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Organización
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Naciones
Unidas
para la
Agricultura
y la
Alimentación

Item 6 of the Draft Provisional Agenda

COMMISSION ON GENETIC RESOURCES FOR FOOD AND AGRICULTURE

Ninth Regular Session

Rome, 14 – 18 October 2002

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

PART I: UNITED NATIONS AND OTHER INTER- GOVERNMENTAL ORGANIZATIONS

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**PART I: UNITED NATIONS AND OTHER INTER-GOVERNMENTAL
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1. INTRODUCTION

1. The Commission regularly receives reports from international organizations, including FAO, on their policies, programmes and activities for the conservation and use of plant and animal genetic resources. The Commission considers such reports to be of value, both for it and for the organizations, which are able to acquaint countries with their objectives and programmes, and benefit from their comments.

2. FAO's own activities are reported in documents CGRFA-9/02/14.1, CGRFA-9/02/14.2 and CGRFA-9/02/14.3.

3. Reports from some Non-governmental Organizations are contained in document CGRFA-9/02/15.3, and reports from International Agricultural Research Centres of the Consultative Group on International Agricultural Research (CGIAR) are contained in document CGRFA-9/02/15.2. This report presents an overview of the activities of the genetic resources programmes of some United Nations and other Inter-governmental Organizations. In the case of reports from other organizations, FAO has limited itself to compiling the reports, as submitted. Each report is fully the responsibility of the organization submitting it.

4. This document contains reports from the following United Nations and other Inter-governmental Organizations received by May 2002.

2. CONVENTION ON BIOLOGICAL DIVERSITY (CBD)

5. Since the Eighth Regular Session of the Commission on Genetic Resources for Food and Agriculture (CGRFA), the Conference of the Parties (COP) to the Convention on Biological Diversity held its fifth meeting (Nairobi, May 2000) and its sixth meeting (The Hague, April 2002). The Convention also held an extraordinary meeting for the finalization and adoption of the Cartagena Protocol on Biosafety (Montreal, January 2000), followed by three meetings of the Intergovernmental Committee for the Cartagena Protocol (Montpellier: 1st December, 2000; Nairobi: 2nd September, 2001; and The Hague: 3rd April, 2002). The Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA) held four meetings (Montreal: 4th June, 1999; 5th January, 2000; 6th March, 2001; and 7th November, 2001). This report provides a brief overview of COP decisions and SBSTTA recommendations of relevance to genetic resources for food and agriculture, as well as related activities of the Secretariat.

Access and benefit-sharing as related to genetic resources

6. In response to Decision V/26, and based on the work of the Ad Hoc Open-Ended Working Group on Access and Benefit Sharing, the “Bonn Guidelines on Access to Genetic Resources and Fair and Equitable Sharing of the Benefits Arising out of their Utilization” were developed and further adopted through Decision VI/24. The guidelines aim to assist Parties and stakeholders in: terms for prior informed consent and mutually agreed terms; roles, responsibilities and participation of stakeholders; relevant aspects relating to conservation and sustainable use; mechanisms for benefit-sharing; and means to ensure the respect, preservation and maintenance of knowledge, innovations and practices of indigenous and local communities. They should be applied in a manner that is coherent and mutually supportive of the work of relevant international agreements and institutions. The guidelines are without prejudice to the access and benefit-sharing provisions of the FAO International Treaty on Plant Genetic Resources for Food and Agriculture (hereby called the “Treaty”).

The International Treaty on Plant Genetic Resources for Food and Agriculture

7. In Decisions V/5 and V/26, the COP affirmed its willingness to consider a decision by the FAO that the International Undertaking on Plant Genetic Resources for Food and Agriculture becomes a legally binding instrument with strong links to both the FAO and the CBD. At its sixth meeting, the COP congratulated the FAO and its Commission (CGRFA) on successfully completing the revision and negotiation process and on the adoption of the Treaty. The COP appealed to Parties and other Governments to give priority consideration to the signature and ratification of the Treaty. The COP decided to establish and maintain cooperation with the CGRFA acting as the Interim Committee for the Treaty, and, upon the entry into force of the Treaty, with the Governing Body; it also requested to the Executive Secretary to develop this cooperation.

