



Earth Negotiations Bulletin

A Reporting Service for Environment and Development Negotiations

Vol. 9 No. 47 Published by the International Institute for Sustainable Development (IISD) Tuesday, 25 June 1996

REPORT OF THE FOURTH INTERNATIONAL TECHNICAL CONFERENCE ON PLANT GENETIC RESOURCES: 17-23 JUNE 1996

The Fourth International Technical Conference on Plant Genetic Resources (ITCPGR-4) met in Leipzig, Germany, from 17-23 June 1996. During the Conference, participants reached agreement on an international programme for the conservation and utilization of plant genetic resources for food and agriculture (PGRFA). Representatives of 148 States adopted the Leipzig Declaration — a 12-point political statement — and a delicately balanced Global Plan of Action (GPA) — the Conference's main substantive output.

Contentious issues, including financing and implementation of the GPA, technology transfer, Farmers' Rights, and access and benefit-sharing, were the subject of protracted and often closed consultations. Their resolution, adopted as a package in the closing Plenary, represented a careful compromise of strongly held positions on issues that pose both old and new challenges to the international community. While the debate over financing and technology transfer is long-standing, the operationalization of Farmers' Rights, and access and benefit-sharing arrangements pose new challenges in an evolving international environment. ITCPGR-4 confirmed that even the most technical issues must be addressed within the context of cross-cutting international regimes, such as the Convention on Biological Diversity and the GATT.

A BRIEF HISTORY OF THE PROCESS

While plant genetic resources (PGR) have been sought after, collected, used and improved for centuries, it has only been since the 1930s that concern has been voiced over the need for conservation. Concerted international efforts to promote conservation, exchange and utilization are somewhat more recent.

To this end, the Food and Agriculture Organization (FAO) established an intergovernmental Commission on Plant Genetic Resources in 1983, and adopted a non-binding International Undertaking on Plant Genetic Resources (IU), which is now being revised in light of the 1992 Convention on Biological Diversity (CBD). In 1995, the Commission was renamed the Commission on Genetic Resources for Food and Agriculture (CGRFA), a body

which is currently comprised of the 143 member States of the FAO. The Commission and the International Undertaking constitute the main institutional components of the Global System for the Conservation and Utilization of Plant Genetic Resources for Food and Agriculture, which includes other international instruments and technical mechanisms being developed by the FAO.

A series of international technical conferences and meetings on PGR have been convened by the FAO, in cooperation with other organizations, in order to facilitate technical discussions among scientists and to create awareness about PGR issues among policy-makers at the national and international levels. The first significant meeting was held in 1961 and focused on plant exploration and introduction. The 1967 Conference formulated a number of important resolutions subsequently adopted by the 1972 UN Conference on the Human Environment. The most recent international technical conference, which took place in 1981, catalyzed the development of the FAO Global System.

By the early 1990s, it was evident that another international conference was needed to assess progress, identify problems and opportunities, and give direction to future activities in the conservation and utilization of plant genetic resources for food and agriculture (PGRFA). At its fourth session in 1991, the

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Commission proposed the convening of an international technical conference on plant genetic resources. The FAO established a multi-donor trust fund project to coordinate the preparatory process for the Fourth International Technical Conference on PGR to be held in Leipzig, Germany from 17-23 June 1996.

The importance of PGRFA was formally recognized in Chapter 14 of Agenda 21, which includes programmes of action on the conservation and sustainable utilization of PGRFA. At the international level, Agenda 21 proposes actions to: strengthen the FAO Global System; prepare periodic state of the world reports on PGRFA and a rolling global cooperative plan of action on PGRFA; and promote the International Technical Conference on PGRFA, which would consider both the report and the plan of action.

In April 1993, the fifth session of the Commission noted that the Conference process would "transform the relevant parts of the UNCED process (including Agenda 21 and the CBD) into a costed Global Plan of Action based on the first FAO Report on the State of the World's Plant Genetic Resources." The Commission also noted that the process would "make the Global System fully operational."

In June 1995, at its Sixth Session, the CGRFA concentrated on two issues in particular: negotiations for the revision of the IU (the focus of the CGRFA's First Extraordinary Session in November 1994) and preparations for the Leipzig Conference (the focus of the CGRFA's Second Extraordinary Session).

THE SECOND EXTRAORDINARY SESSION OF THE COMMISSION ON GENETIC RESOURCES FOR FOOD AND AGRICULTURE

The Second Extraordinary Session of the FAO Commission on Genetic Resources for Food and Agriculture (CGRFA-EX2) was held at FAO Headquarters in Rome from 22-27 April 1996. During the week-long meeting, delegates addressed several issues in preparation for Leipzig, including the first comprehensive Report on the State of the World's Plant Genetic Resources for Food and Agriculture (RSW), to be forwarded to the Conference, as well as a heavily bracketed Global Plan of Action. By the session's close, the GPA had been reviewed by a drafting group that met nine times, but completed only a partial reading.

The AFRICAN GROUP, the Latin American and Caribbean Group (GRULAC) and the EU each tabled their own version of a draft declaration, and these regional drafts were consolidated into a new draft declaration for consideration in the Plenary. By the session's close, the draft text of the Leipzig Declaration had undergone a paragraph-by-paragraph review, but remained subject to substantial negotiation. The Chair invited delegations to make written submissions to the Secretariat, to be taken up as bracketed text in Leipzig.

Delegates also agreed to hold the Commission's next extraordinary session on the revision of the IU in early December 1996, immediately preceded by a meeting of a working group that will prepare a simplified text to serve as a basis for the Commission's negotiations.

PRE-CONFERENCE CONSULTATIONS

A working group of the Commission, consisting of two representatives from each of the seven FAO regions, met from 10-12 June 1996 in Rome in order to resolve the substantially bracketed text in the GPA to facilitate final negotiations in Leipzig. Completing its work at 1:00 am on 13 June, the working group made substantial progress in resolving a large number of the issues. The consultations produced a document with only 12 brackets remaining for resolution at ITCPCR-4. The outstanding issues mainly related to implementation and financing of the GPA, technology transfer, Farmers' Rights, access and benefit-sharing.

REPORT OF THE CONFERENCE

The Conference was officially opened by FAO Director-General Jacques Diouf, who welcomed delegates to Leipzig. In his opening speech, Jochen Borchert, the German Federal Minister of Food, Agriculture and Forestry, emphasized that the main task facing the Conference was consensus on the GPA, which would serve as a milestone in the FAO Global System. Rolf Jahnicen, the Minister of Agriculture and Food of the German Free State of Saxony, noted the important role of PGR in maintenance of the world's cultural heritage, and expressed the hope that delegates would agree upon recommendations for future action in this area.

Herr Lehmann-Grube, the Lord Mayor of Leipzig, welcomed all delegates, and noted the symbolic importance of holding the Conference in a city that had undergone major political changes in the last decade. He expressed hope that the "spirit and energy" of Leipzig would inspire delegates to resolve the many difficult issues facing the Conference.

In his keynote address, FAO Director-General Jacques Diouf noted that ITCPCR-4 was a unique and historic event, and one that represented a watershed in international efforts to conserve and sustainably use the world's PGR. He underscored the need for scientific and technological breakthroughs, and for political will at the highest level to ensure sustainable agriculture and food security for all in the coming decades.

