

**PROPOSAL FOR AN
INTERNATIONAL CONVENTION
ON
AGRICULTURAL AND FOOD
DIVERSITY AND SUSTAINABILITY**

Geneviève Parent and Tom Ignacchiti



With the contribution of
Morgane Leclercq

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en droit sur la diversité
et la sécurité alimentaires

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Preamble

The Contracting Parties,

Recognizing the fundamental priority of achieving sustainable food security and eliminating hunger, food insecurity and malnutrition;

Aware that agricultural and food diversity is essential to achieving sustainable food security;

Reaffirming that national security and peace depend on sustainable food security;

Alarmed by the growing loss of agricultural and food diversity worldwide;

Convinced that agricultural and food diversity is a priceless asset that must be celebrated and protected for present and future generations;

Bearing in mind that agricultural and food diversity relates to the diversity of cultures, values, knowledge, customs, beliefs and traditions;

Considering the specific nature of agriculture and food;

Recognizing that agricultural and food diversity depends on the diversity of food systems and that the diversity of food systems around the world is essential to achieving sustainable local, regional, national and global food security;

Further recognizing the urgent need to transition food systems toward greater sustainability and equity;

Affirming the importance of agricultural and food diversity for the full realization of the human rights and fundamental freedoms proclaimed in the 1948 Universal Declaration of Human Rights and other universally recognized instruments;

Recalling Article 12 of the 1966 International Covenant on Economic, Social and Cultural Rights;

Recognizing that the protection and enhancement of agricultural and food diversity play an essential role in achieving the Sustainable Development Goals of the 2030 Agenda for Sustainable Development, in particular Sustainable Development Goal 2, which aims to end hunger, achieve food security, improve nutrition and promote sustainable agriculture;

Recalling that all countries are facing malnutrition issues that take on a variety of forms and range from undernutrition to micronutrient deficiencies, overweight, obesity and diet-related non-communicable diseases, which can coexist in the same country;

Recognizing that agricultural and food diversity contributes to an adequate, healthy, nutritious, diversified and sustainable diet;

Taking note of the 1996 Rome Declaration on World Food Security, the World Food Summit Plan of Action, the 2002 Declaration of the World Food Summit: five years later as well as the 2009 Declaration of the World Summit on Food Security;

Further taking note of the Rome Declaration on Nutrition and its Framework for Action adopted, in 2014, at the Second International Conference on Nutrition held;

Concerned about the multiple crises affecting food security, nutrition and livelihoods, such as financial and economic crises, armed conflicts, migratory crises, health crises, environmental degradation, desertification, climate change and natural disasters;

Recognizing that agricultural and food diversity plays an essential role in increasing resilience in the face of climate change and other stresses as well as in combating environmental degradation;

Further recognizing the specific situation and needs of developing countries, particularly the least developed and most vulnerable of them, in the face of food insecurity;

Recognizing the importance of agricultural and food diversity in enhancing the productivity of agricultural production systems, securing livelihoods and eradicating poverty;

Recalling that all societies have always taken measures to support and protect their agriculture in order to ensure food security on their territory;

Further recalling the 2007 United Nations Declaration on the Rights of Indigenous Peoples and the 2018 Declaration on the Rights of Peasants and Other People Working in Rural Areas;

Recognizing the past, present and future contributions of farmers, herders, pastoralists and fishermen, men and women, as well as local and indigenous communities, from all regions of the world, aimed at protecting and enhancing agricultural and food diversity;

Emphasizing the important role played by family farming and small-scale fishing and their close ties to the protection and enhancement of agricultural and food diversity, the achievement of food security and the improvement of nutrition;

Observing with concern that poverty, food insecurity and malnutrition affect vulnerable populations and marginalized groups in particular;

Recognizing the particular vulnerability of women to food insecurity and the need to achieve gender equality and promote the empowerment of women;

Resolved to adopt a series of measures—in the short, medium and long terms—to protect and enhance agricultural and food diversity, with a view to ensuring the sustainability of food systems and achieving sustainable food security;

Affirming the need to protect and enhance agricultural and food diversity at all stages of food supply chains, in food environments and with consumers;

Considering that the primary responsibility for protecting and enhancing agricultural and food diversity lies with States with the support of the international community;

Convinced that the efforts deployed by the actors of the food system should be supported in order to adopt sustainable solutions and to protect and enhance agricultural and food diversity;

Noting that the protection and enhancement of agricultural and food diversity as well as the development of sustainable and equitable food systems require inclusive and participatory governance;

Affirming the importance of education, awareness building and participation of all food system actors for the protection and enhancement of agricultural and food diversity;

Recognizing the important role played by local and indigenous authorities in the protection and enhancement of agricultural and food diversity as well as in the development of sustainable and equitable food systems;

Emphasizing the need to foster regional and international cooperation and solidarity for the protection and enhancement of agricultural and food diversity as well as for food system sustainability, taking into account the interdependence of all countries with regard to agriculture and food;

Concerned about speculation on agricultural products and price instability, which exacerbate food insecurity;

Considering that international trade liberalization agreements should not negatively impact agricultural and food diversity or food system sustainability;

Aware that issues relating to agricultural and food diversity and food system sustainability lie at the intersection of all areas of development and policy and convinced that it is vital to adopt a series of multisectoral measures and that coordination should exist between these areas;

Echoing the Ministerial Declaration of the 2018 High-Level Political Forum on Sustainable Development, which calls on States and other actors to adopt sustainable approaches to food systems;

Noting that the 2021 CFS Voluntary Guidelines on Food Systems and Nutrition provide an internationally approved reference framework for building sustainable food systems, achieving sustainable food security and improving nutrition;

Congratulating the United Nations for holding its United Nations Food Systems Summit in 2021 and for the voluntary commitments made during said Summit;

Commending the work accomplished by the Food and Agriculture Organization of the United Nations (FAO), the Committee on World Food Security (CFS), the High Level Panel of Experts on Food Security and Nutrition (HLPE), the Commission on Genetic Resources for Food and Agriculture, the International Fund for Agricultural Development (IFAD), the World Food

Programme (WFP), the World Health Organization (WHO), the United Nations Children's Fund (UNICEF), the International Labour Organization (ILO) as well as the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), with a view to achieving sustainable food security and improving nutrition;

Recalling the 2001 International Treaty on Plant Genetic Resources for Food and Agriculture;

Further recalling the Convention on Biological Diversity, the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of the Benefits Arising from their Utilization, the United Nations Framework Convention on Climate Change, the Paris Agreement, the United Nations Convention to Combat Desertification as well as the United Nations Convention on the Law of the Sea, among other international agreements applicable to fisheries;

Referring to the standards, guidelines, codes and recommendations adopted by the Codex Alimentarius Commission, the World Organization for Animal Health (WOAH) and the International Plant Protection Convention (IPPC) to ensure human, animal and plant health;

Recognizing that this Convention and other relevant international agreements should be mutually supportive with a view to protecting and enhancing agricultural and food diversity and achieving sustainable food security;

Seeking to conclude an international agreement to strengthen the protection and enhancement of agricultural and food diversity as well as to achieve sustainable food security;

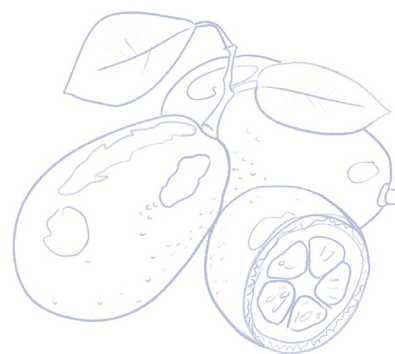
Have agreed as follows:

I. Introduction

Article

1

OBJECTIVES



1. The objectives of this Convention are:
 - a. to protect and enhance agricultural and food diversity in order to achieve sustainable food security and improve nutrition;
 - b. to ensure the availability of sufficient, safe, nutritious, diversified, sustainably produced and culturally appropriate food—as well as physical, social and economic access thereto—at all times for everyone, including vulnerable populations and marginalized groups;
 - c. to contribute to the transition of food systems toward greater sustainability and equity;
 - d. to reaffirm the interdependence between agricultural and food diversity and:
 - i. sustainable food security and nutrition;
 - ii. sustainable and fair food systems;
 - iii. livelihoods and the fight against poverty;
 - iv. sufficient, healthy, nutritious and diversified food;
 - v. food cultures and heritages;
 - vi. biodiversity for food and agriculture, including genetic and natural resources;
 - vii. mitigation, adaptation and resilience to climate change and other stresses;
 - viii. sustainable agricultural and rural development and the protection of ecosystems and rural landscapes.
 - e. to acknowledge the specific nature of agriculture and food, including food products;
 - f. to support a sustainable agricultural and rural development that is adapted to the characteristics of rural areas;
 - g. to promote the consumption of healthy foods based on sustainable production and processing methods;
 - h. to improve the standard of living, living and working conditions of all farmers, herders, pastoralists, fishers as well as agricultural, fishing and agri-food workers, and to guarantee them a decent work income enabling them to live in dignity;
 - i. to make farming and agri-food activities and jobs attractive to young people;
 - j. to promote and strengthen regional and international cooperation and solidarity in order to enhance States' capacities to protect and enhance agricultural and food diversity and to ensure food system sustainability;
 - k. to reaffirm States' sovereign rights to maintain, adopt and implement food policies and measures aimed at protecting and enhancing agricultural and food diversity as well as the sustainability of the food systems on their territory; and
 - l. to promote education and awareness of the need to protect and enhance agricultural and food diversity, with a view to promoting healthy and sustainable eating and to making food systems more sustainable and equitable.

Article

2

GUIDING PRINCIPLES

1. Peace and Security

Sustainable food security facilitates peace maintenance at local, regional, national and international levels and is one of the main foundations of any State's national security.

2. Protecting and Enhancing Agricultural and Food Diversity

Protecting and enhancing agricultural and food diversity is essential to ensure sustainable food security, to improve nutrition and to transition to sustainable and equitable food systems.

3. Respect for Human Rights and Fundamental Freedoms

Human rights and fundamental freedoms are paramount to achieving sustainable food security and improving nutrition. Food policies, as well as measures adopted by States to protect and enhance agricultural and food diversity, shall respect, protect, promote and fulfil human rights and fundamental freedoms. No one may invoke the provisions of this Convention to infringe or limit the scope of the human rights and fundamental freedoms that are enshrined in the Universal Declaration of Human Rights or otherwise guaranteed by international law.

