

MEETING REPORT

## Implementation of Access to Plant Genetic Resources and Benefit Sharing (ABS)

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A National Webinar on “Implementation of Access to Plant Genetic Resources and Benefit Sharing (ABS)” was held on August 27, 2020. The meeting was co-organized by the Indian Society of Plant Genetic Resources (ISPGR), New Delhi in association with the United Nations Environment Implemented Global Environment Facility (UNEP-GEF) Project, Alliance of Bioversity International and the International Center for Tropical Agriculture (CIAT), Delhi Office, India. Other technical partners were ICAR-National Bureau of Plant Genetic Resources (NBPGR), New Delhi, India; National Biodiversity Authority (NBA), Chennai, India; Protection of Plant Variety and Farmers’ Rights Authority (PPV&FRA), New Delhi, India, Trust for Advancement of Agricultural Sciences (TAAS), New Delhi and the Federation of Seed Industry of India (FSII), India. The webinar was attended by 200 stakeholders from academia, policy, management, farmers and private sector. It was structured in four sequential sessions namely, inaugural, technical, plenary and concluding.

The main objectives of the webinar were to (i) understand the existing inconsistencies in the ABS system and suggest measures for improvements including policy reorientation; (ii) suggest options for regulating ABS beyond rewards and recognitions and to devise means for benefit sharing by the communities for sustainable management of bioresources; (iii) suggest effective models of ABS to benefit both public and private organizations; and (iv) suggest mechanisms for optimal utilization of National Gene Fund meant for effective benefit sharing and capacity development

During the inaugural session, Dr T Mohapatra, Secretary, Department of Agricultural Research and Education (DARE) & Director General, Indian Council of Agricultural Research (ICAR) in his Chief Guest’s address said that implementation of rules on access to bioresources and benefit sharing arising from their commercial use has been uneven and complex, given the rich biodiversity of the country and lack of adequate capacity and awareness amongst the varied stakeholders. He expressed hope of greater convergence in the Authorities dealing with these issues, especially in the light of revision of the Biological Diversity Act (BDA), Rule and Guidelines, under deliberation at country level. He urged that more technology and science-based evidences be applied to resolve issues of origin and ownership of

genetic resources, to facilitate better benefit sharing mechanisms.

Dr RS Paroda, President, ISPGR, and Chairman, TAAS was the Chair of the inaugural and concluding sessions. He urged that a roadmap be developed for framework for effective implementation of ABS implementation, possibly through a single window system (akin to GST Council of the GoI), with greater coordination and convergence. He said that the Ninth Governing Body Meeting (GB9) proposed to be hosted by India in December 2021 would be a great opportunity to show case India’ strength and diversity, including ABS implementation mechanisms and impact.

Dr VB Mathur, Chairman, NBA, Special Invitee in the inaugural session, spelled out three important implementation issues on ABS under the BDA – (i) correct valuation of bioresources, (ii) interpretation of the statutes (iii) missing or inadequate definitions. He informed that through an elaborate consultative process, revisions are being undertaken by the government for increased convergence between various implementing agencies, with the final objective of facilitating ‘ease of doing business’.

Dr Juan Lucas Restrepo, Director General, Alliance of Bioversity International and CIAT, also a Special Invitee in the inaugural session, said that

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the disruptions caused the food supply chains during the current pandemic due to COVID-19 makes a compelling case to ensure that an enabling environment be created for societal changes for long-term food and nutritional security. He further emphasized on mainstreaming of agrobiodiversity and diversification of agro-ecological landscapes. While appreciating India's efforts on implementation of ABS, he said there is need for greater harmonization in the Nagoya Protocol (NP) and International Treaty for Plant Genetic Resources (ITPGRFA) for ABS issues.