After the opening speeches, participants unanimously elected Franz-Josef Feiter (Germany) as Chair of the Conference. In his acceptance speech, Feiter called on delegates to demonstrate the common commitment and capacity for compromise that characterized the preparatory process leading up to Leipzig. He then informed delegates of the results of the Bureau elections. Based on unanimous agreement that the Bureau would be drawn from the FAO regions, the following Vice-Chairs were elected by acclamation: Abel Mahmoud Aboul-Naga (Egypt), Thomas Forbord (US), Abdul Jamil Mohd. Ali (Malaysia), Don Fernando Gerbas (Venezuela), Kristiane Herrmann (Australia) and Djibril Sene (Senegal). R. B. Singh (India) was elected Rapporteur.

Following the elections, Sarwono Kusumaatmadja, the President of the second meeting of the Conference of Parties (COP-2) to the CBD, addressed the Conference. He noted the importance of other conventions to the CBD's three objectives, and urged other international fora to help achieve these objectives through the CBD's overarching framework. He underscored that many Parties to the CBD are also FAO members, and that this should allow for a strong basis from which to build complementary programmes in PGR. He emphasized the importance of PGRFA as critical components of biodiversity, and the sovereign rights of States over their natural resources. He highlighted the need to make ITCPCR-4 processes and the provisions of the CBD mutually supportive, complementary and consistent, and invited the FAO to present the outcome of ITCPCR-4 to COP-3.

Delegates then adopted the Provisional Agenda (ITCPCR/96/1-Rev. 1), which included: Presentation of a report on the ITCPCR-4 in the context of the FAO Global System for the Conservation and Sustainable use of PGR (item 4); Presentation of a Progress Report on the Revision of the International Undertaking on PGR (item 5); A review of the Report on the State of the World's Plant Genetic Resources for Food and Agriculture (RSW) (item 6); Review of the GPA (item 7); Adoption of the GPA and recommendations for its implementation (item 8); Review of possibilities for the implementation and financing of the GPA (item 9); Adoption of the Leipzig Declaration (item 10); and Adoption of the ITCPCR-4 Report (item 11).

Bureau deliberations on the organization of work continued through the first full day of the meeting. On the second day, the

Chair announced the decision to establish a working group (WG) to discuss adoption of the GPA (Agenda item 7), to be chaired by Fernando Gerbasi (Venezuela), which would report to the Plenary on Thursday. The WG would then reconvene to discuss the Leipzig Declaration (Agenda item 10), under the chairmanship of Thomas Forbord (US). He also announced the establishment of a contact group, under the chairmanship of Jurgen Detken (Germany), to discuss implementation and financing of the GPA (Agenda item 9). This contact group met throughout the week. The working group on the GPA also established additional contact groups on technology transfer and Farmers' Rights.

ITCPGR-4 IN THE FAO GLOBAL SYSTEM

Jose Esquinas-Alcazar, Secretary of the CGRFA, introduced the document on the Fourth International Technical Conference in the context of the FAO Global System for the Conservation and Sustainable Utilization of PGRFA (ITCPGR/96/INF/2). He outlined the process by which the Global System had developed over the years, and noted the call by UNCED to develop a periodic report on the state of the world's genetic resources, and a rolling global plan of action, under the auspices of the fourth international technical conference.

PROGRESS REPORT ON THE INTERNATIONAL UNDERTAKING

Gerald Moore, FAO Legal Counsel, introduced the Progress Report on the Revision of the International Undertaking on Plant Genetic Resources (ITCPGR/96/INF/3). He summarized the negotiation processes that have already taken place with regard to the IU revision, and noted that the next round of negotiations is scheduled for the Third Extraordinary Session of the CGRFA in December 1996. He pointed out that access on mutually agreed terms and Farmers' Rights (FR) were being considered within the auspices of the IU, and noted that the CGRFA is developing a simplified text of the IU to facilitate the next round of negotiations.

REPORT ON THE STATE OF THE WORLD'S PGR

The Secretariat introduced the Report on the State of the World's Plant Genetic Resources (ITCPGR/96/3), and emphasized that it constituted the first worldwide assessment of conservation and sustainable utilization of the world's PGR. He noted that the Report is designed to guide the Commission in its activities, and provide a basis for the actions outlined in the GPA. The Report was based upon information from 154 country reports, as well as 11 regional and subregional meetings. It also drew on input from the FAO World Information and Early Warning System, international institutions, NGOs, and the private sector. He summarized the country-driven, participatory and bottom-up approach utilized in the report's preparation, in addition to its main findings.

One of the Report's most important findings is that major gaps exist in activities and available information on PGR. These gaps include valuation methodologies, *in situ* conservation and inadequate *ex situ* collections. The Report notes that while PGR activities to date have concentrated on *ex situ* conservation and use, crops of local importance are rarely found in such collections, and very few countries can provide for sustained long-term storage of germplasm in their *ex situ* collections. It concludes that genetic diversity is being lost, and that, while farmers are helping to conserve diversity, there are insufficient links between farmers and plant breeders. Finally, it highlights the Report's purpose as a comprehensive background source of information, to be updated and revised on a periodic basis. Following this presentation, the US and CANADA called on the FAO to clearly reflect the Report's status as an FAO background document, rather than as a negotiated text, in its title and preface.

FORMAL STATEMENTS

Following discussion of Agenda item 6, and pending a decision on organization of work relating to discussion of Agenda item 7 on the GPA, delegates began presenting formal statements in Plenary. Delegates who did not have a chance to take the floor due to time constraints during the three days dedicated to formal statements submitted written statements to the Secretariat. The following are highlights of the statements that were delivered in Plenary.

CANADA noted the importance of achieving consensus at Leipzig on a GPA. He suggested that the GPA, in its capacity as a scientific and technical document, was a unique tool with which to prioritize and coordinate actions on PGR at the national and international levels. The US emphasized that all countries were dependent on each other with regard to PGR, and noted that the US Department of Agriculture has supplied more germplasm, unrestricted and at no cost, to the world's scientific community than any other single system. She also highlighted her delegation's view that "the concept of farmers' rights" was "only a means of emphasizing the importance of farmers' practices in promoting conservation and sustainable use of biodiversity."

ITALY, on behalf of the EU, noted that the GPA must be implemented on a scientifically sound basis, and called for more information on activities already underway at global and national levels. INDONESIA noted that promoting education on PGR issues should be given higher priority, and that forest PGR should be recognized. JAPAN called for discussions at Leipzig to be scientifically sound.

MALAYSIA called for the GPA to examine the growth in "propriety rights over PGR" and emphasized the need for institutional mechanisms to deal with the fair and equitable sharing of benefits from the use of PGR. He noted that the international environment within which PGR debates were taking place had changed as a result of the existence of the CBD and the General Agreement on Tariffs and Trade (GATT). The REPUBLIC OF KOREA stated that free access to PGR should be explored, and that the CBD provided an effective forum for the exchange of information on PGR.

POLAND noted that the GPA and the RSW reflect the understanding that PGR are both a common heritage and a common responsibility. IRAN commended the FAO for its hard work in the area of PGRFA. ETHIOPIA, later supported by the PHILIPPINES, noted that peasant farmers' traditional generosity regarding PGR must be reciprocated through continued free-flow of PGRFA and funding. He called on the Conference to commit to the legal protection of farmers' intellectual innovations, within the framework of the IU.

BRAZIL expressed its desire to adopt an implementable GPA that contains a strong financial commitment, a solid scientific basis and capacity-building for national programmes. INDIA noted that the outcome of the ITCPGR-4 would be a key input to the World Food Summit, especially given agro-biodiversity's importance for world food security. He underscored the importance of bringing together the rights of farmers and plant breeders to meet world food demand in the face of massive population growth.