4. Sovereignty

In accordance with international law and, in particular, the United Nations Charter, States have the sovereign right to adopt food policies and to take measures to protect and enhance agricultural and food diversity as well as to ensure sustainable food systems on their territory.

5. Food Autonomy

To the full extent possible, the States shall ensure a certain degree of food autonomy in order to achieve sustainable food security for their populations and limit their dependency on external food supplies.

6. Specificity of Agriculture and Food

Agriculture and food fulfil economic, social, cultural, nutritional, health and environmental functions; these functions complement one another and are equally important to achieving sustainable food security.

7. Recognition of the Diversity of Forms of Agriculture and Food Systems

The diversity of agricultural forms and food systems contributes to the protection and enhancement of agricultural and food diversity. Sustainable food security implies recognizing these forms of agriculture and food systems.

8. Respect for Culturally Adapted Nutrition

Agriculture and food diversity is essential for culturally appropriate nutrition. The latter depends on recognizing, taking into account and respecting different cultures, values, food habits and preferences, as well as diverse knowledge, practices, customs, rites, beliefs and food traditions—including local and indigenous traditions.

9. Participation

The protection and enhancement of agricultural and food diversity—just as the transition of food systems toward greater sustainability and equity—require the full and effective participation of all food system actors in the design, implementation, monitoring, evaluation and review of food policies, and decision made with respect thereto, as well as measures relating to agricultural and food diversity and the sustainability of food systems. That implies taking into account the imbalance of power between the different actors and paying particular attention to women, young people as well as vulnerable populations and marginalized groups.

10. Principle of Integration

The protection and enhancement of agricultural and food diversity must be taken into account when drawing up, implementing, evaluating and revising policies and measures taken by States.

11. Sustainable Development

Protecting and enhancing agricultural and food diversity is an essential condition for ensuring sustainable development for the benefit of present and future generations. Sustainable development presupposes that the direction of the technological and institutional changes effecting agriculture and food does not compromise agricultural and food diversity.

12. Equity and Equality Between Men and Women

Equity and equality between men and women as well as women's empowerment are essential to protecting and enhancing agricultural and food diversity, achieving sustainable food security and improving nutrition. In particular, that implies a recognition of the indispensable role played by women in agriculture and food, the protection of women against discrimination and all forms of violence as well as the recognition of equal rights and opportunities.

13. Protecting Agricultural Land and Activities

Sustainable food security depends on the protection of agricultural land and activities as well as on equitable access to the land and other natural resources used for agricultural and food purposes.

14. Responsible Investments

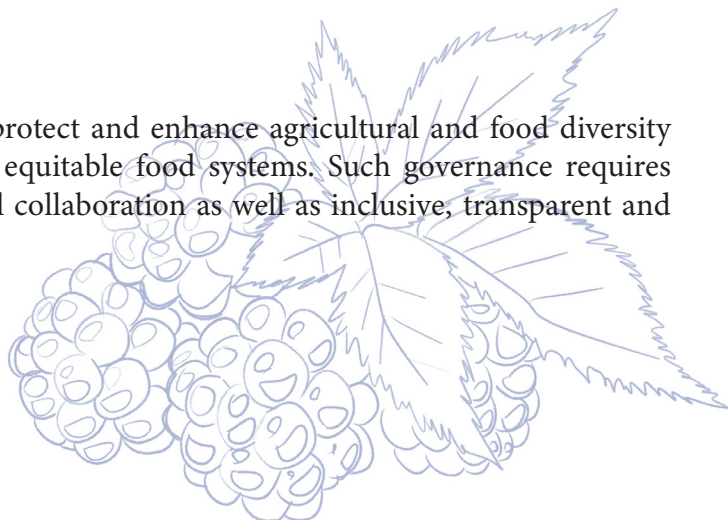
Responsible investments in agriculture and food systems are essential to transitioning food systems toward greater sustainability and equity as well as to protecting and enhancing agricultural and food diversity.

15. International and Regional Solidarity and Cooperation

North-South, North-North, South-South and triangular cooperation and solidarity are important to ensure and strengthen the protection and enhancement of agricultural and food diversity as well as the sustainability of food systems.

16. Inclusive and Participatory Governance

Inclusive and participatory governance is essential to protect and enhance agricultural and food diversity as well as to ensure the transition to sustainable and equitable food systems. Such governance requires the participation of all food system actors, intersectoral collaboration as well as inclusive, transparent and accountable decision-making processes.



Article
3
SCOPE

This Convention shall apply to food policies and measures relating to the protection and enhancement of agricultural and food diversity.

Article
4
USE OF TERMS

For the purposes of this Convention, it is understood that:

1. Agricultural and Food Diversity

Agricultural and food diversity refers to the ecosystems and diversity of activities, knowledge, expressions and products of groups, communities and societies in connection with agriculture and food. Agricultural and food diversity relates to sociocultural diversity, and it is shaped by a variety of factors, including factors that are natural, climatic, political, historical, geographical, social, cultural, economic and technological in nature. In particular, agricultural and food diversity includes:

- a. food and agricultural biodiversity;
- b. natural resources used for agriculture and food purposes;
- c. the diversity of agricultural forms and rural landscapes;
- d. the diversity of agricultural and food practices, methods, techniques and technologies, including modes of food production, storage, processing, transport, marketing, distribution, preparation and preservation;
- e. the diversity of food cultures and heritages, including food values, habits and practices;
- f. the diversity of knowledge relating to agriculture and food, including traditional, local and indigenous knowledge;
- g. the diversity of agricultural products and foods.

2. Sustainable Food Security

Sustainable food security exists when all people, at all times, have physical, social and economic access to sufficient, safe and nutritious food to satisfy their dietary needs and food preferences to live an active and healthy life¹. Sustainable food security comprises the following six dimensions: availability, access, utilization, stability, agency and sustainability².

3. Food Policies

Food policies are policies relating to the institutional, regulatory and budgetary objectives and instruments that guide and shape food system activities, i.e., how food is grown, produced, processed, distributed, purchased, prepared, consumed, stored and eliminated.

¹ FAO, *Rome declaration on world food security and world food summit plan of action*, World Food Summit, November 13–17, 1996, Rome, 1996 and FAO, *The state of food insecurity in the world 2001*, Rome, 2002.

² HLPE, *Food security and nutrition: building a global narrative towards 2030*, Rome, 2020.

4. Food Systems

A food system is made up of all the elements (environment, people, inputs, processes, infrastructure, institutions, etc.) and activities that relate to the production, storage, processing, commercialization, distribution, preparation and consumption of food as well as these activities' outputs, including socioeconomic and environmental outcomes³. The three constituent elements of food systems are food supply chains, food environments and consumer behaviour⁴.

5. Sustainable Food Systems

A sustainable food system is one that ensures food security and nutrition for all in such a way that the economic, social and environmental bases that ensure food security and nutrition for future generations are not compromised⁵. Sustainable food systems are systems that are productive and prosperous, equitable and inclusive, respectful and empowering, resilient, and supportive of the six dimensions of food security⁶.

6. Sustainability

Sustainability refers to a situation where food system practices contribute to the long-term regeneration of natural, social and economic systems, thus ensuring that present generations' food requirements are met without compromising the food requirements of future generations⁷.

7. Healthy and Sustainable Food

Healthy and sustainable food or healthy and sustainable diets refer to dietary patterns that promote all of the dimensions of an individual's health and wellbeing, have low environmental pressure and impact, are accessible, affordable, safe and equitable, and are culturally acceptable⁸.

8. Food

Food refers to products and substances intended for human consumption, whether processed, partially processed or unprocessed.

9. Food Loss and Waste

Food loss and waste is an expression that refers to a reduction, at any stage of food supply chains, from harvest to consumption, in the mass of food that was originally intended for human consumption, regardless of the cause.

10. Food Heritages

Food heritages refer to foods and tangible and intangible activities related to agriculture and food that are characteristic of a society or community in time and space. Food heritages also refer to natural and agricultural sites and landscapes. Food heritages are part of the cultural and natural heritage.



³ HLPE, *Food losses and waste in the context of sustainable food systems*, Rome, 2014.

⁴ HLPE, *Nutrition and food systems*, Rome, 2017.

⁵ HLPE, *Food losses and waste in the context of sustainable food systems*, Rome, 2014.

⁶ HLPE, *Food security and nutrition: building a global narrative towards 2030*, Rome, 2020.

⁷ HLPE, *Food security and nutrition: building a global narrative towards 2030*, Rome, 2020.

⁸ FAO and WHO, *Sustainable healthy diets – Guiding principles*, Rome, 2019.

II. General Provisions

Article

5

GENERAL RULES CONCERNING RIGHTS AND OBLIGATIONS

1. The Contracting Parties have the sovereign right to establish and implement their food policies as well as to adopt measures to protect and enhance agricultural and food diversity on their respective territories, while taking into account the rights of the local and indigenous communities.
2. The Contracting Parties have both the responsibility and obligation to adopt measures aimed at protecting and enhancing agricultural and food diversity on their respective territories, with a view to food system sustainability.
3. The Contracting Parties shall cooperate at international and regional levels to protect and enhance agricultural and food diversity.
4. The Contracting Parties shall ensure that their food policies—including food aid policies—and measures relating to the protection and enhancement of agricultural and food diversity do not negatively impact another State's agricultural and food diversity.
5. The Contracting Parties acknowledge and shall promote the diversity of food systems on their respective territories, so as to ensure coexistence between the different food systems.
6. The Contracting Parties shall ensure that the development, adoption, interpretation and implementation of international standards and agreements are compatible with the provisions of this Convention and are not likely to negatively impact agricultural and food diversity or food system sustainability on their respective territories or on the territory of another State.
7. The Contracting Parties shall take all necessary measures to ensure that non-State actors under their jurisdiction do not negatively impact agricultural and food diversity and do not hinder the implementation of measures relating to its protection and enhancement.

Article

6

FOOD POLICIES

1. Within the framework of their respective food policies, the Contracting Parties shall develop and adopt measures to protect and enhance agricultural and food diversity.
2. The Contracting Parties shall base their food policies on sustainable food security and adopt a systematic approach to sustainable food systems.
3. In their respective food policies, the Contracting Parties shall take the different functions of agriculture and food into account.

