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COMMISSION ON GENETIC RESOURCES FOR FOOD AND AGRICULTURE

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

16 November 2022

FUTURE ORGANIZATION OF THE COMMISSION'S INTERSESSIONAL WORK

BUREAU NON-PAPER

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I. INTRODUCTION

1. The Commission on Genetic Resources for Food and Agriculture (Commission), at its Eighteenth Regular Session, discussed the possible re-organization of its intersessional work.¹ It mandated its Bureau to conduct informal open-ended consultations with the aim of:

- (i) developing, in a first step, criteria against which the different options for the reorganization of the Commission's intersessional work should be assessed;
- (ii) reviewing and revising, as appropriate, the options contained in the working document *Possible re-organization of the Commission's future intersessional work*² and developing new options, if necessary, with a view to establishing a set of options that reflects all views Members and the Working Groups hold with regard to the re-organization of the Commission's work; and
- (iii) assessing the set of consolidated options against the criteria identified, with a view to agreeing on recommendations for the re-organization of the Commission's intersessional work, for consideration by the Commission at its Nineteenth Regular Session.

2. As agreed by the Bureau, in April 2022, the Secretary invited Members of the Commission to provide, through their National Focal Points, inputs to and comments on: existing or new options for the re-organization of the Commission's future intersessional work; and criteria against which the different options should be assessed. Contributions were received from the Near East Regional Group, Argentina, Canada, Costa Rica, Germany, Kuwait, Philippines, Poland and Slovakia.

3. This document briefly recapitulates the current organization of the Commission's intersessional work (section II). It describes the challenges the Commission's intersessional work faces (section III), and, taking into account comments and inputs received from Members and one regional group, presents

- options for addressing the challenges the Commission's intersessional work faces, including the financial, administrative and human-resource implications of the different options (section IV); and
- possible criteria against which the options to organize the Commission's intersessional work may be assessed (section V).

4. The document aims to facilitate the informal consultations, during which Commission Members may wish to review and revise, as appropriate, the proposed criteria as well as the options for organizing the Commission's future intersessional work and, finally, assess the options against the criteria, with a view to agreeing on recommendations, for consideration by the Commission at its Nineteenth Regular Session.

II. CURRENT ORGANIZATION OF THE COMMISSION'S INTERSESSIONAL WORK

5. Since 1995 the Commission's mandate "covers all components of biodiversity for food and agriculture."³ According to its Statutes, the Commission shall have a coordinating role and shall deal with policy, sectoral and cross-sectoral matters related to the conservation and sustainable use of genetic resources of relevance to food and agriculture.⁴

6. Since 1995, the work of the Commission has increasingly been shaped by its Working Groups and other subsidiary bodies.

7. In 1997, the Commission established two Working Groups, one for animal genetic resources for food and agriculture (AnGR) and one for plant genetic resources for food and agriculture (PGR).⁵

¹ CGRFA-18/21/Report, paragraphs 111–112.

² CGRFA-18/21/13.

³ FAO Conference Resolution 3/95.

⁴ Statutes of the Commission on Genetic Resources for Food and Agriculture, section 2.

⁵ CGRFA-7/97/REP, paragraph 10.

In 2009, the Commission established a Working Group on forest genetic resources (FGR)⁶ and in 2015 an Ad Hoc Working Group on aquatic genetic resources for food and agriculture (AqGR),⁷ which in 2019 became a regular Working Group.⁸

8. In 2011, the Commission established an Ad Hoc Technical Working Group on Access and Benefit-sharing for Genetic Resources for Food and Agriculture,⁹ which was replaced two years later by the Team of Technical and Legal Experts on Access and Benefit-sharing (ABS Expert Team), a smaller group consisting of two experts from each region.¹⁰

9. Occasionally, the Commission has also sought advice from less formal groups, such as the Group of National Focal Points for Biodiversity for Food and Agriculture, which was established on an ad hoc basis in 2017 to review the needs and actions identified in the course of the preparation of *The State of the World's Biodiversity for Food and Agriculture* (SoW BFA), and the Expert Group on Micro-organism and Invertebrate Genetic Resources for Food and Agriculture, convened in 2018 to review the draft explanatory notes to the *Elements to Facilitate Domestic Implementation of Access and Benefit-Sharing for Different Subsectors of Genetic Resources for Food and Agriculture* (ABS Elements).¹¹

10. The Commission's subsidiary bodies have played a key role in preparing and reviewing deliverables related to their respective mandates. Without their work, many of the Commission's achievements over the last two decades would not have been possible. Any re-organization of the Commission's intersessional work should therefore strengthen the involvement of the Working Groups. At the same time, it will be important to re-organize the Commission's intersessional work in a way that reflects the importance of cross-sectoral matters for the Commission and facilitates intersectoral dialogue on those matters.

