

***CGRFA-9/02/REP***

# **Ninth Regular Session of the Commission on Genetic Resources for Food and Agriculture**

**Rome, Italy, 14 – 18 October 2002**



**Food and Agriculture Organization of the United Nations**

**CGRFA-9/02/REP**

**REPORT OF THE COMMISSION ON GENETIC RESOURCES  
FOR FOOD AND AGRICULTURE**

**Ninth Regular Session  
Rome, 14-18 October 2002**

**FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS  
Rome, 2002**

The documents of the Ninth Session of the  
Commission on Genetic Resources for Food and Agriculture  
are to be found on the internet at <http://www.fao.org/ag/cgrfa/docs9.htm>.

They may also be obtained from:

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## REPORT OF THE NINTH REGULAR SESSION OF THE COMMISSION ON GENETIC RESOURCES FOR FOOD AND AGRICULTURE

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### I. INTRODUCTION

1. The Ninth Session of the Commission on Genetic Resources for Food and Agriculture met in Rome, Italy, from 14-18 October 2002. The list of delegates and observers is attached as *Appendix I*.

### II. OPENING OF THE SESSION AND ELECTION OF THE CHAIR AND VICE-CHAIRS

2. Mr. Javad Mozafari Hashjin (Iran), Vice-Chair of the Commission, welcomed the delegates and observers on behalf of the outgoing Chair, Mr. Fernando Gerbasi (Venezuela). He invited nominations for the Chair and Vice-Chairs. The Commission elected as Chair Mr. Robert Bertram (United States of America), and as Vice-Chairs Ms. Kristiane Herrmann (Australia), Mr. Javad Mozafari Hashjin (Iran), Mr. Innocent Mokosa Mandende (Democratic Republic of Congo), Ms. Hilda Gabardini (Argentina), Mr. Eng Siang Lim (Malaysia), and Mr. Nikolaos Stavropoulos (Greece). Mr. Baldev Singh Dhillon (India) was elected *Rapporteur*. In taking up his office as Chair, Mr. Bertram noted that the Commission owed very much to the work of the out-going Chair, Mr. Fernando Gerbasi, and he hoped to build on that.

3. The Commission adopted the Agenda, as given in *Appendix A*.

4. Mr. David Harcharik, the Deputy Director-General, welcomed the delegates and observers, and the five new members of the Commission: Kazakhstan, Luxembourg, San Marino, São Tomé and Príncipe, and Saudi Arabia; and these additions have brought the total membership to 165. The list of Members of the Commission is attached as *Appendix B*. He noted that the Commission had, for almost 20 years, addressed the burning issues of the day, with respect to biodiversity, biotechnology and ethics and their interface, and through negotiations had reached consensus on important policies and priorities. Mr. Harcharik noted advances in the development of a Global Strategy for the Management of Farm Animal Genetic Resources and the first report on the *State of the World's Animal Genetic Resources*. Following the International Treaty for Plant Genetic Resources for Food and Agriculture—one of the greatest accomplishments of the Commission—he suggested there might be an opportunity to review the elements of the Global System, to serve the needs of the Treaty. He noted that the Commission would for the first time consider a report on the relevant FAO Priority Areas for Inter-disciplinary Action (PAIAs). It could also consider the *Code of Conduct on Plant Germplasm Collecting and Transfer*, for possible revision in line with the Treaty. Mr. Harcharik noted that the Commission would also consider the draft *Code of Conduct on Biotechnology*, to maximize the benefits and minimize the risks of the new biotechnologies, at a time of new promises and challenges.

### III. ANIMAL GENETIC RESOURCES FOR FOOD AND AGRICULTURE

#### Report of the Second Session of the Inter-governmental Technical Working Group on Animal Genetic Resources for Food and Agriculture

5. The Commission considered the Report of the Second Session of the Inter-governmental Technical Working Group on Animal Genetic Resources for Food and Agriculture,<sup>1</sup> which had met from 4-6 September 2000 in Rome. Ms. Elzbieta Martyniuk (Poland), the Chair of the Working Group, presented the outcome of the Session, as given in *Appendix D*. The Commission endorsed the same, and thanked the Chair and Members of the Working Group for their work.

#### Progress Report on the development of the *First Report on the State of the World's Animal Genetic Resources* in the context of the Global Strategy for the Management of Farm Animal Genetic Resources

6. The Director of the Animal Production and Health Division, FAO, introduced a *Progress Report on the development of the First Report on the State of the World's Animal Genetic Resources in the context of the Global Strategy for the Management of Farm Animal Genetic Resources*,<sup>2</sup> and an information document on the *Further Development of the Global Strategy for the Management of Farm Animal Genetic Resources*.<sup>3</sup>

7. The Commission expressed concern about the erosion of animal genetic resources and agreed with the Working Group that further urgent action should be taken, including training, technical support and research, to assist developing countries and countries with economies in transition to conserve their animal genetic resources, and better use these resources to enhance agricultural production and productivity.

8. The Commission accepted the process for preparing the first *Report on the State of the World's Animal Genetic Resources*, on the basis of Country Reports, which should be used to develop the report on *Strategic Priorities for Action*. The Commission emphasized the need to complete the first *Report on the State of the World's Animal Genetic Resources* by 2006.

9. The Commission acknowledged that in addition to Regular Budget, extra-budgetary resources would be necessary to support further preparation of the first *Report on the State of the World's Animal Genetic Resources*, and recommended that FAO more clearly identify such financial needs, in order to better engage donors and stakeholders in the process. A number of countries stressed the continuing need for financial support in the process of developing their Country Reports. The Commission recognized that the training and resources provided by FAO had been extremely valuable in supporting the crucial first stage of work, and appealed for the resources necessary to continue such support to be made available.

10. The Commission stressed the importance of a regional focus, through networking and training, and agreed that regional efforts should continue where required, using existing structures to support overall preparation of the first *Report on the State of the World's Animal Genetic Resources*.

11. The Commission stressed the need to continue to involve relevant international organizations and non-government organizations in the preparation of the first *Report on the State of the World's Animal Genetic Resources*, and recommended that they be officially invited by FAO to contribute reports on animal genetic resources.

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<sup>1</sup> CGRFA-9/02/3.

<sup>2</sup> CGRFA-9/02/4.

<sup>3</sup> CGRFA-9/02/Inf.3.

12. The Commission considered that the experience gained in the country-driven process addressing the development of the first *Report on the State of the World's Plant Genetic Resources*, through the Fourth International Technical Conference on Plant Genetic Resources, could provide a number of lessons for the process to develop the first *Report on the State of the World's Animal Genetic Resources*, but stressed the need to take into account the specific features of animal genetic resources.

13. The Commission considered the possibility of completing the process for the development of the first *Report on the State of the World's Animal Genetic Resources* at a first international technical conference on animal genetic resources, which could provide a framework for advancing the conservation and sustainable use of animal genetic resources for food and agriculture; it decided to keep this possibility under review for a decision later on. Pros and cons were expressed on the possible need for a Treaty on Animal Genetic Resources for Food and Agriculture. Pending the completion of the above-mentioned report, the issue was left open for consideration in future sessions of the Commission.

#### **Future work of the Working Group and election of its Members**

14. The Commission agreed that the Inter-governmental Technical Working Group on Animal Genetic Resources should meet in regular sessions in 2003 and 2005, to continue guiding the *Report on the State of the World's Animal Genetic Resources* process, and the further development of the Global Strategy for the Management of Farm Animal Genetic Resources. If necessary, and subject to the availability of extra-budgetary resources, the Working Group should also meet in 2004.

15. The Commission stressed the crucial importance of data and information-sharing for the conservation and sustainable use of animal genetic resources, and in order to share solutions to common challenges. It agreed that the Domestic Animal Diversity Information System (DAD-IS) should be further developed for this purpose.

16. The Commission elected the members of the Inter-governmental Technical Working Group on Animal Genetic Resources, as given in *Appendix C*.

### **IV. PLANT GENETIC RESOURCES FOR FOOD AND AGRICULTURE**

#### **Report of the First Session of the Inter-governmental Technical Working Group on Plant Genetic Resources for Food and Agriculture**

17. The Commission considered the report of the Inter-governmental Technical Working Group on Plant Genetic Resources for Food and Agriculture,<sup>4</sup> endorsed the same, and thanked its Chair, Mr. Eng Siang Lim (Malaysia), and Members of the Working Group for their work.