4. The Contracting Parties shall draw up and implement coherent food policies, adapted to their respective contexts and to the specific nature of their respective agriculture and food sectors. Within the framework of these policies, the Contracting Parties shall:
 - a. acknowledge the diversity of agricultural forms and food systems and take this diversity into account, notably for the purpose of promoting their coexistence;
 - b. acknowledge the diversity of practices, methods, techniques and technologies for producing, storing, processing, transporting, commercializing, distributing, preparing, preserving and consuming food;
 - c. acknowledge the diversity of the food system actors and pay particular attention to small farmers, herders, pastoralists, fishers, local and indigenous communities as well as vulnerable populations and marginalized groups;
 - d. adopt measures that take into account the specific characteristics of family farming and traditional fishing and that protect these characteristics, promote their development and strengthen their capacities;
 - e. adopt measures to ensure the transition to sustainable and equitable food systems;
 - f. adopt measures to ensure access to sufficient, healthy, nutritious and diversified food;
 - g. integrate nutrition- and health-related objectives and indicators to promote the availability of healthy, nutritious and diversified foods and ensure an equitable access thereto from both physical and economic standpoints;
 - h. integrate the issue of gender equality and women's empowerment and take their specific needs into account;
 - i. adopt measures to grant public financial aid to support the protection and enhancement of agricultural and food diversity as well as food system sustainability;
 - j. ensure the sustainable management of natural resources, notably through supply management mechanisms, to avoid the production of agricultural and food surpluses;
 - k. integrate environmental protection and climate change considerations.
5. The Contracting Parties shall evaluate the effectiveness of the food policies and measures taken at all levels to protect and enhance agricultural and food diversity and they shall periodically update and revise said policies and measures.
6. The Contracting Parties shall develop tools to promote timely access to reliable information on food production, markets and reserves, including through new information and communication technologies.
7. The Contracting Parties shall develop tools to facilitate the exchange and sharing of relevant information between food system actors regarding the best knowledge, practices and experiences—including traditional, local and indigenous practices—that promote agricultural and food diversity.
8. The Contracting Parties are committed to collaborating closely with local and indigenous authorities through the exchange of information on their respective food policies, particularly with a view to coordinating and improving the effectiveness of measures taken to ensure the protection and enhancement of agricultural and food diversity as well as food system sustainability in urban, peri-urban and rural areas. In this respect, the Contracting Parties shall implement multilevel governance mechanisms.

Article

7

CONSIDERATION OF AGRICULTURAL AND FOOD DIVERSITY AND SUSTAINABILITY IN NATIONAL POLICIES

1. The Contracting Parties acknowledge that other policies and measures can influence, both positively and negatively, agricultural and food diversity as well as the functioning and evolution of food systems.
2. The Contracting Parties shall take into account and integrate agricultural and food diversity and sustainability in the development and implementation of other policies and measures—such as policies and measures regarding health, social protection, education, trade, investment, land ownership, energy and taxation— to ensure that these policies and measures are coherent and promote the protection and enhancement of agricultural and food diversity as well as food system sustainability.
3. The Contracting Parties shall promote a more efficient coordination between institutions, ministries and other public authorities so as to take agricultural and food diversity and sustainability issues into account. To this effect, the Contracting Parties shall set up intersectoral governance mechanisms.

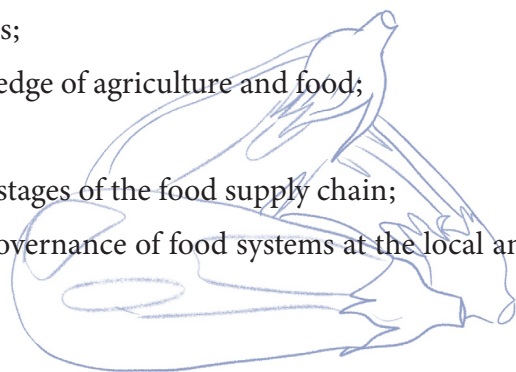
Article

8

SUSTAINABLE AND EQUITABLE FOOD SYSTEMS

1. The Contracting Parties acknowledge that food system sustainability depends on the protection and enhancement of agricultural and food diversity at all stages of food supply chains.
2. The Contracting Parties acknowledge that measures that are adapted to local contexts must be adopted to ensure food system sustainability.
3. The Contracting Parties shall adopt measures to ensure the transition to more sustainable and equitable food systems, including measures to promote:
 - a. the conservation, sustainable use and enhancement of biodiversity for food and agriculture, including genetic resources for food and agriculture, and the preservation of natural resources;
 - b. adaptation to and mitigation of the adverse effects of climate change;
 - c. responsible investments in agriculture and food systems;
 - d. the adoption of agroecological and other innovative approaches to sustainable and equitable forms of agriculture and food systems;
 - e. the adoption of sanitary and phytosanitary standards that are adapted to local and national contexts and developed following a participatory process involving the various food system actors;
 - f. the support of local food supply chains and the promotion of their products;
 - g. the promotion of sustainable and fair trade practices at all stages of food supply chains;
 - h. the strengthening of the capacities and bargaining power of farmers, herders, pastoralists and fishers in food supply chains;
 - i. the improvement of working conditions for agricultural, fishing and agri-food workers, including migrants, along food supply chains;

- j. the support of local agricultural and food markets and short food continua;
- k. the promotion of the supply and consumption of healthy, nutritious, diversified and sustainably produced foods;
- l. the regulation of agricultural products that are associated with deforestation and ecosystem degradation;
- m. the support of public purchasing of sustainable local foods;
- n. the promotion of local, traditional and indigenous knowledge of agriculture and food;
- o. respect for animal welfare;
- p. the reduction of packaging and food loss and waste at all stages of the food supply chain;
- q. the support of intersectoral, multilevel and multi-actor governance of food systems at the local and national levels.



Article

9

HEALTHY AND SUSTAINABLE FOOD

1. The Contracting Parties acknowledge that agricultural and food diversity is imperative for improving nutritional and health outcomes through sufficient, safe, nutritious and diversified food from sustainable and equitable food systems.
2. The Contracting Parties acknowledge the interlinkages between the health of humans, animals, plants and ecosystems and take these interlinkages into account to ensure healthy and sustainable food.
3. The Contracting Parties shall adopt measures to ensure the availability of food and access for all to sufficient, safe, nutritious and diversified food sourced from sustainable and equitable food systems. In particular, the Contracting Parties shall take specific measures adapted to the needs of women as well as of vulnerable populations and marginalized groups.
4. The Contracting Parties shall support the development of food supply chains that take into account sustainability, nutrition and health issues. To this effect, the Contracting Parties shall, in particular:
 - a. promote the diversification of genetic resources for food and agriculture, including indigenous plant varieties and animal breeds as well as neglected, underutilized and locally adapted species;
 - b. support and encourage production, storage, processing, transportation, commercialization and distribution systems that promote a healthy, nutritious, diverse and sustainable food supply;
 - c. support and encourage farmers, herders, pastoralists and fishers to contribute to a healthy, nutritious, diverse and sustainable food supply;
 - d. encourage all actors at all stages of the food supply chains, and raise their awareness, so that they can positively impact the sustainability of diets as well as their nutritional and health outcomes.
5. The Contracting Parties shall encourage and promote healthy and sustainable eating environments and behaviours. To this effect, the Contracting Parties shall, in particular:
 - a. strengthen and promote equitable physical and economic access to healthy, nutritious, diversified and sustainable diets;
 - b. ensure that food markets promote the availability and accessibility of healthy, nutritious, diversified and sustainable food for consumers;

- c. implement incentives, such as tax benefits, to encourage the consumption of healthy, nutritious and sustainable foods, while discouraging the consumption of unhealthy, non-nutritious and non-sustainable foods;
- d. introduce or reinforce food and nutrition labelling regulations;
- e. encourage the promotion and advertising of healthy, nutritious and sustainable foods and adopt restrictive measures for the promotion and advertising of unhealthy, non-nutritious and non-sustainable foods;
- f. develop consumer information, education and awareness programs on healthy, nutritious, diversified and sustainable diets;
- g. develop guidelines for healthy, nutritious, diversified and sustainable diets;
- h. develop school feeding programs and institutional purchasing programs for healthy, nutritious, diversified and sustainable foods;
- i. highlight and promote local, national, traditional and indigenous food heritages.

Article

10

CLIMATE CHANGE

1. The Contracting Parties shall take into account the vulnerability of agriculture and food systems to the adverse effects of climate change as well as the key role that all forms of agriculture and food systems must play in the fight against the adverse effects of climate change.
2. The Contracting Parties shall take the necessary adaptation measures to strengthen the resilience of all agriculture and food systems, regardless of form, to prevent the adverse effects of climate change from compromising agricultural and food production for present and future generations.
3. The Contracting Parties shall take measures to strengthen the role of all forms of agriculture and food systems in mitigating the adverse effects of climate change.
4. The Contracting Parties shall take measures to ensure that all food system actors contribute to the fight against climate change.
5. The Contracting Parties shall take measures to support family farming, small-scale fishing and small farmers, herders, pastoralists and fishers so as to strengthen their capacity to adapt to the adverse effects of climate change and to increase their resilience to such adverse effects.
6. For the purposes of this Article, the Contracting Parties shall rely on scientific knowledge as well as traditional, local and indigenous knowledge.

Article

11

TRADE AND INVESTMENT

The Contracting Parties shall take into account the specific nature of agriculture and food in multilateral and bilateral trade and investment negotiations and policies as well as in the implementation of trade and investment agreements, with a view to protecting and enhancing agricultural and food diversity and ensuring the sustainability of food systems.

Article

12

MEASURES TO PROTECT AGRICULTURAL AND FOOD DIVERSITY IN THE EVENT OF A THREAT

1. The Contracting Parties shall take all appropriate measures to protect agricultural and food diversity on their respective territories in the event of any element of such diversity being threatened.
2. Agricultural and food diversity is threatened as soon as science or experiential knowledge, particularly from local and indigenous communities, identifies a risk.
3. The threatened Contracting Party shall notify the Committee for Agricultural and Food Diversity referred to in Article 35 of all of the measures it has taken to deal with the situation at hand.
4. Any Contracting Party may note the existence of a situation in which an element of agricultural and food diversity is threatened on the territory of another Contracting Party and notify the Committee for Agricultural and Food Diversity.
5. Further to a notice filed pursuant to this Article, the Committee for Agricultural and Food Diversity may make recommendations to the Contracting Party or Parties concerned, pursuant to Article 35.
6. If no appropriate action is taken following recommendations made by the Committee for Agricultural and Food Diversity, a Contracting Party may refer the dispute directly to a Panel of Experts pursuant to Article 38.4.

