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منظمة الأغذية  
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联合国  
粮食及  
农业组织

Food  
and  
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Organisation  
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et  
l'agriculture

Organización  
de las  
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Unidas  
para la  
Agricultura  
y la  
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Item 6 of the Draft Provisional Agenda

**COMMISSION ON GENETIC RESOURCES FOR FOOD AND AGRICULTURE**

**Tenth Regular Session**

Rome, 8-12 November 2004

**REPORTS FROM INTERNATIONAL ORGANIZATIONS ON THEIR POLICIES,  
PROGRAMMES AND ACTIVITIES ON AGRICULTURAL BIOLOGICAL DIVERSITY**

**REPORTS ARRIVED LATE FOR TRANSLATION**

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## I. ACTION AID INTERNATIONAL (AAI)

1. ActionAid International (AAI) is a development NGO that works in more than 40 countries in Africa, Asia, Latin America and the Caribbean. It works “with poor and marginalised people to eradicate poverty by overcoming the injustice and inequity that cause it”. Action Aid targets marginalized communities and works with poor people to help them secure access to food, water, education, healthcare and the opportunity to earn a living. The ultimate aim of Action Aid’s development work is to secure self-sufficiency for the community involved. In this context, the Action Aid’s guiding vision is to engage poor people as partners in tackling the causes of poverty. Our work has reached 9 million of the world’s poorest people and we employ 1,800 staff – 90 percent of them from developing countries. AAI’s policy goal in involvement with local and national governments as well as international institutions is to facilitate exposure of the perspective of the South in order to enhance the effectiveness of development policies and to engage the North in a more meaningful and better informed dialogue.

2. The AAI’s research and advocacy work in the area of food policy is based on the premise that hunger is best addressed by increasing access and control over natural resources by the poor and by providing the developing countries with equal and fair entry of their agricultural products onto the world markets. Hence, Action Aid works to influence institutions such as the World Trade Organization (WTO), International Monetary Fund (IMF) and the World Bank within the countries where they operate and on international level. The International Food Rights Campaign that was launched in 1998 has since concentrated on issues of international trade agreements at the WTO with particular attention to the Trade Related Aspects of Intellectual Property Agreements (TRIPS), the Agreement on Agriculture and the reform of WTO.

3. Our policy work on biodiversity has been mainly under the Food Rights Campaign and until recently has focussed mainly on the effects of the Intellectual Property Rights (IPRs) regime on food and agriculture and poor farmers. AAI is campaigning to ensure that patenting of genetic resources and knowledge for food and agriculture is not allowed. AAI has been highlighting the injustice of food patenting through supporting challenges by developing country governments and communities to stop biopiracy and theft of their knowledge and genetic resources. AAI successfully highlighted the case of the basmati patent by RiceTec, that claimed monopoly ownership over rice with similar qualities as Indian and Pakistani basmati in the US thus threatening Indian and Pakistani rice exports to the US. AAI has worked in national coalitions in developing countries to help draft the national IPR laws, it has supported developing country governments, especially the Africa Group in their call for “no patents on life”. In addition to its work with developing country governments, it has also invested a lot in influencing the UK government and European Commission on Farmers’ Rights and food security issues. Currently, AAI has been redoubling its efforts in engaging in biodiversity and biotechnology through many of its country programs involvement in agro-biodiversity projects. ActionAid International in Pakistan, Nepal, Bangladesh, India, Mozambique, Uganda, Guatemala and Brazil, among others, is actively engaged in GMO related issues, implementation of agro-biodiversity rural development models and preservation of genetic resources. Internationally, AAI is committed to the promotion of operationalization of the International Treaty on Plant Genetic Resources for Food and Agriculture.

## II. THE INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS (UPOV)

4. The International Union for the Protection of New Varieties of Plants (UPOV) is an intergovernmental organization, based on the International Convention for the Protection of New Varieties of Plants (“the UPOV Convention”). The Mission of UPOV is: “*To provide and*

*promote an effective system of plant variety protection, with the aim of encouraging the development of new varieties of plants, for the benefit of society.”*

5. As of July 1, 2004, UPOV has 55 members, including developed and developing countries. Furthermore, 23 States or intergovernmental organizations have initiated, with the Council of UPOV, the procedure for becoming members of the Union and 46 other countries have been in contact with the Office of the Union with a view to developing legislation in line with the UPOV Convention. It is therefore expected that more than 100 countries and intergovernmental organizations will be members of UPOV in the near future.

