

REPORT OF THE

**SECOND SESSION
OF THE COMMISSION
ON PLANT GENETIC
RESOURCES**

Rome,
16-20 March 1987



FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS



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INTRODUCTION

1. The Second Session of the Commission on Plant Genetic Resources was held in Rome from 16 to 20 March 1987. Since its First Session in 1985, nineteen new members had joined the Commission, including five during the Second Session itself: the membership thus stood at 86. The list of members of the Commission and/or countries which have adhered to the Undertaking is attached as Appendix B. The Session was attended by representatives of 55 of the 86 Member Nations which are members of the Commission, by observers from 17 other Member Nations, by an observer from one United Nations Member State which is not a Member of FAO, by a representative from the United Nations Environment Programme, by a representative from the European Economic Community, and by observers from eleven other international organizations. The list of delegates and observers is attached as Appendix C.

ELECTION OF CHAIRMAN AND VICE-CHAIRMEN

2. The Commission elected Mr. José Miguel Bolívar (Spain) as Chairman of the Commission, Ambassador Carlos di Mottola Balestra (Costa Rica) as First Vice-Chairman, and Mr. Abderrazak Daaloul (Tunisia) as Second Vice-Chairman; it was also decided that Ambassador di Mottola Balestra would be Chairman of the Commission's Working Group.

3. Mr. D.J. Walton, Deputy Director-General, welcomed the participants on behalf of the Director-General, and noted that membership of the Commission had risen from 67 at the time of the first session to 81 at the beginning of the current session. In modern times, he said, the ecological balance which had preserved the world's plant gene pool had been seriously disrupted, with a loss of genetic diversity; it was necessary to maintain sufficient genetic variability for the future, both of species and within species. He recalled that FAO had been dealing systematically with conservation of plant genetic material since 1961. The Organization had launched the proposal which led to the creation of the IBPGR in 1974. In 1983 had come the adoption, by the FAO Conference, of the International Undertaking on Plant Genetic Resources, and the establishment of the Commission. Mr. Walton reviewed, item by item, the main issues that lay before the Commission, suggesting that it keep in mind advancing technologies in the field. He reported that an understanding on administrative arrangements had been reached with IBPGR, and would be applied on a trial basis until the end of 1988. (A copy of the Memorandum of Understanding is attached as Appendix I.) To conclude, he expressed the hope that the debates would be constructive, and that a number of observer nations would join the Commission as members. The statement of the Deputy Director-General is attached as Appendix D.

ADOPTION OF THE AGENDA

4. The Agenda as adopted is set out in Appendix A. The list of documents appears as Appendix E.

5. The Commission appointed the following members to the Drafting Committee: Congo, France, India, Indonesia, Kenya, Libya, Mexico, Peru, Sweden, Tunisia, and the United Kingdom. Mr. Bashir El Mabrouk Said (Libya) served as Chairman of the Drafting Committee.

REPORT OF THE FIRST AND SECOND MEETINGS OF THE WORKING GROUP ON PLANT GENETIC RESOURCES

6. The Chairman of the Working Group established by the Commission on Plant Genetic Resources during its First Session, Ambassador Carlos di Mottola Balestra, reported on the two meetings of the Working Group. (His report on the second meeting is attached as Appendix F). The first meeting, which was held on 2 and 3 June 1986, had dealt with legal and technical matters; it had also discussed the feasibility of establishing an international fund for plant genetic resources. The Chairman noted that the main purpose of that meeting had been to advise on the further elaboration of the documents for the Second Session of the Commission. Details of the discussions were given in the report of the Working Group's first meeting. The second meeting was held on 12 and 13 March 1987: agenda items 5, 6, 10 and 4 of the Second Session of the Commission and the relevant documents had been discussed; the Working Group had considered that its discussions might facilitate the work of the Commission.

7. Document CPGR/87/5, "Legal Status of Base and Active Collections of Plant Genetic Resources", had been considered very useful by the Working Group, which had noted that only two genebanks could be considered strictly international, and that legislation in respect of plant genetic resources was extremely limited. Moreover, the legal provisions which governed the various genebanks did not in all cases appear to guarantee free access to plant genetic resources.

8. Document CPGR/87/6, "Study on Legal Arrangements with a View to the Possible Establishment of an International Network of Base Collections in Genebanks under the Auspices or Jurisdiction of FAO", presented four different models to overcome these shortcomings. The Chairman reported that most delegates in the Working Group had preferred model B, model C being considered a good alternative. Model A was too far-reaching and too costly for FAO, and model D was considered to give insufficient guarantee of the free exchange of plant genetic resources. However, the Working Group was of the opinion that all four models should be retained for consideration by Member Nations. FAO should contact governments, international centres and other organizations maintaining genebanks to request their participation in the international network.

9. With respect to document CPGR/87/10, "Feasibility Study on the Establishment of an International Fund for Plant Genetic Resources", the Chairman reported that the Working Group believed that the fund should be established as soon as possible. The Working Group considered that plant genetic improvement and seed production should, together with the conservation of plant genetic resources, be among the activities to be financed by the fund.

10. The Working Group had studied in detail document CPGR/87/4, "Progress Report on the International Undertaking on Plant Genetic Resources". It had stressed the important role that farmers had traditionally played in the development and safeguarding of plant genetic resources. Consequently, the Working Group had recommended that recognition should be given to farmers' rights in a manner similar to that in which plant breeders' rights were recognized. The Working Group noted that the international fund could be a means to compensate farmer communities through support to the countries concerned.

11. The Working Group had reviewed the three alternative strategies presented in document CPGR/87/4 for increasing the number of member countries adhering to the Undertaking. It had concluded that an agreed interpretation of the existing text would be the most practical approach. Maintaining the status quo would allow no progress, while amending the Undertaking was considered to be too complex, without necessarily ensuring increased adherence. The Working Group had proposed that a Contact Group be established by the Commission, during its second session, to study the feasibility of negotiating such an agreed interpretation. This Contact Group should include both members and non-members of the Commission, and both countries which had adhered and those which had abstained from adhering to the Undertaking. The Contact Group should, in particular, discuss plant breeders' rights, farmers' rights, and the free exchange of plant genetic material.

12. In discussing the reports of the Working Group, the great majority of the Commission highlighted the usefulness of the work it had performed. However, it had also been felt that particular care should be taken to avoid a duplication between the work of the Commission and the Working Group. The Commission welcomed the steps taken to resolve administrative problems in the relationship between FAO and IBPGR, in the light of the information provided by the Deputy Director-General. The Commission stressed the importance of ensuring complementarity between the activities undertaken by the two organizations. It requested that a detailed report on the complementarity of the activities of FAO and IBPGR be prepared for its Third Session. The Commission agreed to adopt practical measures to ensure wider adherence to the Undertaking by an increasing number of countries and also emphasized the continuing need to train staff from the developing countries, preferably in their own countries, and others when appropriate.

LEGAL STATUS OF BASE AND ACTIVE COLLECTIONS OF PLANT GENETIC RESOURCES

13. The importance of as large a number of countries as possible adhering to the Undertaking was reiterated.

14. The Commission recalled that, at its First Session in March 1985, it had requested the Director-General "to prepare, in consultation with interested countries and with the competent organizations in the United Nations system, a document examining the present legal situation related to ex situ base collections and make, where appropriate, recommendations on any provisions considered necessary to further the objectives of the Undertaking" (CPGR/85/REP, para. 29). The Commission examined the legal status of ex situ collections of plant genetic resources on the basis of document CPGR/87/5, which had been prepared in response to that request, and from data furnished to a large extent by governments and genebanks.

15. The Commission noted that 52 genebanks (out of a total of 88 which had been approached) and about a quarter of the Member Nations of FAO had furnished legal data or other material, and expressed appreciation for the comprehensiveness and the objectivity of the document. It also noted that nearly all the ex situ collections covered by the document were those of state or public institutions, which were the ones on which information was available, and that there were very few genebanks which could be termed international, in the sense of being established and managed at that level by more than one state or by an intergovernmental organization.

16. The Commission considered the relevant aspects of seed legislation, plant breeders' rights legislation, phytosanitary legislation, and the status and organizational aspects of genebanks as reflected in their constitutive instruments, as well as the procedures generally followed by genebanks in the reception and collection of germplasm.

17. Regarding the plant genetic material held in government genebanks or in those of public institutions, the Commission noted that (subject to any specific exclusions) ownership and control were vested, to all intents and purposes, in the state. It acknowledged that, in a few cases covered by the document (the International Agricultural Research Centres and genebanks which considered themselves the custodians or the depositaries of the germplasm held there), the legal title to the plant genetic resources held by them was unclear.

18. In the above connection, the Commission considered that the document before it should be supplemented by a specific study on the legal status of the resources held by International Agricultural Research Centres, and that all the necessary documentation should be obtained for that purpose.

19. The Commission also considered the question of the transfer and exchange of germplasm, which normally took place from active and not from base collections. It noted that the restrictions or impediments on such movements, which had been reported by governments or by genebanks themselves, could be broadly classified into two categories: those which referred to protected varieties, breeding lines, or non-released varieties; and those which referred to particular plant species.