Article

13

HUMANITARIAN CRISIS

1. In the event of a humanitarian crisis, the Contracting Parties shall fulfil their obligations in accordance with international humanitarian law and international rules dealing with food aid.
2. The Contracting Parties shall combine immediate measures with longer-term measures to ensure food security, improve nutrition and strengthen the resilience of local food systems.
3. In the event of a humanitarian crisis, the Contracting Parties shall favour the supply of food through local food systems and shall prioritize the reconstruction of such systems.

Article

14

INTERNATIONAL AND REGIONAL COOPERATION

1. The Contracting Parties shall work in cooperation to implement this Convention, including by providing technical, scientific and financial assistance, directly or through the FAO and other international and regional organizations.
2. The Contracting Parties acknowledge their responsibility in international and regional efforts to protect and enhance agricultural and food diversity.

3. The Contracting Parties shall cooperate with the civil society, the private sector as well as local and indigenous authorities, through partnerships and collaboration, in order to strengthen their capacity to implement this Convention.
4. The Contracting Parties shall encourage and facilitate cross-border cooperation between local and indigenous authorities to protect and enhance agricultural and food diversity and to ensure food system sustainability.
5. The Contracting Parties shall cooperate to establish, within the FAO's framework, a global information system on the situation as well as on scientific, technical, financial, economic, environmental and social issues relating to agricultural and food diversity.
6. The Contracting Parties shall cooperate in the transfer of technology, the exchange of information, research results, experience, knowledge and best practices for the implementation of this Convention.
7. The Contracting Parties shall cooperate and assist each other in supporting the Committee for Agricultural and Food Diversity in the situations referred to in Article 12.
8. The Contracting Parties shall work in cooperation to establish the International Fund for Agricultural and Food Diversity provided for in Article 31.

Article

15

PARTICIPATION OF FOOD SYSTEM ACTORS

1. The Contracting Parties acknowledge the essential role played by all actors in food systems to protect and enhance agricultural and food diversity and to ensure food system sustainability.
2. The Contracting Parties shall take measures to ensure the full and effective participation of all food system actors in the development, implementation, monitoring, evaluation and review of food policies and decisions made with respect thereto. They shall pay particular attention to vulnerable populations and marginalized groups.
3. In view of their specialized knowledge and proximity to the territory, the Contracting Parties shall take measures to ensure the full and effective participation of local and indigenous authorities in the development, implementation, monitoring, evaluation and review of food policies, and decisions made with respect thereto, in accordance with their respective competences.
4. The Contracting Parties shall establish intersectoral, multi-stakeholder and multilevel governance mechanisms that take into account the imbalances in the dynamic forces between the various actors.

Article

16

REPORTS FROM THE CONTRACTING PARTIES

Every four years, each Contracting Party shall file with the Committee for Agricultural and Food Diversity referred to in Article 35 a report providing relevant information on the measures it has adopted to implement this Convention. Each Contracting Party's report shall also deal with the effectiveness of the measures adopted.

III. Farmers', Herders', Pastoralists' and Fishers' Rights

Article
17

FARMERS', HERDERS' AND PASTORALISTS' RIGHTS

1. The Contracting Parties acknowledge the essential contributions that both male and female farmers, herders and pastoralists as well as local and indigenous communities, in all regions of the world, have made and shall continue to contribute to the protection and enhancement of agricultural and food diversity, with a view to sustainably strengthening livelihoods, achieving food security and improving nutrition.
2. To ensure the sustainability of these contributions, the Contracting Parties shall take measures to acknowledge, promote, protect and fulfil the rights of farmers, herders and pastoralists, including:
 - a. the right to exercise, pursue, develop and live from their agricultural activities in accordance with the objectives of this Convention;
 - b. the right to benefit from fair and favourable working conditions that safeguard their health and safety;
 - c. the right to have and use quality inputs that respect their health and the environment;
 - d. the right to form and join associations for the collective production and marketing of agricultural products;
 - e. the right to access and sustainably use natural resources;
 - f. the right to access productive resources;
 - g. the right to benefit from infrastructure, including irrigation, to produce, store, process, transport, commercialize, distribute and preserve their agricultural products in a sustainable manner;
 - h. the right to benefit from affordable agricultural advisory and extension services;
 - i. the right to receive technical and financial assistance to ensure sustainable agricultural and food production that is adapted to local conditions;
 - j. the right to benefit from financial services, including banking, microfinance, microcredit, loan services and insurance mechanisms;
 - k. the right to benefit from tools to manage environmental, climatic and health risks;
 - l. the right to benefit from agricultural education and training programs adapted to their needs;
 - m. the right to use traditional, local and sustainable practices, methods and techniques;
 - n. the right to access information on agricultural and food issues as well as the right to participate in the development, implementation and review of food policies and measures to protect and enhance agricultural and food diversity, as well as in decisions made with respect thereto;
 - o. the right to protect and enhance their traditional and local knowledge relating to agriculture, livestock and pastoralism as well as the right to use such knowledge;
 - p. the right to fair and profitable prices in exchange for their agricultural products;
 - q. the right to receive payments for ecosystem services provided;
 - r. the right to access agricultural and food markets;

- s. the right to protection against significant volatility in the prices of inputs and their products;
 - t. the right to benefit equitably from the distribution of benefits arising from activities related to the use of genetic resources for food and agriculture, to digital sequencing information on these resources and to associated knowledge;
 - u. the right to save, use, exchange and sell their farm saved seed and other propagating material as well as their genetic material of animal origin;
 - v. the right to use their own seed or propagating material and the right to decide which plant varieties and plant species they want to cultivate as well as which breeds of livestock they want to raise;
 - w. the right to participate in defining the objectives and conduct of agricultural research and development programs as well as the right to access such programs' results;
 - x. the right of access to justice in the event that any of the aforementioned rights are violated.
3. The Contracting Parties acknowledge that these rights are interdependent with a view to ensuring a diversified agricultural and food production that is adapted to local conditions.



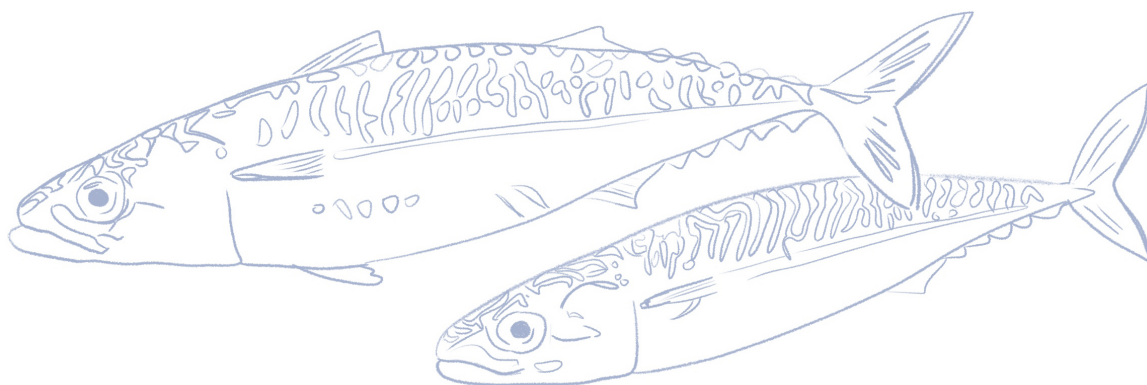
Article

18

FISHERS' RIGHTS

1. The Contracting Parties acknowledge the essential contributions that male and female fish harvesters as well as local and indigenous fishing communities in all regions of the world have made and shall continue to make to protect and enhance the diversity of aquatic and food resources, with a view to strengthening livelihoods, achieving food security and improving nutrition.
2. To ensure the sustainability of these contributions, the Contracting Parties shall adopt measures to recognize, promote, protect and enforce the rights of fishers, including:
 - a. the right to exercise, pursue, develop and live from their fishing activities pursuant to this Convention;
 - b. the right to access fishing zones, including through customary law systems regarding the governance, management, conservation and sharing of aquatic resources;
 - c. the right to the sustainable development of fishing zones, including the right to receive support to rebuild fish stocks and aquatic ecosystems up to levels that are biologically sustainable;
 - d. the right to be protected from the adverse effects -whether economic, social or ecological in nature- of illegal, unreported and unregulated fishing as well as from the adverse effects of the activities of fishing or aquaculture companies or companies that have an influence on the fishing sector;
 - e. the right to be protected from the adverse effects of all sources of marine, freshwater and brackish water pollution;
 - f. the right to participate in the governance of marine protected areas and other effective area-based conservation measures;
 - g. the right to protect and enhance their traditional and local knowledge, innovations, practices and forms of organization;
 - h. the right to benefit from safe, healthy and fair working conditions that safeguard their health and safety;
 - i. the right to technical assistance to ensure a sustainable fish production that is adapted to local conditions;
 - j. the right to benefit from education and training programs that are adapted to their needs;
 - k. the right to access social security and social services, including education and health care;
 - l. the right to benefit from infrastructure and equipment used in the production, storage, processing, transportation, commercialization, distribution and preservation of fish products in a sustainable manner;
 - m. the right to fish with others and to develop community marketing systems;
 - n. the right to access markets;
 - o. the right to fair and profitable prices for their fish products;
 - p. the right to be protected against excessive fish product price volatility;
 - q. the right to receive payments for ecosystem services provided;
 - r. the right to benefit from financial services, including banking, microfinance, microcredit, loan and insurance mechanism services;

- s. the right to benefit equitably from the sharing of benefits arising from activities related to the use of aquatic genetic resources for food and agriculture, to digital sequencing information on these resources and to associated knowledge;
 - t. the right to participate in defining the objectives and conduct of research and development programs related to fisheries as well as the right to access such programs' results;
 - u. the right to access information on matters relating to aquatic resources and the use of the best available scientific knowledge;
 - v. the right to participate in the development and implementation of food policies and measures to enhance, promote and protect agricultural and food diversity, as well as in decisions made with respect thereto;
 - w. the right of access to justice in the event that any of the aforementioned rights are violated.
3. The Contracting Parties acknowledge that respecting the rights of fishers depends on the *in situ* conservation of the aquatic species that live in fresh, brackish and marine waters as well as on the protection of aquatic ecosystems.
4. The Contracting Parties acknowledge that these rights are interdependent with a view to ensuring a diversified agricultural and food production that is adapted to the local context and conditions.