Knowledge, innovations and practice of indigenous and local communities: Article 8(j) and Related Provisions

8. In Decision V/16, the COP adopted a programme of work on the implementation of Article 8(j) and Related Provisions of the Convention, based on work of the Ad Hoc Open-Ended Inter-Sessional Working Group on Article 8(j) and Related Provisions, which further reviewed progress in the implementation of the priority tasks of its programme of work.

9. In decision V/10, the Executive Secretary is requested to examine, in collaboration with FAO, the implication of the Treaty on the issues under Article 8(j) and Related Provisions. The COP invited FAO to continue its close working relationship with the Executive Secretary and to extend its cooperation on those relevant areas identified in this decision under the item on agricultural biodiversity, in particular on the Treaty.

The CBD programme of work on agricultural biodiversity

10. In its Decision V/5, the COP adopted a programme of work on agricultural biodiversity which considers, besides plant and animal genetic resources, issues such as the international initiative for the conservation and sustainable use of pollinators (IPI), the genetic use restriction technologies (GURTs) and trade liberalization. The COP also recognized the importance of the contribution of farmers, indigenous and local communities. The programme of work was developed bearing in mind the need to build upon existing agreed international plans of action, programmes and strategies such as the Global Plan of Action for Plant Genetic Resources for Food and Agriculture (PGRFA) and the Global Strategy for the Management of Farm Animal Genetic Resources.

11. The COP, through Decision VI/5, adopted the steps for the further implementation of the programme of work by the Executive Secretary and partner organizations, the plan of action for the IPI, and the reporting schedule. It also decided to periodically review the programme of work, to report to COP 7, and to review the progresses at COP 8.

Impacts of the application of genetic use restriction technologies on smallholder farmers, indigenous and local communities and Farmers' Rights

12. Through Decisions IV/6 and V/5, the COP decided to work on genetic use restriction technologies (GURTs). Cognizant of the work being done in different forums, in particular FAO and its CGRFA, the COP at its fifth meeting invited FAO, in close collaboration with other bodies, to further study the potential impacts of the application of GURTs on smallholder farmers, indigenous and local communities and on Farmers' Rights in keeping with the revision of the International Undertaking to keep, use, exchange and sell seed or propagating material, and to prepare a report of their initiatives in this area to be considered by COP 6. It also requested the Executive Secretary to discuss with organizations with relevant expertise and representatives of indigenous and local communities on these potential impacts. In response to this request, the Executive Secretary convened an informal consultation on the margins of the second meeting of the Ad Hoc Open-ended Inter-Sessional Working Group on Article 8(j) and Related Provisions.

13. In its Decision VI/5, the COP decided to establish an Ad Hoc Technical Expert Group (AHTEG) on GURTs, to further analyse the potential impacts of GURTs on those farmers, communities and on Farmers' Rights. The COP invited Parties, other Governments and relevant organizations to protect native species and associated traditional knowledge by paying particular attention to those farmers and communities and Farmers' Rights in their implementation of the programme of work on agricultural biodiversity and the Global Strategy for Plant Conservation. The Executive Secretary invites FAO to study the potential impacts of the applications of GURTs in the framework of the Treaty, and to consider GURTs in the further development of the Code of Conduct on Biotechnology as it relates to genetic resources for food and, agriculture; and to investigate the potential impacts of the applications of GURTs in forestry, livestock, aquatic and other ecosystems. The COP also invited organizations to explore issues related to new and legal mechanisms to address the application of GURTs, and to intellectual property implications of GURTs.

The Global Strategy for Plant Conservation

14 A Global Strategy for Plant Conservation has been developed in response to Decision V/10 and adopted through Decision VI/9 to halt the current and continuing destruction of plant diversity. The Strategy includes 16 outcome-oriented global targets for 2010 and will provide a framework for action at regional and national level as well as at the global level. It recognizes the important role of initiatives such as the Global Plan of Action for PGRFA and the Treaty. The Strategy will apply the Convention provisions on access and benefit-sharing, drawing as appropriate on the Bonn Guidelines and consistent with the Treaty.

The Global Taxonomy Initiative

15. The Global Taxonomy Initiative, in its programme of work adopted in Decision VI/8, within the operational objective 5 “Within the work on cross-cutting issues of the Convention include key taxonomic objectives to generate information needed for decision-making in conservation and sustainable use of biological diversity and its components”, the planned activity 14 on Access and benefit-sharing demonstrates that the FAO Commission on Genetic Resources for Food and Agriculture could play a key partnership role.