20. The Commission reviewed the International Undertaking on Plant Genetic Resources with regard to its implications for the legal status of ex situ collections. It noted that to some extent the Undertaking may appear incompatible with certain provisions of national legislation relating to certain species and, in certain contexts, to protected varieties and to special genetic stocks. However, the Commission recognized that although in some respects the Undertaking could present some legal problems for certain countries, plant breeders' rights would be a legitimate interest and would not necessarily constitute an impediment to access to protected varieties for the purpose of research and the creation of new varieties.

21. The Commission observed that lacunae existed in the national legislation of most countries with regard to the regulation of plant genetic resources. Further, it considered that no legal guarantees existed at the international level for the free exchange of such resources.

STUDY ON LEGAL ARRANGEMENTS WITH A VIEW TO THE POSSIBLE ESTABLISHMENT OF AN INTERNATIONAL NETWORK OF BASE COLLECTIONS IN GENEBANKS, UNDER THE AUSPICES OR JURISDICTION OF FAO

22. The Commission recalled that Articles 7.1(a) and 7.2 of the International Undertaking on Plant Genetic Resources referred to an international network of base collections under the auspices or jurisdiction of FAO, and that its Working Group, when it met in June 1986, had considered that "it was necessary to speed up the preparation of the legal arrangements which were necessary to permit the base collections in government institutions to be placed under FAO jurisdiction by the governments which wished to do so in accordance with Article 7 of the Undertaking" (AGPS/PGR/86/REP, paragraph 23).

23. The Commission had before it document CPGR/87/6, which dealt specifically with legal issues related to the actual creation of the network, such as the arrangements that might be concluded between FAO and governments or other entities (for example, the International Agricultural Research Centres) in order to bring their base collections within the international network, and the types of instrument that would be required to do so.

24. The Commission re-affirmed that the basic purposes of establishing the network were that the conservation of the plant genetic resources it covered, and unrestricted access thereto, be ensured through an intergovernmental authority such as FAO.

25. The Commission noted that document CPGR/87/6 outlined four arrangements (entitled "A" to "D") that could be envisaged. These models ranged from complete control over the base collections being exercised by FAO, to a much looser arrangement whereunder a government or institution would formally agree to carry out certain fundamental obligations towards FAO regarding the base collection.

26. The Commission was informed that the models proposed were tentative and that they could admit of many variants. The precise conditions under which a government or institution would place a base collection within a network under the auspices or jurisdiction of FAO could be negotiated by FAO in each case, and then embodied in the corresponding agreement.

27. In the course of the Commission's discussion many delegations expressed their preference for one or other of the four models proposed or suggested some variants or amendments. In addition, some delegations drew attention to the desirability of a study of the possible financial consequences for FAO of certain arrangements discussed. Some delegates also expressed the view that there should be complementarity between the network of base collections under the auspices or jurisdiction of FAO and the IBPGR network and others.

28. The Commission agreed that the choice of any particular model or variant thereof was up to the government or institution concerned. The Commission therefore invited the Director-General to approach governments, International Agricultural Research Centres and other entities with a view to ascertaining their readiness to bring their base collections within the auspices or jurisdiction of FAO and, if they were prepared to do so, to indicate the arrangements that they favoured. In this connection all four models should be circulated as possibilities. The Commission further invited the Director-General to report to it on the results of his approaches at its next session, following examination by the Working Group, and, to the extent possible, to provide the Commission with information on the possible financial and administrative implications that the arrangements might entail for FAO.

FEASIBILITY STUDY ON THE ESTABLISHMENT OF AN INTERNATIONAL FUND FOR PLANT GENETIC RESOURCES

29. The Commission discussed the feasibility study presented in document CPGR/87/10, which provided background information on possible funding arrangements for activities related to plant genetic resources based on Articles 6, 7 and 8 of the Undertaking. The document described the possible purposes of the fund, and suggested that it might follow the pattern set by various existing FAO action programmes. The fund would thus be able

to receive contributions given for specific projects, each contribution being handled in a separate trust fund. It would also have a multidonor trust fund which could receive contributions not earmarked by the donors for specific projects. It was proposed that the activities of the international fund be reviewed on a regular basis by the Commission.

30. In the course of the discussion on various aspects of the possible establishment of an international fund for plant genetic resources, it was pointed out that such a fund should serve mainly to increase support for the improved conservation and utilization of plant genetic resources in developing countries. In this way, the fund would provide a mechanism which would help to realize the farmers' rights to benefit directly from increased agricultural production through varietal improvement.

31. In general, the Commission indicated that the purposes of the fund were consistent with the basic principles of the Undertaking. However, it would be necessary to formulate the fund's specific objectives in such a way that the types of activity to be supported were well-defined, priority areas well-covered, and that the activities supported by the fund complemented work already under way. While framing the objectives of the fund, special consideration would have to be given to the need of developing countries to strengthen their capabilities in all fields related to plant genetic resources activities. This would require, in particular, cooperation between FAO and the IBPGR. It was suggested that, in order to achieve this purpose, the IBPGR should be requested to report to the Commission on a regular basis.

32. The Commission agreed that effective funding mechanisms were needed to support work on plant genetic resources. A number of members considered that a special fund did not need to be established for this purpose, since they felt that current mechanisms and activities were sufficient, and additional financial resources were unlikely to be found. However, a majority of members stressed the fact that current activities were inadequate to cover the needs, mainly of the developing countries, spelled out in the Undertaking, and requested the Director-General to take immediate action for the establishment of a fund to support an action programme for plant genetic resources in which donor governments, intergovernmental organizations, non-governmental agencies, private industry and other bodies should be invited to participate.

33. In general, the Commission felt that contributions to the fund should be voluntary. However, it recommended that other possibilities of financing should be explored. In that respect, a levy on the trade in improved seeds was mentioned.

PROGRESS REPORT ON THE INTERNATIONAL UNDERTAKING ON PLANT GENETIC RESOURCES

34. The Commission, in accordance with the recommendation of its Working Group, established a Contact Group for this Session. The Commission heard the summary of the deliberations of the Contact Group, presented by its Chairman (the Summary is reproduced as Appendix G).

35. The Commission recalled that Article 2.1(a) of the Undertaking included within the definition of plant genetic resources both "cultivated varieties (cultivars) in current use and newly developed varieties", as well as "special genetic stocks (including elite and current breeders' lines and mutants)". In addition, Article 5 of the Undertaking on the availability of plant genetic resources provided for "... access to samples of such resources, and [permission for] their export, where the resources have been requested for the purpose of scientific research, plant breeding or genetic resource conservation", and that the samples would "be made available free of charge, on the basis of mutual exchange or on mutually agreed terms". The Commission recalled that many countries had adhered to the Undertaking, expressing reservations on one or both of these Articles when advising the Director-General (pursuant to Article 11 of the Undertaking) of the extent to which they were in a position to give effect to the principles contained in the Undertaking. A number of other countries had made it known that the provisions of one or both of the Articles prevented them from adhering to the Undertaking.

36. The Commission noted that the document before it (CPGR/87/4) suggested three possible courses of action with a view to improving participation in the Undertaking. One possibility was recognition of the status quo, given that Article 11 of the

Undertaking already allowed Member Nations to state the extent to which they could give effect to the principles contained in the Undertaking. A second possibility was that of seeking an agreed interpretation of the Undertaking: such an interpretation would differ from the unilateral statements of position pursuant to Article 11 of the Undertaking, since it would require the agreement of all those countries which had adhered or would adhere thereto, and consequently would constitute a single interpretation recognized by all. A third possibility was that of amending the text of the Undertaking itself: whilst this might be the most complete solution it would entail certain legal problems, in particular, it would be necessary that all Member Nations agreed to the amendments, so as to avoid the position where some countries recognized only the Undertaking in its original form, whereas others accepted the Undertaking in its amended form.

37. On the question of farmers' rights, delegations expressed a wide range of opinion. Most delegations which intervened on the subject stressed the importance of the concept of farmers' rights, holding that these rights derived from centuries of work by farmers which had resulted in the development of the variety of plant types which constituted the major source of plant genetic diversity; many of these resources were now being exploited in other countries as well and had become, in fact, part of the common heritage of mankind. They considered that farmers' rights were up to a point comparable with breeders' rights, which even existed in the national legislation of many countries, and it was therefore fitting that farmers' rights should also be recognized.

38. One delegation, whilst supporting very strongly the concept of farmers' rights, was of the opinion that the term did not present an adequate characterization of the concept, since it was too broad; that delegation would have preferred the term, "rights of centre of origin countries"; however, since the Working Group had favoured the term, "farmers' rights", it suggested that the above two expressions could be combined, and that the Commission might agree to the term, "rights of farmers in centres of origin countries".

39. Many of the delegations that were in favour of recognizing the concept of farmers' rights felt that this could be done immediately, while continuing to seek a more detailed definition. On the other hand, some delegations were of the opinion that such a complex and important subject required yet further reflection before formal recognition is given to it.