IV. Specific Provisions

Article
19

GENETIC RESSOURCES FOR FOOD AND AGRICULTURE

1. The Contracting Parties acknowledge that the diversity of genetic resources for food and agriculture is the foundation of agricultural and food diversity.
2. The Contracting Parties acknowledge that the conservation of genetic resources for food and agriculture depends on using them in a sustainable manner.
3. The Contracting Parties shall take measures to ensure the conservation, sustainable use and development of genetic resources for food and agriculture, such as local plant varieties and wild relatives, plant varieties developed by farmers and primitive species, local breeds of farmed or domesticated animals, aquatic species and forest species.
4. To support the conservation, sustainable use and development of genetic resources for food and agriculture, the Contracting Parties shall, in particular:
 - a. prospect, identify and evaluate genetic resources for food and agriculture, particularly those genetic resources that are endangered, threatened, endemic or of cultural and traditional value;
 - b. encourage and support the efforts of farmers, herders, pastoralists and fishers as well as local and indigenous communities to ensure the *in situ* conservation of genetic resources for food and agriculture;
 - c. contribute to the establishment of a system for the *ex situ* conservation of genetic resources for food and agriculture, at national, regional and international levels, with the participation and collaboration of farmers, herders, pastoralists and fishers as well as local and indigenous communities;
 - d. support the establishment of community seed and gene banks for plant varieties and local breeds of livestock or domesticated animals;
 - e. adopt measures to limit or eliminate risks and threats to genetic resources for food and agriculture, with particular consideration given to the value of these resources for local and indigenous communities;
 - f. promote participatory and collaborative plant breeding programs that are adapted to local ecological, social and economic conditions;
 - g. support and promote increased and sustainable access to and use of indigenous plant varieties and animal breeds as well as neglected, underutilized and locally adapted species;
 - h. support and enhance traditional, local and indigenous knowledge relating to the conservation, sustainable use and development of genetic resources for food and agriculture;
 - i. support systems and practices for the production, distribution, exchange and sharing of genetic resources for food and agriculture;
 - j. support the establishment and maintenance of diversified agricultural production systems that are relevant to the conservation, sustainable use and development of plant genetic resources for food and agriculture as well as to ecosystem preservation.

5. The Contracting Parties shall facilitate access to genetic resources for food and agriculture and ensure an equitable division of the benefits stemming from the use of these resources, while taking into account the rights of local and indigenous communities over these resources.
6. The Contracting Parties should promote the effective implementation of the International Treaty on Plant Genetic Resources for Food and Agriculture, the FAO Strategy on Mainstreaming Biodiversity across Agricultural Sectors, the Global Plans of Action for Plant Genetic Resources for Food and Agriculture, the Global Plan of Action for Animal Genetic Resources, the Global Plan of Action for the Conservation, Sustainable Use and Development of Forest Genetic Resources as well as relevant documents on aquatic genetic resources.

Article
20

SUSTAINABLE AGRICULTURAL AND RURAL DEVELOPMENT

1. The Contracting Parties acknowledge that agricultural and rural development must protect and enhance agricultural and food diversity.
2. The Contracting Parties acknowledge that agricultural and rural development must be adapted to the characteristics of rural territories and take into account the diversity of agricultural production systems and the links that exist between them.
3. The Contracting Parties shall take into account the potential of agriculture and food to maintain and create agricultural and non-agricultural jobs in rural areas, raise the standard of living among rural populations, combat poverty, provide and diversify income and maintain viable rural areas.
4. To support sustainable agricultural and rural development, the Contracting Parties shall adopt measures to:
 - a. support a territorial, inclusive and concerted approach to agricultural and rural development, respectful of gender equality;
 - b. support sustainable, resilient, equitable and diversified agricultural production systems in rural areas;
 - c. support agricultural production systems that contribute to the conservation and sustainable use of natural resources, biodiversity for food and agriculture as well as the preservation of ecosystems and ecosystem services;
 - d. support agroecology, in particular crops and crop associations and rotations that are adapted to local conditions;
 - e. support and sustain production practices, methods, techniques and technologies that are adapted to the natural characteristics and limits;
 - f. support sustainable management practices for land, soil, water and other natural resources;
 - g. ensure the preservation of rural landscapes and Globally Important Agricultural Heritage Systems (GIAHS);
 - h. support family farming and traditional fishing, practices that contribute to the development of rural areas and to agricultural and food diversity, while placing a particular focus on small farmers, livestock breeders, pastoralists and fishers;

- i. implement agricultural extension and advisory services and training programs to improve the technical, organizational, managerial and negotiating knowledge and skills of people involved in agricultural production in rural areas, such that they are able to contribute to the sustainability of food systems;
- j. encourage the voluntary development of associations, organizations and networks representing farmers, herders, pastoralists and fishers as well as agricultural, fishing and agri-food workers;
- k. encourage the creation of micro-businesses and small and medium-sized enterprises as well as agricultural and food cooperatives;
- l. guarantee fair and profitable prices for the products of farmers, herders, pastoralists and fishers as well as adequate living wages for agricultural, fishing and agri-food workers;
- m. stimulate young people's interest in agriculture and getting involved in agricultural activities;
- n. support local food storage, processing, marketing and distribution operations.

Article

21

AGRICULTURAL LAND, SOIL AND ACTIVITIES

1. The Contracting Parties acknowledge that protecting land, soil and agricultural activities is essential for agricultural and food diversity and sustainable food security. The Contracting Parties shall adopt measures to limit the loss of agricultural land and soil erosion, to ensure their sustainable use for agriculture in the long run, and to restore degraded agricultural land et soil.
2. The Contracting Parties acknowledge and shall protect and secure, without discrimination, the land rights of farmers, herders and pastoralists and shall pay particular attention to the rights of small farmers, herders and pastoralists.
3. The Contracting Parties shall work with local and indigenous communities to protect and secure their customary land tenure systems.
4. The Contracting Parties shall take measures to support and diversify access to agricultural land, paying particular attention to young people, women and small-scale farmers, herders and pastoralists. The Contracting Parties shall also acknowledge that the diversity of land use models is essential to ensuring agricultural and food diversity as well as sustainable food security.
5. The Contracting Parties shall take measures to limit the change of use of agricultural land and the loss of agricultural areas, including procedures to avoid any projects that are likely to negatively impact agricultural land, soils and activities.
6. The Contracting Parties shall establish mechanisms to manage and regulate the agricultural land market, including measures to:
 - a. prevent farmland from becoming overpriced;
 - b. ensure that foreign investments in agricultural land do not undermine national food security;
 - c. combat excessive concentration and farmland grabbing;
 - d. support the development of farmland banks to help farmers, herders and pastoralists set up or maintain farming activities and facilitate access to farmland.

7. The Contracting Parties shall provide support, including technical and financial support, for the adoption of sustainable agricultural land and soil management practices in order to preserve terrestrial and aquatic ecosystems, combat desertification and agricultural land degradation, and ensure soil health.
8. The Contracting Parties shall support, at their request and in accordance with their respective competencies, local and indigenous authorities at all stages of the development of a land strategy ensuring the protection of land, soil and agricultural activities, in accordance with the objectives of this Convention.
9. The Contracting Parties shall promote information, awareness-building and communication activities dealing with the role and importance of land, soil and agricultural activities, thereby enabling all food system actors to participate in their sustainable management.
10. The Contracting Parties shall implement mechanisms for managing disputes in respect of land, soil and agricultural activities, mechanisms that are transparent and accessible to all food system actors.

Article
22

THE ROLE OF WOMEN IN AGRICULTURE AND FOOD SECURITY

1. The Contracting Parties acknowledge the indispensable role that women play in agriculture, in the protection and enhancement of agricultural and food diversity as well as in food security and nutrition. The Contracting Parties shall take appropriate measures to enhance the value of women's agricultural and food activities, including in the economy's non-monetized sectors, their skills and knowledge as well as their agricultural products.
2. The Contracting Parties shall see to eliminating all forms of discrimination and violence against women in food systems and shall take specific measures that are adapted to women's specific needs to ensure gender equality in law and in practice.
3. The Contracting Parties shall adopt all appropriate measures to promote the empowerment of women, in particular rural and indigenous women, to enable them to fully contribute to the achievement of sustainable food security and improved nutrition. In particular, the Contracting Parties shall adopt measures to:
 - a. ensure that women have equal and equitable access to sufficient, safe, nutritious, diversified, sustainably produced and culturally appropriate food, taking into account their particular nutritional needs, especially during pregnancy and breastfeeding;
 - b. guarantee women access to health care services and social security programs, particularly with respect to food security and nutrition;
 - c. provide women who are responsible for dependants within the family with a guaranteed access to childcare services and care facilities, thereby enabling them to participate in agricultural and food-related activities;
 - d. guarantee women effective, equal and equitable access to and control over land, water and other natural resources, thereby enabling them to use and manage these resources in a sustainable manner and to enjoy the benefits thereof;
 - e. increase women's access to agricultural and food inputs, tools, equipment, infrastructure, techniques and technologies;

- f. support women's access to financial services, including banking, microfinance, microcredit, agricultural loan and insurance mechanism services;
- g. provide women with a guaranteed access to information, agricultural extension and advisory services, education and training to enable them to improve their knowledge and skills, including technical, organizational, management and negotiation skills, in order to promote food system sustainability;
- h. support women's groups, associations, organizations, cooperatives as well as agricultural and food micro-businesses and small and medium-sized enterprises;
- i. provide women with a guaranteed equal and fair access to agricultural and food markets;
- j. provide women with equal employment and career advancement opportunities, decent work, equal pay and benefits, improved working conditions and access to income-generating agricultural and food activities;
- k. ensure and increase the consultation, participation and representation of women in decision-making processes at all levels, particularly with respect to the design, implementation, monitoring, evaluation and review of food policies;
- l. promote and protect traditional, local, indigenous and modern knowledge relating to women's agriculture and food.