The Ecosystem approach

16. The ecosystem approach is the primary framework for activities under the Convention. Through Decision V/6, the COP endorsed the description of the ecosystem approach and the operational guidance, recommended the application of the principles and encouraged further conceptual elaboration and practical verification. In Decision VI/12, the COP urged Parties, other Governments and relevant organizations and requested the Executive Secretary to take the necessary action to pursue the works on ecosystem approach.

3. THE INTERNATIONAL ATOMIC ENERGY AGENCY (IAEA)

17. The strategic importance of conservation and sustainable utilisation of plant genetic resources for food and agriculture to food security and overall development is recognised through the Convention on Biological Diversity, the World Food Summit and FAO’s Global Plan of Action. The IAEA, which operates a joint Programme with FAO in food and agriculture, assists Member States to integrate mutation techniques and related biotechnological methods in national plant breeding programmes with a view to provide additional opportunities to raise yield potentials, diversify and improve the adaptability of major and under-exploited crops to stress as well as to conserve local germplasm. Mutation techniques, which employ gamma rays, X-rays, fast neutrons, or chemicals have proven valuable in developing new varieties with improved yield and tolerance to abiotic and biotic stresses, as well as for genetic modifications of quality in food and industrial crops. They have become important tools for molecular genetics research in plants and for developing the high saturation linkage maps required for marker assisted selection.

18. The Programme currently implements Co-ordinated Research Projects (CRPs) on: the application of biotechnology and mutation techniques for the improvement of local food crops in Low Income Food Deficit Countries; mutational analysis of root characters in annual food plants related to plant performance; molecular characterization of mutated genes controlling important traits for seed crop improvement; improvement of tropical fruits through mutations and biotechnology; cellular biology and biotechnology including mutation techniques for creation of new useful banana genotypes. Future CRPs will focus on pyramiding genes for improved quality and tolerance to soil salinity using radiation-induced mutations and molecular biology.

19. In order to facilitate the transfer of well-established methods and protocols for germplasm enhancement and breeding developed under CRPs to developing countries, the Programme provides scientific and technical support to projects funded through the IAEA's Technical Cooperation Programme. These projects are mainly located in the Africa and Asia and Pacific Regions and provide expert services, equipment and training in germplasm enhancement through mutation techniques to sustain the genetic diversity of local varieties of major and neglected crops.

20. Other services include the maintenance of an FAO/IAEA Mutant Variety Database, which includes 2,252 officially released varieties of 175 species of crops, ornamentals and decorative plants, and a radiation service for plant material by the Plant Breeding Unit at the request of breeders and plant scientists of Member States.

21. In future, the Programme will substantially strengthen its activities in three areas. First, on a large scale, generation of mutants in major and under-utilized food and industrial crops; second, on the organization and maintenance of mutant genetic resource databases and a mutant repository through which Member States will have access to information and the resources; and third, on further training and services in molecular characterization of mutants at the FAO/IAEA Laboratory, Seibersdorf, Austria. The use of induced mutations for improved nutritional quality of rice will be supported through a joint project with the Asian Development Bank.

4. THE INTERNATIONAL CENTRE OF INSECT PHYSIOLOGY AND ECOLOGY (ICIPE)

22. In partnership with NARES and local farmers, ICIPE is currently implementing a series of projects in Ethiopia, Uganda, Tanzania and Kenya aimed at the development of integrated pest and vector management options for major crops and human and animal disease vectors in Africa to reduce dependence on synthetic chemical pesticides. An integral part of ICIPE's activities in this area is the development of model training modules (Farmers Field Schools and Farmers Participatory Research) for increasing farmers' awareness for improved integrated pest control and vector management (IPVM) and the strengthening of NARES to undertake research in and implement IPVM.

23. Research areas include the following:

- Egg parasitoids, such as *Trichogramma*, for improved quality in French Bean production;
- Stemborer parasitoid, *Cotesia flavipes*, for the control of *Chilo partellus* in maize;
- Natural predators, such as *Phytoseiulus persimilis*, for the control of red spider mite on tomato;
- *Bacillus thuringiensis* (Bt)-based products for pest and vector control, including the development of comprehensive strategies for resistance management;
- Field evaluation of locally occurring baculoviruses, in particular nuclear polyhedrosis viruses (NPVs), for the control of the African bollworm, *H. armigera*, and the armyworm;
- Studies on the deployment of repellent and attractant companion crops, such as the combination of cabbage with *Cleome gynandra*, as 'push-pull' strategies in managing key pests of vegetable crops and the use of fodder grasses as attractants or repellants in maize stemborer management;
- Testing of fungus *Metarhizium anisopliae* in the control of a variety of insect pests including, vegetable and flower thrips, fruit flies, termites, diamondback moth, tsetse fly and mosquitoes;
- Bioprospection for new entomopathogens against locusts and grasshoppers as well as other pests and disease vectors.

