



**Consultative Group on International Agricultural Research (CGIAR)**

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**Washington DC, USA**

***STAKEHOLDER MEETING***

**Report of the 13<sup>th</sup> Meeting of the GRPC**

**Agenda Item:** 5f – Updates, GRPC

**This item is for:** Information  Discussion  Decision

**Proposed Action:** None

**Background:** The Genetic Resources and Policy Committee held a meeting on Sept. 3-9, 2001 at the IPGRI headquarters in Rome. The attached report provides a summary of the items discussed and the committee's conclusions on a number of issues.

**Comments:**

## CGIAR Genetic Resources Policy Committee

### Report of the 13<sup>th</sup> Session

IPGRI Headquarters  
Rome, Italy

3-5 September 2001

#### People Present

GRPC members: M.S. Swaminathan, Chair  
Usha Barwale, TAC  
Robert Bertram, USA  
Ron Cantrell, CDC  
Marcio de Miranda Santos, CBC  
Jose Esquinas Alcazar, FAO  
Christina Grieder, Switzerland  
Geoffrey Hawtin, IPGRI/Secretary  
Bernard Le Buanec, PSC  
Godwin Mkamanga, NARS  
Timothy Reeves, CDC  
Renato Salazar, NPOC  
Carl-Gustaf Thornstrom, Sweden

Observers: Sirkka Immonen, TAC Secretariat  
Cary Fowler, Resource Person  
Victoria Henson-Apolonio, CAS  
Susan Bragdon, Resource Person  
Jan Engels, Resource Person  
Gerald Moore, Resource Person  
Shantann Mathur, IFAD  
Arturo Martinez, FAO

**Agenda:** See Annex I

#### Welcome and Introduction

1. Geoff Hawtin, Director General of IPGRI welcomed the Committee to Rome and to IPGRI's new headquarters. In his opening remarks, GRPC Chairman, M.S. Swaminathan also welcomed members. He took special note of the recent announcement that Per Pinstrup Andersen, the Director General of IFPRI, will receive the prestigious World Food Prize. The Committee joined the chair in expressing its congratulations, which will be conveyed to him personally.
2. The agenda was approved.

## Developments in the CGIAR

3. The Committee heard a report from Tim Reeves, Director General of CIMMYT, on developments in the CGIAR, including: (a.) Global Challenge Programmes, (b.) the System Office, (c.) the Science Council, and (d.) an integrated communication / resource mobilization strategy.
4. Some members were of the opinion that implementation of Global Challenge Programmes might reduce/divert funding going into the Center's "core" funding. Several examples were cited of donors shifting funds out of "core" in advance of approval of particular Global Challenge Programmes. In addition, the reduction in the World Bank's matching rate from 12% to 10% was also noted. **As core funding constitutes the foundation for a significant portion of the CGIAR's basic genetic resource conservation activities and genebank operations, the GRPC is concerned that the System's conservation and pre-breeding activities might be compromised. Basic Center activities, such as genebank operations either need to be brought into the new Global Challenge Programmes, or separate provisions need to be made for their funding.**

## Update on the renegotiation of the International Undertaking<sup>1</sup>

5. Cary Fowler presented a detailed report and analysis of the outcome of negotiations to revise the FAO International Undertaking on Plant Genetic Resources. The Genetic Resources Policy Committee had extensive discussions on this topic. Significant progress has been made in the negotiations, and it now appears likely that negotiations will be concluded at the FAO Conference in November, 2001.
6. A number of important issues remain to be settled, however. These include (a.) the definition of "plant genetic resources for food and agriculture" and "genetic material" (b.) the composition of the list of crops for inclusion in the Multilateral System being created through the revised International Undertaking, (c.) questions concerning what forms of intellectual property rights can be applied to products developed on the basis of genetic materials acquired from the Multilateral System, (d.) the relationship between this convention and others such as the Convention on Biological Diversity and various trade agreements, and (e.) the legal and institutional status of the revised Undertaking and, in particular, whether it should be adopted as a convention within the framework of the FAO Constitution (Article 14) or as a free-standing convention.
7. In the view of the GRPC, negotiators have made much progress in resolving problems cited by the Committee in earlier meetings. The GRPC believes that nothing in the text is prejudicial to Centers' ability to interact and work with all countries on equal terms, consistent with the new Undertaking.
8. Another positive development is that the list of crops for inclusion into the Multilateral System (and thus available for facilitated access and benefit-sharing) has been expanded significantly. From original proposals from some regions for as few as 6 crops, negotiators have now accepted 35 genera of food crops, and 29 forage species (See Annex II). **The GRPC notes with concern, however, that this list still does not contain all crops undergoing active genetic improvement work or**