Article
23

TRADITIONAL, LOCAL AND INDIGENOUS KNOWLEDGE

1. The Contracting Parties acknowledge the essential contribution made by traditional, local and indigenous knowledge from all regions of the world to agricultural and food diversity.
2. The Contracting Parties shall adopt measures to acknowledge, maintain, protect and enhance traditional, local and indigenous knowledge related to agriculture and food, such as understandings, skills, techniques and practices concerning agriculture, animal husbandry, pastoralism, forestry, fishing, hunting and gathering, as well as the production, storage, processing, transportation, commercialization, distribution, preparation, preservation and consumption of food.
3. Namely to protect traditional, local and indigenous knowledge relating to agriculture and food from extinction and misappropriation, the Contracting Parties shall adopt the following measures:
 - a. promote scientific studies dealing with traditional, local and indigenous knowledge relating to agriculture and food and conducted by the holders of such knowledge;
 - b. identify and document this knowledge and its uses and ensure its sharing and dissemination on a larger scale, with the consent and participation of the holders of such knowledge;
 - c. adopt measures to acknowledge and respect the customary rights and oral traditions of local and indigenous communities that are necessary for using and transmitting this knowledge;
 - d. facilitate the use and transmission of this knowledge by its holders;
 - e. adopt measures to regulate access to this knowledge so as to make it subject to the holders' free, prior and informed consent as well as to their full and effective approval and participation;
 - f. ensure an equitable distribution of benefits stemming from the use of such knowledge in accordance with terms that have been mutually agreed with the holders.

Article
24

AGRICULTURAL AND FOOD MARKETS

1. The Contracting Parties shall take into account the diversity of agricultural and food markets and promote the coexistence of these markets, at different scales, for agricultural and food diversity and sustainable food security.
2. The Contracting Parties shall adopt measures to protect, develop and support local agricultural and food markets, including markets that forge ties between rural, urban and peri-urban areas.
3. The Contracting Parties shall adopt measures to improve the access and participation of farmers, herders, pastoralists and fishers in agricultural and food markets, so as to make them as inclusive as possible, including measures to encourage the collective marketing of agricultural products, in particular through cooperatives.
4. The Contracting Parties shall adopt measures to ensure fair, profitable and stable prices for farmers, herders, pastoralists and fishers, including through supply control mechanisms, as well as adequate living wages for agricultural, fishing and agri-food workers.
5. The Contracting Parties shall set up market risk management instruments and tools and adopt measures to limit the volatility of agricultural product prices and its negative effects.
6. The Contracting Parties shall adopt measures to strengthen local agricultural and food markets as well as markets that forge ties between rural, urban and peri-urban areas, including measures to develop appropriate and sustainable production, storage, processing, transportation, marketing and distribution infrastructure items.

Article
25

FOOD LOSS AND WASTE

1. The Contracting Parties shall take effective measures to prevent and reduce food loss and waste at all stages of the supply chains, including:
 - a. measures to raise awareness and encourage all food system actors to reduce food loss and waste;
 - b. measures to support the development of initiatives, practices, techniques, technologies and infrastructure that minimize food loss and waste;
 - c. incentives to encourage improved food consumption practices.
2. The Contracting Parties undertake to collect evidence on food loss and waste so as to facilitate the development of effective measures to prevent and reduce such loss and waste.

Article
26

FOOD HERITAGES

1. The Contracting Parties acknowledge that agricultural and food diversity is essential to the preservation of food heritages and that preserving food heritages contributes to the protection and enhancement of agricultural and food diversity.

2. The Contracting Parties shall take steps to identify, protect and enhance the various food heritages present on their respective territories and pass them on to the present and future generations.
3. The Contracting Parties shall work with local and indigenous communities to protect and enhance their respective food heritages.
4. The Contracting Parties shall acknowledge, respect and consolidate, as food heritage elements, agricultural landscapes, agricultural processes and knowledge concerning agriculture, animal husbandry, pastoralism, forestry, fishing, hunting and gathering, as well as the production, storage, processing, transportation, commercialization, distribution, preparation, preservation and consumption of food. This extends to associated know-how, rituals and beliefs.



V. Supporting Components

Article

27

INCENTIVES

1. The Contracting Parties shall adopt programs and incentives that are adapted to their particular conditions for the purpose of implementing this Convention.
2. The Contracting Parties shall adopt programs and payment measures to encourage farmers, herders, pastoralists and fishers to preserve ecosystems and provide more ecosystem services.
3. The Contracting Parties shall encourage companies in the agricultural and agri-food sector to take measures to protect and enhance agricultural and food diversity, to strengthen their contributions to food system sustainability and to take into account their social and economic responsibility for healthy and sustainable food.

Article

28

EDUCATION AND AWARENESS

1. Each Contracting Party shall take measures to:
 - a. promote and encourage information, education and awareness building, among the civil society and other food system actors, regarding the importance of agricultural and food diversity, measures to protect and enhance it and food system sustainability;
 - b. raise awareness among policymakers and public decision makers at different levels of governance of the importance of protecting and enhancing agricultural and food diversity as well as food system sustainability;
 - c. inform the civil society and other food system actors of the threats to agricultural and food diversity as well as their consequences;
 - d. inform the civil society and other food system actors of the objectives and measures taken in application of this Convention.

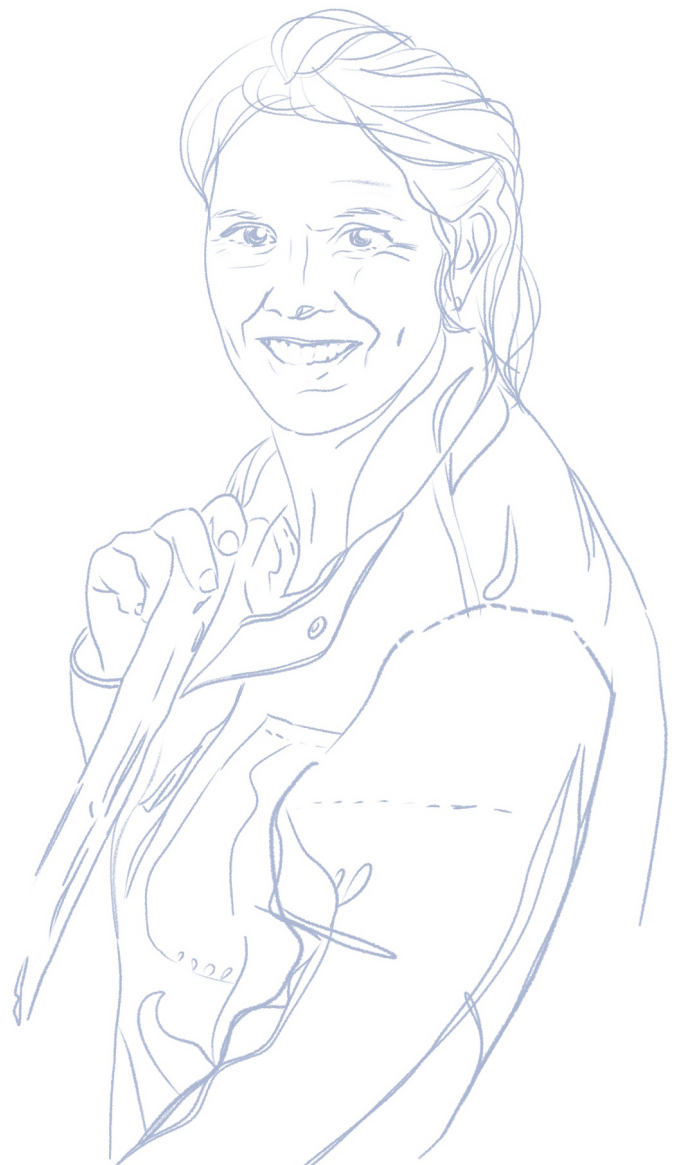
Article

29

RESEARCH AND DEVELOPMENT

1. The Contracting Parties shall ensure that the research and development programs are compatible with the objectives of this Convention.
2. The Contracting Parties shall establish and pursue research and development programs to enhance agricultural and food diversity, achieve sustainable food security and improve nutrition, including:
 - a. research and development activities that contribute to protecting and enhancing agricultural and food diversity and that establish and clarify the ties between agricultural and food diversity and the elements of the first paragraph of Article 1;

- b. research and development activities focused on innovation, including agroecology, and the development of sustainable agricultural and food practices, methods, techniques and technologies.
3. The Contracting Parties shall ensure that the research and development programs contribute to strengthening the national and local institutional capacities, with a view to establishing sustainable and equitable food systems, achieving sustainable food security and improving nutrition.
4. The Contracting Parties shall encourage the full and effective participation of food system actors and take into account gender equality as well as the consideration and enhancement of their experience, knowledge and knowledge systems, particularly indigenous and traditional, at all stages of the research and development programs.
5. The Contracting Parties shall ensure that the research and development institutions adopt ethical principles to conduct, monitor and evaluate their programs, in particular to ensure the free, prior and informed consent as well as individual and community approval.
6. In the case of research and development programs involving the access to genetic resources for food and agriculture and associated knowledge and the use thereof, the Contracting Parties shall ensure that the holders of such resources and associated knowledge benefit equitably and pursuant to mutually agreed terms from any monetary and non-monetary benefits arising therefrom.
7. The Contracting Parties shall see to having the results of the research and development programs safeguarded, disseminated and transferred, which includes the access to practical innovations, methods, techniques and sustainable technologies.



VI. Financial provisions

Article

30

FINANCIAL RESOURCES

Each Contracting Party undertakes to allocate financial resources to its national agricultural and food diversity protection and enhancement activities in accordance with its capabilities.