CHINA called for a GPA that contains both financial and political commitments. The PHILIPPINES noted the GPA's omission of the impact of intellectual property rights (IPR) on PGR. He called for explicit recognition of indigenous and local rights, and linkage of *ex situ* and *in situ* approaches to PGR conservation and use. He emphasized the sovereign rights of countries over their genetic resources, and outlined national access legislation that includes elements dealing with prior informed consent, benefit-sharing and technology transfer.

MEXICO outlined its efforts to conserve important PGR through the establishment of gene banks and other research activities. COLOMBIA emphasized that Farmers' Rights (FR), free access regimes, and mechanisms for the preferential transfer of technology to countries that are centers of origin of PGR should be the cornerstone to the Global System of PGR, and that countries should not avoid agreements on financing. KENYA stated that future reports on PGR should include steps for implementation. He emphasized the interdependence of countries with regard to PGRFA and stated that both the benefits and the burden of conservation must be shared, in line with the CBD.

ECUADOR highlighted conclusions and recommendations developed at regional meetings not included in the draft GPA, as well as the contribution of peasant communities to PGR conservation. AUSTRALIA called for finalization of the GPA at this meeting and for a set of practical and feasible measures to support conservation of PGRFA, including policies on access, benefit-sharing and revision of the IU.

Genetic Resources Action International (GRAIN), on behalf of a number of NGOs, reported on their pre-conference weekend meeting on agricultural biodiversity and summarized a statement on FR. They called for farming communities and Indigenous Peoples to have rights over PGR, and for FR to include land rights and the right to participatory agricultural research support.

PORTUGAL stated that it is committed to conservation and sustainable use of PGR, and outlined national activities in this area. BANGLADESH noted that the GPA should utilize a grassroots approach, with FR playing a vital role. He called for the strengthening of national agricultural research systems. PERU highlighted its participation in Leipzig as a signatory of the IU.

ISRAEL called for establishment of a scientific working group to help implement the GPA. CUBA suggested that the GPA should focus on the technical aspects of PGR conservation and use, and on the mobilization of financial resources. He called for the GPA to include a discussion of technology transfer, which he described as a gap in the draft document. SWEDEN highlighted the political nature of the GPA, and called for immediate implementation of its recommendations with concrete projects on the ground, and with financing, without which little action is possible. He stressed that access to gene banks and advice from plant breeders to small farmers would be a concrete way to ensure FR at the national level. He suggested that COP-3 of the CBD be invited to use the GPA as a major input in guiding conservation and sustainable use of PGR.

NEPAL emphasized the importance of acknowledging farmers' contributions to PGR conservation and use. VENEZUELA, supported by BOLIVIA, MOROCCO and IRAQ, stressed the need for financial resources to underwrite the GPA. She praised the RSW, and called for it to be updated on a periodic basis.

BOLIVIA emphasized that food security was intimately linked to conservation and sustainable use of PGR. He called for preferential access to appropriate technology and the sharing of benefits from the use of PGR. ARMENIA highlighted the importance of his country's PGR. FINLAND stated that the GPA was only one part of the Global System and should be seen as an evolving and on-going process. AZERBAIJAN highlighted the significant climatic and genetic diversity of his country and expressed concern about the effects of war on PGR.

CAMEROON, on behalf of the Central and West African States, noted that countries in this region were focusing on strengthening national capacities by establishing gene banks in each subregion, developing legislation, and supporting the work of women in the conservation and sustainable use of PGR. SYRIA highlighted the importance of the RSW. BHUTAN emphasized the need for political will to ensure food security. He pointed to the

establishment of a special trust fund for PGR in his country as an expression of political commitment.

ARGENTINA noted that her country was a donor to the World Food Programme and outlined national efforts to develop legislation and technologies for PGR conservation and use. GHANA recalled the CGRFA's 1993 statement that ITCR-4 would "transform relevant parts of the UNCED process into a costed GPA" in order to "make the FAO Global System fully operational." She underscored *in vitro* methods for germplasm conservation and utilization.

The NETHERLANDS noted that the diversity of PGRFA, including forest resources, was essential for sustainable agriculture and forestry. He hailed the FAO, in close cooperation with the CBD, as the appropriate UN organization to address agro-biodiversity issues. He underscored the Netherlands' willingness to contribute financially to the implementation of the GPA, and called on the Secretariat to prepare a work plan as a follow-up to this Conference.

The PEOPLE'S DEMOCRATIC REPUBLIC OF KOREA noted that PGR is the most important raw material for world food security. TURKEY invited all countries to participate in the international conference on *in situ* biodiversity conservation in Turkey this November. SAMOA underscored its genetic vulnerability as a small island developing State.

BURKINA FASO noted the "combined action of climate and man" in damaging biodiversity and described PGR as essential to food, health and the economy. ROMANIA noted the need for inventories of existing PGR. SRI LANKA emphasized that food security requires valuing PGR, sharing of benefits and financial resources. ZIMBABWE highlighted the need for the GPA to address indigenous knowledge regarding PGR, access to genetic resources, *sui generis* IPR for FR, and sustainable funding.

GEORGIA noted that the Caucasus region was a center of origin for wheat and grape varieties. FRANCE described national programmes for PGR conservation. ANGOLA highlighted the severe food security problems of the Southern African Development Community (SADC), and pointed to national programmes in PGR. GERMANY noted that the draft GPA was well-balanced, and would be his government's basis for action. The GPA should be in line with Agenda 21.

The PALESTINE LIBERATION ORGANIZATION noted that the eastern Mediterranean is rich in PGR. The International Association of Plant Breeders for the Protection of Plant Varieties (ASSINSEL) described the services it offered in the area of PGR, including training, regeneration of PGR, preselection and evaluation and free access. NIGERIA emphasized the need for country-oriented rather than global programmes, and cost-sharing between the FAO and governments in PGR-related activities. He also noted the importance of forest PGR.

SUDAN requested that, in the area of financing of the GPA, priority be given to least developed countries. KUWAIT underscored the importance of the CGRFA-EX2 and the ITCR-4 to the World Food Summit. ZAIRE highlighted her country's substantial genetic diversity and high levels of endemism. SWITZERLAND expressed support for the GPA, and stated that remaining differences over access, financing and implementation, and FR would be resolved.

MOVIMIENTO INDIGENA COLOMBIANA highlighted the importance of the CBD, Agenda 21, and the International Labor Organization Convention 169 to Indigenous Peoples. THIRD WORLD NETWORK, later supported by the RURAL ADVANCEMENT FOUNDATION INTERNATIONAL (RAFI), highlighted the need for new and additional financial resources as well as FR to be included in the GPA. She noted that the majority of farmers in developing countries are women, and equated support

for women's rights with support for FR. RAFI called for a legally-binding IU, incorporating FR, to be administered by the FAO and included under the umbrella of the CBD.

The INSTITUTE FOR AGRICULTURE AND TRADE POLICY expressed frustration with the US position on FR, and emphasized that FR are already recognized around the world. VIA CAMPESINA pointed out that this was the first time a farmer's organization was participating in the FAO process on PGR. He called on the Conference to request the FAO to establish a permanent mechanism for participation of farmers and Indigenous Peoples in the implementation of the GPA, a suggestion that was later supported by SWEDEN. Finally, two youth networks, PLAY FAIR EUROPE and A SEED EUROPE, presented a combined statement, noting that the political results of the Conference would impact the destiny of many, and expressing disappointment with a GPA that "consolidates control" over biological resources.