The technical session was Chaired by Dr PL Gautam, Former Chairman, NBA and PPV&FRA and Co-Chaired by Dr RC Agrawal, Deputy Director General (DDG) (Education) & National Director, NAHEP, ICAR. Dr Vania Azevedo, Head of Genebank, International Centre for Research in Semi Tropics, spoke on "ABS in PGRFA – Global experience" and elaborated on the subscription system for ABS under the ITPGRFA. Dr Malathi Lakshmikumaran, Executive Director, Laxmikumaran & Sridharan Associates, gave a talk on "ABS in respect to conventional plant breeding under the BDA" and flagged several pragmatic issues in interpretation of terms in the act, as applicable to breeding and research. Dr Ram Kaundinya, Director General, FSII, presented the "Perspectives of seed sector on ABS" and highlighted the need for seed sector specific guidelines for agriculture and food and called for resolving the operational issues of seed industry being faced in the current ABS regime. Ms Shalini Bhutani, Legal Researcher and Policy Analyst, Food and Agriculture Organization of the United Nations (FAO) spoke on "Respecting (agrobio) diversity, sharing benefits" and laid emphasis on the need to revitalize farmer and public participatory breeding systems, and support for greater diversified seed industry.

Dr TR Sharma, DDG (Crop Science), ICAR and Dr Kuldeep Singh, Director, ICAR-NBPGR were the Chair and Co-Chair, respectively during the panel discussion. Panelists flagged various stakeholder issues and included Mr Álvaro Toledo, Deputy Secretary, ITPGRFA; Dr SK Sharma, Former Director, ICAR-NBPGR; Dr Bhag Mal, Secretary, TAAS; Dr Sanjeev Saxena, Assistant Director General (IPTMU), ICAR; Dr Rishi Kumar Tyagi, Coordinator, Asia-Pacific Consortium on Agricultural Biotechnology and Bioresources, Dr KS Varaprasad, Former Director,

ICAR-IIOR; Dr KP Raghuram, Technical Officer, NBA; Dr Neeti Wilson, Partner, Anand & Anand and Mr P Narayanan Unny, Navara Eco Farm.

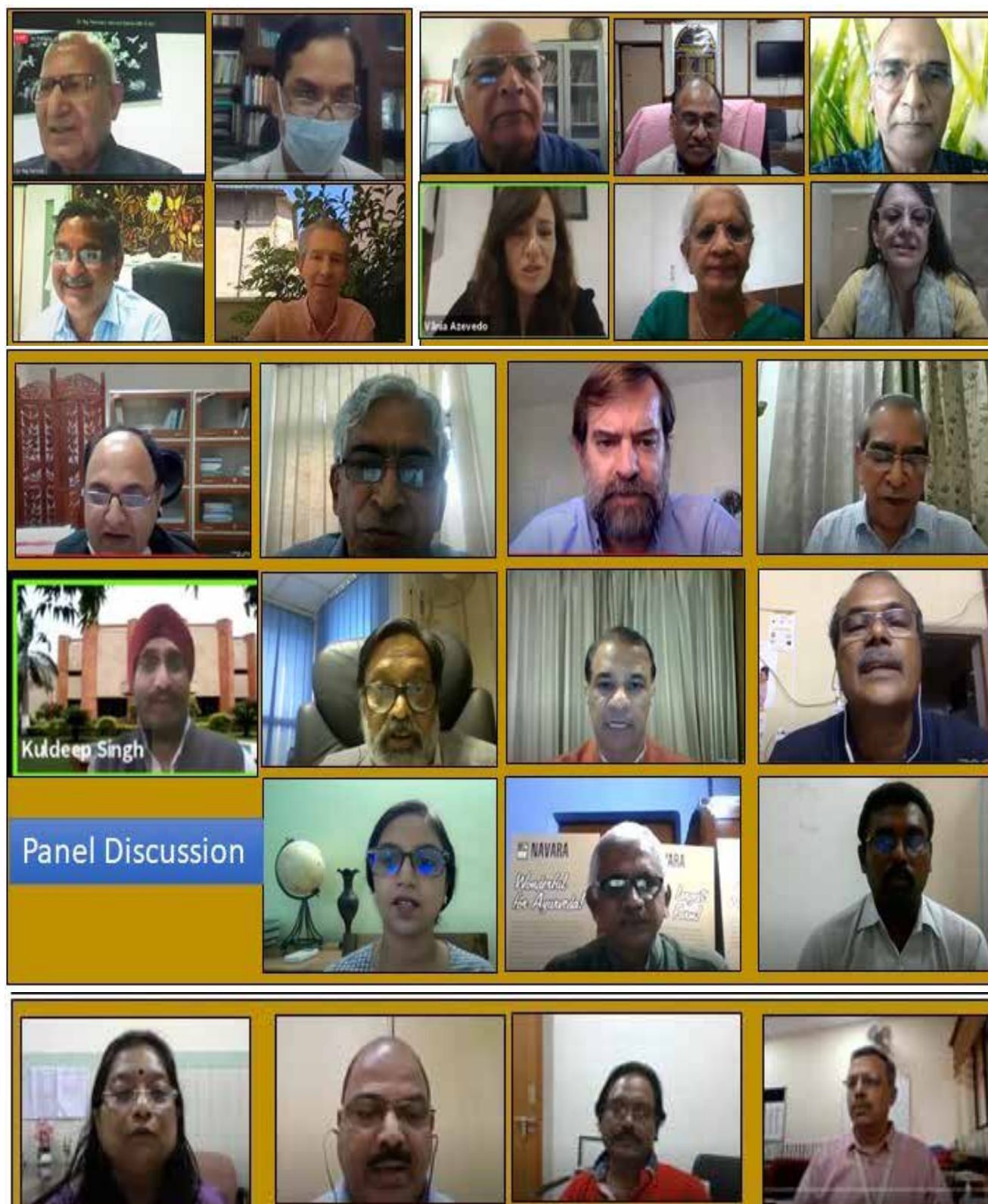
Based on the discussions held, recommendations emerged in four major categories:

**I. General** – (i) Constitute a high-powered Inter-Ministerial Coordination Committee to facilitate effective implementation of ABS provisions in India. (ii) Prepare and publish explicit guidelines on utilization of Biodiversity Fund and constitute a subcommittee under Agrobiodiversity Committee of NBA to expedite the utilization of existing funds. (iii) India to play proactive role at ITPGRFA to expand the Annex I list, revise Standard Material Transfer Agreement (SMTA) as well as to implement an effective and implementable benefit sharing system.

**II. Amendments in BDA, 2002** – (i) Define technical terms of Biodiversity Act 2002 in an operational and sector-specific context to remove subjectivity, to bring clarity in implementation and to facilitate ABS obligations. (ii) Dominion of BDA, 2002 over Digital Sequence Information (DSI) and the implications thereof need elucidation. (iii) NBA may expedite digitization and implementing online system to enhance transparency and ease of doing business. (iv) Harmonize the provisions of the two Acts (BDA, 2002 and PPV&FR Act 2001) regarding Farmers' Rights and Benefit Sharing.

**III. Research & Development** – (i) Create templates for the valuation of biological resources, the key to ABS. (ii) Decisions concerning benefit sharing must be evidence-based. (iii) Develop effective mechanism to ensure benefits of PPV&FRA Gene Fund and other analogous resources reach the stakeholders.

**IV. HRD and Awareness** – (i) Biodiversity professionals required as regular employees or consultants in Biodiversity Management Committees (BMCs) and State Biodiversity Boards (SBBs) for effective implementation of BDA. (ii) Create massive multilingual multimedia outreach and awareness programs. (iii) Develop alternative models for benefit sharing such as access to local bioresources as a standalone benefit, promoting participatory plant breeding, incentivize farmers and communities involved in bioresources conservation with a monetary ABS model. (iv) Recognize and reward modern women conservers.



Recording of webinar is available at <https://www.youtube.com/watch?v=oTzC1Nr4wYk> and the detailed proceedings and recommendations of the webinar can be accessed at [http://ispgr.nbpg.ernet.in/download/ABS\\_Proceedings\\_and\\_Recommendations.pdf](http://ispgr.nbpg.ernet.in/download/ABS_Proceedings_and_Recommendations.pdf)