



The International Treaty
 ON PLANT GENETIC RESOURCES FOR FOOD AND AGRICULTURE



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Item 9 of the Provisional Agenda

FIFTH SESSION OF THE GOVERNING BODY

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**REPORT ON THE IMPLEMENTATION
 OF THE FUNDING STRATEGY**

**ARRANGEMENTS FOR
 THE *AD HOC* OPEN-ENDED WORKING GROUP
 TO EXPAND BENEFIT-SHARING
 AND THE SCOPE OF THE MULTILATERAL SYSTEM**

EXECUTIVE SUMMARY

This document provides information for the Governing Body to consider, in establishing the *Ad Hoc* Open-ended Working Group to Expand Benefit-sharing and the Scope of the Multilateral System. It considers a number of possible models for the composition of the Working Group. It provides estimates of the cost of each of these models both the meeting costs themselves, and the costs of supporting the participation of developing countries, for different lengths of meeting.

I. INTRODUCTION

1. Document IT/GB-5/13/7, *Report on the Implementation of the Funding Strategy*, informed the Governing Body of the work of the *Ad Hoc* Committee on the Funding Strategy during the 2011-12 biennium,¹ including on the development of innovative approaches for the predictable and sustained income to the Benefit-sharing Fund. In order to continue and complete this work, the Committee recommended that it be reconvened in the forthcoming biennium, with a substantially widened mandate, as the *Ad Hoc* Open-ended Working Group to Expand Benefit-sharing and the Scope of the Multilateral System.² Document IT/GB-5/13/7/Add.3, Part IV, contains the draft resolution whereby this resolution can be given effect, if the Governing Body so decides.

2. The present document considers options for the structure and schedule of the *Ad Hoc* Open-ended Working Group and in particular the financial implications. Since it is impossible to cost this part of the Work Programme until such decisions have been taken, the *Draft Work Programme and Budget for the 2014-15 Biennium* has merely allocated a sum of USD 200,000 to this process, in the absolute zero real growth *Core Administrative Budget*, increased to USD 300,000, in the augmented zero real growth budget option.³ It notes that:

“Should the Governing Body decide on a higher sum for the initiation of the process, it will be necessary either to add the additional moneys required to the Core Administrative Budget, or decide on how the necessary moneys will be mobilized while maintaining the predictability of the meeting of the Working Group.”

3. In this context, the *Ad Hoc* Committee on the Funding Strategy:

“Appealed to donors and Contracting Parties to provide any funds, support meetings of the Ad Hoc Working Group, or provide other resources required for the Ad Hoc Working Group to be able to fulfil the tasks allotted to it by the Governing Body, taking into account the budget for the next biennium.”⁴

II. OPTIONS FOR THE STRUCTURE AND SCHEDULE OF THE *AD HOC* OPEN-ENDED WORKING GROUP

4. The largest factors that determine the cost of a meeting itself are (1) pre- and in-session document preparation and translation, and (2) interpretation. While documentation is largely a fixed cost, contained in the maintenance functions of the Treaty, interpretation costs are a function of the length of the meeting, and, of course, of the number of languages used.

5. A further, and separate cost, which is born completely from extra-budgetary resources in the Fund to Support the Participation of Developing Countries (Financial Rule VI.2c), relates to the number of developing countries whose participation is

¹ For the Reports of the Committee, see IT/GB-5/13/Inf. 4, IT/GB-5/13/Inf. 4 Add.1 and IT/GB-5/13/Inf. 4 Add.2.

² IT/GB-5/13/7, paragraphs 50–54.

³ IT/GB-5/13/25, paragraphs 67–70 (*CIF-6*).

⁴ IT/GB-5/13/Inf. 4 Add.2, paragraph 46.

supported, and thus to the composition of the Working Group. Participation costs are of two types: (1) travel and (2) daily subsistence allowance (DSA). The larger element is travel, which is a fixed cost, so that “efficiency” of support improves with longer meetings.

6. The composition of the Working Group will depend on what precisely is meant by “open-ended”, and two models may be considered:

Model 1

One interpretation could be that any Contracting Party that so wishes may attend the Working Group and participate in the discussions. In such an interpretation, costs are high. A five-day meeting, with two prior days on regional coordination,⁵ for example, approximates to a full meeting of the Governing Body. It would therefore seem that the Sixth Session of the Governing Body might in itself suffice for such wide consultation.

Model 2

The Treaty has, however, a strong tradition of structuring discussions on a regional basis. In such a case, regional representatives are nominated, and these participants only have the right to take the floor, though other members of the region may sit with their regional representatives and contribute to the discussions through them. In such a case, this right would constitute the “open-endedness” of the Working Group, and only the nominated regional representatives of developing countries would be supported. This model is both relatively cost-effective, and the Governing Body may consider that a regionally structured Working Group allows focused and effective discussion. It was used successfully during the negotiation of the Treaty, and in the work of the Interim Committee for the Treaty.