40. Some delegations suggested that the procedure described in paragraph 11 of the document would be an adequate solution to the problem, that is, that the collection and exporting of genetic material originating in a particular country be arranged in agreement with that country, and that specimens of material collected be furnished to the government concerned. Some also felt that the suggestion in paragraph 12(b) of the document (that a study on the subject be prepared by the Secretariat on the basis of information provided by members of the Commission) would serve a useful purpose in developing a definition of the concept of farmers' rights.

41. A number of delegates considered that the concept of farmers' rights should be linked to the establishment of an international fund for plant genetic resources, pursuant to Article 8 of the Undertaking (see also CPGR/87/10). The establishment of such a fund would provide a means of implementing a programme of action for plant genetic resources, mainly in developing countries, thus benefitting the farmers whose work had given rise to the many plant genetic resources that now exist.

42. A few delegations considered that it would not be feasible to attribute farmers' rights to any particular country of origin, since there had been a constant exchange of plant genetic resources over time among the various regions of the world, and since such exchanges had been mutually beneficial.

43. In respect of the possible courses of action suggested in part IV of the document, some delegations felt that it would be sufficient to recognize the status quo since this would provide sufficient flexibility to achieve still wider participation in the Undertaking. They recalled, in particular, that Article 11 of the Undertaking allowed Member Nations to state the extent to which they could give effect to the principles contained in the Undertaking, and that a number of countries had done so. In their view, it would be difficult to agree to the suggestion that Article 5 of the Undertaking was intended to cover only such plant genetic resources that the government of a Member

Nation adhering to the Undertaking might dispose of under its national laws and regulations, unless there were first a comprehensive study of the restrictions which would be applicable under such laws and regulations, and unless, moreover, there were agreement on a framework to liberalize such restrictions, and an assurance that these would not be aggravated in future.

44. Many of the delegations which supported recognition of the status quo felt that the time was not yet ripe to envisage either an interpretation or an amendment of the Undertaking; they believed that more experience and more time would be required. One delegation emphasized that the Commission should concentrate on the essential aspects of the Undertaking, in particular, on the problems posed for countries which had accepted the Undertaking with reservations and for those which had not yet adhered to the Undertaking. A method should be sought whereby the problems impeding unreserved acceptance of the Undertaking could be defined and analysed in a more precise manner. Finally, some delegations were of the opinion that it was, at this stage, more important to obtain general agreement on priorities for action in carrying out the Undertaking, whilst recognizing that efforts to achieve increased participation should continue. Meanwhile, the reservations expressed by a number of countries could be accommodated.

45. Most delegations which intervened on the subject were in favour of the solution outlined in paragraphs 16 and 17 of the document, that is, the seeking of an agreed interpretation of the Undertaking. Some delegations felt that the interpretation communicated by the Federal Republic of Germany (as given in paragraph 17 of document CPGR/87/4) could serve as a good basis for such an interpretation.

46. It was recognized that further negotiation would be required in order to achieve an agreed interpretation of the Undertaking: the Working Group was asked to proceed with such negotiations concentrating, in particular, on Articles 1, 2.1(a), 5, 6 and 7 of the Undertaking, and its Chairman was asked to invite representatives of the various countries interested in these negotiations to participate. Many delegations considered that such negotiations should also cover the question of the formal recognition of the concept of farmers' rights

STATUS OF IN SITU CONSERVATION OF PLANT GENETIC RESOURCES

47. The Commission commended the work of in situ conservation undertaken since its previous Session and strongly supported the action proposed in paragraphs 4 and 5 of document CPGR/87/7.

48. The Commission noted with concern the accelerating loss of genetic diversity resulting from the destruction of natural ecosystems and continuing ecological degradation caused by soil erosion, desertification, salinization, atmospheric pollution, fire and population growth. A further loss of genetic diversity resulted from the extensive introduction of improved varieties and changes in land use without due attention to conservation needs. The Commission recommended that highest priority be given to in situ conservation efforts at national and international level; and recommended that questions of in situ conservation should continue to be an important part of the Commission's future work programme.

49. While recognizing that in situ and ex situ conservation were complementary, the Commission noted that in situ conservation allowed for continuing parallel evolution of associated species. In situ conservation was the only method presently available for conserving a number of little-known species and ecosystems; it also constituted an optimal strategy for the conservation of wild, weedy and vegetatively propagating species. In situ reserves also allowed for the conservation of animal species found in the ecosystems concerned. In this connection several delegates stressed the need for FAO to give high priority to the study and promotion of actions for the conservation of animal genetic resources.

50. The Commission took note of on-going national, regional and international activities in ecosystem and genetic resource conservation, and warmly welcomed the continued cooperation between international organizations involved in this work through the activities of the Ecosystems Conservation Group.

51. The Commission noted with satisfaction current efforts to create public awareness, at various levels, and recommended that these efforts be continued and further strengthened. Information should specifically aim at influencing decision-makers and the informed public, but should not ignore the grassroots level and the particular relevance of non-governmental organizations' activities in this respect. The important role FAO could play in such a campaign was fully recognized.

52. The Commission emphasized that in situ conservation should be considered an integral part of development programmes, and should be closely linked to land use planning procedures. Due attention should be paid to prevailing land ownership patterns, and to the possibility of the sustained utilization of the resources to be conserved, so as to meet the day-to-day needs of local populations. Several delegates stressed the need for the international community to pay more attention to the financial support needed for in situ conservation.

53. The Commission stressed the importance of making full use of existing protected areas (including managed forest reserves) in developing conservation networks in situ; it underlined the importance of ensuring compatibility between the principles governing management of protected areas and the aims of in situ conservation.

54. The Commission recommended that FAO continue to serve as the focal point for determining conservation priorities, which should be based both on the priorities of individual countries, and on the recommendations of FAO's Statutory Bodies (such as the Panel of Experts on Forest Gene Resources). Attention should be given not only to the in situ conservation of crop relatives and of economically important forest species, but also of other plants which provided valuable products or had a role in stabilizing the environment.

55. The Commission strongly recommended that FAO continue to stimulate collaboration between neighbouring countries, and between countries with similar ecological conditions; and that FAO assist developing countries in the establishment of pilot demonstration areas for public education, and for training and research. It further recommended that full use be made of the existing frameworks (which included FAO's Tropical Forestry Action Plan, Unesco's Biosphere Reserve Programme, and IUCN's Bali Plan of Action), for coordinating planning and project execution which could be of great assistance in harmonizing national, bilateral and international efforts and could help to avoid duplication of effort.

56. The Commission noted that many countries were putting increased emphasis, at national level, on the conservation of their genetic heritage in situ. It recommended that, in the activities of the planned international fund for plant genetic resources, in situ conservation be given high priority.

57. In conclusion, the Commission noted that some progress had been made over the past few years in the identification of priority species, in the dissemination of information, in public education and in the coordination of the work of the international organizations involved in the conservation of ecosystems and genetic resources in situ. However, considerably increased efforts were needed to implement integrated, inter-disciplinary pilot projects at national and sub-regional levels, and to increase and improve efforts in training and research.

REVIEW OF TRAINING NEEDS

58. The Commission noted that the recommendation of its First Session, that manpower needs be assessed, had been acted upon, and that, in connection with the preparation of the 1984/85 FAO Seed Review, information had been requested of all FAO member countries on the trained staff they had available in six main sectors (plant genetic resources, plant breeding, variety evaluation and registration, seed quality control, seed production, and seed marketing). For the purpose of the enquiry, trained staff were considered to be of either academic level (high-level) or of technical-support staff level (medium-level).

59. The Commission noted that some replies had been incomplete, but that useful general comparisons could be made between developed and developing countries on the basis of the assembled data. The Commission agreed that, whilst these comparisons provided an overview of training needs, they did not address the situations which required specific attention in individual countries, and therefore recommended that a specific study should assess plant genetic resources training needs. A meeting of high-level base collection management personnel could assist at country level in such an assessment and was therefore recommended.

60. The Commission agreed that there was a need to increase the number of trained staff in the developing countries and to bring them up to the standards found in the developed countries. In particular, the number of trainees at academic level should be maintained, or increased, so as to provide adequately for research and other tasks requiring a high level of professional competence. The Commission recommended that special attention be given to training those who would be responsible for subsequent training in their own countries. It urged that adequate priority be given to those issues within overall national manpower training strategies.

61. The Commission noted that a comparison between developed countries and developing countries in Africa, Asia and Latin America and the Caribbean had shown that in the developing countries the number of technical support staff in plant genetic resources, plant breeding, variety evaluation and registration, seed quality control, seed production and seed marketing was generally insufficient; this was especially the case in seed quality control, seed production and seed marketing. The Commission agreed that greater use could be made of technical support staff, so as to relieve academic staff of more routine tasks, and release them for higher-level research.