Article

31

INTERNATIONAL FUND FOR AGRICULTURAL AND FOOD DIVERSITY

1. An International Fund for Agricultural and Food Diversity (hereinafter referred to as the “International Fund”) is hereby established.
2. The aim of the International Fund is to collect and use the financial resources it receives to protect and enhance agricultural and food diversity.
3. The International Fund is constituted as a trust fund, in accordance with the provisions of the FAO’s Financial Regulations.
4. The financial resources of the International Fund consist of:
 - a. the compulsory and voluntary contributions made by the Contracting Parties;
 - b. the funds appropriated for this purpose by the FAO Conference;
 - c. the contributions, gifts or bequests that may be made by other States, organizations and programs of the United Nations system, other international organizations, the private sector, non-governmental organizations and other sources;
 - d. any interest due on the resources of the International Fund;
 - e. funds raised through collections and receipts from events organized for the benefit of the International Fund;
 - f. any other financial resources authorized by the International Fund Regulations drawn up by the Committee for Agricultural and Food Diversity.
5. At least every two years, the Contracting Parties shall make a contribution to the International Fund, the details of which shall be determined by the Committee for Agricultural and Food Diversity.
6. No political, economic or other conditions that are incompatible with the objectives of this Convention may be attached to contributions made to the International Fund.
7. Use of the International Fund’s financial resources shall be decided by the Committee for Agricultural and Food Diversity and shall be consistent with the objectives of this Convention.
8. The International Fund shall establish and maintain cooperation with the Executive Board of the Global Crop Diversity Trust, the Executive Board of IFAD, the International Fund for Cultural Diversity and any other International Fund that the Conference of the Parties deems relevant, with a view to coordinating their respective activities.
9. The International Fund shall report on its activities to the Conference of the Parties through the Committee for Agricultural and Food Diversity.

VII. Relationship to Other Instruments

Article

32

RELATIONSHIP TO OTHER INSTRUMENTS

1. The Contracting Parties acknowledge that they shall perform in good faith their obligations under this Convention and all other international agreements to which they are parties.
2. The Contracting Parties acknowledge that this Convention and other international agreements must be complementary, with a view to protect and enhance agricultural and food diversity.
3. The Contracting Parties shall take into account the provisions of this Convention when interpreting and applying other international agreements to which they are parties or when entering into other international obligations.
4. Other international agreements, including agreements relating to the liberalization of agricultural and food trade, must not affect the Contracting Parties' rights and obligations under this Convention. In case of conflict with the provisions of any other international agreement, the provisions of this Convention shall prevail to the extent of the conflict.

Article

33

INTERNATIONAL COHERENCE AND COORDINATION

The Contracting Parties shall take into account the objectives and principles of this Convention when entering into international commitments. The Contracting Parties undertake to promote these objectives and principles in other multilateral and bilateral fora. For this purpose, the Contracting Parties shall consult each other, including for the purpose of coordinating their actions in an effective manner.



VIII. Institutional Provisions

Article

34

CONFERENCE OF THE PARTIES

1. A Conference of the Parties is hereby established.
2. The Conference of the Parties is the decision-making body of this Convention.
3. The Conference of the Parties is composed of representatives of all of the Contracting Parties, preferably with expertise in agriculture and food or other areas relevant to the Convention. The Conference of the Parties shall hold an ordinary session at least once every two years. Extraordinary sessions of the Conference of the Parties shall be held at such other times as may be deemed necessary by the Conference or at the written request of the Committee for Agricultural and Food Diversity or a Contracting Party, provided such request is supported by at least one third of the Contracting Parties.
4. The functions of the Conference of the Parties are:
 - a. to elect the members of the Committee for Agricultural and Food Diversity;
 - b. to provide the Committee for Agricultural and Food Diversity with general indications and orientations regarding the implementation of this Convention;
 - c. to receive, examine and widely disseminate the reports of the Contracting Parties rendered public by the Committee for Agricultural and Food Diversity;
 - d. to adopt the guidelines prepared by the Committee for Agricultural and Food Diversity;
 - e. to adopt the budget for this Convention;
 - f. to consider and establish, subject to the availability of the necessary funds, such subsidiary bodies as may be necessary to implement this Convention as well as their respective mandates and composition;
 - g. to establish and adopt the communications mechanism's rules and procedures pursuant to Article 37;
 - h. to establish and adopt the dispute settlement mechanism's rules and procedures pursuant to Article 38;
 - i. to establish and maintain cooperation with other international organizations and treaty bodies in the fields covered by this Convention, in particular the Plenary Session of the CFS, the Commission on Genetic Resources for Food and Agriculture, the Governing Body of the International Treaty on Plant Genetic Resources for Food and Agriculture, the Conference of the Parties to the Convention on Biological Diversity, the Conference of the Parties to the United Nations Convention to Combat Desertification, the Conference of the Parties to the United Nations Framework Convention on Climate Change, and the Meeting of State Parties to the United Nations Convention on the Law of the Sea;
 - j. to consider and adopt, as required, amendments to this Convention in accordance with the provisions of Article 39;
 - k. to take whatever other measures it may consider necessary to further the objectives of this Convention.

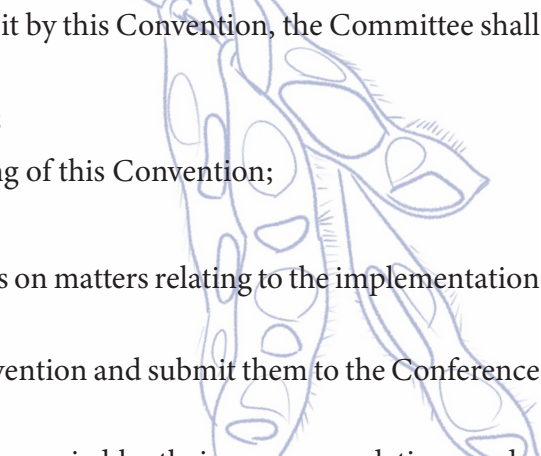
5. Subject to the provisions of Article 34.9, each Contracting Party has one vote and may be represented at sessions of the Conference of the Parties by one delegate, who may be accompanied by an alternate as well as by experts and advisers. Alternates, experts and advisers may take part in the proceedings of the Conference of the Parties, but they are not entitled to vote unless they have been duly authorized to replace a delegate.
6. The Conference of the Parties spares no effort to reach its decisions by consensus. If all efforts at consensus have been exhausted and no consensus is reached, decisions are adopted, as a last resort, by a two-thirds majority of the Contracting Parties present and voting.
7. The Conference of the Parties shall adopt and amend its own Rules of Procedure and Financial Regulations and those of any subsidiary body that it may establish, which must not be inconsistent with the provisions of this Convention.
8. The United Nations, its specialized agencies and the International Atomic Energy Agency as well as any State that is not a Contracting Party to this Convention may be represented as observers at sessions of the Conference of the Parties. Any other body or institution, whether governmental or non-governmental, working in fields covered by this Convention, which has informed the Secretary that it wishes to be represented as an observer at a session of the Conference of the Parties, may be admitted unless at least one third of the Contracting Parties in attendance object thereto. The admission and participation of observers shall be subject to the Rules of Procedure adopted by the Conference of the Parties.
9. A Member Organization of FAO that is a Contracting Party and the Member Nations of that Member Organization that are Contracting Parties shall exercise their rights and fulfil their obligations as members of the Conference of the Parties pursuant to Article 43 and the Constitution and General Rules of FAO.
10. The presence of delegates representing a majority of the Contracting Parties shall be necessary to constitute a quorum at any session of the Conference of the Parties.
11. The Conference of the Parties shall elect its Chairperson and Vice-Chairpersons (collectively referred to as the “Bureau”), in conformity with its Rules of Procedure.

Article

35

COMMITTEE FOR AGRICULTURAL AND FOOD DIVERSITY

1. A Committee for Agricultural and Food Diversity (hereinafter referred to as the “Committee”) is hereby established with the FAO as an executive body of the Conference of the Parties.
2. The Committee is composed of representatives of twenty-eight Contracting Parties to the Convention who are elected for a two-year term by the Conference of the Parties. The Committee’s members have expertise in agriculture and food or in other fields relevant to the Convention, notably a legal, scientific or technical field.
3. The Committee shall meet at least once a year and as often as necessary.
4. The Committee’s members shall be elected to ensure an equitable geographical representation based on each of the seven FAO regions.

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5. Without prejudice to the other responsibilities conferred upon it by this Convention, the Committee shall perform the following functions:
 - a. promote the objectives and principles of this Convention;
 - b. ensure and strengthen the implementation and monitoring of this Convention;
 - c. deal with cases of non-application of this Convention;
 - d. provide advice and/or assistance to the Contracting Parties on matters relating to the implementation of this Convention;
 - e. prepare the guidelines for the implementation of this Convention and submit them to the Conference of the Parties for approval;
 - f. examine reports received from Contracting Parties, accompanied by their recommendations and a summary of their content, and submit them for consideration to the Conference of the Parties;
 - g. make recommendations regarding situations brought to its attention by the Contracting Parties, pursuant to Article 12;
 - h. propose measures to be taken in situations brought to its attention through communications transmitted pursuant to Article 37;
 - i. report to the Conference of the Parties on activities carried out pursuant to Article 12;
 - j. draw up the Regulations of the International Fund for Agricultural and Food Diversity, including the modalities for the payment of contributions by the Contracting Parties, pursuant to Article 31;
 - k. decide on the use of the resources of the International Fund referred to in Article 31;
 - l. establish a strategy to encourage voluntary contributions to the International Fund referred to in Article 31;
 - m. examine and adopt consultation procedures and other operational mechanisms aimed at promoting the objectives and principles of this Convention in other international fora pursuant to Article 33;
 - n. establish sub-committees and working groups to carry out its functions, subject to the availability of funds;
 - o. perform any other functions as may be requested by the Conference of the Parties.
 6. The Committee shall be accountable to the Conference of the Parties and reports regularly on its activities.
 7. The Committee shall adopt its Rules of Procedure and any other regulations by a two-thirds majority of its members.
 8. The Committee shall take account of the work and may request the cooperation of the CFS and the Commission on Genetic Resources for Food and Agriculture.
 9. The Committee may call on the expertise of the HLPE, the Intergovernmental Panel on Climate Change (IPCC), the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES) or any other expert group.

10. The Committee shall see to ensuring participation at its meetings and work of representatives of international organizations, intergovernmental bodies and institutions, non-governmental organizations, local and indigenous authorities, civil society organizations and their networks as well as private-sector associations with activities relating to food security and nutrition issues. The representatives shall take part in the Committee's work and have the right to intervene in debates in order to contribute to the preparation of meeting documents and agendas as well as to submit and present documents and formal proposals.
11. The Committee may invite or authorize other interested organizations to attend its meetings as observers.