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<sup>1</sup>Since these recommendations deal with matters presently under negotiation by Member Countries of FAO, the representative of FAO on the GRPC, who is also Secretary of the Intergovernmental Commission on Genetic Resources for Food and Agriculture, which is negotiating the Undertaking, considered it institutionally appropriate to reserve his position on these matters

**research within the CGIAR Centers and other IARCs.** For example, groundnut, soybean, onion, tomato, and most tropical forages are not yet included. The GRPC fears that their exclusion could seriously impair conservation and development of these crops for the resource poor. Because the list of crops for the Multilateral System is agreed to be constituted by crops important to food security and for which there is interdependence for genetic resources, exclusion of crops could send the unfortunate message to donors and others, that efforts to conserve and improve such crops are not a priority of the international community. **The GRPC, therefore, reiterates its previous position that all crops that are the subject of active genetic improvement efforts within the CGIAR be included in the Multilateral System under the revised International Undertaking.**

9. **The GRPC also notes with concern that certain species of crops the genera of which are part of the Multilateral System, have been specifically excluded. In a number of cases, wild relatives of included crops are excluded. Rational and effective breeding programmes require access to such materials. The GRPC requests Centers to examine the List of Crops for the Multilateral System, and the definition of each crop, to determine whether all species important for breeding efforts have been included. Centers should communicate their findings and opinions to IPGRI as soon as possible and be prepared to assist in efforts to ensure that negotiators are aware of the importance of including all relevant materials for each crop.**
10. The GRPC was of the view that the inclusion of soybeans in the Multilateral System would probably spark agreement on a number of other crops that should be included, such as groundnut. It recognized however that there was a limit to what could be achieved through technical discussions. The GRPC feels that careful consideration needs to be given to this subject and that high level political consultations may be required to resolve the situation.
11. The GRPC recognized the importance of the new International Undertaking retaining a clear agricultural focus. The relationship of the Centers to the revised International Undertaking could be facilitated by its being adopted within the framework of the FAO Constitution.
12. The revised International Undertaking will call upon Centers to sign agreements with the Governing Body with regard to *ex situ* collections. (See, in particular, Article 16 of the text of the International Undertaking.) These agreements will – consistent with the terms of the Undertaking itself – specify the precise conditions under which the Centers will adhere to and participate in the new, legally-binding international Convention. The GRPC discussed a number of practical matters regarding Center implementation of the International Undertaking of that should be addressed in agreements between the Centers and the Governing Body and noted that a highly interactive process involving the Centers will be needed to ensure that all relevant concerns are identified and resolved in the eventual agreements with the Governing Body. **The GRPC strongly urges that Centers, their staff and Boards of Trustees, work together towards a single standard agreement with the Governing Body. The Committee suggests that IPGRI coordinate this effort, and that IPGRI begin the process at AGM-2001, with presentations to the CDC and CBC.**
13. **In addition, the GRPC, in conjunction with SGRP and CAS proposes to sponsor a meeting in early 2002 on the new International Undertaking.** Centers would be invited to send a representative from senior management (i.e., the DG or DDG), the chair of the Board of Trustees or their nominee, and a relevant technical person (e.g.,

their SGRP representative, an IPR expert, etc.). The purpose of the meeting would be to (a.) examine the Undertaking in detail focusing on obligations of the Centers, (b.) discuss a draft agreement for consideration of the Governing Body of the Undertaking, (c.) consider possible terms of an interim agreement with FAO covering the period prior to the coming into force of the new International Undertaking, and (d.) draft a new Material Transfer Agreement consistent with the terms of the new Undertaking for consideration / approval of the FAO Commission on Genetic Resources for Food and Agriculture.

14. The GRPC expressed appreciation for IPGRI's excellent work and significant contributions in representing Centers in the FAO negotiations.

#### **IARCs and Farmers' Rights**

15. The Committee heard a report from its chair, M.S. Swaminathan, on India's new law on "The Protection of Plant Varieties and Farmers' Rights." It discussed possible implications of the legislation in some detail. **The GRPC noted SINGER's potential for providing assistance to NARS, on request, and in particular in providing information about accessions that are valuable in breeding for biotic and abiotic stresses.**

#### **CAS**

16. Victoria Henson-Apollonio updated the GRPC on the activities of CAS. Members noted that the need for this service is greater than ever, notwithstanding the fact that several Centers have their own in-house capacity. **The GRPC recommends that this Service be continued and that adequate resources be made available for this.** The Committee, recalling discussions that took place when CAS was set up, does not yet perceive the need for central management of IP, or centralized holding of IP, but does see benefit in collective action to obtain new technologies and noted CAS's potential contribution in this area. CAS's work-to-date was complimented by members.

