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منظمة الأغذية  
والزراعة  
للأمم المتحدة

联合国  
粮食及  
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Food  
and  
Agriculture  
Organization  
of  
the  
United  
Nations

Organisation  
des  
Nations  
Unies  
pour  
l'alimentation  
et  
l'agriculture

Organización  
de las  
Naciones  
Unidas  
para la  
Agricultura  
y la  
Alimentación

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### Item 18 of the Draft Provisional Agenda

## INTERNATIONAL TREATY ON PLANT GENETIC RESOURCES FOR FOOD AND AGRICULTURE

### FIRST SESSION OF THE GOVERNING BODY

Madrid, Spain, 12-16 June 2006

## ARRANGEMENTS FOR SUPPORTING THE PARTICIPATION OF DEVELOPING COUNTRY CONTRACTING PARTIES IN MEETINGS OF THE GOVERNING BODY AND ITS SUBSIDIARY BODIES

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*Appendix 1: Categories established by the United Nations that might be used to identify countries eligible for support*

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**ARRANGEMENTS FOR SUPPORTING THE PARTICIPATION OF DEVELOPING  
COUNTRY CONTRACTING PARTIES IN MEETINGS OF THE GOVERNING BODY  
AND ITS SUBSIDIARY BODIES**

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**I. INTRODUCTION**

1. Rule 6.2(b) of the Draft Financial Rules provides for a Special Fund for contributions by Contracting Parties to support the participation of representatives of developing country Contracting Parties and of Contracting Parties with economies in transition in meetings of the Governing Body and its subsidiary bodies. According to Rule 6.7 of the Financial Regulations of FAO, “the purposes and limits of any Trust or Special Funds shall be clearly defined”. In order to ensure adequate funding and maximum transparency of the Special Fund, the Governing Body may wish to make additional and more specific arrangements, taking into account the modalities of funds established by other bodies of the United Nations for similar purposes.

2. This paper addresses possible arrangements for supporting the participation of developing countries in sessions of the Governing Body and of its subsidiary bodies. It does not deal with the question of whether expenses incurred by representatives of developing countries should be borne by the core administrative budget of the Treaty, which is a matter for the draft Financial Rules of the Governing Body<sup>1</sup> that will be considered under Agenda Item 6. It seeks the guidance of the Governing Body on what future work might be done to establish rules for the use of the Special Fund.

**II. ARRANGEMENTS FOR THE USE OF THE SPECIAL FUND TO SUPPORT THE  
PARTICIPATION OF DEVELOPING COUNTRIES AND COUNTRIES WITH  
ECONOMIES IN TRANSITION IN SESSIONS OF THE GOVERNING BODY  
AND ITS SUBSIDIARY BODIES**

3. Arrangements for the use of the Special Fund could, in particular, establish eligibility criteria, the scope of financial support, and provisions that should apply in the case that the Special Fund has inadequate financial resources.

***ELIGIBILITY CRITERIA***

***Definition of developing countries/ countries with economies in transition***

4. There is no universally agreed definition or list of developing countries or countries with economies in transition. However, there are a number of official classifications produced within the United Nations system that might be drawn upon. These include: the list of Least Developed Countries established by the United Nations Economic and Social Council, the World Bank classification of economies and the UNDP Human Development Index. It should be noted, however, that there are countries that consider themselves developing countries or countries with economies in transition, which do not appear in any of these lists. Conversely, there may be countries that appear on one of the lists but do not consider themselves to be developing countries or countries with economies in transition.

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<sup>1</sup> see IT/GB-1/06/4, Option 1 for Rule 5.1.

5. The table given in *Appendix 1* identifies those Contracting Parties which fulfil the criteria of one or more of the following categories established by the United Nations which may be used to identify countries to be eligible for support:

- a) Least-Developed Countries.
- b) Low Income Countries.
- c) Lower Middle income Countries.
- d) Upper Middle income Countries.
- e) Countries with Low Human Development.
- f) Countries with Medium Human Development.

### ***Contracting Parties and Non-Contracting Parties***

6. Most funds for the participation of developing countries or countries with economies in transition require the country seeking support to be a Party or Member of the relevant instrument or body.<sup>2</sup> However, some funds, such as the relevant Special Voluntary Trust Fund (BI Trust Fund) established under the Cartagena Protocol on Biosafety, allow on an exceptional basis and subject to available resources, funding for participation of Non-Parties if they “provide a clear political commitment towards becoming Parties to the Protocol.”<sup>3</sup> As evidence of such political commitment, the decision requires written assurance to the Executive Secretary that the country intends to become a Party.

### ***SCOPE OF THE FINANCIAL SUPPORT***

7. Financial support for the participation of developing countries usually consists of a pre-paid lowest fare economy class travel support, a fixed amount for terminal expenses, and the payment of daily subsistence allowance. The rates of the daily subsistence allowance are periodically determined by the International Civil Service Commission on the basis of the latest data on prices for single rooms at good commercial hotels and meal costs. A separate matter is how many delegates per delegation are to be supported. In the case of meetings during of the Interim Committee for the International Treaty, one and sometimes two delegates per country have received support, when available.