GLOBAL PLAN OF ACTION

The Global Plan of Action for the Conservation and Sustainable Utilization of Plant Genetic Resources (ITCPGR/96/5 - Rev.2, plus amendments contained in documents Add. 1, 2 and 3) is part of the FAO Global System for the Conservation and Sustainable Utilization of PGRFA, and was developed by the CGRFA. The GPA is a "rolling action plan" designed to be periodically updated, with programmes and activities aimed at filling in gaps, overcoming constraints and facing emergency situations identified in the RSW pertaining to PGRFA. The GPA is intended to allow the CGRFA to recommend priorities and promote the rationalization and coordination of efforts in order to promote world food security.

The GPA comprises 20 activity areas organized into four groups. The first group, "*In Situ* Conservation and Development," contains the following priorities: surveying and inventorying PGRFA; on-farm management of PGRFA; disaster assistance to restore agriculture; and promoting *in situ* conservation of wild crop relatives and plants. The second group, "*Ex Situ* Conservation" contains the following priorities: sustaining *ex situ* collections; regenerating threatened *ex situ* accessions; planned collecting of PGRFA; and expanding *ex situ* conservation.

The third group, "Utilization of PGR," contains the following priorities: expanding core collections to facilitate use; increasing genetic enhancement; sustainable agriculture through diversification; commercialization of under-utilized species; seed production and distribution; and new markets for local varieties. The fourth group, "Institutions and Capacity Building," contains the following priorities: strengthening national programmes; networks for PGRFA; information systems for PGRFA; monitoring for loss of PGRFA; improving education; and promoting public awareness.

Negotiation of the GPA in Leipzig began on Tuesday, 18 June, when the Chair announced the decision to form an open-ended working group (WG) on the GPA, chaired by Fernando Gerbasi (Venezuela). The WG began deliberations on the revised draft GPA (ITCPGR/96/5 - Rev 1) forwarded to ITCPGR-4 following pre-Conference consultations in Rome, which took place from 10-12 June 1996. These consultations had produced a document containing only 12 sets of brackets. The WG focused its deliberations on these sections of bracketed text.

The Chair also created a closed contact group on Agenda item 9, implementation and financing of the GPA, one of the most sensitive issues remaining. This contact group was chaired by Jurgen Detken (Germany) and included two delegates from each of the seven FAO regions.

The WG completed its work during a late night session on 19 June. However, by the penultimate Plenary session on 22 June,

unresolved issues still remained, including benefit-sharing, Farmers' Rights, technology transfer, and implementation and financing. The Chair of the Plenary formed a "Friends of the Chair" contact group that met until midnight to resolve all remaining differences. On convening the closing Plenary, the Chair, noting the "delicate balance" of compromise arrived at by the "Friends of the Chair," urged delegates to adopt all the amendments as a single package, which was accomplished with little further discussion.

The following sections describe negotiations over key areas in the text of the GPA.

FARMERS' RIGHTS

The Working Group discussed bracketed text referring to "the concept of Farmers' Rights," as defined by FAO Resolution 5/89. This definition states that Farmers' Rights (FR) means "rights arising from the past, present and future contributions of farmers in conserving, improving and making available PGR, particularly those in the centres of origin/diversity. These rights are vested in the International Community, as trustee for present and future generations of farmers, for the purpose of ensuring full benefits to farmers, and supporting the continuation of their contributions".

Outlining several legal problems associated with FR, and the lack of internationally accepted "normative standards," the US emphasized that "the concept of" FR was the only acceptable formulation. VENEZUELA, supported by PAPUA NEW GUINEA, CAMEROON, BANGLADESH, COLOMBIA, EGYPT, SUDAN and BRAZIL, sought removal of "the concept of". SWEDEN proposed language to link FR, the IU and the CBD. MAURITIUS proposed adding the phrase "...and/or national legislation" to the end of the bracketed text.

SWEDEN, supported by NORWAY, noted that while he favored the elements of the proposal, FR as a legal mechanism had not been agreed upon internationally and the proper place for such consideration was within the revision of the IU in harmony with the CBD. JAPAN, the EU and SWITZERLAND maintained that the IU rather than the GPA was the appropriate element within the FAO Global System to address FR.

Noting the polarized positions on the issue, the Chair created a small contact group on FR chaired by Kristiane Herrmann (Australia). In a later session of the Working Group, Herrmann, reporting back on the work of this contact group, offered text with lengthy qualifiers to "realizing" FR. With no real agreement, delegates decided to forward original bracketed text on "the concept of Farmers' Rights" to the Plenary.

During the Plenary, NEW ZEALAND stated that FR had not been properly explored in the WG and will be dealt with under the IU. The Chair emphasized that it was not the responsibility of ITCPGR-4 to define FR.

Remaining differences over language were resolved through informal consultations by the "Friends of the Chair". Final language on FR read "to realize Farmers' Rights, as defined in FAO Resolution 5/89," rather than realizing "the concept of" FR.

IMPLEMENTATION AND FINANCING

All negotiation of text on implementation and financing of the GPA occurred in a closed contact group. Though observers predicted compromise language without strong funding commitments, it was reported that one delegation from a donor country had proposed incorporating reference to "new and additional financial resources". Some delegates stated that the Sixth Session of the CGRFA had decided that financing of the GPA would not be discussed at all at ITCPGR-4.

During the final session of the open-ended working group on the GPA, the Chair proposed that the section of the GPA on Cost

Estimates and Sources of Funding be deleted and referred instead to the Third Extraordinary Session of the CGRFA. EGYPT expressed concern, but the Chair's proposal was adopted.

The sensitive issue of implementation and financing was finally resolved through informal consultations in the "Friends of the Chair" contact group. To expedite negotiations on the GPA, the Chair proposed that the language from the contact group be incorporated in the Report of Conference. This was adopted. Final language on financing of the GPA states that "funding should come from developed countries and/or other sources, and should, where possible, seek to facilitate the leveraging of other funding sources and mechanisms, and assist countries to implement the GPA."

ACCESS AND BENEFIT-SHARING

The US, CANADA and JAPAN proposed deleting bracketed text in a paragraph calling on the GPA to promote fair and equitable benefit-sharing from use of PGRFA "[or from the use of the knowledge, practices or innovations associated with such resources]". The US offered original text previously deleted, to promote benefit-sharing "within and with countries, and with farmers and communities." VENEZUELA, supported by PERU, the AFRICAN GROUP, SWEDEN, CAMEROON, BOLIVIA, KENYA, EGYPT, SPAIN, MALAYSIA and ITALY, proposed deleting the brackets.

NORWAY, later supported by PERU, proposed language from Article 8(j) of the CBD, referring to language calling on signatories to: "respect, preserve and maintain knowledge, innovations and practices of indigenous and local communities...and encourage the equitable sharing of benefits arising from the utilization of such knowledge, innovations and practices." CANADA, pointing out that the CBD qualifies its call for rights for indigenous and local communities, cited Article 8(j) in its entirety, including that these rights are "subject to national legislation" and that they are to be respected only in the context of promoting "*in situ* conservation". The CBD also qualifies its call for these rights with the phrase "as far as possible and appropriate". With this in mind, COLOMBIA proposed referring instead to the CBD's Preamble due to its broader treatment of benefit-sharing, which recognizes the "close and traditional dependence of many indigenous and local communities on biological resources" as well as the desirability of equitable benefits-sharing.