24 Significant microbial and other genetic resource collections are being maintained and further developed. The conservation and sustainable use of the diversity of these organisms is considered to be of paramount importance. Genetic and biological characterisation is in progress and where necessary ICIPE is collaborating with advanced institutions in Europe and North America to identify the more adapted species/strains among them. These collections are currently managed in accordance with ICIPE's Intellectual Property Policy (2000). This Policy is intended to reflect international standards of best practice and is designed to provide a secure framework for ICIPE's research. However, the lack of international coherence in policy regarding the management of microbial and arthropod resources has created significant additional transaction costs for ICIPE and in several instances has had a chilling effect on proposed research partnerships.

5. INTER-AMERICAN INSTITUTE FOR COOPERATION ON AGRICULTURE (IICA)

25. The conservation of biodiversity and plant genetic resources, to contribute to the diversification of agriculture and to food security, is a strategic issue for the Americas. The region is home to four of the twelve centers of origin and diversity of species and crops of great socioeconomic importance.

26. IICA, through the Strategic Area of Technological Innovation, collaborated with the countries supporting the execution of multinational projects on the management and use of plant genetic resources with resources from FONTAGRO with the active participation of institutions of the countries themselves and INIBAP-MUSALAC, IPGRI, CATIE, among others. These projects covered research on papaya, avocado, coffee, plantain, sarsaparilla (Smilax), african palm, among others. Also, IICA has established strategic alliances with national, regional and international organizations such as FAO, IPGRI, to foster reciprocal cooperation among national institutions in the countries on technical-specific aspects related to the conservation and sustainable use of plant genetic resources, especially on topics related to institutional strengthening. IICA continues to contribute to the operation of the North American Resources Network (NORGEN), under PROCINORTE, REMERFI, in Mesoamerica, REDARFIT, under PROCINDINO, TROPIGEN in Amazon tropics, under PROCITROPICOS, and the Southern Cone Network, under PROCISUR, and in the Caribbean supporting CARDI/PROCICARIBE and CABNETGR Network. Particularly noteworthy is the research done on plant genetic resources of coffee in Central America by CIRAD and CATIE, under PROMECAFE supported by IICA, on molecular characterization and the production of hybrids and graft rootstock, with the participation of national institutions from the country members of the cooperative program. Also, in the Forum of the Americas on Agricultural Research and Technological Development (FORAGRO), whose Technical Secretariat is exercised by IICA, the countries have included the topic of agricultural biodiversity and genetic resources as one of the lines for priority action for cooperation among subregions.

27. Over the last year, the Institute has conducted studies intended to support the design of policies and the institutional management of plant genetic resources such as: Economic Valuation of Plant Genetic Resources from the Mesoamerican Perspective. Attention has also been paid to trends in the institutional framework for the management of biosafety, preparing a document on the general outlook in this field in the countries of the Americas. This aspect is crucial for both the conservation and the safe management of plant genetic resources.

28. FAO and IPGRI, along with IICA, joined forces to conduct a regional technical consultation in June 2000. Also, FAO, with CATIE and IICA, made efforts to reach consensus on the programming of joint actions among plant genetic resources networks. In 2001, under the

PROCI, a joint meeting was held between the TROPIGEN and REDARFIT networks, and a course on economic valuation of plant genetic resources. IICA has participated in FAO meetings on the formulation of projects in Latin America and the Caribbean for the implementation of the Global Action Plan in the region, such as the project on plant genetic resources information systems promoted by FAO.

6. UNITED NATIONS CONFERENCE ON TRADE AND DEVELOPMENT (UNCTAD)

29. UNCTAD's work on traditional knowledge (TK) relates to FAO's Commission on Genetic Resources for Food and Agriculture. In February 2000 at UNCTAD's tenth Conference, member States decided to address the protection of TK as part of UNCTAD's work in the area of trade and environment. In UNCTAD, the emphasis has been on exchanging national experiences on policies and measures to protect TK in a broad sense and on identifying policies to harness TK for trade and development.

