



# COMMISSION ON GENETIC RESOURCES FOR FOOD AND AGRICULTURE

## INFORMAL OPEN-ENDED CONSULTATION ON THE FUTURE ORGANIZATION OF THE COMMISSION'S INTERSESSIONAL WORK

16 November 2022

## BUREAU REPORT ON THE INFORMAL OPEN-ENDED CONSULTATION ON THE FUTURE ORGANIZATION OF THE COMMISSION'S INTERSESSIONAL WORK

### TABLE OF CONTENTS

	<i>Paragraphs</i>
I. Introduction	1–5
II. Criteria for the assessment of options for the future organization of the Commission's intersessional work	6–10
III. Options for the future organization of the Commission's intersessional work	11–13
IV. Other matters	14
<i>Annex</i>	

## I. INTRODUCTION

1. At its last Session, the Commission on Genetic Resources for Food and Agriculture (Commission) discussed the possible reorganization of its intersessional work. It mandated its Bureau to conduct an informal open-ended consultation with the aim of:

- i. developing, in a first step, criteria against which the different options for the reorganization of the Commission's intersessional work should be assessed;
- ii. reviewing and revising, as appropriate, the options contained in the document *Possible reorganization of the Commission's future intersessional work*<sup>1</sup> and developing new options, if necessary, with a view to establishing a set of options that reflects all views Members and the Working Groups hold with regard to the reorganization of the Commission's work; and
- iii. assessing the set of consolidated options against the criteria identified, with a view to agreeing on recommendations for the reorganization of the Commission's intersessional work, for consideration by the Commission at its Nineteenth Regular Session.

2. The open-ended consultation on the future organization of the Commission's intersessional work was held virtually on 16 November 2022.<sup>2</sup> The Chair of the Commission, Ms Deidré A. Januarie (Namibia), welcomed participants to the informal open-ended consultation and reminded participants that the Commission, at its last session, had mandated the Bureau to conduct the consultation.

3. Ms Januarie noted that the Bureau had prepared a non-paper on the *Future organization of the Commission's intersessional work*<sup>3</sup> that had been made available in August 2022. She noted that the non-paper took into account comments and inputs received from Members in response to the invitation of 26 April 2022 the Secretary had extended to all Members of the Commission at the request of the Bureau.

4. The informal open-ended consultation fell into three sessions, which discussed: (1) the criteria against which options for the reorganization of the Commission's work may be assessed; (2) the options for the reorganization of the Commission's intersessional work; and (3) the options in the light of the criteria identified. Mr Benoît Girard, Vice-Chair of the Commission (Canada) chaired session 1, Ms Kim van Seeters, Vice-Chair of the Commission (Netherlands) chaired session 2 and Ms Mariana Mashall Parra, Vice-Chair of the Commission (Brazil) chaired session 3.

5. This document summarizes comments Commission Members provided during the informal consultation on criteria against which options for the reorganization of the Commission's intersessional work may be assessed. The document further summarizes the discussions of the different options for the re-organization of the Commission's intersessional work and suggests a compromise option the Commission may wish to use as a basis for further discussions.

## II. CRITERIA FOR THE ASSESSMENT OF OPTIONS FOR THE FUTURE ORGANIZATION OF THE COMMISSION'S INTERSESSIONAL WORK

6. Key criteria for the assessment of the different options should address the challenges the Commission faces. Based on the analysis presented to the last session of the Commission, the Bureau non-paper listed four challenges:

- Lack of subsidiary bodies dedicated to biodiversity for food and agriculture (BFA) and microorganism and invertebrate genetic resources for food and agriculture (MIGR);
- Lack of interaction between Commission's subsidiary bodies;
- Lack of (cross-sectoral) interaction among National Focal Points/Coordinators; and
- Need to strengthen synergies with other global policy fora.

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<sup>1</sup> CGRFA-18/21/13

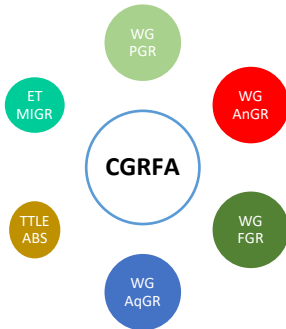
<sup>2</sup> For agenda and relevant documentation: <https://www.fao.org/cgrfa/meetings/informal-open-ended-consultation/en/>

