



EUROPEAN  
COMMISSION

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ANNEX 1

## **ANNEX**

**to the**

## **COUNCIL DECISION**

**establishing the position to be taken on behalf of the Union within the Governing Body  
of the International Treaty on Plant Genetic Resources for Food and Agriculture as  
regards certain proposals submitted for adoption during its eleventh session**

## Annex I

### DRAFT AMENDMENT TO ANNEX I TO THE INTERNATIONAL TREATY ON PLANT GENETIC RESOURCES FOR FOOD AND AGRICULTURE

1. The position of the Union is that the scope of the multilateral system of access and benefit-sharing ('the Multilateral System') is to be expanded as much as possible to cover all plant genetic resources for food and agriculture. Therefore, in Annex I to the International Treaty on Plant Genetic Resources for Food and Agriculture ('the Treaty'), the following paragraph shall be inserted after the lists of food crops and forages:

*'In furtherance of the objectives and scope of this Treaty, in accordance with Article 3, and without prejudice to point (h) of Article 12.3 thereof, the Multilateral System shall, in addition to the food crops and forages listed above, cover all other plant genetic resources for food and agriculture, including those plant genetic resources for food and agriculture previously excepted or excluded in the list above, that are under the management and control of the Contracting Parties and in the public domain and that are found in ex situ collections. After the entry into force of this amendment, any acceptance or approval of or accession to the Treaty shall include this amendment.'*

2. As a fall-back option to facilitate compromise, if the Union position indicated under point 1 of this Annex is not agreed upon, the following additional paragraph can be added to Annex I to the Treaty, after the list of food crops and forages and in addition to the part in inverted commas and in italics under point 1 of this Annex:

*'At the time of its ratification, acceptance or approval of this amendment, a Contracting Party may, exceptionally, declare certain and a limited number of species native to its territory that it will not make available under the terms and conditions of the Multilateral System. Such a declaration shall not affect the rights and obligations of any other Contracting Party related to the said species, nor those of the International Agricultural Research Centres of the Consultative Group on International Agricultural Research or other international institutions that concluded an agreement with the Governing Body under Article 15 of this Treaty. A Contracting Party may withdraw its declaration at any time, or eliminate plant genetic resources for food and agriculture from its list at any time, but shall not make any additional declaration.'*