6. UPOV supports the view that the Convention of Biological Diversity and relevant international instruments dealing with intellectual property rights, including the UPOV Convention, should be mutually supportive regarding access to genetic resources and benefit-sharing. Indeed, access to genetic resources is a prerequisite for plant breeding. The concept of benefit-sharing is a fundamental aspect of the UPOV Convention, in the form of the “breeder’s exemption.” Under the UPOV Convention, protected varieties remain freely available for further development of new varieties. This reflects the concept that the world-wide community of breeders needs access to all forms of breeding material to achieve greatest progress in plant breeding and thereby to maximize the benefit to society.

7. An additional benefit-sharing mechanism in the UPOV Convention is contained in the concept of the “farmer’s privilege,” under which UPOV members may permit farmers, on their own farms, to use part of their harvest of a protected variety for the planting of a further crop. This provision is subject to the condition that the legitimate interests of the breeder are safeguarded, to ensure there is a continued incentive for the development of new varieties of plants, for the benefit of society.

8. These basic concepts of the UPOV Convention have been recognized within the International Treaty on Genetic Resources for Food and Agriculture (ITGRFA).

9. UPOV is of the opinion that access to genetic resources is a fundamental requirement for sustainable and substantial progress in plant breeding and is concerned about any potential restrictions on access to genetic resources for the purposes of plant breeding.

10. The UPOV Convention provides that the protection should be granted to plant varieties fulfilling the conditions of novelty, distinctness, uniformity and stability and does not allow any further or different conditions for protection. UPOV is not opposed to the disclosure, per se of countries of origin or geographical origin of genetic resources in any way that will facilitate the examination mentioned above, but could not accept this as an additional condition of protection. Concerning the access to genetic resources and benefit sharing, the Council of UPOV expressed its views at its thirty-seventh session on October 27, 2003. The relevant document can be found on the UPOV Website as follows:

[http://www.upov.int/en/news/2003/pdf/cbd\\_response\\_oct232003.pdf](http://www.upov.int/en/news/2003/pdf/cbd_response_oct232003.pdf)

11. UPOV’s capacity building programs are focused on the development and implementation of an appropriate legislative basis for plant variety protection but also in the development of the technological basis which is essential for effective implementation of the UPOV system of plant variety protection.

12. UPOV’s capacity building activities are carried out at the request of more than 70 countries in the regions of Asia and the Pacific, Latin America and the Caribbean region, Africa and countries in transition to a market economy.

13. UPOV operates and provides various data bases related to plant genetic resources which might be relevant to the Global Information System mentioned under Article 17 of the ITGRFA.

### **III. SOUTHERN AFRICAN DEVELOPMENT COMMUNITY (SADC)**

#### **Background**

14. The Southern African Development Community (SADC) is composed of Angola, Botswana, Democratic Republic of Congo, Lesotho, Malawi, Mauritius, Mozambique, Namibia, South Africa, Swaziland, Tanzania, Zambia and Zimbabwe. These countries' vision is one of a common future, a future in a regional community that will ensure the well being, economic improvement of the standards of living and quality of life, freedom and social justice and peace and security for the peoples of Southern Africa. This shared vision is anchored on the common values and principles and the historical and cultural affinities that exist between the peoples of Southern Africa.

15. SADC is guided by the principles of sovereign equality of all Member States; solidarity, peace and security; human rights, democracy, and the rule of law; equity, balance and mutual benefit; and peaceful settlement of disputes.

16. The mission of SADC is “To promote sustainable and equitable economic growth and socio-economic development through efficient productive systems, deeper co-operation and integration, good governance, and durable peace and security, so that the region emerges as a competitive and effective player in international relations and the world economy”.

#### **The SADC Plant Genetic Resources Centre**

17. SADC in 1989 established a regional programme and network of plant genetic resources co-ordinated by the SADC Plant Genetic Resources Centre (SPGRC) based in Lusaka, Zambia. This regional centre is mandated to maintain the base collection of the region's PGR while the National Plant Genetic Resources Centres (NPGRCs) maintain active collections and co-ordinate activities at the national level.

18. One of the main objectives of SPGRC is to establish over a twenty-year period, a SADC Plant Genetic Resources Centre and a network of local germplasm programmes to support research in the region.

#### ***Programmes***

19. The SPGRC coordinates a network of NPGRCs to facilitate collection of germplasm of plant genetic resources and for plant research.

20. The centre holds a base collection of germplasm from Member States and has agreement for safe duplicate storage of germplasm outside the region. The SPGRC provides technical backstopping and supports the development of regional capacity on plant genetic resources.

21. To support capacity building, the SPGRC annually provides MSc. scholarships in plant genetic resources (PGR) are provided annually to candidates in the region. In 2003 four of the sponsorship recipients graduated and two more enrolled.