<sup>3</sup> <https://www.fao.org/3/nk135en/nk135en.pdf>

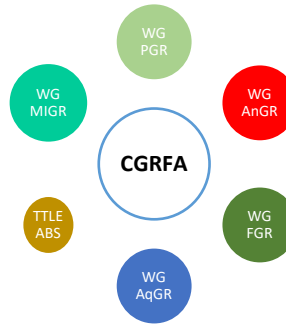
7. Based on this analysis, the Bureau non-paper identified four criteria:
  - (i) the need to reflect the extended scope of the Commission's activities in its governance structure;
  - (ii) the need to improve interaction among the Commission's subsidiary bodies;
  - (iii) the need for cross-sectoral interaction among the Commission's National Focal Points/Coordinators; and
  - (iv) the need to strengthen synergies within FAO and with other global policy fora.
8. Based on written submissions received, the non-paper identified, in addition, the following criteria:
  - (v) participation of Commission Members in a transparent and inclusive way;
  - (vi) clarity of roles and mandates of the subsidiary bodies and no duplication of work of other bodies;
  - (vii) inclusiveness, including equal representation of all regions;
  - (viii) effectiveness and efficiency; and
  - (ix) transparency.
9. During the informal consultations, several delegations suggested to merge some of the criteria, such as (v), (vii) and (ix). It was suggested to include the need for intersessional work on BFA and MIGR as additional criteria. In addition, it was proposed that the re-organization of the Commission's intersessional work should take into consideration any related reporting burden for Commission Members, in particular developing countries. It was further stressed that financial implications should be taken into consideration when assessing the different options for the organization of the Commission's intersessional work. It was highlighted that the main task of the Commission's subsidiary bodies is to advise the Commission on matters within their mandate and that any new subsidiary body should be fit for that purpose. On the other hand, some Members considered it less important that the re-organization facilitates cross-sectoral interaction among the Commission's National Focal Points/Coordinators or improves the interaction among the Commission's subsidiary bodies. Finally, it was suggested that the organization of the Commission's intersessional work should follow the principles of good governance.
10. Based on the comments received, the Bureau suggests to consolidate the criteria against which the options for the future organization of the Commission's intersessional work may be assessed, as follows:
  - (i) the need to address BFA and MIGR through intersessional work;
  - (ii) the need to facilitate cross-sectoral intersessional work;
  - (iii) the need to strengthen synergies within FAO and with other global policy fora.
  - (iv) clarity of roles and mandates of any new subsidiary body or bodies, which should not duplicate the work of other bodies;
  - (v) principles of good governance, including effectiveness and efficiency, transparency and inclusiveness, including equal representation of all regions; and
  - (vi) the need to take into account workload and financial implications of additional intersessional work, including additional intersessional meetings, in particular for Commission Members from developing countries.