#### **Implementing and monitoring the implementation of the *Global Plan of Action for the Conservation and Sustainable Utilization of Plant Genetic Resources for Food and Agriculture,* and preparation of the second Report on the *State of the World's Plant Genetic Resources for Food and Agriculture***

18. The Commission considered the *Country progress report on the state of implementation of the Global Plan of Action for the Conservation and Sustainable Utilization of Plant Genetic Resources for Food and Agriculture*.<sup>5</sup> It noted that the majority of national activities reported were funded from national sources. The absence of adequate external financing was cited as a

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<sup>4</sup> CGRFA-9/02/5.

<sup>5</sup> CGRFA-9/02/6.

major constraint. The importance of promoting the sustainable use of plant genetic resources for food and agriculture, including through germplasm characterization, evaluation and enhancement, plant breeding (including participatory plant breeding), and seed production and distribution; and its contribution to food security, was emphasized. Some countries pointed out the need for a more complete analysis of the information collected, taking into account a broader and relevant range of considerations, in addition to statistical indicators.

19. The Commission highlighted the importance of monitoring the implementation of the *Plan* through a country-driven and flexible system that could respond to different and evolving national and regional needs and priorities, while ensuring the necessary level of standardization. The importance of simplicity and clarity in the list of indicators, and in the reporting format, was emphasized. This would encourage the participation of all countries and stakeholders, including the private sector and civil society organizations. In this regard, the Commission supported the establishment, at national level, of processes to share information among stakeholders on the implementation of the *Plan*, and supported the proposal for a pilot testing phase. The list of indicators and reporting format developed by the Secretariat, with inputs from an expert group<sup>6</sup> was considered to be useful, but should be further refined, through pilot testing in a number of countries. The Inter-governmental Technical Working Group on Plant Genetic Resources should continue working toward the final list of core indicators. Various countries indicated their interest in participating in the pilot exercise. These indicators should be developed, keeping in view the work being done by other international organizations. The Commission recognized that some developing countries and countries with economies in transition, especially least developed countries, would need technical and financial support to enable their participation in the pilot phase. It was agreed that the surveys in 2003 and 2005 would be carried out on the basis of the methodology currently in use, integrating the lessons learned from the pilot exercises. While appreciating the national and regional needs and priorities, the Commission also suggested that higher order indicators be developed, and, in this regard, welcomed the inter-sessional work carried out by the Secretariat. Such higher order indicators would facilitate a more general analysis of the state of genetic resource conservation and use, and the sharing of such information with other forums, including the Convention on Biological Diversity, the Commission on Sustainable Development and the Organization for Economic Cooperation and Development.

20. The Commission agreed that work should progress on the development of the second report on the *State of the World's Plant Genetic Resources for Food and Agriculture*, on the basis of the proposals in *Preparation of the Second Report on the State of the World's Plant Genetic Resources for Food and Agriculture*,<sup>7</sup> and considered that the timetable was realistic. It stressed that the preparatory process for the second report should be fully integrated with the process of monitoring the implementation of the *Global Plan of Action*. In emphasising the country-driven nature of the preparatory process, the Commission requested that countries be given an opportunity to review the guidelines for country reporting, prior to their finalization. The Commission agreed that priority should be given to updating the report, focusing, as far as possible, on changes that had occurred. The thematic studies proposed<sup>8</sup> would be carried out, as far as resources allowed.

21. The Commission recognized that extra-budgetary resources would be required to ensure the full participation in these processes of developing countries and countries with economies in transition, especially the least developed countries, and appealed to donors to make such resources available.

22. The Commission agreed that adjustment of the rolling *Global Plan of Action* was not needed at this time, and could be considered at a later stage.

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<sup>6</sup> CGRFA-9/02/7 and CGRFA-9/02/Inf.2.

<sup>7</sup> CGRFA-9/02/8.

<sup>8</sup> Listed in *Annex 2* of CGRFA-9/02/8.



### **The Global Information System on Plant Genetic Resources for Food and Agriculture<sup>9</sup>**

23. The Commission reaffirmed the important role of the World Information Early Warning System (WIEWS) as a metadata information-provider, and welcomed proposals for its further development, to contribute to the Global Information System of the Treaty, including the envisaged consultations. The role of WIEWS in updating the *State of the World's Plant Genetic Resources for Food and Agriculture*; monitoring the implementation of the *Global Plan of Action*; and, through its global network, in supporting national Plant Genetic Resources for Food and Agriculture programmes to establish a national mechanism to exchange information on the implementation of the *Global Plan of Action*, was emphasized. Countries that had not yet nominated National Focal Points or had not taken appropriate action towards the exchange of information were encouraged to do so.

### **International Plant Genetic Resource Networks<sup>10</sup>**

24. The Commission recognized the important role of networks in promoting cooperation between countries in the conservation and sustainable use of plant genetic resources for food and agriculture. The Commission encouraged countries to provide further information on the networks in which they participate, in order that the inventory of relevant networks may be completed. It was agreed that the effectiveness of networks should be assessed, and that synergy between different networks should be promoted. Cooperation with the Man and the Biosphere programme on *in situ* management was discussed. It was agreed that the Inter-governmental Technical Working on Plant Genetic Resources should consider these matters at its next meeting, with a view to furthering the contribution of networks to the implementation of the *Global Plan of Action*, and the International Treaty, on its entry into force.

25. The Commission suggested, that, in future sessions of the Commission, a summary document be prepared, providing an overview of the various components of the Global System, and their potential contribution to the implementation of the International Treaty.

### **Facilitating the Implementation of the *Global Plan of Action***

26. The need for increased efforts, to promote implementation of the *Global Plan of Action* was reaffirmed. Many Members recalled the need for new and additional resources, and international efforts, in the way expressed in the results of the Leipzig International Technical Conference.

27. It was noted that FAO's Medium Term Plan provided for the development of a mechanism to facilitate the implementation of the *Plan* by all stakeholders. The Commission stressed that the implementation of the *Plan* should be country-driven, but efforts should also focus on facilitating the provision of technical and financial resources to developing countries—especially least developed countries, and to countries with economies in transition—to address national priorities for implementing the *Plan*. High priority should also be given to enhancing or creating partnerships for implementation of the *Plan*, promoting linkages among plant genetic resources management, plant breeding and seed sector, and networking, and facilitating communication with international organizations and donors. The Commission welcomed the proposed partnership with the International Plant Genetic Resources Institute (IPGRI) and the International Fund for Agricultural Development (IFAD).

28. Some Members expressed concern that the advice and options provided to FAO by the Inter-governmental Technical Working Group on Plant Genetic Resources for Food and Agriculture had not been reflected in the document, *A facilitating mechanism for the implementation of the Global Plan of Action for the Conservation and Sustainable Utilization of*

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<sup>9</sup> CGRFA-9/02/10.

<sup>10</sup> CGRFA-9/02/12.

*Plant Genetic Resources for Food and Agriculture*;<sup>11</sup> and further consideration should be given to these. The Commission recommended that the future development of the facilitating mechanism be guided by the Commission and its Inter-governmental Technical Working Group on Plant Genetic Resources for Food and Agriculture. The Commission supported the proposal for a consultation to gather the views of stakeholders, on the possible activities of the facilitating mechanism, in line with International Treaty and the *Plan*, as well as the priorities established by the Commission.

29. The Commission considered that renewed efforts to promote implementation of the *Plan*, through the development of the facilitating mechanism, should build upon the momentum created by the adoption of the Treaty. The facilitating mechanism should give high priority to assisting in the development of the funding strategy to be adopted by the Governing Body of the International Treaty. The experience gained would facilitate implementation of the Treaty, on its entry into force, and, as appropriate, could contribute to the development of its funding strategy. However, the Commission noted that there should be no ambiguity in the roles of the Commission and the Governing Body of the International Treaty, or duplication of activities under the facilitating mechanism and the funding strategy of the International Treaty.

***Ex Situ* collections of plant genetic resources for food and agriculture (IARCs)  
held by the International Agricultural Research Centres of the  
Consultative Group on International Agricultural Research (CGIAR)  
and other international institutions**

30. The Commission considered the *Report on the International Network of Ex Situ Collections under the Auspices of FAO*.<sup>12</sup> The Commission expressed its appreciation and satisfaction with the operation of the International Network. It noted that there had been over 700,000 transfers of genetic material under the Centres' Agreements with FAO, underlining their importance in the conservation and sustainable utilization of plant genetic resources for food and agriculture.