#### ***Activities***

22. SPGRC manages the Regional Central Accession Data Base, coordinates the inventory, collection, characterization, evaluation, rejuvenation, multiplication and documentation of genetic resources in the region. SPGRC has developed a documentation and information system to standardise PGR documentation. The system has been installed at all the NPGRCs and through it data can be captured and relayed electronically to the master database at SPGRC.

23. The SPGRC coordinates a network of Regional Crop Working Groups (RCWGs) of scientists focusing on collection issues for specific or groups of crops. The institution also represents SADC in regional and international fora in discussions on biotechnology and biosafety, and is represented in the SADC Advisory Committee on Biotechnology and Biosafety.

24. In October 2003 SPGRC commissioned a feasibility study on the establishment of a biotechnology laboratory to increase capacity for chemical and molecular characterisation of germplasm in order to complement current information on and enhance utilisation of genetic resources, including capacity to detect presence of GMOs in the collection.

### ***Policy issues***

25. The SPGRC policy is developed and guided by the SPGRC Board. All SADC member states except Botswana, Lesotho, Mozambique and South Africa have signed the International Treaty on Plant Genetic Resources for Food and Agriculture. The Democratic Republic of Congo, Malawi, Mauritius, Namibia and Tanzania have ratified or acceded to the Treaty. SPGRC continues to coordinate participation of SADC countries in the FAO CGRFA on matters of PGR.

26. An MOU is currently under negotiation to formalise cooperation with the International Plant Genetic Resources Institute (IPGRI).

27. The SPGRC represents SADC in international negotiations, debates and initiatives aimed at providing an understanding of the implications of IPR issues on utilisation of PGR.

28. To address the long-term sustainability of the SPGRC network, the institution has commenced work on preparation of a long-term sustainability strategy document, which will provide a detailed business plan for SPGRC.

29. Crop diversity in SADC may be under threat in farmers' fields due to drought and floods. This is now compounded by the wide occurrence of HIV/AIDS, which limits the ability of households to continue with the age-old practice of passing traditional knowledge and conservation of seeds from generation to generation. Steps are therefore being taken to mainstream HIV/AIDS concerns in PGR programmes.

## **IV. UNITED NATIONS ENVIRONMENT PROGRAMME (UNEP)**

### ***UNEP- Global Environment Facility***

30. UNEP-GEF is one of the three Implementing Agencies of the Global Environment Facility. It is implementing a portfolio of projects worth US\$ 800 million, including US \$ 400 million in GEF resources comprising 475 activities implemented in 150 countries. A number of these projects are aimed at achieving the objectives of the Convention on Biological Diversity, including agrobiodiversity. To this end, UNEP works in partnership with CGIAR, FAO and National Agricultural Research Centres (NARCS) to actively support country-driven initiatives aimed at conservation and sustainable use of plant and animal genetic resources of actual and potential value for food and agriculture.

31. The UNEP-GEF projects under implementation focus on:

- methods for conservation and sustainable management of below-ground biological diversity important to sustainable agricultural production in tropical landscapes (“Conservation and Sustainable Management of Belowground Biodiversity”: Brazil, Cote d’Ivoire, India, Indonesia, Kenya, Mexico, Uganda);

- effective conservation of crop wild relatives and their increased availability for crop improvement (*In situ* Conservation of Crop Wild Relatives Through Enhanced Information Management and Field Application”, Armenia, Bolivia, Madagascar, Sri Lanka, Uzbekistan);
- development and application of best practices for conservation of crop landraces of local and global importance (“Community-based management of on-farm plant genetic resources in arid and semi-arid areas of Sub-Saharan Africa”, Benin, Burkina Faso, Ghana, Kenya, Malawi, Mali, Uganda, Zimbabwe) and best practices for sustainable use of grasses and their associated insect resources for agricultural development and grassland conservation (“Conservation of Gramineae and Associated Arthropods for Sustainable Agricultural Development in Africa”, Ethiopia, Kenya, Mali).

32. Additional projects under development address issues related to: conservation of indigenous farm animal genetic diversity in Asia; extension and promotion of pollinator-friendly best management practices in Africa, Asia and South America; development and promotion of strategy of using crop diversity to manage pest and disease pressures; management and utilization of tropical fruit genetic diversity in South Asia; and development of methodology and policies for conservation of globally significant in situ/on-farm horticultural crops and wild fruit species in Central Asia. All these projects build on and utilize indigenous knowledge related to agrobiodiversity.