62. The Commission recommended that training for technical support staff and extension workers be organized in short specialized courses designed to prepare them for the routine tasks which they would perform under the direction of the academically-qualified staff. Such courses should be arranged in the light of the in-depth country studies proposed above, which should pay particular attention to identifying the number and level of support staff needed.

63. The Commission asked the Director-General of FAO to promote national meetings, including for extension workers, to build up national structures to safeguard plant genetic resources (for example, national councils) in which a number of institutions would participate on a multidisciplinary basis.

64. Past training activities on plant genetic resources had shown that, if a training course was organized in a particular country, it usually attracted a large number of trainees from that country. The Commission, in order to assure a better linguistic and geographical balance, urged that careful consideration be given to the locations where future training courses were held and to the language in which individual courses should be conducted in order to best provide for the needs of all countries, in the light of the fact that about 85 percent of the courses listed in document CPCR/87/8 were given in English. Concern was also expressed that an in-built system be evolved so as to ensure continuity of trained personnel in plant genetic resources activities.

65. The Commission recommended that first priority should be given to the development of regional and sub-regional training courses for higher-level staff, and of national training courses in specific subjects for medium-level staff. Special attention should be given to the development of appropriate curricula at selected centres of excellence which would make use of modern techniques (for example, audio-visual aids). The Commission proposed that the possibility of the greater involvement of private seed companies in training programmes should be explored, and noted with satisfaction the role of the FAO Seed Improvement and Development Programme (SIDP), as a focal point for the coordination and development of training in seed activities.

66. The Commission further recommended that the following subjects receive attention in any training programme on plant genetic resources: techniques for collecting wild species; the characterization of germplasm; seed physiology; seed storage; data-base management; the handling of vegetatively-propagated material, including cloning; tropical, sub-tropical and arid zone forages; in vitro culture techniques; the ecological

background of genetic diversity through eco-geographical survey; and the planning of in situ conservation, including such topics as the assessment of minimal population size, and the selection of target populations. The Commission gave full support to the appeal from the representative of the United Nations Environment Programme for the need for revived interest in training in basic plant and animal taxonomy. This subject was the foundation upon which all subsequent training in these disciplines rested. The Commission noted that this subject, in particular, would be relevant to the conservation of forest tree genetic resources.

67. The Commission recommended that adequate attention be given to comprehensive training courses leading to a proper understanding of the various matters involved in plant genetic resources work, including plant breeding and seed improvement.

68. Finally, the Commission noted the forthcoming high-level expert consultation on germplasm being organized in Mexico under the auspices of the Latin American Economic System (SELA) between 8 and 10 April, 1987, and adopted the following resolution

REQUESTING:

- that the Secretariat of the Commission on Plant Genetic Resources participate in and collaborate with this initiative, in line with the contents of Article 7 of the International Undertaking on Plant Genetic Resources, in an attempt to establish full coordination between regional and world efforts;
- that the Secretariat of the Commission on Plant Genetic Resources cooperate as fully as possible in the work of the Consultation, within the context of the International Undertaking on Plant Genetic Resources and the Commission's terms of reference concerning plant genetic resources.

THE FAO INFORMATION SYSTEM ON PLANT GENETIC RESOURCES

69. The Commission examined document CPGR/87/9 and emphasized that the international information system was the basis for effective work on plant genetic resources; it expressed satisfaction that special attention had been paid to avoiding duplication or the overlapping of activities, and to ensuring complementarity between the work of IBPGR and FAO.

70. The Commission noted that IBPGR had given priority to the development of documentation on germplasm and of an internationally-accepted set of descriptor lists; FAO, on the other hand, had developed a Seed Information System, within which a Cultivar Sub-system contained data on released cultivars. Certain members stressed the need to assure the continuity of this activity, given the rapid turnover in improved varieties. The Commission considered these two systems to be complementary, and that both could contribute to an international information system on plant genetic resources: the FAO system was developing a cultivar data-bank, with specialized information on the agricultural value of released cultivars, while the IBPGR descriptor lists had the primary objective of describing samples and providing accession and collection data.

71. The Commission noted that the documentation of IBPGR differed from the FAO information system, for example in the way certain characteristics were described, and it recommended that as far as possible these differences be reconciled.

72. The Commission noted that IBPGR and FAO provided information through different channels and recommended merging such information wherever possible, for example, through joint directories; this would be the first step towards an international information system on plant genetic resources. The representative of the Nordic countries informed the Commission that the Nordic data-base system was available free of charge and was already working with the European Cooperative Programme on Plant Genetic Resources. The International Union for the Conservation of Nature and Natural Resources (IUCN) had also developed an international communication system.

73. The Commission noted that the usefulness of an international information system on plant genetic resources would depend on how well it was used by plant breeders and other practical users of plant germplasm. The system would also be dependant upon the supply of information from cooperating genebanks and from those responsible for evaluating cultivars in the cooperating countries. The Commission, therefore, recommended that for this purpose every effort should be made to strengthen the links between FAO and the responsible organizations in the cooperating countries.

74. The Commission noted, however, that a large amount of the material held in collections had not yet been properly evaluated. It therefore recommended that FAO and the countries concerned make every effort possible to evaluate the material held in collections and to make this information available.

FUTURE WORK PROGRAMME OF THE COMMISSION

75. In introducing the Future Work Programme of the Commission, the Assistant Director-General, Agriculture Department proposed certain changes to the Draft Agenda (CPGR/87/11). As a result of the discussions in the Commission, he proposed additional items covering "IBPGR Activities" and "Biotechnology and the Implementation of the Undertaking".

76. It was also proposed that papers on the number and quality of base collections be prepared as an information document for the next session and that item 8 of the draft agenda be extended to cover progress in creating awareness at governmental level of the importance and utility of genetic conservation, both in situ and ex situ.

77. The amended draft agenda for the Third Session of the Commission is attached as Appendix H.

78. It was decided that the Working Group, established by the First Session of the Commission on Plant Genetic Resources, should remain in function. It was proposed that the Working Group should consider farmers' rights in relation to plant breeders' rights and report to the next session of the Commission on possible mechanisms to give practical expression to these rights.

79. The Commission decided that this Working Group should be composed of 23 members of the Commission, with the following regional distribution:

- 4 representatives from Asia
- 4 representatives from Latin America and the Caribbean
- 5 representatives from Africa
- 3 representatives from the Near East
- 5 representatives from Europe
- 1 representative from the Southwest Pacific
- 1 representative from North America

80. The Commission further decided that its First Vice-Chairman should chair the Working Group and that he should select the other members after consultation with the Chairman and with the regional groups concerned.

DATE AND PLACE OF THE NEXT SESSION

81. The Commission recommended that the date and place of the Third Session be determined by the Director-General, in consultation with the Chairman.

ADOPTION OF THE REPORT

82. The report of the Session was adopted by the Commission on 20 March 1987.

Appendix A

AGENDA

1. Election of the Chairman and Vice-Chairmen
2. Adoption of the agenda and timetable for the Session
3. Report of the first and second meetings of the Working Group
4. Status of base and active collections of plant genetic resources
5. Study on legal arrangements with a view to the possible establishment of an international network of base collections in genebanks, under the auspices or Jurisdiction of FAO
6. Feasibility study on the establishment of an International Fund for Plant Genetic Resources
7. Progress report on the International Undertaking on Plant Genetic Resources
8. Status of in situ conservation of plant genetic resources
9. Review of training needs
10. The FAO information system on plant genetic resources
11. Future work programme of the Commission
12. Other business
13. Date and place of next session
14. Adoption of the report