After informal consultations, VENEZUELA, supported by CANADA, COLOMBIA, GERMANY, NORWAY and the US, proposed text relating to the "desirability of sharing of benefits from the use of traditional knowledge, innovations and practices..." which was adopted.

In the paragraph on long-term objectives to sustain existing *ex situ* collections, COLOMBIA, on behalf of the Latin American and Caribbean Group (GRULAC), MEXICO, SENEGAL, MALAYSIA, on behalf of the developing countries of Asia, EGYPT, on behalf of the Middle East region, PERU, NIGERIA, ARGENTINA, PAPUA NEW GUINEA and the CONGO supported the removal of brackets from the sentence ensuring "[the observance of the sovereign rights of the countries of origin]". The CONGO noted the principle of sovereignty in the CBD, and SENEGAL underscored the right to monitor material given to international centers. The EU, the US, AUSTRALIA and NEW ZEALAND proposed deleting the sentence. The compromise wording, developed through informal consultations, reads as follows: "...strengthen cooperation...to sustain *ex situ* collections, recognizing that States have sovereign rights over their PGRFA."

In the subparagraph calling on governments, the private sector, and institutions to "facilitate [unrestricted] access to PGRFA stored *ex situ*", the US supported a reference to "unrestricted", stating that this is necessary to ensure world food security. SENEGAL noted

that restriction would foster duplication. The EU, supported by ZIMBABWE, EGYPT, PAPUA NEW GUINEA, IRAN, PERU, ECUADOR, KENYA and MEXICO, proposed deleting "unrestricted". VENEZUELA, COLOMBIA, MALAYSIA and TANZANIA cited the need for consistency with the CBD. JAPAN stated that "unrestricted access" should apply to public domain PGRFA, not private sector PGRFA. CANADA and GERMANY noted that "unrestricted" in the GPA would pre-judge IU negotiations. The US agreed to the deletion of "unrestricted" and the subparagraph was adopted.

When the Plenary re-convened, differences over language on benefit-sharing remained. These differences were resolved through informal consultations in the "Friends of the Chair" contact group. Final language on benefit-sharing was changed from "the needs and rights of farmers and farming communities to have access" to "the needs and individual rights of farmers and, collectively, where recognized by national law, to have non-discriminatory access to germplasm, information, technologies and financial resources".

FORESTS

In the discussion on forests, delegates considered whether or not to retain a quote from the Report of the Second Extraordinary Session of the CGRFA that "agreed that forestry would not be included in the GPA to be discussed at Leipzig." Delegates also considered subsequent text that suggested that the GPA, in the future, could include "other sub-sets" of PGR. On request, the Secretariat clarified that "other sub-sets of PGR" referred to forests.

AUSTRALIA, supported by FRANCE, BRAZIL and NIGERIA, reiterated that the placing and wording of the sentence represented a delicate balance between those who wanted no reference to forests in the GPA, and those who did. NIGERIA explained that in regions of Africa, PGRFA were either found in or closely linked to forests, hence national programmes in this area could not be formulated in complete isolation from forests. Subsequently, COLOMBIA withdrew its objections to the reference to "other sub-sets of PGR". In the final Plenary, ARGENTINA, later supported by PERU, accepted the final version of the GPA, but recorded her country's reservation on the language referring to "other sub-sets of PGR, as its meaning was unclear.

TECHNOLOGY TRANSFER

Another significant portion of bracketed text related to the transfer of technology. The GPA document (ITCPGR/95/5 - Rev 1) issued at the Conference, included a new Priority Activity entitled: "Developing Effective Mechanisms for Technology Transfer". This new bracketed section stated that its long term objective was to "help improve the capacity of national systems, facilitating and promoting their access to appropriate technologies for the conservation and sustainable utilization of genetic resources." In the Working Group on the GPA, FRANCE, supported by ITALY, TURKEY, CANADA, the US and AUSTRALIA, proposed that reference to technology transfer should be incorporated throughout the text rather than be represented as a separate section. COLOMBIA, supported by ETHIOPIA and BANGLADESH, urged that this new text should remain as a separate section. He underscored the importance that GRULAC countries had placed on the need for technology transfer and referred to the Bogota Declaration (Appendix F, CGRFA-EX2/96/REP) to signify their commitment to this issue. He emphasized that technology transfer needed separate consideration because genetic technologies were a new field and have a close connection with intellectual property rights. A contact group was established to resolve this issue.

After lengthy deliberations, the contact group reported that it had agreed to incorporate reference to technology transfer throughout the body of the GPA. Only one section of text, referring

to the need to promote institutional links among national institutions and entities specializing in technology transfer under mutually agreed terms, as defined under Article 16 of the CBD, remained unresolved. In the final Plenary the reference to the CBD was replaced with actual text from Article 16.2, which reads: "under fair and most favourable terms, including on concessional and preferential terms, as mutually agreed to" and added "by all parties to the transaction." This final formulation was adopted.

IN SITU ON-FARM CONSERVATION

On-farm conservation of PGR was another point of contention. During the discussions on enhancing the capacities of farmers in their efforts to assist in *in situ* conservation of PGR, the US proposed "market-based" farmer "owned" cooperatives. He explained that this was UN consensus language. ZIMBABWE and GHANA disagreed. BANGLADESH proposed an additional list of institutions and groups that can assist farmers, and enhance their capacities for *in situ* conservation. The list included "extension agencies", "NGOs" and farmer "owned" cooperatives. This formulation, excluding reference to "market-based," was adopted.

Delegates discussed a programme to assist in the creation of specialized niche markets for biodiverse food crops to act as a positive stimulus to farmers to grow landraces/farmers varieties, heritage and traditional varieties and other under-utilized crops. There was some contention over the use of the term "heritage varieties", particularly since the term did not translate well into Russian, Spanish or French. Delegates decided to adopt language taken from the IU referring to "obsolete varieties".

Another aspect of on-farm conservation was introduced by POLAND. He proposed a new Policy/Strategy stating that governments should consider legislation to allow distribution and commercialization of land races/farmers' varieties and obsolete varieties of PGR if they meet the same distribution and commercialization criteria for disease, pests, health and the environment as other conventional or registered varieties. This proposal was supported by a number of developing countries. During the Plenary, ECUADOR noted that before Poland's proposal could be adopted, the definition of local varieties would need to be clarified since it might be problematic for the International Union for the Protection of New Varieties of Plants (UPOV). After informal consultations among delegations, the Polish text, with minor alterations, was adopted.

EX SITU CONSERVATION

In discussions on bracketed text relating to *ex situ* conservation of PGR and the status of accessions, delegations debated whether they sought retention or deletion of text suggesting that inadequately duplicated PGR should be multiplied and placed appropriately in secure storage. BRAZIL and COLOMBIA noted their preference for deletion. CANADA stated the importance of maintaining the text to provide a guide for action in this area, including providing direction for funding agencies. There was discussion as to whether the text should have the imperative "should". CANADA, supported by the PHILIPPINES, INDIA, on behalf of the developing countries of Asia, and POLAND, strongly reiterated the need to retain the imperative in order not to soften international obligations in this area. In response, BRAZIL proposed amended text that retained "should" but added "with the full observance of applicable international agreements, and national legislation". This final formulation was adopted.

RESEARCH INSTITUTIONS

Delegates then deliberated text on policy and strategies of governments' cooperation with organizations to expand the characterization, evaluation and number of core collections to

facilitate gene use. At issue was Canada's proposal to include, "in particular the International Agricultural Centres of the CGIAR". Based on consultations with dissenting delegations who opposed specific reference to the CGIAR, CANADA revised its proposal by generalizing the reference to read, "international agricultural centres of the CGIAR". This proposal was supported by the EU and EGYPT. The final formulation retains "international agricultural centres" but makes no specific reference to the CGIAR.

