

Statement of the Alliance of International Agricultural Research Centres of the Consultative Group on International Agricultural Research (CGIAR) Submitted at the second session of the Governing Body of the International Treaty, 29 October-2 November 2007, Rome

Agenda item 11: Consideration of the Material Transfer Agreement to be used by the International Agricultural Research Centers of the Consultative Group on International Agricultural Research, for plant genetic resources for food and agriculture not included in *Annex 1* of the Treaty

(Reference document: IT/GB-2/07/13)

Once again, thank you for providing the floor to the Alliance of CGIAR Centres.

As called for in Article 15.1.(b) of the Treaty, consultations were held between the CGIAR Centres and the Secretariat of the Governing Body concerning the amendment of the MTA currently in use by the Centres for non-Annex 1 material. The results of those consultations are set out in Annex 2 to document IT/GB-2/07/13.

Mr. Chairman, the question of the amendment of the MTA currently in use was discussed within the CGIAR System through a number of system-wide mechanisms, including the Inter-Centre Working Group, the CGIAR Genetic Resources Policy Committee and ultimately the Alliance Executive, which is made up of the Directors-General of all the CGIAR Centres.

Mr. Chairman, the Centres would have preferred a simpler MTA governing the transfer of all material in their collections. Some of the Centres have noted in particular the special challenges arising out of collections of tree germplasm. On the other hand, the Centres fully appreciate that Article 15 of the Treaty requires that the MTA currently in use by the Centres, which is a short and simple agreement, would need to be amended to include substantially Articles 12 and 13 of the Treaty. These provisions are already reflected in the SMTA adopted by the Governing Body at its first session, after considerable negotiation, and contribute in large part to the length and relative complexity of the SMTA. We fully appreciate that substantially the same provisions would need to be included in the amended 'interim' MTA. As a result, we think it would be administratively most efficient to use the SMTA for non-annex 1 crops as well.

Therefore, unanimous preference of the Centres, as reflected in document 13, would be to have a single instrument only, the SMTA, governing the transfer of both Annex 1 and non-Annex 1 material. The Centres are convinced of the advantages of having a single instrument governing the transfer of all germplasm in the collections held in trust by the Centres, which would greatly simplify the practical procedures for the distribution of germplasm.

Mr. Chairman, the Centres have noted that some of the wording of the SMTA, including direct references to the Multilateral System and Annex 1 of the Treaty, might cause difficulties in using the text of the SMTA for non-Annex 1 material, but have noted the practice of one Contracting Party in making use of explanatory footnotes on the first page of the SMTA clarifying the text of the SMTA in this regard.

Mr. Chairman, the Centres remain available for further consultations on this matter should the Governing Body so require.

Thank you.