



Role of AEGIS in the regional implementation of the International Treaty and its MLS in Europe

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Joint ECPGR / NENA workshop on the
ITPGRFA implementation

AARI Menemen, Izmir, Turkey, 28-29 September 2011

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Scope of the MLS



1. The MLS includes **Annex I** genetic resources, also those that are **held by CGIAR** and **other international institutions** that have **concluded agreements with the Governing Body** of the Treaty.
2. **Non-Annex I** held by those institutions are also to be **made available in accordance with conditions set out in the Treaty**, and for those held by the CGIAR Centres, following a recent decision of the Governing Body, **under the same terms and conditions as Annex I** material.

Coincidence between AEGIS and the International Treaty



1. **Long-term conservation** is one of the important objectives of both the Treaty and AEGIS.
2. **International cooperation**, as envisaged in the Treaty, should be directed **to maintain and strengthen institutional arrangements that are supportive of the multilateral system**, including regional networks.
3. As part of the **AEGIS procedures**, countries are requested to express their **conservation and access** (as well as some other) commitments through the **signature of a Memorandum of Understanding**

Coincidence between AEGIS and the International Treaty



..... and to be deposited with Bioversity International, as an independent legal entity and **to entrust the coordination of the management of the European Collection to ECPGR** and its bodies.

4. It should be noted that, considering the above, **AEGIS provides for a mechanism** for countries to collaborate in the most effective way towards the **implementation of the Treaty**.

Coincidence between AEGIS and the International Treaty



The Treaty, in its Article 5, provides for Contracting Parties, subject to national legislation, to **promote an integrated approach** to the exploration, conservation and sustainable use of PGRFA, including:

- a) **surveying and inventorying;**
- b) collecting threatened or potentially useful material;
- c) promoting on-farm management and *in situ* conservation;
- d) **cooperating in the development of efficient and sustainable ex situ conservation system;** as well as
- e) **monitoring the viability and genetic integrity of PGRFA.**

Relevant AEGIS areas with respect to IT implementation



The most important areas that relate to the implementation of the Treaty include:

- 1. *ex situ* conservation** (in particular with respect to scope, collaboration and responsibilities)
- 2. access to conserved genetic resources** (including aspects of ownership, rights and legal requirements)
- 3. benefit-sharing** aspects.

AEGIS and *ex situ* conservation



1. AEGIS intends to cover genetically unique as well as economically important accessions of **all** PGRFA species that are **under the management and control of its member countries and in the public domain.**
2. AEGIS requested participating countries to make a **long-term conservation commitment** for the identified accessions with the understanding that such material is **conserved according agreed standards** and made **readily available**
3. **Identifying and deciding on which European Accessions** will form the European Collections is the decision of individual countries, following an agreed process.

AEGIS and *ex situ* conservation



4. Individual countries will **register the accessions** in the National Inventory through the EURISCO National Focal Point. By doing so countries will exercise their sovereign right to identify accessions that they are prepared to place in the **public domain** as part of the European Collection, to indicate their willingness to **accept long-term conservation responsibilities** for these accessions and to **make them available** free from restrictions and obligations, under the terms of the SMTA