30. Since UNCTAD X, there have been a number of activities, both intergovernmental and technical cooperation.

31. In October 2000, UNCTAD Member States convened an Expert Meeting on Systems and National Experiences for the Protection of Traditional Knowledge, Innovations and Practices. Over 250 experts from 80 countries participated, including representatives of governments, indigenous groups, NGOs, IGOs, academia, private companies, and international agencies. Some 50 papers on country experiences were presented, most of which are now available on the UNCTAD Website (www.unctad.org/trade_env). These papers have been edited and revised and will be published in book form this year.

32. In February 2001, UNCTAD's Commission on Trade in Goods and Services, and Commodities adopted agreed recommendations to Governments, to the international community, and to UNCTAD. UNCTAD, in cooperation with relevant intergovernmental organizations, was called upon to undertake a number of activities, including to:

- conduct analytical work and organize regional workshops to exchange national experiences and examine strategies on TK-related issues;
- assist member States and local and indigenous communities in exploring policies to harness traditional knowledge for trade and development;
- assist interested developing countries in exploring ways to protect TK.

33. In response to these recommendations, a capacity building project on "Harnessing Traditional Knowledge for Development and Trade" is under development. Collaboration with other organizations, including FAO is most welcome. It is also envisaged to include capacity building on traditional knowledge as part of UNCTAD's work on post-Doha capacity building.

34. Traditional knowledge has been given special attention in ongoing and recently-completed trade, environment and development capacity building projects, particularly the project funded by DFID on enhancing research and policy-making capacity in ten developing countries, as well as BIOTRADE and UNCTAD/UNDP country projects. Traditional knowledge is also a main topic considered by the UNCTAD/ICTSD capacity building project on TRIPS and Development. A module on Harnessing TK for Development and Trade has been added to the TrainforTrade and CBTF Trade, Environment and Development training course series.

35. From 3 to 5 April 2002, the Government of India and UNCTAD convened an

International Seminar on Systems for the Protection and Commercialization of Traditional Knowledge in New Delhi. Representatives from Brazil, Cambodia, Chile, China, Colombia, Cuba, Egypt, Kenya, Peru, Philippines, Sri Lanka, Thailand, Venezuela and India, and a number of international experts and inter-governmental organizations participated. In the *Communiqué* issued by the meeting, participants expressed the need for understanding the viability of various instruments including national *sui generis* systems of protection and their recognition at the international level. The papers and presentations from this meeting are available on the UNCTAD Web site.

36. In addition, UNCTAD welcomes the adoption by consensus by the FAO Conference in November 2001 of the International Treaty on Plant Genetic Resources for Food and Agriculture. The Treaty represents an important bridge between agriculture, environment and trade. UNCTAD plans to organize a meeting in Geneva in the autumn of this year on the International Treaty and its implications for Geneva-based negotiations.

7. UNDP- GLOBAL ENVIRONMENTAL FACILITY (GEF)

37. UNDP-GEF also supports country-driven initiatives aimed at protecting agrobiodiversity. At present UNDP-GEF is implementing projects to conserve traditional varieties and wild relatives of crops in Latin America, North African and the Middle East, and East Asia. While these projects all focus on crop plants, other projects are under development to conserve animal genetic resources, including salmonids in northeast Asia and livestock in west Africa. Additional projects focused on crop plants are also under development in east and central Asia, central Africa and Latin America. As sustainable agriculture is also a valuable tool for conservation of globally significant biodiversity in ecosystems adjacent to agricultural land, the management of genetic resources so as to reduce threats to such ecosystems is also a feature of many UNDP/GEF projects. For example, the promotion of environmentally sensitive cocoa and coffee production forms a component of several projects in Latin America and Africa.

8. THE UNEP WORLD CONSERVATION MONITORING CENTRE¹

38. The UNEP World Conservation Monitoring Centre (UNEP-WCMC) was established in 2000 as the world biodiversity information and assessment centre of the United Nations Environment Programme. Within UNEP it provides specialised services that include ecosystem assessments, capacity-building for implementation of environmental agreements, regional and global biodiversity information support, research on threats to ecosystems and species and development of future scenarios for the living world.

39. The Centre is fundamentally a collaborative organisation and all data holdings are gathered and managed in close co-operation with a wide range of national and international organisations. The Centre provides access to biodiversity information to all sectors of society with our web site now receiving on average 265,000 visits each month.