7. Interpretation is a major fixed cost of meetings, and the factors to be considered are (1) the number of languages supplied, and (2) the length of the meeting. The Treaty has six official languages: Arabic, Chinese, English, French, Russian and Spanish, and all are supplied in sessions of the Governing Body. In an open-ended working group, dealing with matters of much importance to the Treaty, it would appear necessary to provide interpretation. While in Model 1, it might be considered that the six official languages of the Treaty should be provided, in Model two only the languages of official communication of full participants need be provided, and these would be Arabic, English, French and Spanish.

8. Three variants of Model 2 may be considered, on the basis of past experience:

Model 2A: Contact Group⁶

- Twelve countries per region or twelve representatives per region, as decided by the region, except for North America and the South West Pacific, with six representatives each;

⁵ This composition was used, for example, for a five-day meeting of an Open-Ended Working Group on the Rules of Procedure and the Financial Rules of the Governing Body, Compliance, and the Funding Strategy, preceded by two days of regional consultations, in 2005.

⁶ This composition was used for five-day meetings of the Contact Group for the Drafting of the Standard Material Transfer Agreement, preceded by two days of regional consultations, in 2005/2006.

- A maximum of three advisers per region may be present in the meeting room, at any time, without speaking rights;
- A video link makes it possible for those advisers outside the room to follow the meeting of the Contact Group.

9. This model ensures wide participation, but the meeting is large, and to be efficient, considerable prior regional consultation is required, so that Regions speak as far as possible with one voice. The expense of supporting the participation of developing countries is relatively high.

Model 2B: Regionally Balanced Working Group⁷

- Twenty-seven Contracting Parties: Africa, Europe, Latin America, Asia (five each); Near East (three); South West Pacific and North America (two each);
- Open to all others, as observers.

10. This model is quite manageable, in organizational and financial terms. To be effective, regions need prior consultation beforehand to enable good preparation.

Model 2C: Expanded *Ad Hoc* Committee on the Funding Strategy⁸

11. Model 2B has sometimes been felt, however, to not allow adequate participation to the regions with fewer delegates. An alternative composition might be to consider an expansion of the current *Ad Hoc* Committee on the Funding Strategy, from two to five participants per region, as follows:

- Five countries per region or five representatives per region, as decided by the region;
- Open to all others, as observers.

12. On the basis of these considerations, these costs of these four models are estimated, on the basis of durations of three and five days, as follows:

	Languages	Regional Consultations Days	Working Group Days	Meeting Cost USD	Developing country participation USD
1(i)	6	1	3	205,000	275,000
1(ii)	6	2	5	315,000	350,000
2A(i)	4	1	3	145,000	155,000
2A(ii)	4	2	5	225,000	220,000
2B(i)	4	1	3	145,000	57,500
2B(ii)	4	2	5	225,000	80,000
2C(i)	4	1	3	145,000	77,500

⁷ This composition is based on the Technical Working Groups of the Commission on Genetic Resources for Food and Agriculture, and was used for three-day meetings during the negotiation of the Treaty, preceded by two days of regional consultations.

⁸ This composition is based on the Technical Working Groups of the Commission on Genetic Resources for Food and Agriculture, and was used for three-day meetings during the negotiation of the Treaty, preceded by two days of regional consultations.

