

ITPGR GB-2 HIGHLIGHTS: THURSDAY, 1 NOVEMBER 2007

On Thursday, the Governing Body met in plenary to consider the funding strategy, compliance, its relationship with the Commission on Genetic Resources for Food and Agriculture (CGRFA), cooperation with other international organizations, the permanent technical advisory committee, farmers' rights and the Third Party Beneficiary. A contact group on the funding strategy met in the morning and during lunch time. An evening plenary adopted a resolution on farmers' rights and re-elected the current Bureau as GB-3 Bureau. The budget committee met in the evening and continued deliberations into the night.

MORNING PLENARY

Ecuador, for GRULAC, expressed the Region's interest in the procedures for the Third Party Beneficiary, and requested more information on the approval of funds relating to the standard Material Transfer Agreement (MTA).

FUNDING STRATEGY: Delegates established a contact group to develop terms of reference (TOR) for intersessional work on the funding strategy, co-chaired by Cosima Hufler (Austria) and Evans Sikinyi (Kenya).

COMPLIANCE: The EU suggested drafting a resolution focusing on intersessional work, including inviting further submissions from parties and stakeholders for consideration at GB-3. She requested that the issue be placed high on the GB-3 agenda, to allow for a substantive discussion. ECUADOR, CANADA, the PHILIPPINES and ANGOLA agreed, and Chair Mwila said a draft resolution would be prepared.

RELATIONSHIP BETWEEN THE GOVERNING BODY AND THE CGRFA: ITPGR Secretary Shakeel Bhatti introduced the joint report by the Secretaries of the Governing Body and the CGRFA (IT/GB-2/07/16) and the document on activities relating to the supporting components of the Treaty (IT/GB-2/07/Inf.6). CGRFA Acting Secretary Clive Stannard highlighted that the Treaty foresees direct cooperation between ITPGR parties and the CGRFA, and drew attention to the report's draft recommendations for the Governing Body, including a draft joint statement of intent to establish an interface between the work of the two bodies.

Armenia, for the EUROPEAN REGIONAL GROUP (ERG), proposed consultation between the two bodies and the Global Crop Diversity Trust on the appropriate partition of fields, activities and tasks, to be reported to GB-3. CANADA stated that the CGRFA's Treaty-related work on PGRFA should be carried out under the Treaty and the Governing Body and, with KENYA, called for removing duplication between the two bodies. ECUADOR said States have a duty to avoid giving

overlapping instructions to the two bodies. BRAZIL proposed an amendment asking the bodies to "coordinate their participation" in international meetings, rather than "endeavor to harmonize their positions." CANADA suggested text requesting the two Secretariats to submit ideas to GB-3 for enhancing synergies and addressing duplication.

COOPERATION WITH OTHER INTERNATIONAL ORGANIZATIONS: Secretary Bhatti introduced the report on the status of cooperation with other international organizations (IT/GB-2/07/17), and invited guidance on further cooperation. The ERG called for deepening cooperation with the Common Fund for Commodities and the Global Environment Facility in the context of the funding strategy. MALAYSIA welcomed the FAO and Bioversity International joint programme of technical assistance on Treaty implementation and called for continued assistance to developing countries. ANGOLA called for assistance in compiling information for the Global Plan of Action. SYRIA proposed that future meetings of the Governing Body be provided with a report on the outcomes of the interaction between the Treaty and the private sector. BANGLADESH urged intensified cooperation between the Governing Body and regional networks.

A representative of the CONSULTATIVE GROUP ON INTERNATIONAL AGRICULTURAL RESEARCH (CGIAR) said several developing countries had sought technical assistance to implement the Multilateral System (MLS), and that the International Cocoa Genebank had expressed interest in signing an agreement with the Governing Body to include its germplasm in the MLS. The SECRETARIAT OF THE PACIFIC COMMUNITY said it had submitted a similar request, for the collection of genetic material within the Center for Pacific Crops and Trees relating to Annex I crops to be included in the MLS. Secretary Bhatti confirmed that an agreement could be established under Article 15 (*Ex situ* collections of PGRFA held by the CGIAR centers and other international institutions).

CONTACT GROUP ON THE FUNDING STRATEGY

The contact group discussed the TOR for an intersessional *ad hoc* advisory committee on the funding strategy on the basis of draft TOR proposed by the EU. The group discussed the composition of the committee, with one developed country preferring one representative per FAO region, and developing countries preferring two. Delegates decided that the committee would include "up to two" representatives from each region. Delegates discussed whether the committee should develop a "plan" for funding strategy implementation, with one developing country insisting on developing "mechanisms." They also agreed that the committee should develop a fundraising strategy, including the option of involving a professional fundraiser. The

group decided that the committee should provide a cost estimate for any activities included in the strategic plan and agreed to delete text on the committee assessing options to implement elements of the funding strategy. The group decided to leave open the issue of meeting frequency, pending plenary discussion of the availability of funds.

AFTERNOON PLENARY

In the beginning of the afternoon plenary, ITALY and SPAIN announced their “substantial contributions” to the core administrative budget and encouraged other parties to do the same. CENESTA urged Italy and Spain to dedicate a substantial amount of these contributions to enhancing farmers’ rights.

PERMANENT TECHNICAL ADVISORY COMMITTEE:

Secretary Bhatti introduced the document (IT/GB-2/07/18), explaining that it outlines three options for the Treaty to receive technical and scientific advice: a joint permanent technical advisory committee with CGRFA; a permanent technical advisory committee as a specific subsidiary body of the Governing Body; or *ad hoc* bodies for the provision of specialized technical advice on a needs basis.