#### ***UNEP-Division of Environmental Conventions***

33. A UNEP Initiative on Access to Genetic Resources and the Equitable Sharing of Benefits Arising out of their Utilization (ABS) was launched in 2002 at the Sixth Meeting of the Conference of the Parties to the Convention on Biological Diversity (CBD COP-6). The initiative stresses UNEP's commitment in assisting developing countries with regard to ABS. Subsequent to the CBD COP-6 in paragraph 5 of its Decision VI/24B which welcomed the complementary initiatives of UNEP to provide capacity-building on ABS to developing countries, UNEP is currently operationalising its workplan on ABS. In addition, in February 2004, CBD COP-7 in paragraph 5 of Decision VII/19D - *Invited the United Nations Environment Programme along with the Food and Agriculture Organization of the United Nations, the World Trade Organization, the World Intellectual Property Organization, the International Union for the Protection of New Varieties of Plants, to cooperate with the CBD Ad Hoc Open-ended Working Group on Access and Benefit-sharing in elaborating the international regime.*

34. To this end, UNEP Initiative on ABS, is assisting countries in their efforts to strengthen and develop formal structures and relevant capacities for the effective implementation of the Bonn Guidelines in the context of other related provisions of the Convention pertinent to access to genetic resources and benefit-sharing at the local, national, subregional and regional levels. The first regional programme is currently in Africa for the period 2004-2005.

35. The UNEP Initiative encompasses support for further continued work on the Bonn Guidelines including the identification and elaboration of elements for possible inclusion in an international regime on ABS. The UNEP initiative is thus intended to provide a strategic framework for the realization and attainment of country and stakeholder needs, priorities, funding sources and mechanisms of effective implementation in respect of the ABS arrangements.

36. A vital component of the Initiative is an international, multi-disciplinary and regionally balanced Informal Advisory Group (IAG) to advise the Executive Director on ABS and related issues. This group has been established and held its first meeting in March 2004 at the UNEP headquarters in Nairobi, Kenya. The group gave substantive recommendations on the way forward for UNEP in ABS as contained in the report of the meeting UNEP/DEC/IAG-ABS/5.

### *UNEP- World Conservation Monitoring Centre*

37. The UNEP World Conservation Monitoring Centre actively promotes an understanding of the importance of biodiversity to humanity, not least for food and agriculture. The Centre carries out assessments at the global level, supports the work of biodiversity-related conventions and provides public information services. In this short report three examples of recent work are highlighted.

#### *Biodiversity Benefits People*

38. *Biodiversity Benefits People*, an online audio presentation about the numerous benefits, goods and services we take from the earth's living resources was released on World Biodiversity Day (22nd May 2004). The presentation, based on a series of posters, uses powerful images to outline the dangers that threaten the planet's fragile ecosystems and consequently, limit access to resources such as clean water supplies and food. The presentation is intended to inform a wider audience of the benefits of biodiversity, and has already been employed as an educational tool by environment groups in India and Pakistan. *Biodiversity Benefits People* can be accessed at: [http://www.unep-wcmc.org/~biodiversity/presentation\]4422/index.html](http://www.unep-wcmc.org/~biodiversity/presentation]4422/index.html)

#### *Cloud Forests*

39. Cloud forests are vulnerable mountain habitats that are home to a wide variety of genetic resources. *Cloud Forest Agenda*, one of the Centre's latest reports, illustrated the link between healthy cloud forests and the supply of fresh water to millions living in cities such as Dar es Salaam and Quito. This makes the conservation and restoration of cloud forests not only a matter of aesthetics or a love of nature, but one of crucial economic importance for those in the developing world. The report, launched at the CBD COP-7, contains maps of current cloud forest distribution, regional overviews of the threats they face and an agenda for priority actions. A key finding is that cloud forests are rarer than thought. Only 400 million km<sup>2</sup> now remains worldwide - this is 20% less than previously thought. *Cloud Forest Agenda*, which can be accessed at: <http://www.unep-wcmc.org/index.html> <http://www.unep-wcmc.org/forest/cloudforest~main> encourages leaders and decision-makers to put measures in place to halt the loss of such important natural resources.

#### *Bamboo Biodiversity*

40. Bamboos are vital resources for construction, food and a host of other uses. *Bamboo Biodiversity*, released in May 2004, is the most comprehensive report ever undertaken on the subject of bamboos and uses novel analyses to combine data on the distributions of bamboo species and on existing forest cover. The two-volume report, which examines bamboo throughout Asia, Africa, Madagascar and the Americas, shows that many species have only tiny amounts of forest remaining within their native ranges. Some 250 woody bamboo species have less than 2000 km<sup>2</sup> of forest (approximately the size of Mauritius) remaining within their ranges. The report indicates locations of high forest bamboo diversity and the areas where deforestation risks are highest, making it a valuable planning tool for conservation action. The two *Bamboo Biodiversity* volumes can be accessed at: [http://www.unepwcmc.org/resources/publications/UNEP\\_WCMC\\_bio](http://www.unepwcmc.org/resources/publications/UNEP_WCMC_bio).