MEMBERS OF THE COMMISSION AND/OR COUNTRIES WHICH HAVE ADHERED
TO THE UNDERTAKING

AFGHANISTAN <u>1/</u>	GABON <u>1/2/</u>	NETHERLANDS <u>1/2/</u>
ANTIGUA & BARBUDA <u>2/</u>	GAMBIA <u>1/</u>	NEW ZEALAND <u>2/</u>
ARGENTINA <u>1/2/</u>	GERMANY, FEDERAL	NICARAGUA <u>2/</u>
AUSTRALIA <u>1/</u>	REPUBLIC OF <u>1/2/</u>	NORWAY <u>1/2/</u>
AUSTRIA <u>1/2/</u>	GREECE <u>1/2/</u>	OMAN <u>2/</u>
BAHRAIN <u>2/</u>	GRENADA <u>2/</u>	PAKISTAN <u>1/</u>
BANGLADESH <u>1/2/</u>	GUATEMALA <u>1/</u>	PANAMA <u>1/2/</u>
BARBADOS <u>1/2/</u>	GUINEA <u>2/</u>	PARAGUAY <u>2/</u>
BELGIUM <u>2/</u>	GUINEA-BISSAU <u>1/</u>	PERU <u>1/2/</u>
BELIZE <u>1/</u>	HAITI <u>1/2/</u>	PHILIPPINES <u>1/2/</u>
BENIN <u>1/</u>	HONDURAS <u>1/2/</u>	POLAND <u>1/2/</u>
BOLIVIA <u>1/2/</u>	HUNGARY <u>1/2/</u>	PORTUGAL <u>1/</u>
BOTSWANA <u>1/</u>	ICELAND <u>1/2/</u>	RWANDA <u>1/</u>
BRAZIL <u>1/</u>	INDIA <u>1/2/</u>	SAINT LUCIA <u>1/</u>
BULGARIA <u>2/</u>	INDONESIA <u>1/</u>	SAINT VINCENT AND THE
BURKINA FASO <u>1/2/</u>	IRAN, ISLAMIC REPUBLIC OF <u>1/2/</u>	GRENADINES <u>1/</u>
CAMEROON <u>1/2/</u>	IRAQ <u>2/</u>	SENEGAL <u>1/2/</u>
CAPE VERDE <u>1/2/</u>	IRELAND <u>1/2/</u>	SIERRA LEONE <u>1/</u>
CENTRAL AFRICAN REPUBLIC <u>1/2/</u>	ISRAEL <u>1/2/</u>	SOLOMON ISLANDS <u>2/</u>
CHAD <u>1/2/</u>	ITALY <u>1/</u>	SPAIN <u>1/2/</u>
CHILE <u>1/2/</u>	JAMAICA <u>2/</u>	SRI LANKA <u>1/2/</u>
COLOMBIA <u>1/2/</u>	KENYA <u>1/2/</u>	SUDAN <u>1/</u>
CONGO <u>1/</u>	KOREA, REPUBLIC OF <u>1/2/</u>	SWEDEN <u>1/2/</u>
COSTA RICA <u>1/</u>	KUWAIT <u>2/</u>	SWITZERLAND <u>1/2/</u>
COTE D'IVOIRE <u>2/</u>	LEBANON <u>2/</u>	SYRIA <u>1/2/</u>
CUBA <u>1/2/</u>	LIBERIA <u>1/2/</u>	THAILAND <u>1/</u>
CYPRUS <u>1/2/</u>	LIBYA <u>1/2/</u>	TOGO <u>1/</u>
DEMOCRATIC PEOPLE'S REPUBLIC	LIECHTENSTEIN <u>2/</u>	TONGA <u>2/</u>
OF KOREA <u>1/2/</u>	MADAGASCAR <u>1/2/</u>	TUNISIA <u>1/2/</u>
DENMARK <u>1/2/</u>	MALAWI <u>2/</u>	TURKEY <u>1/2/</u>
DOMINICA <u>1/2/</u>	MALI <u>1/2/</u>	UGANDA <u>1/</u>
ECUADOR <u>1/</u>	MAURITANIA <u>1/2/</u>	UNITED KINGDOM <u>1/2/</u>
EGYPT <u>1/2/</u>	MAURITIUS <u>1/2/</u>	URUGUAY <u>1/</u>
EL SALVADOR <u>1/2/</u>	MEXICO <u>1/2/</u>	VENEZUELA <u>1/</u>
FIJI <u>2/</u>	MOROCCO <u>1/</u>	YEMEN ARAB REPUBLIC <u>1/</u>
FINLAND <u>1/2/</u>	MOZAMBIQUE <u>2/</u>	YEMEN, P.D.R. <u>2/</u>
FRANCE <u>1/2/</u>	NEPAL <u>2/</u>	YUGOSLAVIA <u>1/</u>
		ZAMBIA <u>1/2/</u>
		ZIMBABWE <u>2/</u>

1/ Members of the Commission 2/ Countries which have adhered to the Undertaking

The above totals 110 countries which have become members of the Commission (86) or which have adhered to the Undertaking (81), or both.

المرفق ج

附录 C

Appendix C

Annexe C

Apendice C

قائمة المندوبين والمراقبين

代表和观察员名单

LIST OF DELEGATES AND OBSERVERS
LISTE DES DELEGUES ET OBSERVATEURS
LISTA DE DELEGADOS Y OBSERVADORES

Chairman	:	
Président	:	José Miguel BOLIVAR (España)
Presidente	:	
First Vice-Chairman	:	
Premier Vice Président	:	Carlos DI MOTTOLA BALESTRA
Primero Vicepresidente	:	(Costa Rica)
Second Vice-Chairman	:	
Deuxième Vice Président	:	Abderrazak DAALOU (Tunisie)
Segundo Vicepresidente	:	

أعضاء اللجنة

本委员会成员

MEMBERS OF THE COMMISSION
MEMBRES DE LA COMMISSION
MIEMBROS DE LA COMISION

AFGHANISTAN/AFGANISTAN

Representante
Sra Mónica E. DEREGIBUS Roma
Representante Permanente Alterno de
Argentina ante la FAO

AUSTRALIA/AUSTRALIE

Representative
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AUSTRIA/AUTRICHE

Representative
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Production, Federal Ministry of
Agriculture and Forestry
Alternate
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Permanent Representative of Austria
to FAO

BANGLADESH

BARBADOS/BARBADE

BELIZE/BELICE

BENIN

BOLIVIA/BOLIVIE

BOTSWANA

BRAZIL/BRESIL/BRASIL

Representative
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Ambassador, Permanent Representative
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Alternates
Almir F. DE SA BARBUDA Rome
Counsellor, Alternate Permanent
Representative of Brazil to FAO
Igor KIPMAN Rome
Alternate Permanent Representative
of Brazil to FAO

BURKINA FASO

CAMEROON/CAMEROUN/CAMERUN

Représentant
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auprès de la FAO

CAPE VERDE/CAP-VERT/CABO VERDE

Représentant
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Attaché agricole, Représentation
permanente du Cap-Vert auprès de
la FAO

CENTRAL AFRICAN REPUBLIC/REPUBLIQUE
CENTRAFRICAINE/REPUBLICA CENTROAFRICANA

CHAD/TCHAD

CHILE/CHILI

Representante
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Representante Permanente Alterno
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COLOMBIA/COLOMBIE

Representante
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Embajador de Colombia ante la FAO
Suplentes
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Primer Secretaria
Sra Mery HURTADO Roma
Tercer Secretaria

CONGO

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COSTA RICA

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Embajador de Costa Rica ante la FAO
Suplentes
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Representante Permanente Alterno de
Costa Rica ante la FAO
Alexander BONILLA San José
Asesor, Ministerio de Relaciones
Exteriores

CUBA

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Suplente
Pedro REYNALDOS DUEÑAS Roma
Representante Permanente Alterno
de Cuba ante la FAO

CYPRUS/CHYPRE/CHIPRE

DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA/
REPUBLIQUE POPULAIRE DEMOCRATIQUE DE COREE/
REPUBLICA POPULAR DEMOCRATICA DE COREA

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Alternate
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ECUADOR/EQUATEUR

EGYPT/EGYPTE/EGIPTO

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مصر
ممثل

روما عبد العظيم الجزار
المستشار الزراعي والممثل الدائم
المناوب لمصر لدى المنظمة

EL SALVADOR

Representante
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Adjunto de El Salvador ante la FAO

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GAMBIA, THE/GAMBIE/GAMBIA

GERMANY, FEDERAL REPUBLIC OF/
ALLEMAGNE, REPUBLIQUE FEDERALE D'/
ALEMANIA, REPUBLICA FEDERAL DE

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HAITI/HAÏTI

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HUNGARY/HONGRIE/HUNGRIA

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ISLAMIQUE D'/IRAN, REPUBLICA ISLAMICA DEL

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IRELAND/IRLANDE/IRLANDA

ISRAEL

Representative
Ilan HARTUV
Permanent Representative of Israel
to FAO

Roma

LIBYA/LIBYE/LIBIA

Representative
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Permanent Representative of Libya
to FAO

Rome

ITALY/ITALIE/ITALIA

Représentant
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Ministero Affari Esteri
Suppléants
Ermando MONTANARI
Ministero Agricoltura
Bernardo PALESTINI
Primo Dirigente
Ministero Agricoltura e Foreste
Sig.ra Nella BRUNERI GIACONE
Ministero Ricerca Scientifica
Romano ALBERTINI
Ministero Ricerca Scientifica
Angelo BIANCHI
Consiglio Nazionale delle Ricerche
Sig.ra Anna T. FRITELLI ANNIBALDI
Rappresentante Permanente Aggiunto
d'Italia presso la FAO
Sig.ra Luciana DI BUSSOLO BATTAGLIA
Rappresentanza Permanente d'Italia
presso la FAO

Roma

Roma

Roma

Roma

Roma

Roma

Roma

Roma

KENYA

Representative
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Ministry of Agriculture
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Alternate Permanent Representative
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S.P. LESHORE
Second Secretary

Nairobi

Rome

Rome

KOREA, REPUBLIC OF/COREE, REPUBLIQUE DE/
COREA, REPUBLICA DE

Representative
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Rome

Suwon

Rome

LIBERIA

ليبيا

ممثل

بشير المبروك سعيد
روما
الممثل الدائم لليبيا لدى المنظمة

MADAGASCAR

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Suppléant
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Madagascar auprès de la FAO