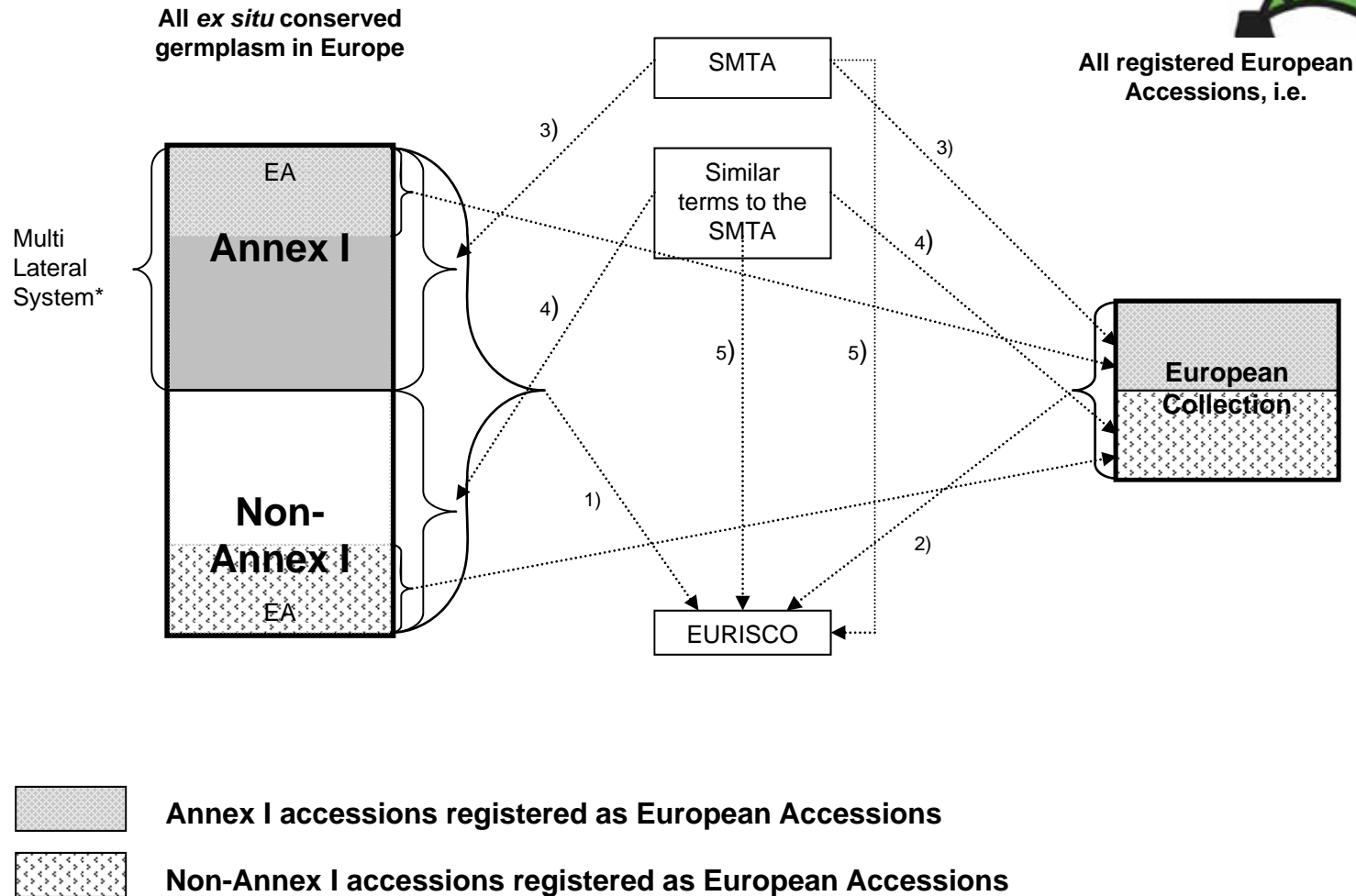
Number of accessions that are part of the MLS as indicated by the Contracting Parties to the ITPGRFA (via EURISCO)



Armenia	1.465
Austria	5.533
Cyprus	485
Czech Republic	32.543
Estonia	2.175
Germany	108.671
Ireland	1.418
Netherlands	14.904
Nordic countries	15.133
Poland	15.658
Portugal	813
Spain	15.869
Switzerland	30.220

Source: <http://eurisco.ecpgr.org>

Total (September 2011) = 248.867 accessions



Facilitated Access to PGRFA



Important aspects of access to PGRFA that are part of the MLS established under the Treaty (and that are also included in AEGIS), include:

1. The material to which access is provided will be **solely for purpose of utilization and conservation for research, breeding and training for food and agriculture**
2. Access shall be **expeditious, without need for tracking individual accessions, and free of charge**
3. Access includes all **available passport data, relevant management data** and other **associated non-confidential information**

Facilitated Access to PGRFA



4. Recipients shall **not claim** any “**Intellectual property or other rights that limit facilitated access** to the plant genetic resources for food and agriculture, or their genetic parts and components, in the form received from the MLS”
5. Access to **PGRFA under development**, including by farmers and breeders, is **at the discretion of its developer** during the period of its development
6. Access to **material with intellectual property protection** shall be consistent with relevant national legislation as well as with relevant international agreements
7. Recipients must continue to make materials accessed under MLS and conserved **available under the agreed terms of the ITPGRFA**

Facilitated Access to PGRFA



8. Facilitated access to registered PGRFA material under the management and control of governments and in the public domain will be ensured through the **use of the Standard Material Transfer Agreement** of the IT or its adaptation in the case of non-Annex I material.

NOTE on AEGIS: Where **non-Annex I material** is concerned some **modifications to the SMTA**, i.e. an explanatory note in the SMTA, have been agreed to allow for **the use of the SMTA for non-Annex I material** which are not part of the Multilateral System, even though they may be accessed under similar access and benefit-sharing conditions as Annex I material under governmental control and management..

Benefit-sharing



1. The **benefit-sharing provisions** equally apply to the European Accessions of AEGIS irrespective of whether or not they belong to species that are included in Annex I.
2. **As genetic resources that form part of the MLS are “pooled”, there is no need to negotiate access and benefit-sharing contracts with individual owners.**
3. Therefore, the **transaction costs** will be low and it will benefit farmers, plant breeders as well as researchers, and ultimately also consumers.
4. The **benefits must be shared in a pooled and multilateral way** and it should be noted that facilitated access to PGRFA and information itself is a major benefit.

Benefit-sharing



5. **Non-monetary benefits** that arise from the use, including commercial use, shall be **shared fairly and equitably** through the following mechanisms:
- a) **exchange of information** (on material, from research and utilization, on technologies);
 - b) **access to and transfer of technology**, improved varieties and genetic material; assistance in using technologies; favourable access conditions on IP protected technologies;
 - c) **capacity-building**, including **education**, facilities and **research**.

Benefit-sharing



The **sharing of monetary and other benefits** of commercialization is based on the following **principles**:

1. The involvement of the **public and private sector in collaborative research and technology development** activities;
2. If a **product** that incorporates material from MLS is commercialized and its **availability** to others for further research and breeding is **restricted**, an **equitable share of the benefits will be payable to a financial mechanism**;

Benefit-sharing



3. If a product is **available without restriction** to others, **payment is voluntary**; and
4. It is foreseen that **benefits arising from the use of PGRFA** that are shared under the MLS **should flow primarily to farmers in all countries**, especially in developing countries, and countries with economies in transition, **who conserve and sustainably utilize plant genetic resources for food and agriculture.**

Concluding remarks



1. ECPGR/AEGIS had adopted the **policy framework** provided by the International Treaty and its principles
2. The **Treaty objectives coincide with those of AEGIS** and thus participation in AEGIS is in line with the implementation of the IT and is **de facto enlarging the scope of the MLS within Europe** to all crops and to ornamental and medicinal plants
3. AEGIS establishes a **concrete long-term conservation commitment** for a rational regional conservation approach (The **European Collection** is only emerging now and thus, no practical experience can be reported)

Concluding remarks



4. The **European Search Catalogue (i.e. EURISCO)** plays a critical role in the implementation of the Global Information System
5. While AEGIS is a regional mechanism for long-term *ex situ* conservation and facilitated access, **other areas of the IT are not covered/implemented through AEGIS** (such as characterization and evaluation, in situ conservation, sustainable use, farmers rights, technical assistance, etc.)



■ Thank you