40. Support for multilateral environmental agreements is an important part of the work of UNEP-WCMC. For more than 20 years the Centre has provided technical and analytical services to all the biodiversity-related treaties, notably in the provision of species data. This aspect of our work has achieved a new and reinvigorated focus following the transition. The Species Database now contains information on species listed by Conventions, notably the Convention on International Trade in Endangered Species of Fauna and Flora (CITES) and the Convention on

¹ For further information, see: <http://www.unep-wcmc.org>

Migratory Species (CMS) and its associated agreements, as well as data on nationally and globally threatened animals and plants. Data are maintained on nomenclature, distribution, threat category and full legal history. Current work involves identification of the type of threat and data relating to sustainable use of species and support to the identification of further species appropriate for listing and protection. Published outputs from the database, which have become industry standards, include IUCN Red Lists of Threatened Animals and Plants, the World List of Threatened Trees and Checklist of CITES Species and Annotated CITES Appendices and Reservations.

41. The Centre, in collaboration with IUCN's World Commission on Protected Areas (WCPA) also maintains the global protected areas database, from which the UN List of Protected Areas is produced, including spatial data stored in a Geographical Information System (GIS). Habitat data, notably temperate and tropical forest cover and marine data are also maintained in the GIS. Increasingly the Centre is working to integrate species data and spatial data held by the Centre and by other organisations and to make this accessible over the Internet via the Species Database and Internet Map Server (IMS). Advances in technology now allow images and sounds to be stored and accessed easily and links are made to institutions with relevant data to add to the information currently available.

42. Provision of support to the development of national and regional information systems is a further key activity, ultimately enabling countries to feed into the integrated information system. A project currently underway is helping build the capacity of the national herbarium and the botanic garden in Ghana to manage their collections and living specimen data. While the focus of the Centre's services is the intergovernmental community, we are particularly interested in strengthening collaboration with the education and private sectors.

43. UNEP.Net, a UNEP-wide initiative to provide environmental information services that is still in its infancy, will benefit extensively from the Centre's biodiversity databases.

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

44. 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."

45. As of April 1, 2002, UPOV has 50 members, including developed and developing countries. Furthermore, 19 States or intergovernmental organizations have initiated, with the Council of UPOV, the procedure for becoming members of the Union and 39 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.

46. UPOV supports the view that the Convention on 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.

47. 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.

48. These basic concepts of the UPOV Convention have been recognized within the International Treaty on Plant Genetic Resources for Food and Agriculture (IT-PGRFA).

49. 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.

50. 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.

51. UPOV’s capacity building programmes 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.

52. 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.

53. 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 IT-PGRFA.

10. THE WORLD BANK

54. The Bank actively supports the conservation and utilization of plant genetic resources through its lending program for agricultural research and through its active support and leadership to the CGIAR. Lending programs in a number of countries have specific components related to genetic resources. For example, an agricultural research loan to Peru is supporting the development of a strategic program on conservation, management and utilization of genetic resources. Competitive grant programs supported by the Bank are also strengthening conservation and utilization of genetic resources in Brazil, Colombia, Croatia, and Ecuador. Bank grants of \$50 million annually to the CGIAR is important in supporting *ex situ* and *in situ* conservation and evaluation efforts at the 16 international agricultural research centers.

55. As part of its support to natural resources management and conservation, an active effort is being made to mainstream biodiversity into its lending for agriculture and the environment. Since 1988 it has committed \$1.5 million from its own and GEF resources for biodiversity-related activities, with an additional one billion from co-financiers. The World Bank has invested in 226 biodiversity-related projects up to 1999, and over 100 biodiversity-related projects are in the pipeline for 2001 and beyond. In total these activities are taking place in 85 countries and 10

regional multi-country efforts.

56. The Bank has completed a study of Managing Global Genetic Resources jointly with SIDA, focusing on (i) harmonizing national policies related to genetic resources, (ii) analyzing technical and economic implications associated with policy decisions, and (iii) suggesting policy options to developing and industrialized countries. The final report is being used in a number of meetings on discussions of national policies on genetic resources.

57. The Indigenous Knowledge Program for Development aims to facilitate a multilateral dialogue between local communities, NGOs, governments, donors, civil society, and the private sector. The program is compiling a database on indigenous/traditional knowledge and practices and supports over 15 resource centers across Africa that focus on identification and dissemination of indigenous/traditional knowledge and practices. Working with governments and local partners, the Program has also begun to help mainstream the application of indigenous knowledge in World Bank projects and in national development programs, including knowledge related to plant genetic resources.