**Table 1: Options for the organization of future intersessional work**

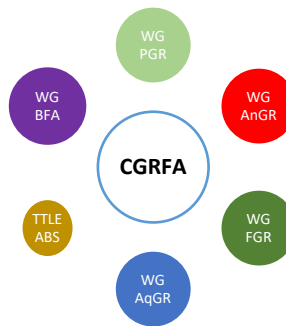
**Option 1: Expert Team MIGR**



**Option 2: WG MIGR**



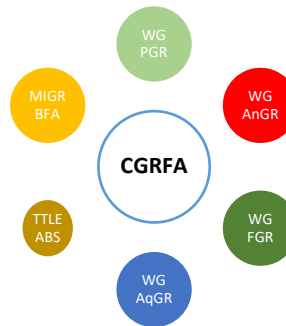
**Option 3: WG BFA**



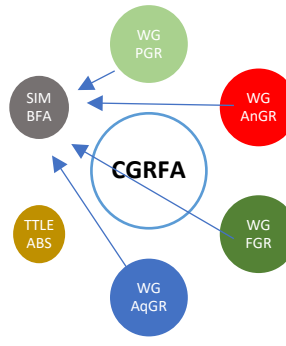
**Option 4: WG BFA and WG MIGR**



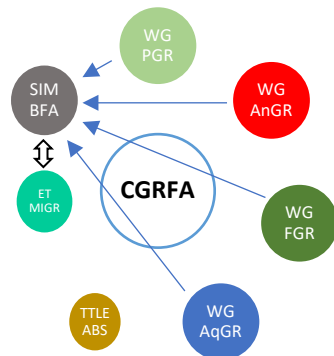
**Option 5: Joint WG for MIGR and BFA**



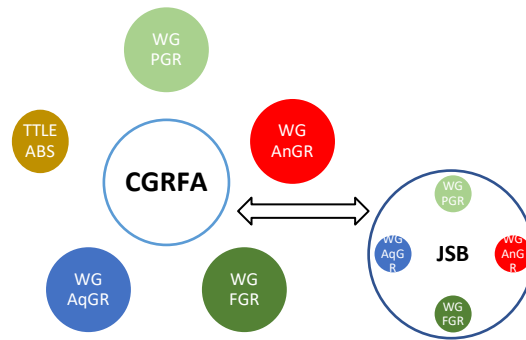
**Option 6: SIM BFA**



**Option 7: SIM BFA and Expert Team MIGR**



**Option 8: JSB**



### III. OPTIONS FOR THE FUTURE ORGANIZATION OF THE COMMISSION'S INTERSESSIONAL WORK

11. Members discussed the options for the future organization of the Commission's intersessional work based on the options contained in the Bureau non-paper (see Table 1 and more detailed explanations for each option in the Appendix).

12. There was agreement that the option of creating a Joint Subsidiary Body for Biodiversity for Food and Agriculture (option 8) was logistically too complex and should therefore no longer be pursued. There was furthermore agreement that a new subsidiary body or bodies should advise the Commission on BFA and/or MIGR. Views diverged as to whether a Working Group (similar in size and working modalities to the Commission's existing intergovernmental technical working groups) or an Expert Team (similar in size and working modalities to the Commission's Team of Technical and Legal Experts on Access and Benefit-sharing (ABS Expert Team)<sup>4</sup>) should be established for BFA or MIGR or both. Options 5 and 6 did not receive support from any of the Members participating in the consultation. An additional option (named Option 4*bis*) was proposed with a Working Group on BFA and an Expert Team on MIGR. While some Members expressed a clear preference for the creation of a Working Group on MIGR, others preferred a new Working Group to focus on BFA. There seemed to be some openness for the creation of an Expert Team for the topic for which no Working Group would be established. Several Members also indicated that while the immediate creation of two Working Groups would be premature, a second Working Group could, in fact, be established at a later stage. Several participants requested more detailed information on the financial implications of the different options.

13. Given the outcome of the informal open-ended consultation, Members may wish to further consult and reflect on the different options with a view to identify a possible compromise. In this regard, it might be useful to consider innovative solutions, including for the composition of the Working Group. Option 7, for example, aims to convene regionally balanced expertise from all the Working Groups of the Commission in a new subsidiary body and provides for an Expert Team for MIGR, taking into account that MIGR require inputs from an extremely diverse group of experts (e.g. soil experts, biological control experts, entomologists, microbiologists etc.) for the different functional groups of MIGR.

### IV. OTHER MATTERS

14. Several Members stressed the importance of providing pre-session documents and interpretation of Commission meetings in all languages of the Organization.

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<sup>4</sup> The Commission's Working Groups are composed of 28 Member Nations (5 from Africa; 5 from Europe; 5 from Asia; 5 from Latin America and the Caribbean; 4 from the Near East; 2 from North America; 2 from Southwest Pacific. The languages of the Working Groups are usually the languages of the Organization. The ABS Expert Team is composed of 14 experts (2 from each region) and its meetings are held in English.

## ANNEX

### **OPTION 1: STATUS QUO & EXPERT TEAM MIGR**

Given the cross-sectoral nature of BFA and the fact that MIGR play an important role in the management of all the GRFA already covered by existing Working Groups, the Commission could address BFA and MIGR during the intersessional period through its existing Working Groups. BFA and MIGR would thus be treated akin to the cross-sectoral matters on which the Commission often consults its Working Groups.

On MIGR-related matters the Commission could decide on a case-by-case basis to consult only relevant Working Groups or to establish an MIGR Expert Team following the model of the ABS Expert Team that consists of 14 experts, nominated by the regions through their Bureau Members. The ABS Expert Team works in English only.

### **OPTION 2: CREATION OF A WORKING GROUP ON MICRO-ORGANISM AND INVERTEBRATE GENETIC RESOURCES FOR FOOD AND AGRICULTURE**

In order to address matters related to MIGR, the Commission could create a new Intergovernmental Technical Working Group on Micro-organism and Invertebrate Genetic Resources for Food and Agriculture.

The new Working Group could follow the model of the Commission's existing Working Groups, with the same number of Members and the same geographical balance.<sup>5</sup>

The MIGR Working Group could be mandated to review the situation and issues related to MIGR, to advise and make recommendations to the Commission on these matters and to consider the progress made in implementing the Commission's programme of work, as well as any other matters referred to it by the Commission. There would be no subsidiary body dedicated to BFA but there may be the possibility of an expert team on BFA.