Rome

Rome

MALI

MAURITANIA/MAURITANIE

MAURITIUS/MAURICE/MAURICIO

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Suplentes
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Genéticos, Ministerio de Agricultura
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Roma

Roma

Roma

Mexico

MOROCCO/MAROC/MARRUECOS

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Rome

المغرب

ممثل

محمد بنيس
روما
الممثل الدائم المناوب للمغرب
لدى المنظمة

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Wageningen

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 Alternates
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 Primer Consejero

PERU/PEROU

Representante
 Washington ZUÑIGA Roma
 Embajador, Representante Permanente
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RWANDA

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 Directeur général des Forêts
 Ministère de l'Agriculture, Elevage
 et Forêts

SAINT LUCIA/SAINTE-LUCIE/SANTA LUCIA

SAINT VINCENT AND THE GRENADINES/
 SAINT-VINCENT-ET-GRENADINES/
 SAN VICENTE Y LAS GRANADINAS

SENEGAL

Représentant
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 Représentant permanent adjoint du
 Sénégal auprès de la FAO

SIERRA LEONE/SIERRA LEONA

SPAIN/ESPAGNE/ESPANA

Representante
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 Representante Permanente de España
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 Suplentes
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 Ministerio de Agricultura - INIA

SRI LANKA

SUDAN, THE/SOUDAN/SUDAN السودان

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 to FAO
 Advisor
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 Ministry of Agriculture

SWITZERLAND/SUISSE/SUIZA

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 Suppléant
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SYRIA/SYRIE/SIRIA

سورية

VENEZUELA

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Pinit KORSIEPORN Rome
Alternate Permanent Representative of
Thailand to FAO

Representante
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Embajador de Venezuela ante la FAO
Suplentes
Sra Maria I. CASELLAS Roma
Consejero, Representante Permanente
Alterno de Venezuela ante la FAO
Alberto MURILLO Roma
Representante Permanente Alterno
de Venezuela ante la FAO
Sra Marina BRICEÑO ZEHL Roma
Representante Permanente Alterno
de Venezuela ante la FAO

TOGO

YEMEN ARAB REPUBLIC/REPUBLIQUE ARABE
DU YEMEN/REPUBLICA ARABE DEL YEMEN

TUNISIA/TUNISIE/TUNEZ

الجمهورية العربية اليمنية

Représentant
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Suppléant
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Alternate
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TURKEY/TURQUIE/TURQUIA

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Permanent Representative of Turkey
to FAO
Alternate
Hasim OGUT Rome
Agricultural Counsellor
Alternative Permanent Representative
of Turkey to FAO

ZAMBIA/ZAMBIE

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UGANDA/OUGANDA

UNITED KINGDOM/ROYAUME-UNI/REINO UNIDO

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Agriculture, Fisheries and Food
Alternates
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Senior Agricultural Adviser,
Overseas Development Administration
Graham JENKINS Cambridge
Plant Breeding Institute

URUGUAY

المراقبون من الدول غير الأعضاء في الهيئة

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UNION FOR THE PROTECTION OF NEW VARIETIES
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INTERNATIONAL BOARD FOR PLANT GENETIC
RESOURCES/CONSEIL INTERNATIONAL DES
RESSOURCES PHYTOGENETIQUES/CONSEJO
INTERNACIONAL DE RECURSOS FITOGENETICOS
(IBPGR)

J.T. WILLIAMS Rome
Director
John HOLDEN Rome
Board Member

STATEMENT BY MR. DECLAN J. WALTON
DEPUTY DIRECTOR-GENERAL

Mr. Chairman, distinguished Delegates and Observers,

On behalf of the Director-General, who is away from Rome on duty travel, it is my pleasure to welcome you to this Second Session of the Commission on Plant Genetic Resources. I would especially like to greet the new members from all parts of the world which have joined the Commission. The membership numbered 67 at the time of the first session. It has risen to 81 members by the end of last week.

At the same time, I extend a warm welcome to the observers from Member and non-Member Nations of FAO, from sister organizations of the United Nations system, and from other governmental and non-governmental organizations. I would like to mention particularly the International Centres linked to the Consultative Group on International Agricultural Research (CGIR), and especially the International Board for Plant Genetic Resources (IBPGR).

Since plant life first appeared on earth, perhaps three thousand million years ago, the number of species has constantly increased in a process of continuous diversification. This wealth of genetic diversity, with its almost limitless capacity for further adaptation and adjustment, is a vital element in the stability and harmony of the life-system of mankind.

From a utilitarian standpoint, plant genetic resources can be considered as limited and perishable natural resources. They provide the raw material for the plant breeder, from which he can put together new and better plant varieties. It is in this raw material that he must look for such desirable characteristics as resistance to disease, adaptation to a particular environment, and enhanced productivity. Plant genetic resources are, and will remain, of incalculable value, irrespective of whether their potential is to be realized through classical plant breeding methods or through the newest techniques of genetic engineering.

The ecological balance which has preserved this vast pool of genetic resources over a period of thousands of years has been violently disrupted in modern times. Change is now so swift, man has taken over such vast areas of our planet, that nature has not had time to adjust. Genetic diversity is giving way to genetic erosion. The raw material of natural selection and the plant breeder is being lost. The vulnerability of agricultural crops to abrupt changes in climate or weather, or to the appearance of new pests or diseases, is increasing.

Our objective in the conservation of genetic resources goes far beyond the salvation of individual species. We must try to maintain sufficient diversity within each species so that its genetic potential remains fully available in the future.

The events which have led to our meeting today go back quite a long way of time. I would like to mention just three milestones. In 1961, FAO made its first formal start on promoting the preservation and utilization of plant genetic resources. In 1974, the International Board for Plant Genetic Resources (IBPGR) came into being, based on a proposal originally put forward by FAO, and operating under the umbrella of this Organization. Finally, in 1983 the FAO Conference adopted the International Undertaking on Plant Genetic Resources, and in a related move the FAO Council established this Commission.

At its present session, the Commission has a number of complex and potentially far-reaching items on its agenda. In its work, the Commission will not only be able to draw on the papers produced by the Secretariat. It will also be able to benefit from the preparations made by the Working Group of 23 Member Countries established at the first session.

I would like to make a few preliminary remarks about some of the main issues, without anticipating either the findings of the Working Group, which will be presented by its Chairman, or the more detailed introduction of specific items to be made by the Secretariat.

Under item 4, we have analysed the difficulties which have prevented the International Undertaking on Plant Genetic Resources from achieving its intended universality. Inconsistencies between national legislation and the provisions of the Undertaking have, in some cases, prevented countries from adhering to it at all, or from becoming members of this Commission. In other cases, the Undertaking has been accepted with reservations - indeed, reservations have been expressed by almost one third of the countries that have adhered to it.

With a view to widening participation in the Undertaking, various possible courses of action are suggested in our document. The most radical would be an amendment by the FAO Conference of the text of the Undertaking. I would like to emphasize that, in our view, such a process should only be embarked upon if there is a reasonable assurance that it will, in fact, result in wider adherence to the Undertaking and fuller participation in this Commission. Furthermore, the process should not involve any sacrifice of the essential elements in the Undertaking.

Our study on the legal status of ex situ collections of plant genetic resources, prepared for agenda item 5, shows that there are very few truly international genebanks. Indeed, the ownership of germplasm is unclear in many cases, including the germplasm stored by some of the international centres. It would seem to be worth exploring the idea of clarifying the issue, where it exists, through specific agreements between on the one side FAO, and on the other side the International Agricultural Research Centres and certain other genebanks that consider themselves as the custodians or depositories of international base collections.

This is a question that could be looked at in the context of agenda item 6, which deals with legal arrangements for the possible establishment of an international network of base collections in genebanks under the auspices or jurisdiction of FAO. Our paper suggests various ways in which this concept might be translated into reality. As examples, and not as an exhaustive analysis of options, the document outlines four models. These range from, at one extreme, complete control and management of the base collection by FAO, to at the other extreme a much looser arrangement with a far lower degree of responsibility vested in the Organization.

The Commission may wish to consider how this matter should be followed up. Is there, for instance, sufficient support for the idea to warrant approaching governments on their willingness to include base collections in such a network, and on the type of arrangements they would be prepared to make?

Questions relating to in situ conservation were examined in some detail at the Commission's first session. Our paper this time is relatively brief, and deals mainly with action by FAO itself.

Another question carried over from the first session is that of training needs, which the Commission will be examining under item 8. Our paper emphasizes that training activities on plant genetic resources, plant breeding and seed production should be considered as complementary. While the situation varies widely between regions and between disciplines, there remain extremely serious shortages of trained staff. A rough attempt at quantification is made. It is also suggested that many developing countries have seriously under-estimated the importance of providing medium and lower level technical staff to support the highly trained experts. The Commission's recommendations in this area will certainly be of value to governments and development programmes.

A key requisite for the effective utilization of plant genetic resources is the existence of reliable information on the available material. To that end, the FAO Conference in November 1983 recommended the adoption of measures aimed at establishing an International Information System on Plant Genetic Resources. The subject was discussed and developed during the first session of this Commission. Under item 9, we are advancing some further suggestions as to how an International Information System on Plant Genetic Resources could be meaningfully and economically put in place.