III. CHALLENGES FOR THE COMMISSION'S INTERSESSIONAL WORK

11. The need to re-consider the organization of the Commission's intersessional work is due to multiple reasons. These include:

- **Lack of subsidiary bodies dedicated to biodiversity for food and agriculture and micro-organism and invertebrate genetic resources for food and agriculture**
In line with the stepwise implementation of its extended mandate, the Commission increased the number of its subsidiary bodies over the past 25 years. However, it has neither a specialized body to consider micro-organism and invertebrate genetic resources for food and agriculture (MIGR) nor an intersessional forum to address the totality of biodiversity for food and agriculture (BFA).
- **Lack of interaction between Commission's subsidiary bodies**
While the Commission has dedicated subsidiary bodies focusing on animal, aquatic, forest and plant genetic resources and on access and benefit-sharing, interaction among these bodies is very limited.
- **Lack of (cross-sectoral) interaction among National Focal Points/Coordinators**
While the Commission has National Focal Points for the Commission itself, for biodiversity and animal, aquatic, forest and plant genetic resources, there is little cross-sectoral interaction among them, be it at national or international level, and this despite the fact that exchange of information and experiences among National Focal Points/Coordinators is essential to improve the implementation and uptake of the Commission's instruments.
- **Need to strengthen synergies with other global policy fora**
Since the Commission's establishment in 1983, the global biodiversity policy landscape has

⁶ CGRFA-12/09/Report, paragraph 55.

⁷ CGRFA-15/15/Report, paragraph 63.

⁸ CGRFA-17/19/Report, paragraph 51.

⁹ CGRFA-13/11/Report, paragraph 60.

¹⁰ CGRFA-14/13/Report, paragraph 40.

¹¹ CGRFA-16/17/Report Rev.1, paragraph 25.

undergone drastic changes. In its own interest, the Commission needs to interact and coordinate more effectively with relevant global policy fora, as well as FAO's other work on biodiversity, including on the FAO Strategy on Mainstreaming Biodiversity across Agricultural Sectors.¹²

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

12. As recognized by the Commission and its Working Groups, there is a need to address BFA, including MIGR, in a coherent, integrated and consistent way, and to enhance coordination and communication among the Commission's Working Groups and National Focal Points/Coordinators in order to raise awareness on sectoral issues and strengthen coherence on cross-sectoral matters, and hence more effectively address the Commission's mission and goals.¹³

13. This section contains concrete options, taking into account comments and inputs received, with the aim of enhancing the intersessional work of the Commission by re-organizing the work of existing and possibly establishing new subsidiary bodies. The options are provided to inspire discussion; they do not indicate any preferences for specific options on the part of the Bureau. Obviously, elements of the different options may be combined with other options. An overview of the financial and human-resource implications of each option is given in *Appendix I* to this document.

OPTION 1: STATUS QUO & EXPERT TEAM MIGR

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

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

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

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

17. The new Working Group could follow the model of the Commission's existing Working Groups, with the same number of Members and the same geographical balance.¹⁴

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

¹² CL 163/REP, paragraph 10g; FAO. 2020. *FAO Strategy on Mainstreaming Biodiversity across Agricultural Sectors*. Rome. (also available at <http://www.fao.org/3/ca7722en/CA7722EN.pdf>).

¹³ CGRFA-17/19/Report, paragraph 97; CGRFA-18/21/8.2, paragraph 46; CGRFA-18/21/9.1, paragraph 44; CGRFA-18/21/10.1, paragraph 46; CGRFA-18/21/12.1, paragraph 66.

¹⁴ The Working Groups are composed of 28 Member Nations from the following regions: 5 from Africa; 5 from Europe; 5 from Asia; 5 from Latin America and the Caribbean; 4 from the Near East; 2 from North America; 2 from Southwest Pacific.

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

19. In order to address matters related to BFA, the Commission could create a new Intergovernmental Technical Working Group on Biodiversity for Food and Agriculture.
20. The new Working Group could follow the composition of the Commission's existing Working Groups, with the same number of Members, the same geographical balance and the mandate to review the situation and issues related to BFA, to advise and make recommendations to the Commission on these matters and to consider the progress made in implementing the Commission's programme of work, as well as any other matters referred to it by the Commission. There would be no subsidiary body dedicated to MIGR.