31. A number of countries expressed concern over cases involving the inappropriate granting of intellectual property rights over materials from the International Network, noting, however, that such cases had all been attended to. The Commission was informed of ongoing litigation by the International Centre for Tropical Agriculture (CIAT), for the re-examination of US patent number 5,894,079 on the "Enola Bean", on the grounds that it might restrict the use in plant breeding in the United States of America of materials from the International Network. Some Members of the Commission expressed concern that inappropriate granting of intellectual property rights could jeopardize public confidence in the in-trust collections held by the Centres within the International Network, and requested the Director-General of FAO to bring the matter to the attention of the United Nations General Assembly and the World Trade Organization, and to forward the documents, *Report on the International Network of Ex Situ Collections under the Auspices of FAO*<sup>13</sup> and *Report on the International Network of Ex Situ Collections under the Auspices of FAO: further information provided by CIAT, regarding a request for the re-examination of US Patent No. 5,894,079*,<sup>14</sup> to the World Intellectual Property Organization (WIPO) and its various Committees, with a request that WIPO cooperate with FAO in preparing a study on how intellectual property rights may effect the availability and use of material from the International Network and the International Treaty. Other Members noted that the material had not in fact come from the in-trust collections, and that the FAO had already supported CIAT's claim against the Patent.

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<sup>11</sup> CGRFA-9/02/9.

<sup>12</sup> CGRFA-9/02/11.

<sup>13</sup> CGRFA-9/02/11.

<sup>14</sup> CGRFA-9/02/Inf.7

32. Members also expressed concern that gene flow from transgenic crops could jeopardize the integrity of genetic resources, in particular in the centres of origin, and in the collections of the Centres. Careful studies and observations on the issues are requested. FAO should continue to provide science-based advice in such matters.

**Renewal of the Agreements between the International Agricultural Research Centres and the FAO placing collections of plant germplasm under the auspices of FAO<sup>15</sup>**

33. The Agreements, by which the International Agricultural Research Centres of the CGIAR had brought their *ex situ* collections under the auspices of FAO, originally signed on 26 October, were to be automatically renewed for a period of four years, from 26 October 2002.

34. At its Sixth Extraordinary Session, the Commission requested preparation of a revised Material Transfer Agreement (MTA), for use by the Centres when making available materials under their Agreements with FAO, in the period until they had concluded Agreements with the Governing Body of the International Treaty, following its entry into force. The Commission reviewed and proposed amendments to a draft revised MTA, which had been jointly prepared for its consideration by the FAO and the Centres. It endorsed this amended revised MTA, in *Appendix E*, and recommended that this MTA be adopted by the Centres. This amended MTA is without prejudice to the development of any MTA to be adopted by the Governing Body of the Treaty.

35. The Commission reviewed the *Steps to be taken to implement the new CGIAR System-wide MTA* endorsed by the CGIAR Inter-Centre Working Group on Genetic Resources in January 1999, and strongly recommended their full implementation by the Centres.

36. The Commission recommended that the IARCs should take appropriate measures, in accordance with their capacity, to maintain effective compliance with the conditions of the MTA, and report on such measures to the Commission at its next regular session.

**Future work of the Working Group and election of its Members**

37. The Commission elected the members of the Inter-governmental Technical Working Group on Plant Genetic Resources, as given in *Appendix C*.

38. The Commission agreed that the Inter-governmental Technical Working Group on Plant Genetic Resources should meet to examine issues related to plant genetic resources for food and agriculture use through strengthening germplasm conservation, plant breeding capacities and seed systems, and to provide further guidance: on the preparation of the second report on the *State of the World's Plant Genetic Resources for Food and Agriculture* and the process for monitoring of the *Global Plan of Action*; advising the facilitating mechanism; on the development of plant genetic resource networks, and the assessment of their effectiveness; and on the possible need to update elements of the *Code of Conduct for Plant Germplasm Collecting and Transfer*.

***In Situ* Conservation**

39. The Commission considered a *Progress report on the development of a network of in situ conservation areas*,<sup>16</sup> which provided information on an FAO/United Nations Environment Programme Global Environment Facility project on globally important ingenious agricultural heritage systems (GIAHS), and a *Progress report on the development of a network of In Situ conservation areas: the in situ conservation of forest genetic resources*.<sup>17</sup> It was informed that the GIAHS project aims at the conservation and continuous co-adaptation and development of plant

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<sup>15</sup> CGRFA-9/02/20.

<sup>16</sup> CGRFA-9/2/13.

<sup>17</sup> CGRFA-9/2/13/Add.1.

and animal genetic resources, together with related traditional knowledge and local technologies, in the agro-ecological areas where they have co-evolved. Funding for this project would be provided for developing countries and economies in transition.

40. The Commission noted the importance of *in situ* conservation. Some Members expressed support for the approach, which they considered innovative, in particular regarding *in situ* conservation efforts building on local and indigenous knowledge systems. Attention was also drawn to other existing networks that support *in situ* conservation. Some members suggested that it should be referred to the Inter-Governmental Technical Working Groups. Other Members raised a number of concerns and pointed out uncertainties related to the project concept and stressed that it needed to be reviewed, through consultations with Members and additional information. In implementing *in situ* projects, the Commission stressed the need to respect national sovereignty, including national legislation. Some Members stressed that such projects should not lead to nor justify trade-distorting measures, including subsidies.

## V. CONSIDERATION OF FAO'S POLICIES, PROGRAMMES AND ACTIVITIES ON AGRICULTURAL BIOLOGICAL DIVERSITY

41. The Commission considered *Reports from FAO on its policies, programmes and activities on agricultural biological diversity*, covering sectorial matters,<sup>18</sup> cross-sectorial matters,<sup>19</sup> and the Priority Areas for Interdisciplinary Action (PAIAs).<sup>20</sup>

42. The Commission welcomed the opportunity to comment on the broad range of FAO's programmes relevant to the conservation and sustainable use of genetic resources for food and agriculture. Noting that the Programme of Work and Budget is agreed by the Conference, on the advice of the Council and its Committees, the Commission highlighted the importance of adequate financial resources for all sectors of genetic resources. The secretariat was requested to provide the Commission regularly with up-to-date information on allocations of Regular Programme resources to relevant activities.

43. The Commission welcomed the innovative work carried out by FAO on various aspects of agricultural biodiversity, through the PAIAs. A number of areas for possible further study were suggested, including: good agricultural practices, understanding the contribution of genetic resources to the economies of Member countries, the impact of agricultural subsidies on biodiversity, and the competitiveness of organic agriculture.

44. A number of Members expressed concern with some definitions in the FAO's biotechnology glossary, and offered technical support to assist the Secretariat to continue to improve the accuracy of the biotechnology glossary, stressing the need to maintain high standards of scientific and technical publications, and requested that terms be in harmony with those used in relevant international agreements. A number of Members also stated that FAO's work on ethics might be considered a low priority area. Another Member supported the relevance of the Ethics Panel's activities.

45. The Commission recognized that FAO should continue to provide science-based advice to governments for national decision-making on the use and safety of food containing genetically-modified products. Some countries expressed concern in relation to the distribution of transgenic food aid without the prior informed consent of the beneficiary countries, and the possible implications to their *in situ* plant genetic resources for food and agriculture.

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<sup>18</sup> CGRFA-9/02/14.1.

<sup>19</sup> CGRFA-9/02/14.2.

<sup>20</sup> CGRFA-9/02/14.3.

## VI. REPORTS FROM INTERNATIONAL ORGANIZATIONS ON THEIR POLICIES, PROGRAMMES AND ACTIVITIES ON AGRICULTURAL BIOLOGICAL DIVERSITY

46. The Commission welcomed the reports from International Inter-governmental Organizations, CGIAR Centres, Non-Governmental Organizations, and other organizations, on their policies, programmes and activities.<sup>21</sup> The list of organizations presenting reports to the Commission is contained in *Appendix G*. The Commission considered it important to continue to receive reports from these and other organizations.

47. The World Intellectual Property Organization (WIPO) noted the active and positive collaboration between the WIPO and FAO Secretariats. WIPO welcomed the requests and suggestions that had been made by delegations in the course of this week, that it work jointly with the FAO to address the IP-specific aspects that arise in the work of the Commission.