8. The above modalities apply when meetings are held in FAO Headquarters in Rome. However, when meetings have been hosted by a Government during the Interim Committee process, and that Government has directly supported the participation of developing countries, *ad hoc* arrangements have been made, usually taking the form of support for travel, and board and lodgings at the meeting site. Such cases would be outside the scope of the Special Fund.

9. It is suggested that whatever the scope of support available, it be provided only:
- a) Upon official request from the Contacting Party concerned;
  - b) After official nomination of the Contacting Party’s delegation to the meeting in question; and
  - c) After identification of the specific person or persons for whom support is requested.

<sup>2</sup> see, e.g., FAO/WHO Fund for Enhanced Participation in Codex: Section E of the Trust Fund document [http://www.who.int/foodsafety/codex/en/proj\\_doc\\_e.pdf](http://www.who.int/foodsafety/codex/en/proj_doc_e.pdf); CBD Special Voluntary Trust Fund (BE Trust Fund): para. 5(a) of Decision III/24 of the 3rd Conference of the Parties to the Convention on Biological Diversity <http://www.biodiv.org/decisions/default.aspx?m=COP-03&id=7120&lg=0>; the Special Fund of the United Nations Convention to combat desertification in those countries experiencing serious drought and/ or desertification, particularly in Africa (ICCD), see Rule 10 of the Financial Rules of the Parties to the ICCD <http://www.unccd.int/cop/officialdocs/cop1/pdf/11add1eng.pdf>; Trust Fund for Participation in the UNFCCC Process: para. 15 of Decision 15/ Cp.1 <http://unfccc.int/resource/docs/cop1/07a01.pdf>.

<sup>3</sup> Decision BS-1/10, see <http://www.biodiv.org/biosafety/cop-mop/result.aspx?id=8292>

### ***INSUFFICIENT FINANCIAL RESOURCES WITHIN THE SPECIAL FUND***

10. The Governing Body may also wish to give guidance on how to proceed if the financial resources available within the Special Fund are insufficient to provide full support to all countries eligible for having requested financial support. There appear to be three possible options for dealing with the situation:

- a) providing partial support to all countries;
- b) providing support on a first-come first-served basis; or
- c) provision of support according to a priority list.

#### ***Partial Support***

11. This would mean that all eligible developing countries and countries with economies in transition would be offered partial support (*e.g.* the cost of air tickets with no, or only part of the, daily subsistence allowance). Partial support could be combined with a priority list: for example, some countries might receive full financial support, while others would only receive partial support. It would be up to the country to cover the rest of the costs of its participation.

#### ***First-come, first-served***

12. When resources are limited, their distribution on a first-come, first-served basis might appear to be a sound way to proceed. All parties eligible for support should be made aware of the possibility at the same time and invited to submit their request. However, given the large differences in terms of access to internet and telecommunications among developing countries, the allocation of financial support on the basis of first-come, first-served could discriminate against those countries that might need financial support most.

#### ***Priority List***

13. A priority list of those developing countries, or countries with economies in transition, might be developed for approval by the Governing Body. On the basis of the lists identified in *Appendix I*, those countries included in the UN lists of Least-developed Countries, “Countries with Low Human Development” and “Low Income Countries”, might be identified for priority treatment. It is of note that the Codex Trust Fund, launched in February 2003 by FAO and WHO, which aims at helping developing countries and those with economies in transition to enhance their level of effective participation in the development of global food safety and quality standards by the Codex Alimentarius Commission, distinguishes three groups of countries based on a combination of the three official classifications produced within the United Nations system<sup>4</sup>. A percentage of 60% of the total funds (60%) is allocated to the group of countries which consists of least-developed countries and countries listed by the World Bank 2005 Report as low income countries and by UNDP as low or medium human development countries.<sup>5</sup>

### **III. GUIDANCE SOUGHT FROM THE GOVERNING BODY**

14. The advice of the Governing Body is sought on whether or not it wishes to develop guidelines for the use of the Special Fund for contributions made by Contracting Parties or Non-Parties to support the participation of representatives of countries eligible for support in sessions

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<sup>4</sup> [http://www.who.int/foodsafety/codex/country\\_en.pdf](http://www.who.int/foodsafety/codex/country_en.pdf)

<sup>5</sup> See FAO/WHO Project and Fund for Enhanced Participation in CODEX, [http://www.who.int/foodsafety/codex/en/proj\\_doc\\_e.pdf](http://www.who.int/foodsafety/codex/en/proj_doc_e.pdf)

of the Governing Body and its subsidiary bodies. If so, the guidance of the Governing Body is sought on whether such guidelines should:

- a) identify those developing countries and countries with economies in transition that might be eligible for such support;
  - b) identify the support to be provided;
  - c) determine what arrangements should apply should the Special Fund have insufficient financial resources available; and
  - d) any other elements.
15. The Governing Body may also wish to:
- request the Secretariat to prepare draft rules for consideration by the Governing Body at its second session;
  - to provide interim guidance, for the period until it has approved such guidelines.