2C(ii) 4 2 5 225,000 105,000

13. Figure 1 shows these costs graphically:

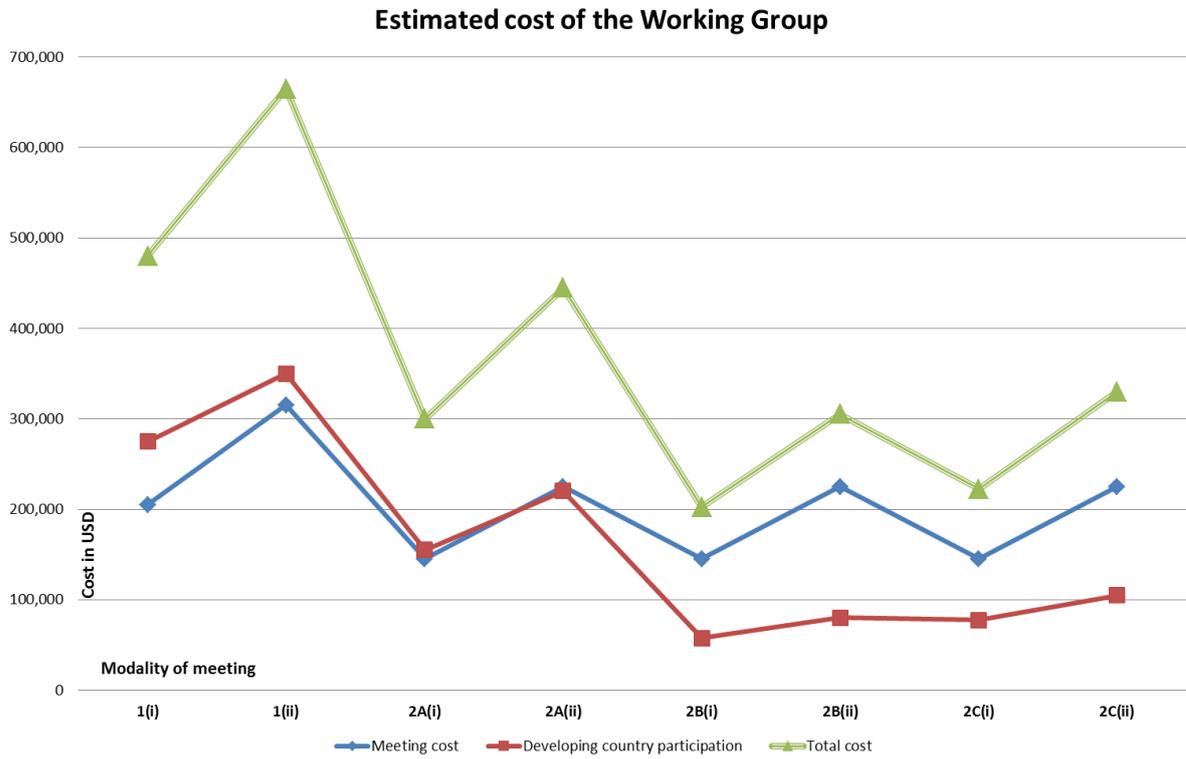
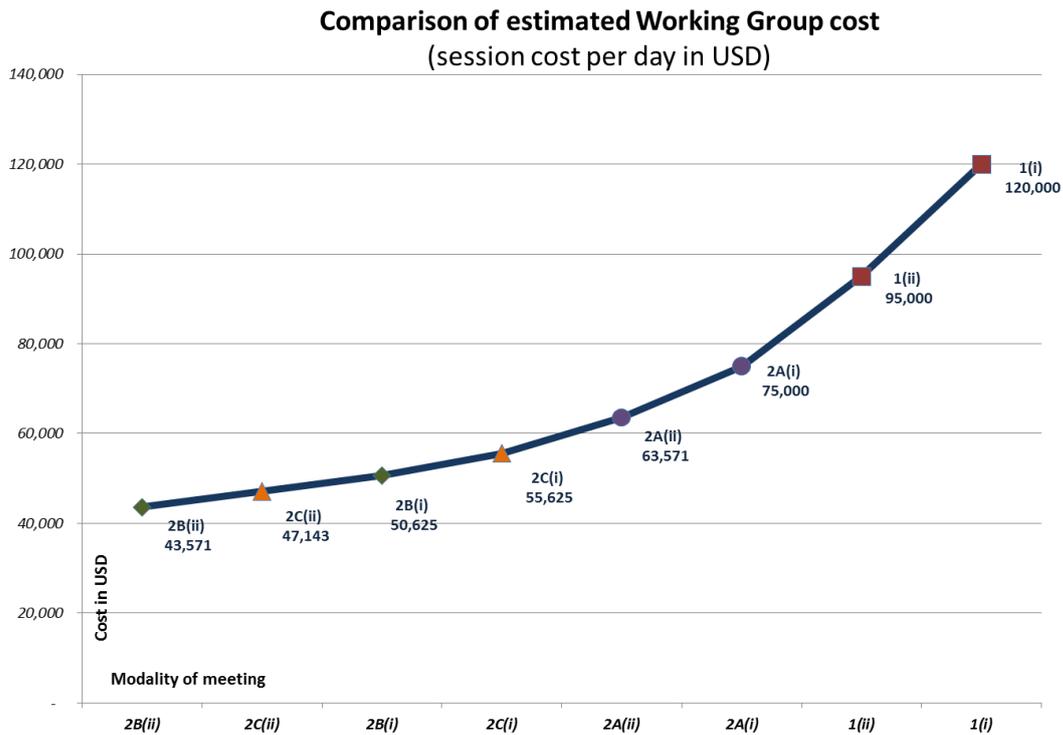


Fig.1 Costs of the various models of composition and duration

In theoretical terms, it is also possible to consider the estimated cost by day, as in Figure 2:



14. The Governing Body may also need to consider the number and types of meetings of the Working Group that it wishes to schedule and cost for the biennium. For continuity in the membership during the period, which is an important condition for success, it is recommended that only one of models 2A, 2B or 2C (or any other composition that the Governing Body decides upon) be adopted.

15. The Governing Body will then need to decide how to consolidate the costs of the agreed schedule into the *Core Administrative Budget*. It may also wish to call on individual Contracting Parties to consider offering to host a meeting of the Working Group, with, of course, all the costs, or a substantial part of costs of the meeting, or of the participation of developing countries covered. In the latter case, for example, a hosting Government may wish to provide board and lodging in kind, so that no DSA payments are required.

16. Attention is also drawn to the status of the Fund to Support the Participation of Developing Countries, which is expected to contain USD 250,000 or less at the conclusion of this session,⁹ and the appeal to donors to urgently replenish this fund, in operative paragraph XII of draft *Resolution .../2013 – Work Programme and Budget 2014-2015*.¹⁰

⁹ IT/GB-5/13/25, paragraph 36 and Figure 4.

¹⁰ IT/GB-5/13/25.