



HIGHLIGHTS OF THE FOURTH INTER-SESSIONAL CONTACT GROUP MEETING FOR THE REVISION OF THE INTERNATIONAL UNDERTAKING: 12 NOVEMBER 2000

The Fourth Inter-sessional Contact Group Meeting for the Revision of the International Undertaking on Plant Genetic Resources (IU), in harmony with the Convention on Biological Diversity (CBD), convened for a week of deliberations in Neuchâtel, Switzerland. Delegates met in an opening session to hear brief introductory remarks, following which they discussed Article 16 (Financial Provisions).

Editor's Note: As a matter of policy, the Earth Negotiations Bulletin does not directly attribute statements made by governments in informal negotiations when requested to do so.

OPENING SESSION

On Sunday, 12 November, Amb. Fernando Gerbasi (Venezuela), Chair of the Commission on Genetic Resources for Food and Agriculture, opened the Fourth Inter-sessional Contact Group Meeting. He thanked the Government of Switzerland for hosting the meeting and the Government of Japan for contributing funding to enable developing countries to attend.

Hans-Jörg Lehman, Head of the Staff Position Ecology, Swiss Federal Office of Agriculture, welcomed participants and thanked the FAO and the Chair. He expressed hope for progress and confidence that solutions could be found to satisfy all Parties. He discussed examples of projects at the national level addressing conservation and use of plant genetic resources for food and agriculture (PGRFA), emphasizing the need for simplicity and transparency in reaching compromise at all levels. He further underscored the need for freedom of choice by Parties in defining and establishing financial contributions.

Chair Gerbasi extended thanks to the Governments of Belgium, Italy, Japan, the Netherlands, Norway, Sweden and Switzerland for their ongoing financial support of the IU. He noted the progress made during the Third Inter-sessional Contact Group Meeting in Tehran (26-31 August 2000) and the need for further progress to present a satisfactory report during the 119th FAO Council Meeting to be held next week. He announced that the Sixth Extraordinary Session of the CGRFA would meet from 29 January to 9 February 2001 in Rome to finalize the revision of the IU. He further noted the calendar of meetings that would then consider the revised IU, including the FAO's Committee on Legal and Institutional Measures (April 2001), the 120th FAO Council (June 2001) and the FAO General Conference (November 2001). Chair Gerbasi then proposed, and delegates adopted, a programme of work beginning with Article 16 (Financial Resources), and

followed by: Article 12 (Coverage of the Multilateral System), including Annex I (List of Crops); Article 13 (Facilitated Access), specifically 13.2(a), 13.2(d), 13.2(f), 13.2(h), and 13.5; Article 14 (Benefit-sharing); a new Article previously proposed by the European Union; Article 17 (Governing Body); Article 20 (Amendments of the Undertaking); and if time permitted, Article 21 (Amendments of Annexes).

ARTICLE 16 (FINANCIAL PROVISIONS)

Chair Gerbasi opened discussion on Article 16, parts of which had been briefly discussed during the Third Inter-sessional Contact Group Meeting.

ARTICLE 16.1: This provision addresses the development of a funding strategy under the IU. After one country noted difficulties during previous meetings in removing brackets around language on Parties' commitments to implement the funding strategy, delegates agreed to reconsider the provision following deliberations on the rest of Article 16.

ARTICLE 16.2: This provision states that the funding strategy's objectives shall be to enhance the availability, transparency, efficiency and effectiveness of the provision of financial resources, and includes three sub-items relating to the means of providing such resources. A developed country noted that the sub-items refer to ways and means, which are addressed elsewhere in Article 16, and suggested their deletion. Delegates discussed where to address these sub-elements and eventually agreed to consider them under Article 16.4, which addresses the ways and means of the funding strategy. After some discussion, delegates agreed to the existing text of Article 16.2 without the sub-elements.

ARTICLE 16.3: This article addresses periodically establishing a target for the funding strategy. A developed country questioned the utility of including reference to a funding target, stating that such a figure is purely hypothetical as the funding strategy also relates to other organizations and their budgets over which the IU's Governing Body has no control. He also noted that negotiations to agree on such a target would be difficult and time-consuming. A number of developing countries supported reference to a target as it serves as a guide for developing the funding strategy. One participant stressed the importance of a funding target to communicate the IU's financial needs to potential donors, and cited the example of upcoming negotiations on replenishing the Global Environment Facility (GEF). A regional group of developed countries proposed deleting reference to the Global Plan of Action (GPA) and its related financial requirements. Several delegates objected, noting that reference to the GPA indicates the priority areas for funding. One developed country suggested changing language from "establishing" to "proposing" a target for funding, and several developing countries disagreed, noting the need to set a target before

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developing a strategy. Another developing country stated that Article 16 should first detail funding priorities, then set a target and finally detail the means to achieve that target.