The last substantive item on the agenda of the Commission is a Feasibility Study on the Establishment of an International Fund for Plant Genetic Resources. This was requested at the Twenty-Third Session of the FAO Conference, in November 1985. We have outlined in broad terms the possible objectives of such a fund, and suggested ways and means for its operation. These are based on the pattern set up by existing FAO Action Programmes, such as the Prevention of Food Losses Programme (PFL). The document advances proposals with a view to avoiding duplication with IBPGR and other financing organizations.

The Commission will also be discussing its future work programme. It may wish to keep in mind the implications of advancing technology. New approaches to genetic manipulation, and new methods for the conservation of germplasm, have opened up exciting prospects. However, they are also leading to new and complex problems, whose technical and legal implications could well be discussed in this forum.

Before closing, I would like to inform the Commission that we have reached an understanding with the IBPGR on certain administrative problems which had been troubling our relationship. These difficulties arise essentially from the difficulty of reconciling, on the one hand, the character of the IBPGR as an autonomous entity within the CGIAR system, and on the other hand, the fact that its staff are all FAO staff members.

The main thrust of the new arrangements is to clarify the respective responsibilities of the two sides. We have accepted the IBPGR's offer to take over the financing of three professional posts at present funded by FAO. The steps we have agreed upon are expressly intended to reinforce the already close cooperation between the IBPGR and FAO on substantive activities in the field of plant genetic resources. The arrangements - which have still to be reviewed by the CGIAR - are established on a trial basis until the end of 1988. In order to ensure continuity, a decision should be taken early in 1988 as to whether it is the mutual desire of the two parties to maintain the present relationship between FAO and the IBPGR or to seek an alternative solution.

I believe that this understanding can remove a number of irritants from the FAO/IBPGR relationship. It should enable us to pursue in an atmosphere of serenity our agreed objective of ensuring full complementarity of action for the benefit of all countries, and in particular the developing nations.

Mr. Chairman,

The Commission has a busy session ahead. I trust that the debates will be constructive, and will tempt a number of Observer Nations to cross the divide and join the Commission as members next time. And I hope that your work will result in further progress toward universally agreed strategies for tackling problems of vital importance for the present and future generations.

Appendix E

LIST OF DOCUMENTS

- CPGR/87/1 Provisional Annotated Agenda
- CPGR/87/2 Rev.2 Proposed Timetable
- CPGR/87/3 Report of the First Meeting of the Working Group of the Commission on Plant Genetic Resources, Rome, 2-3 June 1986
- CPGR/87/3/Add 1 Report of the Second Meeting of the Working Group of the Commission on Plant Genetic Resources, Rome, 12-13 March 1987
- CPGR/87/4 Progress Report on the International Undertaking on Plant Genetic Resources
- CPGR/87/4 Add.1 Country and International Institutions' Response to Resolution 8/83
- CPGR/87/4 Add.2 List of Countries which have adhered to the Undertaking
- CPGR/87/5 Legal Status of Base and Active Collections of Plant Genetic Resources
- CPGR/87/6 Study on Legal Arrangements with a View to the Possible Establishment of an International Network of Base Collections in Gene Banks Under the Auspices or Jurisdiction of FAO
- CPGE/87/7 Status of In Situ Conservation of Plant Genetic Resources
- CPGR/87/8 Review of Training Needs
- CPGR/87/9 The FAO Information System on Plant Genetic Resources
- CPGR/87/10 Feasibility Study on the Establishment of an International Fund for Plant Genetic Resources
- CPGR/87/11 Proposed Draft Agenda for the Third Session of the Commission on Plant Genetic Resources
- CPGR/87/Inf.1 Members of the Commission and/or countries which have adhered to the Undertaking
- CPGR/87/Inf.2 List of Delegates and Observers
- CPGR/87/Inf.3 Extract of the Twenty-Second Session of the FAO Conference, Rome, 5-23 November 1983, Resolution 8/83 - International Undertaking on Plant Genetic Resources
- CPGR/87/Inf.4 Summary of the Deliberations of the Contact Group Meeting, Rome, 17 March 1987

Appendix F

REPORT BY THE CHAIRMAN OF THE WORKING GROUP
ON ITS SECOND MEETING

1. The second meeting of the Working Group was held last week under my chairmanship.
2. The Working Group decided to focus its discussions on items 5, 6, 10 and 4, in that order. It considered these items to be interrelated, and felt that their discussion by the Working Group could facilitate the work of the Commission.
3. The Working Group acknowledged that document CPGR/87/5 offered much useful information on the legal situation of plant genetic resource base and active collections. The Group likewise observed that only two existing gene banks could strictly be considered international. It added that while a number of fairly complex laws governed seed production, legislation on plant genetic resources was scant, and allowed too broad a margin for different interpretations. There were many gaps and confusions with respect to the ownership of germplasm as well. This was particularly true (and particularly worrying) for germplasm now held in the international centres. In view of the foregoing, the Working Group considered that existing legislation on germplasm could not guarantee free access to plant genetic resources, and agreed on the need to establish a network of base collections under the auspices and/or jurisdiction of FAO, as soon as possible, as stipulated in Article 7 of the Undertaking, and in line with the models proposed in document CPGR/87/6. Most delegations expressed their preference for model "B", model "C" being considered a good alternative choice. Model "A", though theoretically ideal, was considered probably too expensive and not sufficiently realistic, whereas "D" was held to be insufficient on all counts. Despite this, the Working Group agreed to recommend to the Commission that all four models proposed by the Secretariat be retained, considering them to be representative examples within a broad gamut of possible agreements in which "A" and "D" would constitute the most and least acceptable models.
4. The Working Group agreed on the need for FAO to contact governments, international centres and other organizations maintaining genebanks to ascertain whether they might be interested in participating in the establishment of this international network, and either contributing physical space to store international collections in their banks, or contributing germplasm, or both. Should their answer be yes, and in the light of the discussions of the Commission, they should indicate the main features of the agreements they would like to see drawn up.
5. During the discussion on item 10, there was unanimous agreement on the need to establish the International Fund for Plant Genetic Resources as soon as possible, taking into consideration the tenets of Article 8 of the International Undertaking. The Working Group observed with satisfaction that there were no technical barriers to opening this Fund, to which not only donor governments but also non-governmental organizations, private industry and other groups might contribute.
6. The Working Group considered that plant genetic improvement and seed production should, together with the conservation of plant genetic resources, be among the activities to be financed by the said Fund. This would make it more attractive to donor countries. It would also make it possible to promote the use as well as the conservation of their plant genetic resources within the recipient countries, and would be in line with the tenets of the Undertaking.
7. The Working Group agreed that the Fund should be established as soon as possible, as this would mean opening up the economic channels necessary for the development of the Undertaking, and considered that no prior consultation was necessary. After a period of time, the results obtained could be analysed and if they were not held to be sufficiently satisfactory the suitability of closing it might then be considered. The ratification of the establishment of the Fund by the next Conference was not indispensable, but might well confer a greater moral authority on the Fund.

8. During the discussion of document CPGR/87/4, the Working Group agreed that the breeding of modern commercial plant varieties had been made possible first of all by the constant and joint efforts of the people/farmers (in the broad sense of the word) who had first domesticated wild plants and conserved and genetically improved the cultivated varieties over the millennia. Thanks were due in the second place to the scientists and professional people who, utilizing these varieties as their raw material, had applied modern techniques to achieve the giant strides made over the last 50 years in genetic improvement. In recent years some countries had incorporated the rights of the latter group into law as "Breeders' Rights", i.e. the right of professional plant breeders or the commercial companies which employ them to participate in the financial benefits derived from the commercial exploitation of the new varieties. However, as document CPGR/87/4 pointed out, there was presently no explicit acknowledgement of the rights of the first group, in other words, no "Farmers' Rights". The Working Group considered such rights to be fair recognition for the spade-work done by thousands of previous generations of farmers, and which had provided the basis for the material available today and to which the new technologies were in large measure applied. The Group agreed that what was at issue here was not individual farmers or communities of farmers but the rights of entire peoples who, though having bred, maintained and improved cultivated plants, had still not achieved the benefits of development nor had they the capacity to produce their own varieties. Alternative names such as "right of the countries of origin" or "gene donors", were proposed, but the conclusion was that the name "farmers rights" was the most expressive.

9. The Working Group explicitly refused to give a definition of the "Right of Farmers" but was unanimous in recommending its recognition by the Commission. Many delegations asked the Secretariat to examine possible mechanisms for giving concrete expression to this right (to the extent possible), in specific activities designed to promote and develop national germplasm conservation programmes, plant genetic improvement, and seed production in the developing countries, and through the International Fund discussed in item 10.