48. The Commission welcomed, in particular, the detailed information provided in the reports from the International Agricultural Research Centres, which showed the invaluable work they have performed in different areas. It requested that future reports provide more detailed information on the contributions of national institutions to joint programmes with the Centres.

49. The Commission heard a presentation from the Director General of IPGRI, Mr. Geoffrey Hawtin, on the joint efforts of FAO and the CGIAR to establish a Global Conservation Trust, to provide, in perpetuity, a flow of funds for *ex situ* conservation by national and international institutions, and for relevant capacity-building. The Trust would operate in the framework of the International Treaty, and be an essential element of its funding strategy. The overall policy guidance for the Trust would come from the Governing Body of the Treaty.

50. This initiative was universally appreciated and supported, and appeals were made to donors to assist in the establishment of the Trust. The Trust would, it was hoped, attract new and additional funds from a wide-range of donors. The Commission stressed the need for the Governance of the Trust to work in a transparent and efficient manner, as proposed, and requested progress regarding the Trust to be reported at sessions of the Inter-governmental Technical Working Group on Plant Genetic Resources. Mr. Hawtin's report is in *Appendix F*.

51. A number of International Governmental and Non-governmental Organizations informed the Commission about their work and policies. The Commission recognized their thoughtful contribution to efforts for the conservation and sustainable utilization of agricultural biodiversity. For future sessions of the Commission, it suggested that the Secretariat consider creating opportunities to stimulate greater interaction between Members and the organizations.

## VII. COOPERATION WITH THE CONVENTION ON BIOLOGICAL DIVERSITY

52. The Commission considered the document, *Cooperation with the Convention on Biological Diversity*.<sup>22</sup> It thanked the Conference of the Parties to the Convention on Biological Diversity (CBD) for its support for the process of the negotiation of the International Treaty on Plant Genetic Resources for Food and Agriculture, most recently through its Decision VI/6, which had appealed to Governments to give priority consideration to ratifying the Treaty, so that it might enter expeditiously into force. The Conference of the Parties had recognized the important role that the Treaty would play in the conservation and sustainable utilization of agricultural biodiversity, facilitated access to these resources, and the fair and equitable sharing of the benefits arising from their utilization.

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<sup>21</sup> CGRFA-9/02/15.1, 15.2, 15.3 and 15/Add 1.

<sup>22</sup> CGRFA-9/02/16.

53. It welcomed the growing cooperation between the FAO and its Commission and the CBD, on a wide range of sectorial and cross-sectorial activities, which included the Commission's work towards the first Report on the *State of the World's Animal Genetic Resources for Food and Agriculture*, noting that the Conference of the Parties had invited its financial mechanism to support countries in this important process; and the ongoing secondment by FAO of an Agricultural Biodiversity Officer to the CBD Secretariat. This cooperation could assist Members of both organizations to avoid duplication of efforts. Of particular importance were initiatives, in areas of interest to the food and agriculture sector, to harmonize reporting on genetic resources for food and agriculture. It requested FAO to transmit to the Executive Secretary of the CBD the indicators that had been developed to assist reporting on the implementation of the *Global Plan of Action*, with a request that these—supplemented by higher order, synthetic indicators—be used to promote harmonized reporting. This would facilitate collaboration at the national level, especially between Ministries of Agriculture and Ministries of the Environment.

54. The Commission considered the document, *Potential Impacts of Genetic Use Restriction Technologies (GURTs) on Agricultural Biodiversity and Agricultural Production Systems: Follow-up to the First Session of the Inter-governmental Technical Working Group on Plant Genetic Resources for Food and Agriculture, and the Sixth Conference of the Parties to the Convention on Biological Diversity*.<sup>23</sup>

55. The Fifth Meeting of the Conference of the Parties to the CBD had invited FAO to further study the potential implications of GURTs for the conservation and sustainable use of agricultural biological diversity and the range of agricultural production systems in different countries, to identify relevant policy questions and socio-economic issues that may need to be addressed, and inform the Conference of the Parties. The Technical Study, *Potential Impacts of Genetic Use Restriction Technologies (GURTs) on Agricultural Production Systems: Technical Study*, had been prepared and submitted to the Inter-governmental Technical Working Group on Plant Genetic Resources at its First Session. The Technical Study had been updated in the light of its comments, and written comments subsequently submitted by Members, and was now before the Commission.<sup>24</sup>

56. The Commission agreed that the Technical Study (with paragraph 50 removed) should be forwarded to the next Conference of the Parties, for information. Some Members stressed that, in doing so, it should be made clear that genetic use restriction technologies are currently in a period of research and development, are not currently available commercially, and may never be. One Member expressed concern at the lack of balance in the updated study, requested to append additional written comments to the study, and was invited to do so.

57. Some Members of the Commission expressed the concern that GURTs are in contradiction to the spirit of the International Treaty and the sharing of genetic resources. Members of the Commission also expressed concern regarding the possible effects on developing countries and their farmers, and on food security and rural development. They indicated the need to better understand any possible adverse impacts on the environment, and the implications for agriculture. The Commission agreed that FAO should play a role in sharing information and experience regarding genetic use restriction technologies, particularly by inviting Members to provide information on any relevant national regulatory decisions, and making them available.

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<sup>23</sup> CGRFA-9/02/17.

<sup>24</sup> CGRFA-9/02/17 Annex.

## VIII. REPORT ON THE STATUS OF THE CODES OF CONDUCT

### International Code of Conduct for Plant Germplasm Collecting and Transfer

58. The Commission considered the document, *Report on the Status of the International Code of Conduct for Plant Germplasm Collecting and Transfer*,<sup>25</sup> and discussed the possible need to update elements of the *Code* in the light of the adoption of the International Treaty and other relevant developments.

59. The Commission noted that the *Code* had been widely used by governments in providing guidance for collecting missions. Elements of the *Code* had been used in formulating national legislation. The *Code* continues to be of useful in such contexts.

60. The Commission requested its Intergovernmental Technical Working Group on Plant Genetic Resources for Food and Agriculture to consider the *Code* at its next session, and make recommendations to the Commission at its next regular session, regarding the possible need to update elements of the *Code*. Member countries were invited to submit information on measures taken at national level to implement the *Code*. The Secretariat was requested to compile this information for the Working Group.

### Draft Code of Conduct on Biotechnology as it relates to Genetic Resources for Food and Agriculture

61. The Commission considered the document, *The Status of the Draft Code of Conduct on Biotechnology as it Relates to Genetic Resources for Food and Agriculture: Report of Surveys of FAO Members and Stakeholders*.<sup>26</sup> It noted that the Commission had requested the *Code of Conduct on Biotechnology* in the late 1980s, and that, in 1991, the FAO Council agreed to the request of the Commission to prepare a draft *Code*. The preliminary draft *Code* was prepared, which was then considered by the Commission in 1993.<sup>27</sup> The Commission had agreed that the objectives of the preliminary draft *Code* should be to help maximize the positive effects of biotechnology, and to minimize any potential negative effects, especially in developing countries". In 1995, the Commission decided to postpone further development of this preliminary draft *Code*, until the negotiations then underway for the International Undertaking on Plant Genetic Resources for Food and Agriculture (now the International Treaty on Plant Genetic Resources for Food and Agriculture) had been concluded. It also noted the request of the Conference of the Parties to the CBD, at its Sixth Meeting in 2002, to deal with genetic use restriction technologies in the context of this FAO *Code of Conduct*.

62. The document, *The Status of the Draft Code of Conduct*, is based on the responses of FAO member countries and a large number of stakeholders to a survey carried out by the Secretariat on the need for, and the possible updating of, the components of the 1993 preliminary draft *Code*. The Commission was requested for guidance on how to proceed further.

63. The Commission held a positive and intensive discussion. It was noted that the 1993 preliminary draft *Code* had already accomplished much, as a far-sighted source of inspiration in the development of international agreements, such as the Cartagena Biosafety Protocol, and the International Treaty on Plant Genetic Resources for Food and Agriculture.

64. The Commission recognized the challenges and opportunities posed by the rapid pace of development in biotechnology. Some Members recognized that poor countries and poor farmers have not yet benefited from new biotechnologies. The Commission recognized the need to go

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<sup>25</sup> CGRFA-9/02/19.

<sup>26</sup> CGRFA-9/02/18.

<sup>27</sup> CGRFA-9/02/18 Annex.

ahead with the aim to maximize the positive effects of biotechnologies and minimize any potential negative effects or risks, and that the focus should be on biotechnologies related to genetic resources for food and agriculture. Some Members considered that the best way to address the challenges and opportunities was through the rapid revision and updating of the preliminary draft *Code*, whereas others preferred a phased approach, with consideration of additional options.