LEIPZIG DECLARATION

Delegates adopted the Leipzig Declaration on Conservation and Sustainable Utilization of Plant Genetic Resources for Food and Agriculture (ITCPGR/96/6 Rev.2), a twelve-point political statement in which governments, *inter alia*:

- assert and renew their commitment to the conservation, sustainable utilization, and fair and equitable sharing of benefits arising from the use of PGRFA;
- recognize State sovereignty over PGRFA, and confirm common and individual responsibilities in respect of these resources;
- underscore the necessity of PGRFA for increased food supplies and sustainable agricultural production;
- recognize the roles played by generations of men and women farmers and plant breeders, and by indigenous and local communities, in conserving and improving PGR;
- assert that access to and sharing of technologies with developing countries should be provided and/or facilitated under fair and most favorable terms, including on concessional and preferential terms, as mutually agreed to by all parties to the transaction;
- underscore the importance of long-term national commitments for indispensable national, regional and international cooperation; and
- invite the World Food Summit to consider the GPA.

As a basis for delegates' deliberations on the Declaration, the Secretariat introduced document ITCPGR/96/6, which reflects negotiations at CGRFA-EX2 and incorporates written submissions of governments since that meeting. Following initial interventions in Plenary, the Declaration was the subject of an open-ended working group chaired by Thomas Forbord (US), which met for three sessions on Thursday to review the draft text. The bracketed text that emerged from the working group (ITCPGR/96/6 Rev.1) reflected the unresolved issues being deliberated in the contact groups on finance and implementation, and technology transfer, respectively. Other outstanding issues, such as wording on the IU and location of the paragraph on national sovereignty over PGR, were resolved through informal consultations.

SUB-TITLE: Based on a proposal from the US, delegates first agreed to remove the sub-headings that described the Declaration as a call for "commitment" or "global effort" on conservation and sustainable utilization of PGRFA.

PARAGRAPH 1: In the opening paragraph, which underscores the Conference's key objectives and its contribution to both the CBD and Agenda 21, delegates extensively debated text that read "recognition of the vital importance of PGRFA [including forests] [excluding forests] to [food security]." On the basis of the CGRFA-EX2 decision that "forests not be included in the GPA", delegates agreed to remove references to forests as PGRFA in the Declaration. EGYPT's proposal to remove the reference to food security, explaining that it was covered by a subsequent paragraph, was supported by FRANCE, SUDAN, CHINA, on behalf of developing countries of Asia, MALTA, SOUTH AFRICA and ARGENTINA. The US disagreed and expressed its preference to explicitly link PGRFA to food security in the first sentence of the Declaration. This proposal was supported by PERU, PAPUA NEW GUINEA and SWEDEN, who noted that the Declaration would be

the Conference's main message to the World Food Summit. The reference to food security was retained on the basis of compromise language put forth by both ARGENTINA (who suggested replacing "vital" with "essential") and PERU (who suggested adding the qualifier "in particular" before food security).

In a subsequent sentence in the first paragraph, delegates debated a reference to the sharing of benefits from the use of PGRFA. The Chair's initial proposal to replace the bracketed text with agreed language from the GPA was supported by COLOMBIA, CHINA, PERU, INDIA, on behalf of developing countries of Asia, SWEDEN and the US. Noting the need for a succinct and balanced presentation of the Conference's three main objectives in the opening paragraph, CANADA, supported by FRANCE, suggested limiting the reference to "sharing of benefits from use of such resources". However, in the interest of achieving consensus, both countries accepted the longer formulation of the GPA which read: "sharing of benefits from the use of PGRFA, recognizing the desirability of sharing equitably benefits arising from the use of traditional knowledge, innovations and practices."

Also within the first paragraph, delegates deliberated bracketed text that read: "We are convinced that these efforts are an essential contribution to the implementation of the CBD and Agenda 21." CHINA, on behalf of developing countries of Asia and the Pacific, COLOMBIA, on behalf of GRULAC, TANZANIA, ZIMBABWE, PERU, SUDAN and TURKEY proposed retaining the text intact. SWEDEN's proposal to add "World Food Summit," and IRAN's proposal to add "food security" were ultimately rejected. The CONGO's proposal to replace "efforts" with the stronger word "commitment" was supported by BURKINA FASO and COLOMBIA but opposed by the US. The US proposed replacing "implementation" with "realizing the objectives" of the CBD. The Chair's compromise proposal to retain "implementation" (for Parties) and add "realization of the objectives" (for non-Parties) was supported by POLAND, TANZANIA, on behalf of the African Group, BRAZIL, BOLIVIA, COLOMBIA, on behalf of GRULAC, and CHINA, on behalf of developing countries of Asia and the Pacific. Based on informal consultations, the amended text was eventually adopted to read: "We are convinced that these efforts can be an essential contribution to achieving the objectives, and facilitating the implementation, of the CBD and Agenda 21."

PARAGRAPH 2: Delegates then deliberated the Declaration's second paragraph, regarding "States' sovereign rights over their biological resources" and "common and individual responsibilities in respect of this heritage." The Chair's suggestion to retain language consistent with the GPA concerning "recognizing the rights of sovereign States over their biological resources" was supported by CANADA, FRANCE and the US. COLOMBIA's request to remove the reference, "confirming our common and individual responsibilities" was rejected while MEXICO's proposal to replace the word "heritage" with "resources" was accepted. With this last amendment, the original text was accepted.

CANADA's proposal to relocate the paragraph to the middle of the Declaration was opposed by MEXICO, CHINA, on behalf of developing countries of Asia and the Pacific, PERU and SENEGAL, largely on the basis that sovereignty over resources was a "generic" principle that belonged at the beginning. Noting an impasse, the Chair deferred the issue to informal consultations where delegates supported its original location.

PARAGRAPH 3: The third paragraph, regarding the importance of PGR, was modified by the delegates' decision to remove, "are essential for world food security" upon the recommendation of the Chair. Delegates also agreed to retain the phrase, "agricultural production" in the sentence that read: "All countries require plant genetic resources if they are to increase food supplies and agricultural production sustainably and meet the

related challenges of changes to the environment, including climate change."

PARAGRAPH 4: Delegates discussed the role of various groups in collecting, conserving, improving and sustainably using PGRFA, using text proposed by BELGIUM, which acknowledged "the role of generations of farmers and plant breeders". ARGENTINA, supported by INDONESIA, CANADA and SWEDEN, called for a specific reference to women farmers. FRANCE, supported by SOUTH AFRICA and CYPRUS, maintained that such a reference was unnecessary. MEXICO, supported by SWEDEN and VENEZUELA, called for reference to indigenous and local communities. Delegates adopted the Chair's proposal that broadened the Belgian text to read: "the roles played by generations of men and women farmers and plant breeders, and by indigenous and local communities".

PARAGRAPH 5: Delegates then considered the paragraph on serious threats to PGR security. In reference to "efforts to conserve, develop and sustainably use genetic resources", the US preference for the option "[could be improved]" rather than "[are inadequate]" was adopted, while its preference for "PGRFA" rather than "genetic diversity" was not. Following further debate on whether "ecosystems" or "farms and nature" should be employed in reference to the loss of genetic diversity, delegates adopted the Chair's formulation, "fields and other ecosystems".