A developed country proposed language for Article 16.3 stating that the IU's Governing Body would periodically establish a target for consideration by funding sources to mobilize funding for priority activities. A number of participants supported such language with the omission of a reference to consideration by funding sources. Delegates then debated language on developing a target for the funding strategy or simply defining a funding target. Several participants noted that establishing a target for a funding strategy includes more than a funding target, which would only be a monetary figure. Some developing countries stressed the importance of identifying a monetary value. Delegates finally agreed to language stating, "In order to mobilize funding for priority activities, plans and programmes, in particular in developing countries and countries with economies in transition, and taking the GPA into account, the Governing Body shall periodically establish a target for such funding."

ARTICLE 16.4(a): In Article 16.4(a), on allocation of resources, several developed countries stressed the difficulty of Parties to take on commitments that apply to independent bodies, and suggested language on "endeavoring to facilitate" the allocation of predictable and agreed resources. One delegate proposed deleting reference to "predictable" and "agreed." A number of developing countries preferred text stating that Parties "shall take appropriate measures to ensure" the allocation of resources.

A developing country cautioned against defining too broadly the inclusion of independent organizations and bodies. Another said that reference to implementation in Article 16.1 should be agreed before further discussion on Articles 16.3 and 16.4. A developed country noted that possible funding sources go beyond individual governments, and emphasized the need to encourage governments to influence bodies such as the Consultative Group on International Agricultural Research (CGIAR) and GEF in a respectful and effective manner, without attempting to govern organizations not under the direct control of the Parties. One participant emphasized the need for language that would give strong signals to international organizations regarding the need for predictable funding. A developing country suggested, with support from a developed country, that Parties and international organizations be addressed separately.

A developed country proposed, with support from other developed countries and opposition from a developing country, text on taking "appropriate measures to facilitate" allocation of resources. A regional group of developed countries, supported by another developed country, suggested replacing "by relevant mechanisms" with "in accordance with relevant mechanisms." One developing country preferred "encourage" to "ensure." A developed country suggested "enhance." A developing country, supported by others, proposed language stating "Parties shall, *inter alia*, take appropriate measures to ensure the allocation of predictable and agreed resources, including from their contribution to relevant international mechanisms." One participant noted that earmarking funds for specific use would violate the rules of many international organizations. A regional group proposed taking appropriate measures "directed at" the allocation of resources. One developed country proposed taking appropriate measures "with a view to ensure" allocation of resources. Another suggested, with support from several developing countries, taking appropriate measures "directed to ensure" allocation of resources. One delegation preferred that reference to "ensure" remain bracketed. Chair Gerbasi relegated the matter to a small contact group, which met later in the evening.

One participant then noted that later in this sub-paragraph, a bracketed reference to Parties under the IU reaffirming their commitments to provide new and additional resources under the CBD could preclude those that are non-Parties to the CBD. Chair Gerbasi highlighted a footnote stating that such language would be moved to a parallel resolution at the time of the IU's adoption.

ARTICLE 16.4(b): This article states that effective implementation of the IU by developing countries and countries with economies in transition depends on the allocation of predictable and agreed resources mentioned in Article 16.4(a). One developed country noted the work of many developing countries in conserving their PGRFA at their own expense and, supported by two other developed countries, proposed recognizing this by stating that their implementation will be assisted by and not dependent on the provision of resources. Several participants proposed deleting reference to "predictable" and "agreed" in order to consider resources coming from external sources and not exclusively those from other Parties. A developed country noted that language in Article 16.4(e) requires all Parties to provide financial support for national activities according to their capabilities, and proposed text stating that the allocation of financial resources for developing countries would be proportional to the priority they accord to capacity building for PGRFA within their national plans and programmes.

Several developing countries objected to these amendments, noting their reliance on such resources. One proposed maintaining the existing language of Article 16.4(b), which would be immediately followed by the text of Article 16.4(e) to accommodate the concerns regarding inclusion of external resources. A regional group proposed compromise language stating that implementation of the IU and relevant national plans and programmes by developing countries and countries with economies in transition will "depend in part" on the allocation of predictable and agreed resources referenced in Article 16.4(a). Highlighting the fact that the original text is generally taken from the CBD, one delegate questioned whether this language was appropriate. He noted that the IU's goal is to serve national food security interests, whereas remuneration received by developing countries in foregoing commercial exploitation of genetic resources serves a global interest under the CBD. The provision remains under discussion.

EVENING ADDRESS

Manfred Boetsch, Head of the Federal Office for Agriculture of Switzerland, welcomed participants to Neuchâtel. He noted the IU's objective for the long-term security of food supplies and the need to find a common denominator for the agricultural, trade and environmental issues involved. He highlighted the Rome Declaration of 1996 and the need to develop and implement practices recognizing the multiple aspects of agriculture. He noted Switzerland's efforts to provide preferential tariffs for least developed countries and recognized domestic progress in sustainable agriculture based on market needs and use of marginal lands.

IN THE CORRIDORS

As the Contact Group reconvened for its fourth meeting, delegates noted a number of new faces at the table as well as the absence of some familiar ones. Some wondered how this would affect the continuity of discussions, while others suggested that it might reflect the increasingly technical discussions expected regarding the list of crops, intellectual property rights and other potentially challenging issues.

THINGS TO LOOK FOR

Delegates will reconvene at 10:00 am to continue discussions on Article 16.