11. WORLD INTELLECTUAL PROPERTY ORGANIZATION (WIPO)

58. In 1998 WIPO launched a new work programme on intellectual property (IP) and genetic resources, traditional knowledge (TK) and folklore. In the 1998-1999 biennium this programme included, inter alia, three case studies on the role of IP rights in the sharing of benefits arising from the use of biological resources and fact-finding missions to 28 countries on IP and TK, which produced a global report on “Intellectual Property Needs and Expectations of TK Holders”.

The WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore

59. The WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (“the Committee”) was established by the WIPO General Assembly in September 2000. The mandate of the Committee is to facilitate discussions in three primary themes, namely IP issues that arise in the context of: (i) access to genetic resources and benefit-sharing; (ii) the protection of Traditional Knowledge (TK), whether or not associated with those resources; and (iii) the protection of folklore.

60. The first Session of the Committee, held in May 2001, WIPO Member States expressed support for a work programme which comprises the following items: (A) Genetic resources: to develop “guide contractual practices” and model IP clauses for contractual agreements on access to genetic resources and benefit-sharing. (B) Traditional knowledge: (1) delineating the subject matter in respect of which the Member States wish to discuss IP protection, for developing an understanding of the term “traditional knowledge”; (2) to assess the availability and scope of IP protection for TK and to identify any elements which require additional protection; (3) to consider the revision of existing criteria and develop new criteria which would allow the effective integration of TK documentation into searchable prior art; (4) to consider ways of assisting TK holders in relation to the enforcement of IP rights. (C) Expressions of Folklore: to assess and analyse national experiences with the protection of expressions of folklore.

61. At the second Session of the Committee, held in December 2001, the Committee approved specific activities for the implementation of the Tasks adopted at the first session. These activities include: (A) Genetic Resources: The Committee adopted a two-step approach to the development of model IP clauses for genetic resource contracts, beginning with the

development of an electronic database of existing contracts. (B) Traditional Knowledge: Committee Members requested the WIPO Secretariat to prepare a document with elements for a possible sui generis system for the protection of TK.

62. Additionally, the Committee supported the implementation of the following activities on TK as prior art: (i) compiling an inventory of TK-related periodicals for possible integration in the “minimum documentation list” under the PCT; (ii) taking into account TK in amendments of guidelines for examination of patent applications; (iii) studying the electronic exchange of public domain TK data, including through TK databases and digital libraries; (iv) examining the applicability of existing IP documentation standards to TK-related subject matter; (v) assisting TK documentation initiatives to manage IP implications of the documentation process. (C) Folklore: The Committee considered a “Preliminary Report on National Experiences with the Legal Protection of Expressions of Folklore” and decided that a Final Report would be prepared by the Secretariat, which would provide an analysis, draw conclusions and suggest activities on expressions of folklore which the Committee may undertake.

63. The third Session of the Committee will take place from June 13 to 21, 2002. Based on the decisions at the first two Sessions, it is expected that the Committee will discuss inter alia: (a) a format for an electronic database of contract clauses and practices concerning access to genetic resources and benefit-sharing; (b) inventories of existing TK-databases of and TK-related periodicals; (c) a review of existing IP protection of TK; (d) elements of a sui generis system for the protection of TK; (e) meanings of the term “traditional knowledge”; (f) a Final Report and proposed work programme on protection of expressions of folklore.

Ongoing and Future Programme Activities on Genetic Resources, Traditional Knowledge and Folklore

64. The Committee has indicated that WIPO should address these issues in conjunction with the Secretariats of the FAO and CBD, to ensure that WIPO’s work continues to be consistent with and complementary to the work being done by the FAO, CBD and UNESCO. The sixth Conference of the Parties to the CBD has requested a technical study from WIPO on certain IP-issues related to genetic resources. The Committee also observed that synergies should be ensured with the work in the WTO on the basis of Article 19 of the Doha Ministerial Declaration. Activities contained in WIPO’s 2000-2001 Programme and Budget included: (1) practical studies of cases in which TK protection has been sought under the IP system; (2) possible study of customary laws protecting TK and any interfaces with IP; and (3) training workshops, information materials and distance learning courses on IP and TK.