PARAGRAPH 6: In the paragraph pertaining to major gaps and weaknesses in national and international capacity vis-à-vis PGRFA, delegates agreed to delete the phrase "notably in developing countries" in reference to the inadequacy of existing institutions, based on objections raised by CHINA, INDONESIA and FRANCE.

In a subsequent sentence, which noted that the linkage between PGR conservation and utilization could be improved, FRANCE, the US, ISRAEL, INDONESIA and FINLAND objected to the phrase, "[particularly in many developing countries]". PERU and SENEGAL called for its retention. Following informal consultations, BELGIUM introduced text that read: "It is necessary to strengthen national capabilities, particularly in developing countries" as the concluding sentence. The paragraph was adopted with minor changes introduced by TANZANIA and BRAZIL.

PARAGRAPH 7: The paragraph pertaining to technology transfer largely reflected the conclusion of the Contact Group's deliberations on this matter and reads: "access to and sharing of technologies with developing countries should be provided and/or facilitated under fair and most favourable terms, including on concessional and preferential terms, as mutually agreed to by all parties to the transaction. In the case of technology subject to patents and other intellectual property rights, access and transfer of technology should be provided on terms which recognize and are consistent with the adequate and effective protection of IPR." The agreed language reproduces wording from CBD Article 16.2 on "access to and transfer of technology". It replaces "transfer" with "sharing" with respect to technologies and adds the phrase, "all parties to the transaction." The bracketed text referring to international and regional cooperation between countries, IGOs, NGOs and the private sector, was adopted without amendment.

PARAGRAPH 8: In the paragraph regarding the importance of PGR diversity to breeders and farmers, delegates added a reference to "indigenous and local communities" as proposed by MEXICO and BRAZIL. Delegates also chose "sustain" rather than "secure" *ex situ* collections of PGR, and changed *in situ* "sites" of PGR to *in situ* "habitats".

PARAGRAPH 9: In the paragraph regarding the Conference's primary objective, a formulation by CHINA, which read "our primary objective must be to enhance world food security through conserving PGR, and using them sustainably," was modified by the

US to read “conserving and sustainably using PGR” and adopted. In a subsequent sentence, CHINA suggested deletion of bracketed text on benefit-sharing, since it had been covered earlier. PERU, supported by BELGIUM, preferred retention of the text here. Informal consultations resulted in a new text which read: “Means are needed to identify, increase, and share fairly and equitably the benefits derived from the sustainable use of PGR.” Delegates adopted this text, with the addition of “conservation” to “sustainable use of PGR”, as proposed by COLOMBIA.

PARAGRAPH 10: The paragraph pertaining to the financing and implementation of the GPA reflected the results of the contact group on this matter. Initial references to “commitment to taking the necessary steps to implement the GPA” and “mobilization of the necessary financial resources” for “priority areas” was replaced with references to the GPA as a “coherent framework for activities...in institution- and capacity-building,” which will “contribute to creating synergies among ongoing activities, as well as the more efficient use of available resources.”

PARAGRAPH 11: This paragraph, regarding the relationship between the GPA, the IU and the FAO Global System, was the subject of protracted negotiation. Compromise language stating that the “GPA and the non-binding IU are elements of the FAO Global System for the conservation and sustainable utilization of PGRFA,” and advocating revision of the IU, was acceptable to all. However, the remainder of the paragraph asserting that “the Global System be strengthened, reviewed and adjusted in harmony with the CBD” was unacceptable to the US and VENEZUELA and was revised to read: “We believe it important to revise the International Undertaking and to adjust the Global System, in line with the Convention on Biological Diversity.”

PARAGRAPH 12: Delegates then turned to the closing paragraph of the Declaration, regarding future responsibilities and difficulties with regard to PGRFA. SWEDEN’s proposal to add “our fundamental responsibilities for meeting the most basic human rights, the right to life and the right to freedom from hunger” was rejected by MALTA as too pedantic, and by the US due to domestic political overtones of “right to life.” FRANCE and PERU objected to introducing a hierarchy of human rights, and proposed “right to freedom from hunger” instead. ARGENTINA’s proposal for a simplified text served as the basis for the adopted paragraph. Most notably, delegates agreed that the conservation and sustainable use of PGRFA in agricultural policy was “an essential element” rather than “a cornerstone” of food security. The Conference “invited attention to be paid to” the GPA at the World Food Summit, and called upon “all people” rather than “all parties concerned” to join in its common cause.

CLOSING PLENARY

The final Plenary convened at midnight on Saturday, 22 June 1996. The Chair announced that the “Friends of the Chair” had reached consensus on outstanding issues regarding the GPA, its financing and implementation, and the Leipzig Declaration. He urged delegates to adopt all of the amendments as a single package. The main amendments related to four areas: benefit-sharing; Farmers’ Rights; technology transfer; and financing. CHINA, supported by many other countries, endorsed the Chair’s proposal to adopt the documents as a single package. He paid tribute to the Chair’s leadership and thanked the Government of Germany for its hospitality, and the Secretariat and all those who worked behind the scenes for their hard work. He noted that since Rio in 1992, countries have marched a long path to reach this moment. He said that the GPA is our common property and that it will make a significant contribution to world food security.

Many delegates indicated that they were not entirely happy with the final documents, but realized that they are the result of intense negotiations and represent a “delicate balance” of interests. The

Rapporteur, R. B. Singh (India), thanked the Chair for his brilliant leadership and noted that the documents had been adopted by acclamation. On behalf of the FAO Director-General, Dr. Sawadogo thanked all delegates and pointed out the cost of conserving PGR is high, but far less than the cost of allowing their degradation. The EU, supported by VENEZUELA, nominated the Chair to present the Report of ITCPGR-4 to both the CBD COP-3 and the World Food Summit. The Conference came to a close at 3:00 am on Sunday morning, 23 June 1996.

A BRIEF ANALYSIS OF THE CONFERENCE

The Leipzig Conference brought together countries from all corners of the world to debate actions necessary to stem the relentless loss of plant genetic diversity essential for food and agriculture and, in particular, world food security. The State of the World Report, which was presented at the Conference, highlighted the importance of conserving these resources, particularly as it noted the fact that 800 million people are undernourished. Long, late hours were spent pulling a Global Plan of Action (GPA) towards a final resolution. Many delegations indicated that they were not happy with the outcome, but conceded that it represented a fragile consensus. Nevertheless, this fragile consensus appears to have diminished the opportunity for the GPA to be a true plan of action.

A number of contentious issues underscored the tension between delegations. These were reflected in the wordy and cautiously written Leipzig Declaration. The primary debate of the Conference centered around finances. Other nerve points, pertinent to conserving and sustainably using plant genetic resources included: forests, access and benefit sharing, and Farmers’ Rights.

FINANCING: Prescribing funding sources for the GPA was the most contentious issue of the Conference. From the outset it was clear that there was a significant gulf between donor and developing countries. According to one source in the contact group established to address this issue, a developing country regional group sought a commitment to cover the full incremental cost of implementing the GPA. Apart from the ambiguity inherent in the term “full incremental cost”, this proposal was not well received by donor countries. The lack of any substantial reference to funding in the GPA and its complete absence in the Leipzig Declaration, signifies the delicate nature of these negotiations. Delinking discussions on funding from the negotiation of both the GPA and the Declaration, and only including it in the Report of the Conference, appeared to be an attempt to ensure that one’s adoption was not contingent upon the other’s.