GRULAC called for a consultation process to bolster contact with focal points prior to making a decision, highlighted the Secretariat’s financial constraints and, with CANADA, suggested deferring consideration of the item. The EU suggested that *ad hoc* bodies would be most appropriate in the short term, with possible establishment of a joint permanent technical advisory committee in the future. AFRICA agreed that setting up a permanent body would be premature given the financial constraints, but that an *ad hoc* body might be appropriate.

Chair Mwila suggested that the Governing Body preferred *ad hoc* committees to a permanent one, and that the Secretariat could also explore the possibility of a joint technical committee. GRULAC preferred postponing consideration of such a request. Discussion was deferred.

FARMERS’ RIGHTS: Delegates addressed a draft resolution introduced on Wednesday by Angola, for the G-77/China. On preambular language recognizing farmers’ contributions to PGRFA conservation, CUBA requested adding a reference to indigenous and local communities. The EU added that according to Article 9 (Farmers’ rights) the responsibility for realizing farmers’ rights rests with national governments.

Delegates debated text stating that farmers’ rights are about recognizing and rewarding farmers’ contributions to the global PGRFA pool. Asserting inconsistency with Article 9, CANADA suggested stating that farmers’ rights are about “encouraging parties to enable farmers to equitably participate in sharing the benefits from their contribution.” Upon a suggestion by BRAZIL, delegates agreed to merely recall the importance to fully implement Article 9.

CANADA and the EU requested deleting a reference to acknowledging “constraints” to implementing farmers’ rights in many countries. Noting that the resolution should emphasize exchanging experiences, CANADA, opposed by CUBA and the ETC GROUP, requested deleting a reference to recognizing that guidance and assistance from the Governing Body is required to make progress in implementing farmers’ rights. BRAZIL suggested separate paragraphs on exchanging experiences and on the Governing Body’s guidance on supporting implementation of farmers’ rights.

CANADA, supported by BRAZIL and ANGOLA, proposed an amendment encouraging parties and other relevant organizations to prepare reports on their experiences on implementing farmers’ rights, to be compiled by the Secretariat and presented at GB-3 to promote realization of farmers’ rights at the national level. The EU suggested that the Treaty website be used for collecting and publicly disseminating the information, rather than a written reporting system. BRAZIL, supported by CUBA, said that dissemination should occur after the Governing Body has reviewed the product.

In the evening plenary, following informal consultations, ANGOLA presented a revised draft resolution, which was approved without further amendment. CENESTA, speaking on behalf of indigenous and small farmers’ organizations, welcomed the resolution and called on governments to continue supporting the full implementation of farmers’ rights.

THIRD PARTY BENEFICIARY: Delegates discussed how to elaborate the procedures to be followed by FAO, which will act as the Third Party Beneficiary (paragraph 22 of document IT/GB-02/07/12). The EU proposed that the Secretariat prepare a draft text, circulate it among parties and relevant organizations, and submit the feedback for GB-3 consideration. GRULAC stressed the need for a sufficiently financed *ad hoc* committee to consider the compilation during the intersessional period. He also emphasized the need to rapidly operationalize information sharing and monitor germplasm flows in order to ensure benefit-sharing under the MLS.

After lengthy debate, the EU proposed, and GRULAC agreed, that the *ad hoc* committee should: work on the basis of a compilation of parties’ views; meet only once, subject to the availability of funds; and be comprised of one delegate per region. CANADA suggested that the committee use the information on possible procedures contained in document IT/GB-2/07/12 as a framework for elaborating the draft procedures.

FINANCIAL RULES: Chair Mwila requested an update, and delegates reported that there is no consensus on financial rule V (Provision of funds).

FUNDING STRATEGY: Contact group co-Chair Hufler presented the terms of reference of the *ad hoc* advisory committee on the funding strategy developed by the contact group, which plenary then adopted. Delegates agreed that decision on the number of intersessional meetings would be taken following budget committee consultations.

BUDGET COMMITTEE

The budget committee met in the evening. The discussion focused on issues left pending from Wednesday night, specifically: whether to express their concern about the FAO’s “limited contribution” to the Treaty; the materials the Secretariat should prepare and submit to GB-3 on the next work programme and budget; and whether to include the intersessional meetings in the core administrative budget. References to such meetings were bracketed pending agreement on whether they would be funded from the core administrative budget. Deliberations continued into the night.

IN THE CORRIDORS

Rain continued throughout Thursday in Rome, and many delegates also felt a damp gloom as the budget committee continued the tortuous task of agreeing on a budget and work programme without knowing how much money would be forthcoming. Developing countries maintained that capacity building resources are a “must have,” or the Treaty will not function. Other experienced hands, worried about shortfalls in the core administrative budget, lamented that budget increases are always difficult to “sell” to donor governments, although the cost hike was both foreseeable and inevitable now that the formerly interim Secretariat has been permanently established.

But a few lights pierced the gloom, as warm applause was heard on the conclusion of the resolution on farmers’ rights. Meanwhile further offers, including from the South Pacific, to place more genetic material into the Multilateral System were seen as a vote of confidence in the Treaty, leading some to suggest that the week is not “washed out” just yet.

ENB SUMMARY AND ANALYSIS: The *Earth Negotiations Bulletin* summary and analysis of the meeting will be available on Monday, 5 November 2007, online at: <http://www.iisd.ca/biodiv/itpgrgb2/>