*Appendix 1*

**CATEGORIES ESTABLISHED BY THE UNITED NATIONS THAT MIGHT BE  
USED TO IDENTIFY COUNTRIES ELIGIBLE FOR SUPPORT**

<b>Contracting Parties as at 14 March 2006</b>	<b>LDC<sup>6</sup></b>	<b>LHD<sup>7</sup></b>	<b>LIC<sup>8</sup></b>	<b>MHD<sup>9</sup></b>	<b>LMC<sup>10</sup></b>	<b>UMC<sup>11</sup></b>
1. Algeria				x	x	
2. Angola	x	x			x	
3. Australia						
4. Austria						
5. Bangladesh	x		x	x		
6. Benin	x	x	x			
7. Bhutan	x		x	x		
8. Bulgaria					x	
9. Cambodia	x		x	x		
10. Cameroon		x	x			
11. Canada						
12. Central African Republic	x	x	x			
13. Chad	x	x	x			
14. Congo, Republic of			x	x		
15. Cook Islands						
16. Côte d'Ivoire		x	x			
17. Cuba					x	
18. Cyprus						
19. Czech Republic						x
20. Democratic People's Republic of Korea			x			
21. Democratic Republic of the Congo	x	x	x			
22. Denmark						
23. Ecuador				x	x	
24. Egypt				x	x	
25. El Salvador				x	x	

<sup>6</sup> **LDC**: Least Developed Countries, as established by the United Nations Economic and Social Council

<sup>7</sup> **LHD**: Low Human Development, as listed by UNDP 2005 Report

<sup>8</sup> **LIC**: Low Income Countries, as listed by the World Bank 2005 Report

<sup>9</sup> **MHD**: Medium Human Development, as listed by UNDP 2005 Report

<sup>10</sup> **LMIC**: Lower Middle Income Countries, as listed by the World Bank 2005 Report

<sup>11</sup> **UMIC**: Upper Middle Income Countries, as listed by the World Bank 2005 Report

<b>Contracting Parties as at 14 March 2006</b>	<b>LDC<sup>6</sup></b>	<b>LHD<sup>7</sup></b>	<b>LIC<sup>8</sup></b>	<b>MHD<sup>9</sup></b>	<b>LMC<sup>10</sup></b>	<b>UMC<sup>11</sup></b>
26. Eritrea	x	x	x			
27. Estonia						x
28. Ethiopia	x	x	x			
29. European Community						
30. Finland						
31. France						
32. Germany						
33. Ghana			x	x		
34. Greece						
35. Guatemala				x	x	
36. Guinea	x	x	x			
37. Guinea-Bissau	x	x	x			
38. Honduras				x	x	
39. Hungary						x
40. India			x	x		
41. Indonesia				x	x	
42. Ireland						
43. Italy						
44. Jamaica				x	x	
45. Jordan				x	x	
46. Kenya		x	x			
47. Kiribati	x				x	
48. Kuwait						
49. Lao	x		x	x		
50. Latvia						x
51. Lebanon				x		x
52. Lesotho	x	x	x			
53. Liberia	x		x			
54. Libyan Arab Jamahiriya				x		x
55. Lithuania						x
56. Luxembourg						
57. Madagascar	x	x	x			
58. Malawi	x	x	x			
59. Malaysia				x		x
60. Maldives	x			x	x	
61. Mali	x	x	x			
62. Mauritania	x	x	x			
63. Mauritius				x		x

<b>Contracting Parties as at 14 March 2006</b>	<b>LDC<sup>6</sup></b>	<b>LHD<sup>7</sup></b>	<b>LIC<sup>8</sup></b>	<b>MHD<sup>9</sup></b>	<b>LMC<sup>10</sup></b>	<b>UMC<sup>11</sup></b>
64. Myanmar	x		x	x		
65. Namibia				x	x	
66. Netherlands						
67. Nicaragua			x	x		
68. Niger	x	x	x			
69. Norway						
70. Oman				x		x
71. Pakistan			x	x		
72. Panama				x		x
73. Paraguay				x	x	
74. Peru				x	x	
75. Poland						x
76. Portugal						
77. Romania				x	x	
78. Saint Lucia				x		x
79. Samoa	x			x	x	
80. Saudi Arabia				x		
81. Sierra Leone	x	x	x			
82. Slovenia						
83. Spain						
84. Sudan	x		x	x		
85. Sweden						
86. Switzerland						
87. Syrian Arab Republic				x	x	
88. Trinidad and Tobago						x
89. Tunisia				x	x	
90. Uganda	x		x	x		
91. United Arab Emirates						
92. United Kingdom						
93. United Republic of Tanzania	x	x	x			
94. Uruguay						x
95. Venezuela				x		x
96. Yemen	x	x	x			
97. Zambia	x	x	x			
98. Zimbabwe			x	x		