Article

36

SECRETARY

1. The Secretary of the Conference of the Parties shall be appointed by the Director-General of FAO with the approval of the Conference of the Parties. The Secretary shall be assisted by such staff as may be required to perform his or her functions.
2. The Secretary shall perform the following functions:
 - a. arrange for and provide administrative support for the sessions of the Conference of the Parties, for the Committee for Agricultural and Food Diversity and for any subsidiary bodies as may be established;
 - b. inform civil society and other food system actors of the Convention and its objectives;
 - c. assist the Conference of the Parties and the Committee for Agricultural and Food Diversity in carrying out their functions, including the performance of other functions as may be decided to assign to it by the Conference of the Parties;
 - d. report on its activities to the Conference of the Parties.
3. The Secretary shall communicate to all Contracting Parties and to the Director-General of FAO:
 - a. decisions of the Conference of the Parties within sixty days of adoption;
 - b. information received from the Contracting Parties in accordance with the provisions of this Convention.
4. The Secretary shall provide documentation in the six languages of the United Nations for the sessions of the Conference of the Parties.
5. To achieve the objectives of this Convention, the Secretary shall cooperate with other organizations and treaty bodies, including in particular the Secretariat of the International Treaty on Plant Genetic Resources for Food and Agriculture, the Secretariat of the Convention on Biological Diversity, the Executive Secretariat of the United Nations Framework Convention on Climate Change, the Permanent Secretariat of the United Nations Convention to Combat Desertification, the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs of the United Nations, and the Secretariat of the World Trade Organization.

IX. Final Provisions

Article

37

COMMUNICATIONS FROM ACCREDITED NON-GOVERNMENTAL ORGANIZATIONS

1. Communications may be submitted to the Committee for Agricultural and Food Diversity by non-governmental organizations claiming that a Contracting Party is failing to take appropriate measures to protect agricultural and food diversity within the limits of its territory in the event that an element of agricultural and food diversity is threatened.
2. Such communications may be submitted by non-governmental organizations that are accredited by the United Nations Economic and Social Council (ECOSOC) or by the Committee for Agricultural and Food Diversity.
3. Following the submission of a communication, the Committee for Agricultural and Food Diversity shall invite the Contracting Party concerned to submit any relevant information or comments in writing.
4. The Committee for Agricultural and Food Diversity shall examine the communication received from an accredited non-governmental organization, taking into account all of the information and observations transmitted by the Contracting Party concerned.
5. Following its analysis, the Committee for Agricultural and Food Diversity shall communicate its findings and, where appropriate, its recommendations to the Contracting Party concerned as well as to the accredited non-governmental organization.
6. The Conference of the Parties shall establish and adopt, at its first session, the communications mechanism's rules and procedures, which are necessary for applying the provisions of this Article.

Article

38

SETTLEMENT OF DISPUTES

1. This article establishes a specialized dispute settlement mechanism to settle agricultural and food-related issues between the Contracting Parties.
2. In the event of a dispute between Contracting Parties concerning the interpretation or application of this Convention, the Parties concerned shall seek solutions by negotiation.
3. If the Parties concerned cannot reach agreement by negotiation, they may jointly seek the good offices of, or request mediation by, a third party.
4. In the case of a dispute which has not been satisfactorily resolved pursuant to paragraph 2 or 3 above, or following the process set in motion by Article 12, the dispute, including that involving commercial considerations, shall be referred to a Panel of Experts constituted at the request of one of the Parties concerned. The Panel of Experts shall conduct its review in accordance with the dispute settlement procedure established by the Conference of the Parties. Any decision rendered by the Panel of Experts pursuant to this Article shall be binding on the Contracting Parties.

5. The Contracting Parties undertake to assert their rights and obligations under this Convention before any dispute settlement mechanism established by another treaty, when a dispute relates directly or indirectly to agricultural and food diversity, so as to ensure a greater coherence of public international law.
6. The Conference of the Parties shall establish and adopt, at its first session, such rules and procedures for the dispute settlement mechanism as may be necessary in order to implement the provisions of this Article. The Panel of Experts shall be composed so as to include at least one expert in human rights and fundamental freedoms.

Article

39

AMENDMENTS

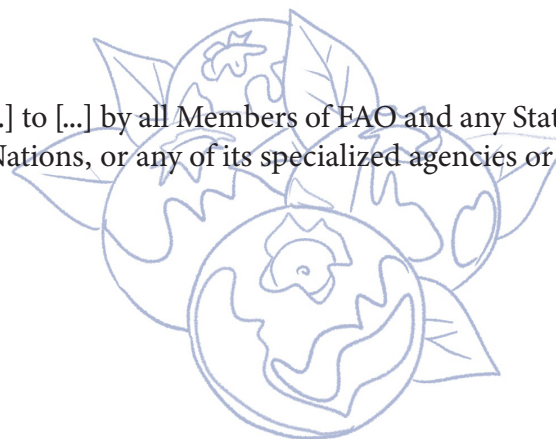
1. Amendments to this Convention may be proposed by any Contracting Party.
2. Amendments to this Convention shall be adopted at a session of the Conference of the Parties.
3. The text of any proposed amendment shall be communicated to the Contracting Parties by the Secretary at least six months before the session at which it is proposed for adoption.
4. Amendments shall be adopted by a two-thirds majority of the Contracting Parties present and voting. Amendments to this Convention, once adopted by the Conference of the Parties, shall be submitted to the Contracting Parties for ratification, acceptance, approval or accession.
5. For those Contracting Parties that have ratified, accepted, approved or acceded to them, amendments to this Convention shall enter into force on the ninetieth day after the deposit of instruments of ratification, acceptance, approval or accession by at least two thirds of the Contracting Parties. Thereafter, the amendment shall enter into force for any other Contracting Party three months after the date that Contracting Party deposits its instrument of ratification, acceptance or approval of the amendment.
6. A State or Member Organization of FAO which becomes a Contracting Party to this Convention after the coming into force of amendments shall, failing an expression of a different intention, be considered to be:
 - a. a Contracting Party to the Convention as so amended;
 - b. a Contracting Party to the unamended Convention in relation to any Party not bound by the amendments.

Article

40

SIGNATURE

This Convention shall be open for signature at the FAO from [...] to [...] by all Members of FAO and any States that are not Members of FAO but are Members of the United Nations, or any of its specialized agencies or of the International Atomic Energy Agency.



Article

41

RATIFICATION, ACCEPTANCE, APPROVAL

This Convention shall be subject to ratification, acceptance or approval by the Members and non-Members of FAO referred to in Article 40, in accordance with their respective constitutional procedures. Instruments of ratification, acceptance, or approval shall be deposited with the Depositary.

Article

42

ACCESSION

This Convention shall be open for accession by all Members of FAO and any States that are not Members of FAO but are Members of the United Nations, or any of its specialized agencies or of the International Atomic Energy Agency, from the date on which the Convention is closed for signature. Instruments of accession shall be deposited with the Depositary.

Article

43

ENTRY INTO FORCE

1. Subject to the provisions of Article 43.2, this Convention shall enter into force on the [...] day after the deposit of the [...] instrument of ratification, acceptance, approval or accession, provided that at least [...] instruments of ratification, acceptance, approval or accession have been deposited by Members of FAO.
2. For each Member of FAO and any State that is not a Member of FAO but is a Member of the United Nations, or any of its specialized agencies or of the International Atomic Energy Agency that ratifies, accepts, approves or accedes to this Convention after the deposit, pursuant to Article 43.1, of the [...] instrument of ratification, acceptance, approval or accession, the Convention shall enter into force on the [...] day following the deposit of its instrument of ratification, acceptance, approval or accession.

Article

44

MEMBER ORGANIZATIONS OF FAO

1. The following provisions shall apply to regional economic integration organizations recognized as members of FAO, in accordance with the provisions of paragraph 3 of Article II of the FAO Constitution.
2. Instruments of ratification, acceptance, approval, accession or withdrawal, deposited by a Member Organization of FAO, shall not be counted as additional to those deposited by its Member States.
3. Where one or more Member States of such an Organization are also Contracting Parties to this Convention, said Organization or Member States shall agree on the distribution of their competence in the performance of their obligations pursuant to this Convention. Said distribution of competence shall take effect once the notification procedure described in paragraph 4 has been completed.

4. A Member Organization of FAO and its Member State or States which have agreed on a division of competence as provided for in paragraph 3 shall inform the Contracting Parties of the proposed division in the following manner:
 - a. at the time of its instrument of ratification, acceptance, approval or accession, the Member Organization of FAO shall, in accordance with the provisions of paragraph 5 of Article II of the FAO Constitution, specify in a declaration of competence the distribution of competence with respect to matters governed by the Convention;
 - b. in the event of a subsequent change in the distribution of respective competences, pursuant to paragraph 7 of Article II of the FAO Constitution, the Member Organization of FAO shall inform the Depositary of any proposed change in such competences and the Depositary shall in turn inform thereof the Contracting Parties to this Convention.
5. Member States of a Member Organization of FAO which become Contracting Parties to the Convention are deemed to retain competence over all matters in respect of which transfers of competence have not been expressly declared or notified to the Depositary.
6. Any Contracting Party to this Convention may, at any time, request that a Member Organization of FAO that is a Contracting Party to this Convention provide information as to which, as between the Member Organization and its Member States, is responsible for the implementation of any particular issue covered by this Convention. The Member Organization shall provide this information within a reasonable time.

Article

45

RESERVATIONS

No reservations may be made to this Convention.

Article

46

NON-PARTIES

The Contracting Parties shall encourage any Member of FAO or other State, not a Contracting Party to this Convention, to accept this Convention.

Article

47

WITHDRAWALS

1. Any Contracting Party may at any time, notify the Depositary in writing of its withdrawal from this Convention. The Depositary shall at once inform all Contracting Parties.
2. Withdrawal shall take effect one year from the date of receipt of the notification.

Article

48

TERMINATION

1. This Convention shall be automatically terminated if and when, as the result of withdrawals, the number of Contracting Parties drops below [...], unless the remaining Contracting Parties unanimously decide otherwise.
2. The Depositary shall inform all remaining Contracting Parties when the number of Contracting Parties has dropped to [...].
3. In the event of termination, the disposition of assets shall be governed by the financial rules to be adopted by the Conference of the Parties.

Article

49

DEPOSITARY

The Director-General of FAO shall be the Depositary of this Convention.

Article

50

AUTHENTIC TEXTS

The Arabic, Chinese, English, French, Russian and Spanish texts of this Convention are equally authentic.

