



CANADIAN SEED TRADE ASSOCIATION

L'ASSOCIATION CANADIENNE DU COMMERCE DES SEMENCES

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Access and Benefit Sharing
Environment Canada,
Ecosystems and Biodiversity Priorities
Place Vincent-Massey, 12th floor
351, Blvd. St-Joseph,
Gatineau, QC.
K1A 0H3

The Canadian Seed Trade Association (CSTA) is pleased to have an opportunity to comment on the proposed policy for *Access to Genetic Resources and Sharing the Benefits of Their Use in Canada*.

The International Treaty on Plant Genetic Resources for Food and Agriculture (IT) provides a useful model and we expect that the Access and Benefit Sharing (ABS) initiative will ultimately take a similar approach. There are three points for your consideration:

1. Respecting sovereign rights and national legislation

Article 10 of the IT cited below recognizes that access to genetic resources is subject to the sovereign rights and national laws of member States. This means that the Canadian ABS policy must recognize the federal, provincial laws and treaties with indigenous people. The Canadian approach must engage those who have jurisdiction over public and privately held lands and water to insure that their rights are not diminished and encourage their participation in ABS.

Article 10 – Multilateral System of Access and Benefit-sharing

10.1 In their relationships with other States, the Contracting Parties recognize the sovereign rights of States over their own plant genetic resources for food and agriculture, including that the authority to determine access to those resources rests with national governments and is subject to national legislation.

10.2 In the exercise of their sovereign rights, the Contracting Parties agree to establish a multilateral system, which is efficient, effective, and transparent, both to facilitate access to plant genetic resources for food and agriculture, and to share, in a fair and equitable way, the benefits arising from the utilization of these resources, on a complementary and mutually reinforcing basis.

2. Expand Annex 1 of the IT to include all agricultural plant species

The CSTA has been an active participant during negotiations of the IT and believe that it is a workable solution for the stated objectives in Article 1.

The objectives of this Treaty are the conservation and sustainable use of plant genetic resources for food and agriculture and the fair and equitable sharing of the benefits arising out of their use, in harmony with the Convention on Biological Diversity, for sustainable agriculture and food security.

As a stakeholder in the production of all agricultural crops, the CSTA would support the expansion of Annex 1 of the IT to include all agricultural crops used for food and other non-food/feed industrial uses.

3. Monetary and *in kind* benefits

There are many stakeholders in ABS and IT negotiations who prefer to measure the success of the IT and ABS outcomes solely by the amount of money generated. We must remind those that success should be measured against the objectives of the IT and that member States make a considerable contribution to the fair and equitable sharing of benefits by their *in kind* contributions.

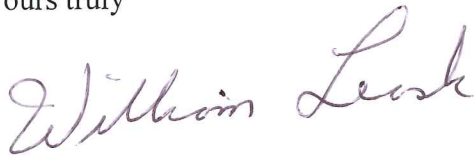
Below is a non-exhaustive list of examples of such *in kind* activities.

- Financial support to genebanks
- Multiplication of genebank materials at no cost
- Evaluation of accessions of the gene bank at no cost
- Support to collection missions
- Support of breeding programmes in developing countries
- Support for other related agricultural programmes

- Capacity building
- Establishment of schools
- Support of fellowships related to biodiversity and/or plant breeding
- Training of students working with genetic resources
- Development of greenhouses and/or laboratories
- Improved varieties available for further breeding and use by donors

Thank you for the opportunity to comment.

Yours truly

A handwritten signature in cursive script that reads "William Leask". The ink is dark and the handwriting is fluid and legible.

W.C. (Bill) Leask Ph.D.

Executive Vice-President