65. Some Members considered all issues and concerns in the document to be important. In order to avoid duplication of efforts and identify existing gaps, the Commission requested the Secretariat to prepare a study, in order to identify what is done in other forums, what remains to be done on the issues raised in the document, and which issues were relevant to FAO and in particular its Commission. In the preparation of the study, there should be consultations, as appropriate, with relevant international organizations. The study would help the Commission to identify issues on which it should concentrate in the future, with respect to a code, guidelines, or other courses of action. In addition, a review of national legislations related to biotechnologies applied to food and agriculture was requested by some Members.

66. It was further suggested that the Secretariat keep close contact with the Secretariats of relevant organizations and international agreements, especially the Biosafety Protocol and the Inter-governmental Committee for the Cartagena Protocol, and that the Commission be represented, and its views made known, in these forums.

67. The Commission recognized and supported the important public research on biotechnologies and biosafety carried out by the International Agricultural Research Centres of the Consultative Group and appealed to donors and interested parties to support the efforts of the Centres, with a focus on improving permanently their capacity in these areas, within the framework of the policies, strategies and programmes of collaboration with the national systems of developing countries.

#### **IX. DATE AND PLACE OF THE NEXT SESSION**

68. The Commission agreed to hold its Tenth Regular Session in late 2004.



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**APPENDIX A**

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**AGENDA OF THE NINTH SESSION OF THE COMMISSION ON GENETIC  
RESOURCES FOR FOOD AND AGRICULTURE  
14-18 October 2002**

1. Election of Chair and Vice-Chairs
2. Adoption of the Agenda and Timetable
3. Animal Genetic Resources
  - 3.1 Report of the Second Session of the Intergovernmental Technical Working Group on Animal Genetic Resources for Food and Agriculture
  - 3.2 Progress Report on the development of the *First Report on the State of the World's Animal Genetic Resources* in the context of the Global Strategy for the Management of Farm Animal Genetic Resources
  - 3.3 Future work of the Working Group and election of its members
4. Plant Genetic Resources
  - 4.1 Report of the First Session of the Intergovernmental Technical Working Group on Plant Genetic Resources for Food and Agriculture
  - 4.2 Implementing, and monitoring the implementation of, the *Global Plan of Action*, and preparation of the second Report on the *State of the World's Plant Genetic Resources*
  - 4.3 Facilitating the implementation of the *Global Plan of Action*
  - 4.4 Progress reports on other elements of the FAO Global System for the Conservation and Sustainable Utilization of Plant Genetic Resources for Food and Agriculture
    - a. *Ex situ* collections of plant genetic resources for food and agriculture held by the International Agricultural Research Centres of the CGIAR and other international institutions  
Renewal of the Agreements between the International Agricultural Research Centres and the Food and Agriculture Organization, placing Collections of Plant Germplasm under the Auspices of the FAO
    - b. International Plant Genetic Resources Networks

- c. The Global Information System on Plant Genetic Resources for Food and Agriculture
  - d. *In Situ* Conservation Areas
- 4.5 Future work of the Working Group and election of its members
- 5. Consideration of FAO's policies, programmes and activities on genetic resources for food and agriculture
- 6. Reports from international organizations on their policies, programmes and activities on agricultural biological diversity
- 7. Cooperation with the Convention on Biological Diversity
- 8. Report on the status of the Codes of Conduct:
  - 8.1 International Code of Conduct for Plant Germplasm Collecting and Transfer
  - 8.2 Draft Code of Conduct on Biotechnology as it relates to Genetic Resources for Food and Agriculture
- 9. Future work of the Commission
- 10. Other business
- 11. Date and place of the next Regular Session
- 12. Adoption of the Report

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**APPENDIX B**


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**MEMBERS OF THE FAO COMMISSION ON GENETIC  
RESOURCES FOR FOOD AND AGRICULTURE  
October 2002**

<b>AFRICA</b>	<b>ASIA AND THE PACIFIC</b>	<b>EUROPE</b>	<b>LATIN AMERICA AND THE CARIBBEAN</b>
Algeria		Albania	
Angola	Australia	Armenia	Antigua and Barbuda
Benin	Bangladesh	Austria	Argentina
Botswana	China	Belgium	Bahamas
Burkina Faso	Cambodia	Bosnia and Herzegovina	Barbados
Burundi	Cook Islands	Bulgaria	Belize
Cameroon	Democrat. People's Rep. of Korea	Croatia	Bolivia
Cape Verde	Fiji	Cyprus	Brazil
Central African Republic	India	Czech Republic	Chile
Chad	Indonesia	Denmark	Colombia
Comoros	Japan	Estonia	Costa Rica
Congo, Dem. Rep. of the	Kazakhstan	European Community	Cuba
Congo, Rep. of	Korea, Rep. of	Finland	Dominica
Côte d'Ivoire	Malaysia	France	Dominican Rep.
Equatorial Guinea	Maldives	Georgia	Ecuador
Eritrea	Mongolia	Germany	El Salvador
Ethiopia	Myanmar	Greece	Grenada
Gabon	Nepal	Hungary	Guatemala
Gambia	New Zealand	Iceland	Guyana
Ghana	Pakistan	Ireland	Haiti
Guinea	Papua New Guinea	Israel	Honduras
Guinea-Bissau	Philippines	Italy	Jamaica
Kenya	Samoa	Latvia	Mexico
Lesotho	Solomon Islands	Lithuania	Nicaragua
Liberia	Sri Lanka	Luxembourg	Panama
Madagascar	Thailand	Malta	Paraguay
Malawi	Tonga	Netherlands	Peru
Mali	Vanuatu	Norway	Saint Kitts and Nevis
Mauritania	Vietnam	Poland	Saint Lucia
Mauritius	<b>NEAR EAST</b>	Portugal	Saint Vincent and the Grenadines
Morocco	Afghanistan	Romania	Suriname
Mozambique	Azerbaijan	San Marino	Trinidad and Tobago
Namibia	Egypt	Slovakia	Uruguay
Niger	Iran	Slovenia	Venezuela
Nigeria	Iraq	Spain	
Rwanda	Jordan	Sweden	
Sao Tome and Principe	Lebanon	Switzerland	
Senegal	Libya	The Former Yugoslav Rep. of Macedonia	<b>NORTH AMERICA</b>
Seychelles	Oman	Turkey	Canada
Sierra Leone	Qatar	United Kingdom	United States of America
South Africa	Saudi Arabia		
Sudan	Syria		
Swaziland	Tunisia		
Tanzania	Yemen		
Togo			
Uganda			
Zambia			
Zimbabwe			

**A total of 164 countries and the European Community are members of the Commission.**

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**APPENDIX C**


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**MEMBERSHIP OF THE INTER-GOVERNMENTAL TECHNICAL WORKING GROUP  
ON ANIMAL GENETIC RESOURCES FOR FOOD AND AGRICULTURE**

<i>Composition (no. of countries per region)</i>	<i>Country</i>
<b>Africa</b> (5)	Algeria Botswana Cameroon Eritrea Mali
<b>Asia</b> (5)	China India Korea, Republic of Thailand Vietnam
<b>Europe</b> (5)	Denmark France Netherlands Turkey Slovenia
<b>Latin America and the Caribbean</b> (5)	Argentina Bolivia Brazil Chile Uruguay
<b>Near East</b> (3)	Egypt Iran, Islamic Republic of Sudan
<b>North America</b> (2)	Canada United States of America
<b>Southwest Pacific</b> (2)	New Zealand Samoa

**MEMBERSHIP OF THE INTER-GOVERNMENTAL TECHNICAL WORKING GROUP  
ON PLANT GENETIC RESOURCES FOR FOOD AND AGRICULTURE**

<i>Composition (no. of countries per region)</i>	<i>Country</i>
<b>Africa</b> (5)	Algeria Angola Burkina Faso Democratic Republic of Congo Ethiopia
<b>Asia</b> (5)	India Indonesia Japan Malaysia Thailand
<b>Europe</b> (5)	Germany Italy Poland Norway Portugal
<b>Latin America and the Caribbean</b> (5)	Cuba Ecuador Mexico Peru Venezuela
<b>Near East</b> (3)	Egypt Iran, Islamic Republic of Jordan
<b>North America</b> (2)	Canada United States of America
<b>Southwest Pacific</b> (2)	Australia Samoa

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**APPENDIX D**

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**STATEMENT BY MS. ELZBIETA MARTYNIUK, CHAIR OF THE INTER-GOVERNMENTAL TECHNICAL WORKING GROUP ON ANIMAL GENETIC RESOURCES FOR FOOD AND AGRICULTURE****Introduction to Item 3.1 of the Provisional Agenda****Report of the Second Session of the Inter-governmental Technical Working Group on Animal Genetic Resources for Food and Agriculture**

Thank you Chair.