### **OPTION 3: CREATION OF AN INTERGOVERNMENTAL TECHNICAL WORKING GROUP ON BIODIVERSITY FOR FOOD AND AGRICULTURE**

In order to address matters related to BFA, the Commission could create a new Intergovernmental Technical Working Group on Biodiversity for Food and Agriculture.

The new Working Group could follow the composition of the Commission's existing Working Groups, with the same number of Members, the same geographical balance and the mandate to review the situation and issues related to BFA, to advise and make recommendations to the Commission on these matters and to consider the progress made in implementing the Commission's programme of work, as well as any other matters referred to it by the Commission. There would be no subsidiary body dedicated to MIGR, but there may be the possibility of an expert team on MIGR.

### **OPTION 4: CREATION OF TWO WORKING GROUPS, ONE FOR MICRO-ORGANISM AND INVERTEBRATE GENETIC RESOURCES, ONE FOR BIODIVERSITY FOR FOOD AND AGRICULTURE**

In order to address matters related to BFA and MIGR, the Commission could create two new Intergovernmental Technical Working Groups, one for MIGR and one for BFA.

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<sup>5</sup> The Working Groups are composed of 28 Member Nations from the following regions: 5 from Africa; 5 from Europe; 5 from Asia; 5 from Latin America and the Caribbean; 4 from the Near East; 2 from North America; 2 from Southwest Pacific.

Under this option, the new Working Groups could follow the composition of the Commission's existing Working Groups, with the same number of Members, the same geographical balance and the mandate to review the situation and issues related to BFA and MIGR respectively, to advise and make recommendations to the Commission on these matters and to consider the progress made in implementing the Commission's programme of work, as well as any other matters referred to them by the Commission.

**OPTION 5:  
CREATION OF A JOINT WORKING GROUP FOR MICRO-ORGANISM AND  
INVERTEBRATE GENETIC RESOURCES AND BIODIVERSITY FOR FOOD AND  
AGRICULTURE**

In order to address matters related to BFA and MIGR, the Commission could create one new Working Group dealing with both BFA and MIGR.

Under this option, the new Working Group could follow the composition of the Commission's existing Working Groups, with the same number of Members, the same geographical balance and the mandate to review the situation and issues related to BFA and MIGR, to advise and make recommendations to the Commission on these matters and to consider the progress made in implementing the Commission's programme of work, as well as any other matters referred to them by the Commission.

**OPTION 6:  
SUBSIDIARY BODY FOR INTEGRATED MANAGEMENT OF  
BIODIVERSITY FOR FOOD AND AGRICULTURE**

The Commission could consider establishing a new Subsidiary Body for Integrated Management of BFA (SIM BFA), which could address the integration across all components of BFA, including AnGR, AqGR, FGR, MIGR and PGR, as well as consider the progress made in implementing the Commission's programme of work on BFA and MIGR. The SIM BFA would complement the existing subsidiary bodies, it would not replace them.

The SIM BFA could consist of seven Members from each of the Working Group (e.g. one Member per region), which would bring the total number of Members of the SIM BFA to 28. The SIM BFA would, thus, have the same number of Members as the existing Working Groups. However, its composition would be different, in that the SIM BFA would consist of seven Members from all regions nominated by each of the Commission's Working Groups, whereas the existing Working Groups are composed of 28 Member Nations nominated by the regions and elected by the Commission, based on a geographical distribution formula.

**OPTION 7:  
SUBSIDIARY BODY FOR INTEGRATED MANAGEMENT OF  
BIODIVERSITY FOR FOOD AND AGRICULTURE & EXPERT TEAM MIGR**

15. The SIM BFA (Option 6) could receive support from a small expert group in the field of MIGR. The ABS Expert Team with its 14 experts (two per region) nominated by their regions through the Bureau Member could possibly serve as a model for this expert group.

**OPTION 8:  
JOINT SUBSIDIARY BODY FOR BIODIVERSITY FOR FOOD AND AGRICULTURE**

The Commission could also opt for the establishment of a Joint Subsidiary Body for Biodiversity for Food and Agriculture (JSB) consisting of *all* the Members of its Working Groups. In addition to the Members of the Commission's Working Groups, the JSB could also include, for example, one additional Member per region with knowledge on integrated management of BFA.

Following the Working Groups' two-day sessions, the JSB could be convened on day 3, to consider cross-sectoral matters, including BFA and MIGR. On day four, each Working Group could consider and adopt its meeting report in the morning; the JSB BFA would consider its report in the afternoon.