10. In discussing part 2 of document CPGR/87/4, the Working Group agreed on the need to enlist greater country participation in the Undertaking and unanimously recommended adoption of the second option presented by the Secretariat for this purpose, i.e., to negotiate a simple, single interpretation for the undertaking, which would be maintained in its present terms. The principal objective of this interpretation would be to broaden consensus and make the Undertaking operative. The Group considered that the first option, i.e. recognition of the status quo, did not represent any progress with respect to the present situation, whereas the third option, amending the Undertaking, could give rise to complex technical and legal problems.

11. The Working Group recommended that the foundations for arriving at this single interpretation be established by a small, informal contact group, made up of delegates standing for the various options. Participation in the contact group would be voluntary, and would be open to observers as well. This contact group would meet during the second session of the Commission, i.e. now. The Working Group agreed that the three major items which should be negotiated by the contact group were:

- Breeders' Rights,
- Farmers' Rights, and
- The free exchange of genetic material.

12. The Working Group concurred that Breeders' Rights and Farmers' Rights were parallel and complementary rather than opposed, and that the simultaneous recognition and international legitimization of both these rights could help to boost and speed up the development of the people of the world.

13. Delegates from the following countries attended this Meeting of the Working Group: Australia, Austria, Congo, Costa Rica, Denmark, Egypt, El Salvador, France, India, Indonesia, Kenya, Mexico, Panama, Peru, Philippines, Spain, Tunisia and Zambia.

SUMMARY REPORT ON THE DELIBERATIONS
OF THE CONTACT GROUP BY ITS CHAIRMAN

1. The Contact Group created by the Plenary, and composed of 17 members, met on 17 March 1987. The following countries had agreed to serve on the Contact Group: Philippines (Chairman), Argentina, Australia, Cape Verde, Congo, Costa Rica, Cuba, Denmark, Egypt, Ethiopia, France, Federal Republic of Germany, India, Kenya, Mexico, Tunisia, USSR.
2. The Contact Group agreed that its objective was to seek an improvement in the full participation of countries in the International Undertaking on Plant Genetic Resources. This objective was to be achieved not by introducing amendments in the present text of the Undertaking, but rather through a negotiated interpretation of the controversial portions of the Undertaking.
3. The Contact Group agreed that this was a difficult task: breeders' rights are already recognized by national legislation in many countries. The so-called "farmers' rights", however, which stem from the work that farmers have performed over the centuries, which resulted in the formation of the land-races, have not found any recognition in the laws and institutions of nations. It was agreed that these rights, too, must be given some formal recognition. It was acknowledged that, while the so-called "farmers' rights" could not yet be given a precise definition, some sort of compensation for their most valuable contribution to the enrichment of the plant genetic resources of the world was well-founded and legitimate. It was pointed out that one way of giving practical recognition to this right could be in a form of multifaceted international cooperation including a freer exchange of plant genetic resources, information and research findings, and training. Another way could be through monetary contribution for financing a programme for the furtherance of the objectives of the International Undertaking on Plant Genetic Resources.
4. Some delegations indicated that a recognition of breeders' rights in the Undertaking would enable their countries to drop their reservations to the Undertaking.
5. It was pointed out that, for purposes of scientific research and plant breeding, no authorization from breeders was required to use cultivated varieties in current use, as is spelled out in the convention of the Union for the Protection of New Varieties of Plants (UPOV). It was also pointed out that some special genetic stocks, including some elite and current breeders' lines, have in the past been made available for the purpose of research and breeding. These stocks and lines, however, were usually not available in genebanks. They were kept by the breeders themselves, who were private persons or entities, and were therefore not under the control of genebanks or of governments..
6. It was indicated that since the operation and maintenance of genebanks cost a lot of money, it might not always be possible to provide material free of charge. But perhaps a distinction between profit and the recovery of operating and maintenance costs could be useful in the search for a negotiated interpretation of the text in question.
7. It was agreed that an attempt should be made to reach a negotiated interpretation of the controversial texts: article 1; article 2.1.V; and articles 5, 6 and 7. Some delegations indicated that this work could possibly be pursued in the Working Group, the membership of which could be expanded if the Commission so desired.
8. The views expressed in the Contact Group, as well as in the Commission and in the Working Group, relative to breeders' rights, farmers' rights and the free exchange of plant genetic resources should be taken into account by the negotiating group in the search for a negotiated interpretation of the controversial texts.

Appendix H

DRAFT AGENDA FOR THE THIRD SESSION
OF THE COMMISSION ON PLANT GENETIC RESOURCES

1. Election of Chairman and Vice-Chairmen
2. Adoption of the agenda and timetable for the Session
3. Report of the Working Group
4. Overall review of FAO's activities in plant genetic resources
5. IBPGR activities and complementarity between the activities of FAO and the IBPGR
6. Progress report on the International Fund for Plant Genetic Resources
7. Assessment of current coverage of base collections in the world, with regard to crops of interest to developing countries
8. Progress report on legal arrangements with a view to the possible establishment of an International Network of Base Collections in Genebanks, under the auspices or jurisdiction of FAO
9. Assessment of progress on in situ conservation
10. Assessment of developing countries' capabilities and of the training needs and opportunities at technical and professional level in genetic resources activities, plant breeding and seed development
11. Information systems related to in situ and ex situ conservation
12. Biotechnology and the implementation of the Undertaking
13. Progress report on the International Undertaking on Plant Genetic Resources
14. Other business
15. Date, place and programme of next session
16. Adoption of the report

Appendix I

MEMORANDUM OF UNDERSTANDING ON ARRANGEMENTS
FOR THE ADMINISTRATION OF THE IBPGR

This Memorandum summarizes the agreement on steps to tackle outstanding administrative problems reached between the Food and Agriculture Organization of the United Nations (FAO) and the International Board for Plant Genetic Resources (IBPGR), in the course of exchanges of correspondence and discussions, and in particular during meetings in Rome between 23 and 26 February 1987.

The problems which have been encountered arise essentially from the difficulty of reconciling, on the one hand, the character of the IBPGR as an autonomous entity within the CGIAR system, and on the other hand, the constraints imposed by the fact that its staff are all FAO staff members, subject to the FAO Staff Regulations and Rules, and ultimately responsible to the Director-General. Substantial progress has been made in overcoming specific problems during the last few months. In particular, FAO has managed - despite its own problems of office space - to make available expanded accommodation for the IBPGR, thus enabling action to proceed on the recruitment of the additional staff authorized by the Board. Furthermore, FAO has agreed to apply to IBPGR-funded staff the more flexible procedures which govern the administration of extra-budgetary projects.

Nevertheless, a number of difficulties still remain, and the following additional understandings have been reached.

The IBPGR has offered to take over the funding of the three professional posts in its staff which are at present financed under the FAO Regular Programme. This offer has been accepted by FAO. All IBPGR professional staff will thus be on the same footing.

It is understood and agreed on both sides that the work programme of the IBPGR staff, on which they will all be engaged full time, is that defined by the Board. The Director of the IBPGR will be responsible to the Board for the implementation of this programme.

Administratively, the IBPGR Secretariat is appointed by FAO and is subject to the internal discipline and rules applying to FAO staff. The Director of the IBPGR Secretariat reports on administrative matters to the Director of the FAO Plant Production and Protection Division.

Decisions on the recruitment and promotion of IBPGR staff, and on any other significant administrative issues, will be worked out jointly between FAO and the IBPGR. For this purpose, FAO will normally be represented by the Assistant Director-General, Agriculture Department, and/or the Director, Plant Production and Protection Division. The IBPGR will normally be represented by the Chairman and/or a member of the Board, together with the Director of the IBPGR staff. FAO will make every effort compatible with its internal rules and regulations to meet the requirements of the Board. IBPGR recommendations regarding levels of remuneration will be translated, as necessary, into FAO grade levels, taking account of the various allowances provided by FAO and other agencies of the United Nations common system. It is understood that, because of the need to preserve equity towards its staff as a whole, FAO has only limited discretion in fixing grade levels.

While FAO does not propose any formal limitation on the number of IBPGR staff covered by these arrangements, the Organization expects to have continuing problems of space for some years to come. Should the Board wish to consider a further major expansion of staff in Rome, the problem of accommodation should be discussed at an early stage.

The steps which are set out above are intended to reinforce the already close cooperation between the IBPGR and FAO on substantive activities in the field of plant genetic resources. The Director of the IBPGR will keep the Director of the FAO Plant Production and Protection Division closely informed in all phases of preparation and implementation of the work programme of the Board. Conversely, FAO will consult the Chairman and/or Director of the IBPGR closely insofar as FAO develops its own programme in this field. The objective of both parties will be to ensure full complementarity of action for the benefit of all countries, and in particular the developing nations.

The above arrangements are established on a trial basis from now to the end of 1988. IBPGR staff will be given fixed-term contracts up to 31 December 1988 unless a shorter period is requested by the Board, or unless their contracts already extend beyond that date. In order to ensure continuity a decision should be taken early in 1988 as to whether it is the mutual desire of the two parties to maintain the present relationship between FAO and the IBPGR, as supplemented by this agreement, or to seek an alternative solution.

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