 15:45	Tea/Coffee Break
15:45 – 17:15	Session 5. (Continued) (Exercise 5C)
17:15 – 17:30	Feedback on the Day’s Activities and PAPA