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

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

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

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

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

25. The Commission could consider establishing a new Subsidiary Body for Integrated Management of BFA (SIM BFA), which could address the integration across all components of BFA, including AnGR, AqGR, FGR, MIGR and PGR, as well as consider the progress made in implementing the Commission's programme of work on BFA and MIGR. The SIM BFA would complement the existing subsidiary bodies, it would not replace them.
26. The SIM BFA could consist of seven Members from each of the Working Group (e.g. one Member per region), which would bring the total number of Members of the SIM BFA to 28. The SIM BFA would, thus, have the same number of Members as the existing Working Groups. However, its composition would be different, in that the SIM BFA would consist of seven Members from all regions nominated by each of the Commission's Working Groups, whereas the existing Working

Groups are composed of 28 Member Nations nominated by the regions and elected by the Commission, based on a geographical distribution formula.

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

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

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

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

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

V. POSSIBLE CRITERIA FOR ASSESSING THE OPTIONS

30. Key criteria for the assessment of the different options should address the challenges identified above (section III). The organization of the Commission's future intersessional work should therefore address:

- the need to reflect the extended scope of the Commission's activities in its governance structure;
- the need to improve interaction among the Commission's subsidiary bodies;
- the need for cross-sectoral interaction among the Commission's National Focal Points/Coordinators; and
- the need to strengthen synergies within FAO and with other global policy fora.

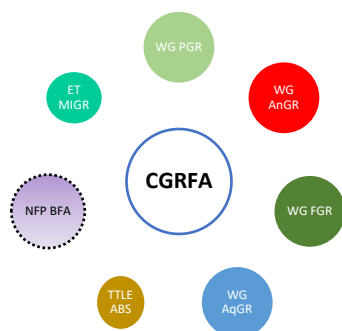
31. Further criteria that have been suggested by Commission Members include:

- participation of Commission Members in a transparent and inclusive way;
- clarity of roles and mandates of the subsidiary bodies and no duplication of work of other bodies;
- inclusiveness, including equal representation of all regions;
- effectiveness and efficiency; and
- transparency.

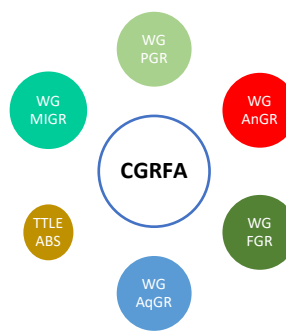
32. An overview of the financial implications is given in *Appendix I* to this document.

Options for the organization of the intersessional work of the Commission on Genetic Resources for Food and Agriculture