I am pleased to present the Report of the Second Session of the Inter-governmental Technical Working Group on Animal Genetic Resources, which met on 4-6 September 2000 in Rome Italy. The Report is available to the Commission as document: CGRFA-9/02/3.

The meeting was well represented by Members of the Working Group and 33 Observers from Country Members of the Commission. Representatives of United Nations and Specialised Agencies, and Observers from Non-governmental Organisations also joined us. An encouraging message from the Executive Secretary of the Convention on Biological Diversity was sent to us and is contained in the Appendix of the Report.

Our meeting was conducted in a very constructive and positive spirit, which resulted in the Working Group reaching agreement on a number of important issues to advance the Conservation and Sustainable Use of Animal Genetic Resources, which are critical resources for agriculture, food security, and rural development.

Much of the discussion during our second Session was focused on the process for the preparation of the First Report on State of the World's-Animal Genetic Resources, but we also addressed other aspects of the Global Strategy for the Management of Farm Animal Genetic Resources.

Before introducing our main recommendations I would like to highlight some key observations of the Working Group, documented in paragraphs 6-35 of its report, which provide the background to our recommendations.

- € The Working Group stressed the importance of Animal Genetic Resources, contributing to global food security and supporting rural development, and emphasized the need to increase understanding of the roles of these resources through their characterisation and valuation;
- € The Working Group expressed deep concern about the current and continuing rapid loss of Animal Genetic Resources noting that this erosion will affect our ability to respond to future challenges, including disease outbreaks and drought and other events, and will reduce our ability to realise new opportunities;

- ∓ The Working Group underlined the importance of sustainable utilisation of locally adapted Animal Genetic Resources, and stressed the need to build capacity for genetic improvement in low and medium production systems, noting concern for the indiscriminate use of exotic germplasm;
- ∓ The Working Group noted the important role of the FAO in providing technical assistance and acknowledged the efforts that have been already made to support Animal Genetic Resources management at the national level. The continued FAO involvement in this area is crucial to assist countries to better manage and conserve their Animal Genetic Resources.

Mr Chairman, I would like to draw to the attention of the Commission some of our main recommendations.

The Commission will note that the Working Group agreed to an extremely ambitious timeline for producing the First Report on the State of the World's-Animal Genetic Resources. It included preparation of Country Reports by the end of 2001 and synthesis of Country Reports with an Interim Report referred to as the Strategic Priorities Report to be ready in 2003, and finally completion of the State of the World Report in 2005.

Our ambitious approach was adopted to underline the importance of the First Report on the State of the World's-Animal Genetic Resources, which will provide a basis for improved decision making necessary to ensure the sustainable use of Animal Genetic Resources and prevent their continuing unacceptable rapid erosion. In agreeing to this ambitious timeline, the Working Group realised that the mobilisation of financial and other resources was essential to meet this timeline. It appears that we will not achieve our schedule, and that we are now approximately one year behind what the Working Group agreed to in 2000. It will therefore be important for the Commission to consider a revised schedule for completing all steps of the State of the World's-Animal Genetic Resources process during this Session.

Chair, the Working Group recommended that Animal Genetic Resources continue to be a priority area in the FAO Programme of Work and Budget and also should be supported with extra-budgetary resources, especially to assist countries to prepare their Country Reports. I have been informed that FAO received considerable donor support to complement its own significant contributions from the Regular Programme, and it is clear that donor support must continue to ensure timely completion of the State of the World's-Animal Genetic Resources process.

The Working Group also underlined the need to enhance dialog with international organisations and involve all stakeholders both in the preparation of the First Report and in the further development of the Global Strategy; and to increase public understanding and promote better media coverage of animal genetic resources issues.

Chair, the Working Group indicated that it should meet again in order to provide advice to the Commission on the progress in the preparation of the State of the World's-Animal Genetic Resources. The Working Group could advise the Commission on the final content and form of the First Report, and could be requested to provide advice to the Secretariat on the preparation of the Strategic Priorities Report, which should be ready for consideration by the Commission in 2004.

Chair, the Commission will note that the Working Group made a number of recommendations regarding the further development of other aspects of the Global Strategy for the Management of

Farm Animal Genetic Resources. Our recommendations call for, *inter alia* enhanced effort by the FAO to advance the sustainable use of Animal Genetic Resources and to address the unacceptable erosion of these resources, including establishment of an early warning and emergency response mechanism.

The Working Group underlined the need to collect and share existing information on Animal Genetic Resources and supported further development of DAD-IS in this respect. The Commission's advice on priorities for these recommendations is desirable.

Chair, in closing I would like to note that the Working Group has stressed that the preparation of the country-driven First Report on the State of the World's-Animal Genetic Resources and the Strategic Priorities Report will establish the foundation for the better management of Animal Genetic Resources.

The concept of Priorities Action Report was approved by the Working Group to respond to the rapid erosion of Animal Genetic Resources and to promote better use of these resources; to enable early identification of the most urgent actions and initiate their implementation before the final First Report will be completed and formally adopted, which is now scheduled for completion in 2006.

Mr Chairman, as indicated by the Working Group, and as I have stressed in my report, additional donor support is necessary to complete the State of the World's-Animal Genetic Resources Report. It is extremely important that the Commission during this Session make a strong plea to the donor community to secure extra-budgetary resources necessary to complement the excellent contributions of FAO.

In closing I would like to congratulate FAO for their efforts to initiate the State of the World's-Animal Genetic Resources process and for the very successful training operation, which will facilitate preparation of Country Reports in all regions.

Thank you for this opportunity to present the finding of the Second Session of the Intergovernmental Technical Working Group on Animal Genetic Resources.



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**APPENDIX E**

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**DRAFT REVISED MATERIAL TRANSFER AGREEMENT FOR PLANT GENETIC  
REOURSRES HELD IN TRUST BY THE INTERNATIONAL AGRICULTURAL  
RESEARCH CENTRES****DRAFT REVISED MATERIAL TRANSFER AGREEMENT  
FOR PLANT GENETIC RESOURCES HELD IN TRUST  
BY THE [CENTRE]<sup>1</sup>**

<sup>1</sup> This MTA covers materials which are being transferred before the entry into force of the International Treaty on Plant Genetic Resources for Food and Agriculture. The Treaty envisages that the [Centre] will enter into an agreement with the Governing Body of the Treaty, once the Treaty enters into force. The [Centre] has indicated its intention to conclude such an agreement with the Governing Body. This agreement, in line with the Treaty, will provide for new MTAs and benefit-sharing arrangements for materials transferred after the entry into force of the agreement.

**DRAFT REVISED MATERIAL TRANSFER AGREEMENT  
FOR PLANT GENETIC RESOURCES HELD IN TRUST  
BY THE [CENTRE]<sup>1</sup>**

The plant genetic resources (hereinafter referred to as the “material”) contained herein are being furnished by the [Centre] under the following conditions:

The [Centre] is making the material described in the attached list available as part of its policy of maximizing the utilization of material for research, breeding and training. The material was either developed by the [Centre]; or was acquired prior to the entry into force of the Convention on Biological Diversity; or if it was acquired after the entering into force of the Convention on Biological Diversity, it was obtained with the understanding that it could be made available for any agricultural research, breeding and training purposes under the terms and conditions set out in the agreement between the [Centre] and FAO dated 26 October 1994.

The material is held in trust under the terms of this agreement, and the recipient has no rights to obtain Intellectual Property Rights (IPRs) on the material or related information.

The recipient may utilize and conserve the material for research, breeding and training and may distribute it to other parties provided such other parties accept the terms and conditions of this agreement.<sup>2</sup>

The recipient, therefore, hereby agrees not to claim ownership over the material, nor to seek IPRs over that material, or its genetic parts or components, in the form received. The recipient also agrees not to seek IPRs over related information received.