According to some sources, despite the overall non-committal language on funding, some donor countries made verbal funding commitments in the contact group. One delegate suggested that the consensus reached in the contact group was contingent on these verbal commitments being honored. If so, it is extraordinary that the final endorsement of the GPA was contingent on verbal commitments made by some donor countries in the contact group. The final formulation in the Report of the Conference, indicating that funding “should come from developed countries and/or other sources”, is hardly conclusive since it essentially leaves the GPA hanging in a financial void.

The Report of the Conference also suggests that multilateral funding institutions should be invited to support the GPA and recommends close cooperation with the Convention on Biological Diversity (CBD). According to one observer, this may imply that an appeal is being made to the CBD, so that the GPA can access funds through a window of the Global Environment Facility (GEF). If so, the GPA may have the potential to absorb a significant

percentage of biodiversity funding, making other aspects of the CBD inoperable through lack of funds.

FORESTS: Discussion about forest genetic resources surfaced again during the working group deliberations on both the GPA and the Declaration. One African country drew attention to the fact that it relies on forest species as an integral part of its plant genetic resources for food and agriculture (PGRFA). This apparently sparked tensions among some developing countries, as certain Latin American and Caribbean countries were clearly reluctant to bring discussion on forests into another international arena, preferring that the issue be dealt with by the Intergovernmental Panel on Forests of the Commission on Sustainable Development.

The interest in forests was reinvigorated after the Secretariat clarified the meaning of the term "sub-sets" of PGR, stating that it referred to forests. In doing so, this text leaves open the possibility that forests may be discussed within the context of PGRFA in the future. As a result, two Latin American countries indicated their reservation over the use of the term "sub-sets". This casts a cloud over a complete consensus adoption of the GPA.

ACCESS AND BENEFIT-SHARING: The issue of access and benefit-sharing was highly debated in the working group during discussions on *ex situ* collections, a cross-cutting issue also addressed by the CBD. For example, during debate over long-term objectives for *ex situ* conservation, the US claimed that "unrestricted" access to *ex situ* PGRFA was necessary for world food security. Many nations objected, pointing to language in the CBD implying a new international paradigm on access and benefit-sharing. Even industrialized nations such as Japan pointed out that it may not be appropriate to provide unrestricted access for the private sector to public domain germplasm stored *ex situ*. Also relevant to this topic was agreed text on cooperation to "sustain *ex situ* collections, recognizing that States have sovereign rights over their PGRFA." The International Agricultural Research Centres of the Consultative Group on International Agricultural Research (CGIAR) are closely following this issue. The international centres will likely take their cue from international negotiations such as these before modifying their policy toward the private sector on access and benefit-sharing regarding the *ex situ* collections maintained by them.

FARMERS' RIGHTS: Farmers' Rights (FR) was another cross-cutting issue in the GPA that was closely scrutinized. Some observers had difficulty understanding the distinction between FR, as defined by the IU, and the rights of communities to share the benefits derived from the use of genetic resources, as mentioned in Article 8(j) of the CBD. Governments, however, may not wait for the results of UN processes to resolve these definitions. Some have already begun experimenting with incorporating FR into proposals for genetic resources access legislation.

LEIPZIG DECLARATION: Whereas the GPA is the Conference's main working document, the Leipzig Declaration is its key political document. Delegates exercised caution and conservatism in crafting the Declaration, which resulted in a clumsy compromise text, prompting one NGO in Plenary to pronounce it the "Leipzig Declension". Given the text's cumbersome wordiness, it is difficult to perceive this as the brief and inspiring expression of vision originally intended. The wording of the Declaration reflects delegates' preference for juxtaposing already agreed upon language rather than risking new — and potentially divisive — formulations. As it stands, the overloaded Declaration will need to be converted into executive summaries for national governments so as to be intelligible to the broader audience it is trying to target.

INCONCLUSIVE OUTCOME: The principle outcome of the Leipzig Conference is the GPA. Delegations spent many hours debating language, primarily focused around whether words

implied the need for new and additional funding. Although the intentions of the GPA are noteworthy, it is clear that there is a strong lack of commitment to the Plan, particularly by some key donor countries. The 800 million undernourished people mentioned in the Report on the State of the World's PGR will find little consolation in outcomes of the Leipzig Conference.

THINGS TO LOOK FOR

EXPERT MEETING ON INTRODUCTION OF ALIEN SPECIES: This meeting, which is sponsored by Norway in cooperation with UNESCO and IUCN, will be held in Trondheim, Norway, from 1-5 July 1996.

OPEN-ENDED WORKING GROUP ON BIOSAFETY: The first meeting of the working group on biosafety, which was established by the Conference of the Parties to the Convention on Biological Diversity, will meet in Aarhus, Denmark, from 22-26 July 1996. For more information, contact: the CBD Secretariat, World Trade Centre, 413 St. Jacques Street, Office 630, Montreal, Quebec, Canada H2Y 1N9. Tel: +1-514- 288-2220; Fax: +1-514-288-6588; e-mail: biodiv@mtl.net.

CBD SBSTTA-2: The Subsidiary Body on Scientific, Technical and Technological Advice to the COP of the Convention on Biological Diversity will meet at the headquarters of the Secretariat in Montreal, Canada, from 2-6 September 1996. The substantive theme will be "Terrestrial Ecosystems."

INTERGOVERNMENTAL PANEL ON FORESTS: The third meeting of UN Commission on Sustainable Development's Intergovernmental Panel on Forests is scheduled to meet from 9-20 September 1996 in Geneva, Switzerland. For more information contact: Elizabeth Barsk-Rundquist, Tel: +1-212-963-3263; Fax: +1-212-963-1795; e-mail: barsk-rundquist@un.org; Internet: <http://www.un.org/DPCSD>.

IUCN WORLD CONSERVATION CONGRESS: The Congress will be held in Montreal, Canada, from 13-23 October 1996. The theme will be "Caring for the Earth". For more information, contact: Ricardo Bayon, Special Assistant to the Director General, 28 Rue de Mauverney, 1196, Gland, Switzerland; Tel: +41 22 999 0001; Fax: +41 22 999 0002; e-mail: rib@hq.IUCN.ch; Internet: <http://w3.iprolink.ch/iucnlib> or <http://www.IUCN.org>.

CBD COP-3: The third meeting of the COP to the Convention on Biological Diversity will be held in Buenos Aires, Argentina, from 4-15 November 1996, with a Ministerial Segment from 13-14 November 1996. For more information, contact the CBD Secretariat (see above).

FAO WORLD FOOD SUMMIT: A World Food Summit on the theme "Renewing Global Commitment to Fight Hunger" will be held at FAO Headquarters in Rome from 13-17 November 1996. For information contact: the World Food Summit Secretariat, FAO, viale delle Terme di Caracalla, I-00100, Rome, Italy. Tel: +39-6-5225 2932; Fax: +39-6-5225 5249; e-mail: food-summit@fao.org; Internet: <http://www.fao.org>.

THIRD EXTRAORDINARY MEETING OF THE COMMISSION ON PLANT GENETIC RESOURCES: The FAO Commission on Genetic Resources for Food and Agriculture will meet for its Third Extraordinary Session from 9-12 December 1996, to further negotiations on the revision of the International Undertaking in line with the Convention on Biological Diversity. The session will be preceded by a two-day meeting of the working group.

SEVENTH SESSION OF THE FAO COMMISSION ON GENETIC RESOURCES FOR FOOD AND AGRICULTURE: This meeting is tentatively scheduled for May 1997 at FAO Headquarters in Rome.