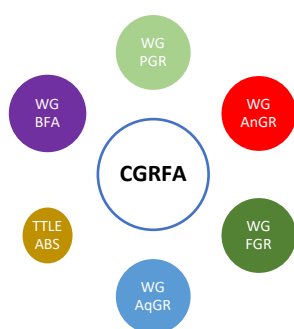
Option 1: Status quo & Expert Team MIGR



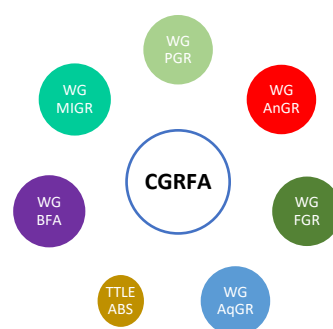
Option 2: WG MIGR



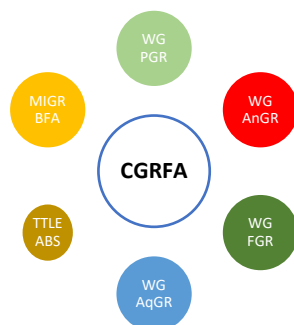
Option 3: WG BFA



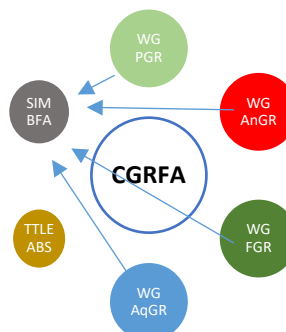
Option 4: WG BFA and WG MIGR



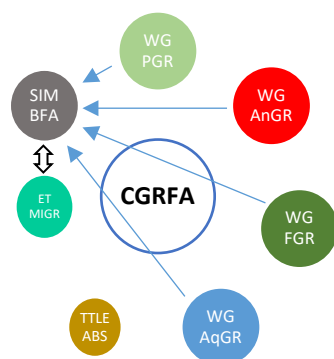
Option 5: Joint WG for MIGR and BFA



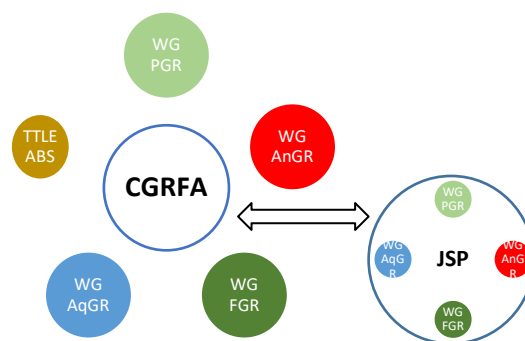
Option 6: SIM BFA



Option 7: SIM BFA and Expert Team MIGR



Option 8: JSB



VI. ESTABLISHMENT OF WORKING GROUPS AND OTHER SUBSIDIARY BODIES

33. The Commission, according to its Statutes, may establish intergovernmental technical sectoral working groups (“Sectoral Working Groups”), to assist it in the areas of plant, animal, forestry and fisheries genetic resources.¹⁵ In addition, the Commission may establish other subsidiary bodies as it may deem necessary for the effective discharge of its functions.¹⁶

34. The establishment of any sectoral Working Group or other subsidiary body shall be subject to the determination by the Director-General that the necessary funds are available in the relevant chapter of the budget of the Organization or from extra-budgetary sources and, before taking any decision involving expenditure in connection with the establishment of sectoral working groups or subsidiary bodies, the Commission shall have before it a report from the Director-General on the programme, and the administrative and financial implications thereof.¹⁷ Thus, should the Commission wish to establish an additional subsidiary body, it would have to follow these steps.

¹⁵ Statutes of the Commission on Genetic Resources for Food and Agriculture, section 3.

¹⁶ Statutes of the Commission on Genetic Resources for Food and Agriculture, section 5.

¹⁷ Statutes of the Commission on Genetic Resources for Food and Agriculture, section 6.

APPENDIX I

OPTIONS FOR THE ORGANIZATION OF THE COMMISSION'S FUTURE INTERSESSIONAL WORK: FINANCIAL AND HUMAN RESOURCE IMPLICATIONS

INTERPRETATION/TRANSLATION COSTS (UNITS)

	Option 1	Option 2	Option 3	Option 4	Option 5	Option 6	Option 7	Option 8
Groups	No new WG <i>Expert Team</i> <i>MIGR</i>	WG MIGR	WG BFA	WG BFA WG MIGR	Joint WG MIGR/ BFA	SIM BFA	SIM BFA/ <i>Expert Team</i> <i>MIGR</i>	JSB
No of <i>all</i> WG, SIM BFA, JSB sessions with interpretation	20 (4*5) <i>None</i>	25 (5*5)	25 (5*5)	30 (6*5)	25 (5*5)	25 (5*5)	25 (5*5)	23 (WGs: 4*5 JSB: 1*3)
Duration	4*2.5 days	5*2.5 days	5*2.5 days	6*2.5 days	5*2.5 days	5*2.5 days	5*2.5 days	(4*2.5 days 1*1,5 days)
Translation			New WG, SIM BFA or JSB will require the preparation of additional documents and an additional report.					

HUMAN RESOURCES (units)[illegible]

NUMBER OF MEMBERS

		Option 1	Option 2	Option 3	Option 4	Option 5	Option 6	Option 7	Option 8
Groups	Working Group	No new WG <i>Expert Team</i> <i>MIGR</i>	WG MIGR	WG BFA	WG BFA WG MIGR	Joint WG MIGR/ BFA	SIM BFA	SIM BFA/ <i>Expert Team</i> <i>MIGR</i>	JSB
Number of groups	1	4	5	5	6	5	5	5	5
Number of members of new WG(s) (or SIM BFA, JSB)			28 (1*28)	28 (1*28)	56 (2*28)	28 (1*28)	35 (7 per WG + 7 BFA)	28 (7 per WG + 7 BFA)	119 (28 per WG + 7 BFA)
Total number of WG (SIM BFA, JSB) members, incl. of existing WGs	28	112 (4*28)	140 (5*28)	140 (5*28)	168 (6*28)	140 (5*28)	147 (5*28)	140 (5*28)	231 (112+112+7)

Note: For the purpose of the above tables, WGs and SIM are considered to consist of 28 Members. It is assumed that the SIM BFA (Options 6 & 7) is composed of one representative per region from each of the Commission's existing Working Groups and one representative per region with specific knowledge on integrated management of BFA. The MIGR expert team (Options 1 & 7), consisting of 2 experts per region is considered to work like the ABS Expert Team in English. The JSB (Option 8) is considered to be composed of all members of the Commission's Working Groups and one expert per region with specific knowledge on integrated management of BFA.