The recipient further agrees to ensure that any subsequent person or institution to whom he/she may make samples of the material available, is bound by the same provisions and undertakes to pass on the same obligations to future recipients of the material.

The [Centre] makes no warranties as to the safety or title of the material, nor as to the accuracy or correctness of any passport or other data provided with the material. Neither does it make any warranties as to the quality, viability, or purity (genetic or mechanical) of the material being furnished. The phytosanitary condition of the material is warranted only as described in the attached phytosanitary certificate. The recipient assumes full responsibility for complying with the recipient nation’s quarantine and biosafety regulations and rules as to import or release of genetic material.

Upon request, the [Centre] will furnish information that may be available in addition to whatever is furnished with the material. Recipients are requested to furnish the [Centre] with related data and information collected during evaluation and utilization.

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<sup>1</sup> The attention of the recipient is drawn to the fact that the details of the MTA, including the identity of the recipient, will be made publicly available.

<sup>2</sup> This does not prevent the recipients from releasing the material for purposes of making it directly available to farmers or consumers for cultivation, provided that the other conditions set out in this MTA are complied with.

The recipient of material provided under this MTA is encouraged to share the benefits accruing from its use, including commercial use, through the mechanisms of exchange of information, access to and transfer of technology, capacity building and sharing of benefits arising from commercialization. The [Centre] is prepared to facilitate the sharing of such benefits by directing them to the conservation and sustainable use of the plant genetic resources in question, particularly in national and regional programmes in developing countries and countries with economies in transition, especially in centres of diversity and the least developed countries.

The material is supplied expressly conditional on acceptance of the terms of this Agreement. The recipient's acceptance of the material constitutes acceptance of the terms of this Agreement.

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**APPENDIX F**

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**STATEMENT BY MR. GEOFFREY HAWTIN, DIRECTOR GENERAL,  
INTERNATIONAL PLANT GENETIC RESOURCES INSTITUTE (IPGRI)****Statement on behalf of the Future Harvest Centres of the Consultative Group on  
International Agricultural Research (CGIAR)**

1. Document CGRFA-9/02/15.2 provides a consolidated overview of the activities of the 16 Future Harvest Centres with national and other partner institutions in genetic resources management, research and capacity building, spanning the plant, livestock, aquatic and forest sectors. We welcome your comments on the work presented in this report.
2. I would like to take this opportunity to present the Global Conservation Trust – an initiative that many of you have requested to know more about.
3. The Global Conservation Trust is a joint effort of the FAO and Future Harvest Centres to provide a permanent source of funding for the *ex situ* conservation of plant genetic resources for food and agriculture around the world. Establishing an endowment that will provide a flow of funds in perpetuity to match the long-term need to conserve plant genetic resources is not a new idea. However, with the adoption of the Global Plan of Action in 1996 and the International Treaty in 2001, the technical and policy frameworks are in place that make it timely to move forward with establishing such an endowment.
4. The goals of the Trust are the conservation, in perpetuity, of the world's most important collections of plant genetic resources for food and agriculture, held nationally and internationally, and the provision of capacity building assistance to holders of key collections in need. The Trust is fully in line with the goals and objectives of the International Treaty and responds to the high priority in the Global Plan of Action for efficient and sustainable conservation of plant genetic resources through strengthened cooperation among national and international institutions.
5. The Trust will operate in the framework of the International Treaty. The Treaty encourages efforts to mobilize resources to support its provisions and the Trust is seen as a component of its funding strategy. The Trust will recognize the authority of the Governing Body of the Treaty to provide policy guidance, and would expect to report regularly to it.
6. The target for the Trust endowment is US\$260 million to be raised primarily from governments, south and north, and from corporations and foundations. All three sectors have expressed strong interest in the case for the Trust. At this time, we have received commitments to the endowment and to financing the process of raising funds and establishing the Trust from Switzerland, USAID, Brazil, Colombia, Egypt, the World Bank, the UN Foundation and the CGIAR Centres. At the current rate of progress in fund-raising, we hope to have secured US\$100 million for the Trust by the end of 2003. Once this initial target has been reached, we expect there to be a call for proposals from holders of eligible collections for support to sustaining the conservation or meeting a capacity building need.

7. In establishing the Global Conservation Trust, the CGIAR and FAO are committed to a transparent and consultative process with broad stakeholder participation, including governments, donors of funds, donors of germplasm, genebank managers, farmers organisations, civil society and non-governmental organisations. There are a number of key issues on which we seek dialogue, including the legal status and governance of the Trust, its *modus operandi*, financial mechanisms and the location of the secretariat. Dialogue has commenced with representatives of a number of stakeholder groups, including many of you here. The Trust has been discussed at meetings of the Global Forum on Agricultural Research and has received their support. At the time of the World Food Summit in June and the World Summit on Sustainable Development in Johannesburg in August, we had the opportunity to discuss the Trust with representatives of government and civil society. Significant media coverage of the announcement of plans for the Trust is an indication of the level of general interest in such a cause. Having your support for the Trust and inputs on the issues regarding its establishment and operation is very important. We welcomed the opportunity to present the Trust to members of the Commission last Monday evening and greatly appreciated the many helpful comments and suggestions that were made.

8. FAO and IPGRI (on behalf of the CGIAR) seek to establish a panel of leading experts, representing different stakeholder groups, by the end of this year. This Interim Panel of Eminent Experts would determine the preferred legal status, governance and financial mechanisms for the Trust, based on consultations with a large number of governments, individuals and organizations, south and north. The Interim Panel will also decide upon questions like the proper balance to be achieved in the allocation of funds and will guide the process of establishing the Trust as an efficient and transparent funding mechanism.

9. On the Global Conservation Trust's Web site [www.startwithaseed.org](http://www.startwithaseed.org), is a discussion paper describing certain outstanding issues regarding governance ([www.startwithaseed.org/pages/governance.htm](http://www.startwithaseed.org/pages/governance.htm)). I would urge you to look at this paper and contact us with your comments and questions at [info@startwithaseed.org](mailto:info@startwithaseed.org). FAO and the CGIAR look forward to discussing developments with the Trust with you in this and other forums over the coming years, and to call on your support for the establishment of the Global Conservation Trust as a practical and real commitment to world food security, for present and future generations.

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**APPENDIX G**

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**LIST OF ORGANIZATIONS THAT PRESENTED REPORTS TO THE NINTH  
REGULAR SESSION OF THE COMMISSION***United Nations and other Inter-Governmental Organizations*

CAB International Bioscience Division (Centres for Agriculture & Biosciences International)  
Center for Research and Higher Education in Tropical Agriculture (CATIE)  
Common Fund for Commodities (CFC)  
Convention on Biological Diversity (CBD)  
The International Atomic Energy Agency (IAEA)  
The International Centre of Insect Physiology and Ecology (ICIPE)  
Inter-American Institute for Cooperation on Agriculture (IICA)  
United Nations Conference on Trade and Development (UNCTAD)  
The UNDP Global Environmental Facility (UNDP-GEF)  
The UNEP World Conservation Monitoring Centre (WCMC)  
The International Union for the Protection of New Varieties of Plants (UPOV)  
The World Bank  
World Intellectual Property Rights Organization (WIPO)

*International Agricultural Research Centres of the Consultative Group on International  
Agricultural Research (CGIAR)*

CIMMYT (Centro Internacional de Mejoramiento de Maíz y Trigo)  
CIP (Centro Internacional de la Papa)  
CIAT (Centro Internacional de Agricultura Tropical)  
CIFOR (Centro Internacional de Investigación Forestal)  
ICARDA (International Centre for Agricultural Research in the Dry Areas)  
ICLARM (International Centre for Living Aquatic Resources Management)  
ICRAF (International Council for Research in Agroforestry)  
ICRISAT (International Crops Research Institute for the Semi-arid Tropics)  
IFPRI (International Food Policy Research Institute)  
IITA (International Institute for Tropical Agriculture)  
ILCA (International Livestock Research Centre for Africa)  
ILRI (International Livestock Research Institute)  
INIBAP (International Network for the Improvement of Banana and Plantain)  
IPGRI (International Plant Genetic Resources Institute)

IRRI (International Rice Research Institute)

ISNAR (International Service for National Agricultural Research)

WARDA (West Africa Rice Development Association)

***International Non-Governmental Organizations***

The Associated Country Women of the World (ACWW)

The European Association for Animal Production (EAAP)

ETC Group – Action Group on Erosion, Technology and Concentration

Genetic Resources Action International (GRAIN)

The International Centre for Under-utilised Crops (ICUC)

International Indian Treaty Council (IITC)

The International Seed Federation (ISF)

Intermediate Technology Development Group (ITDG)

IUCN-The World Conservation Union

The International Union of Forestry Research Organisations (IUFRO)

League for Pastoral Peoples (LPP)

Rare Breeds International (RBI)

Slow Food

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**APPENDIX H**

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**LIST OF DOCUMENTS****Working Documents**

CGRFA-9/02/1	Draft Provisional Agenda
CGRFA-9/02/2	Provisional Annotated Agenda and Time-table
CGRFA-9/02/3	Report of the Second Session of the Intergovernmental Technical Working Group on Animal Genetic Resources for Food and Agriculture
CGRFA-9/02/4	Progress Report on the development of the First Report on the State of the World's Animal Genetic Resources in the context of the Global Strategy for the Management of Farm Animal Genetic Resources
CGRFA-9/02/5	Report of the First Session of the Intergovernmental Technical Working Group on Plant Genetic Resources for Food and Agriculture
CGRFA-9/02/6	Country Progress Report on the implementation of the Global Plan of Action for Conservation and Sustainable Utilization of Plant Genetic Resources for Food and Agriculture
CGRFA-9/02/7	Monitoring the implementation of the Global Plan of Action for the Conservation and Sustainable Utilization of Plant Genetic Resources for Food and Agriculture
CGRFA-9/02/8	Preparation of the Second Report on the State of the World's Plant Genetic Resources for Food and Agriculture
CGRFA-9/02/9	A Facilitating Mechanism for the implementation of the Global Plan of Action for the Conservation and Sustainable Utilization of Plant Genetic Resources for Food and Agriculture
CGRFA-9/02/9 Add.1	A Facilitating Mechanism for the implementation of the Global Plan of Action for the Conservation and Sustainable Utilization of Plant Genetic Resources for Food and Agriculture: Indicative cost estimates
CGRFA-9/02/10	Progress Report on the World Information and Early Warning System on Plant Genetic Resources for Food and Agriculture
CGRFA-9/02/11	Report on the International network of <i>Ex Situ</i> Collections under the Auspices of FAO
CGRFA-9/02/12	International Plant Genetic Resources Networks
CGRFA-9/02/13	Progress Report on the development of a network of <i>in situ</i> conservation areas
CGRFA-9/02/13 Add.1	Progress Report on the development of a network of <i>in situ</i> conservation areas: the <i>in situ</i> conservation of forest genetic resources



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- CGRFA-9/02/14.1 Report from FAO on its policies, programmes and activities on agricultural biological diversity:  
(1) Sectorial Matters
- CGRFA-9/02/14.1 Annex Report from FAO on its policies, programmes and activities on agricultural biological diversity:  
(1) Sectorial Matters – Annex: Training courses, workshops and publications
- CGRFA-9/02/14.2 Report from FAO on its policies, programmes and activities on agricultural biological diversity:  
(2) Cross-sectorial Matters
- CGRFA-9/02/14.3 Report from FAO on its policies, programmes and activities on agricultural biological diversity:  
(3) Priority Areas for Inter-disciplinary Action (PAIAs)
- CGRFA-9/02/15.1 Reports from international organizations on their policies, programmes and activities on agricultural biological diversity  
(1) Part 1: United Nations and other intergovernmental organizations
- CGRFA-9/02/15.2 Reports from international organizations on their policies, programmes and activities on agricultural biological diversity  
(2) Part 2: International Agricultural Research Centres of the Consultative Group on International Agricultural Research (CGIAR)
- CGRFA-9/02/15.3 Reports from international organizations on their policies, programmes and activities on agricultural biological diversity  
(2) Part 3: International Non-governmental Organizations
- CGRFA-9/02/15 Add.1 Reports from international organizations on their policies, programmes and activities on agricultural biological diversity  
Reports arrived late for translation
- CGRFA-9/02/16 Cooperation with the Convention on Biological Diversity
- CGRFA-9/02/17 Potential impacts of Genetic Use Restriction Technologies (GURTs) on agricultural biodiversity and agricultural production systems: follow-up to the First Session of the Inter-governmental Technical Working Group on Plant Genetic Resources for Food and Agriculture, and the Sixth Conference of the Parties of the Convention on Biological Diversity
- CGRFA-9/02/17/ Annex Potential impacts of Genetic Use Restriction Technologies (GURTs) on agricultural biodiversity and agricultural production systems: Technical Study
- CGRFA-9/02/18 The status of the draft Code of Conduct on Biotechnology as it relates to genetic resources for food and agriculture: report on surveys of FAO Members and stakeholders
- CGRFA-9/02/18/ Annex Document CPGR/93/9: Towards an International Code of Conduct for Plant Biotechnology as it affects the conservation and utilization of plant

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	genetic resources: Preliminary Draft International Code of Conduct on Plant Biotechnology as it affects the conservation and utilization of plant genetic resources
CGRFA-9/02/19	Report on the status of the International Code of Conduct for Plant Germplasm Collecting and Transfer
CGRFA-9/02/20	Renewal of the agreements between the International Agricultural Research Centres of the CGIAR and FAO and draft revised Material Transfer Agreement

### Information Documents

CGRFA-9/02/Inf.1	Statutes of the Commission on Genetic Resources for Food and Agriculture
CGRFA-9/02/Inf.2	Indicators and reporting format for monitoring the implementation of the <i>Global Plan of Action for the Conservation and Sustainable Utilization of Plant Genetic Resources for Food and Agriculture</i>
CGRFA-9/02/Inf.3	Further development of the Global Strategy for the Management of Farm Animal Genetic Resources
CGRFA-9/02/Inf.4	Statutes of the Intergovernmental Technical Working Group on Animal Genetic Resources, and members elected by the Eighth Regular Session of the Commission
CGRFA-9/02/Inf.5	Statutes of the Intergovernmental Technical Working Group on Plant Genetic Resources, and members elected by the Eighth Regular Session of the Commission
CGRFA-9/02/Inf.6	Statement of competence and voting rights submitted by the European Community and its Member States
CGRFA-9/02/Inf.7	Report on the International Network of <i>Ex Situ</i> Collections under the Auspices of FAO: further information provided by the International Centre for Tropical Agriculture (CIAT), regarding its request for a re-examination of U.S. patent No. 5,894,079
CGRFA-9/02/Inf.8	List of Documents
CGRFA-9/02/Inf.8 Rev.1 (English only)	List of Documents
CGRFA-9/02/Inf.9	List of Delegates and Observers

**New Background Study Papers of the Commission (available only in English)**

Background Study Paper No.15	Potential impacts of Genetic Use Restriction Technologies (GURTs) on agrobiodiversity and agricultural productions systems
Background Study Paper No.16	A summary and analysis of existing international plant genetic resources networks
Background Study Paper No. 17	Recent developments related to biotechnology that are relevant to the analysis of the survey on the Code of Conduct
Background Study Paper No. 18	Opportunities for incorporating genetic elements into the management of farm animal diseases: policy issues
Background Study Paper No. 19	The role of Law in realising the potential and avoiding the risks of modern biotechnology: selected issues of relevance to food and agriculture

**Other documents put at the disposal of the Commission (available only in English)**

Lessons learnt from case studies on Animal Genetic Resources

Organic Agriculture and Genetic Resources for Food and Agriculture

Gene Flow from GM To Non-GM Populations in the Crop, Forestry, Animal and Fishery Sectors: Report of an FAO e-mail Conference

Review and development of indicators for genetic diversity, genetic erosion and genetic vulnerability (GDEV): Summary report of a joint FAO/IPGRI workshop (Rome, 11-14 September, 2002)

Report on technical assistance related to the multilateral trade negotiations in agriculture

Plant Genetic Resources and Seed Supply Systems

Soil biodiversity: the root of sustainable agriculture

Public agricultural research: the impact of intellectual property rights on biotechnology in developing countries: Expert Workshop

Promoting sustainable utilization of plant genetic resources for food and agriculture

Beyond the Gene Horizon: sustaining agricultural productivity and enhancing livelihoods through optimization of crop and crop associated biodiversity with emphasis on semi-arid tropical agro-ecosystems

Towards a Global Information System on Plant Genetic Resources for Food and Agriculture

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**I**  
**APPENDIX I – ANNEXE I – ANEXO I**

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