#### **SINGER**

17. Samy Gaiji made a presentation on SINGER to the Committee. He detailed plans for the expansion and development of SINGER. The GRPC is impressed by the progress that has been made and by the quality of SINGER. **The Committee believes that SINGER is an important component of global conservation and genetic improvement systems. The Committee noted with pleasure and appreciation that SINGER has made an important contribution to the negotiations of the International Undertaking in providing data that makes clear the interdependence of countries and the extent to which virtually all countries are major net recipients of germplasm samples from the CGIAR.**

#### **Global Conservation Trust**

18. Geoff Hawtin and Ruth Raymond updated the GRPC on the Global Conservation Trust campaign. **The GRPC considers that the Global Conservation Trust is an extremely important initiative that could finally put global ex situ conservation efforts on a sound and sustainable financial foundation.** The Trust will help fulfil the promise of the UN Conference on the Environment (Stockholm, 1972), the Keystone International Dialogues on Plant Genetic Resources and other gatherings, to ensure the conservation of agricultural biodiversity for present and future generations. It will also help the CGIAR meet its commitments under the FAO-CGIAR

Agreements and the new International Undertaking, and, in particular, help both the CGIAR and countries implement the FAO Global Plan of Action. The Committee sees the Trust as being part of the funding strategy referred to in Article 19 of the revised International Undertaking.

#### **Underutilized Species: Follow-up to the GRPC Chennai Workshop**

19. The Committee received a report presented by Toby Hodgkin concerning the international network on underutilized crops. IPGRI was commended for the work done in the speedy implementation of the recommendations of the workshop convened by GRPC. **The GRPC noted the growing awareness of the importance of many underutilized crops, the role they play in farming systems, and their contribution to nutritional and food security.** New technologies might provide new opportunities for substantive work on these crops in both IARCs and NARS. **The GRPC expressed its appreciation to IFAD and other donors for their support for this valuable work.**

#### **Access to Private and Public Genomic Databases and other Information**

20. Ron Cantrell reported to the Committee on the various private and public sector efforts to map the genome of rice. Publicly-available information on the complete genome may be available in as few as 2-3 years. Given this, institutes such as IRRI, which are dedicated to producing public goods, might, if appropriate, wait rather than utilize more immediately available information that could restrict use of eventual research products.

#### **Genetic Resources and International Public Goods**

21. Susan Bragdon described an IPGRI project proposal on the role and parameters of the public domain in producing public goods. A very useful discussion was held on how the project could be best implemented. It was generally agreed that there should be a strong focus on public goods, and it should be recognized that this is different from public domain. Both the public and private sectors can and do produce public goods. Reference was made to a body of work the project should draw upon and the importance of focussing on the provision of public goods. **The GRPC strongly supported the project, feeling it was timely and urgently needed in light of proposed changes within the CGIAR, as well as developments concerning the International Undertaking. The GRPC also welcomed the interest of FAO to be involved in the project.**
22. The chairman suggested that public good outputs of the CGIAR are mainly designed to take the benefits of modern science to the economically, ecologically, and socially underprivileged sectors of farming communities in developing countries. Hence, it would be useful to organize a consultation on ways of generating synergy between public science and proprietary science for accelerating the pace of progress in the technological empowerment of resource-poor farming families. Such a consultation should consider, *inter alia*, the role of public and private funding in supporting the development of public goods in the CGIAR.

## **Updates on other international fora and implications for CGIAR**

23. The Committee reviewed events taking place at CBD, UNEP, WIPO, UPOV and WTO that pertain to genetic resources. The Committee shall continue to monitor events in these forums.

## **The Future of the GRPC / Date and place of GRPC14**

24. The Committee noted that the future structure of the GRPC is yet to be decided by the CGIAR. It is, however, clear that there is need for such a policy advisory committee, particularly at this time when several global dialogues/agreements of great significance to the genetic improvement research of IARCs are taking place.
25. It was suggested that the GRPC or its successor committee may meet in February, 2002, at the International Rice Research Institute. The meeting of the Committee may be preceded by the multi-stakeholder workshop on the implications of the FAO International Undertaking (See paragraph 13 of this report.) These meetings are tentatively scheduled for the period 18-22 February 2002. An alternative set of dates would be 12-15 February 2002.

## **Any other business**

26. Carl-Gustaf Thornström presented the draft Vol. 2 of “Seeding Solutions” dealing (in the form of annotated legal text) with intellectual property, traditional knowledge, and biological innovation. **The GRPC noted that WIPO has favourably welcomed the study and congratulated the Crucible II Group for its work.**
27. Carl-Gustaf Thornström presented a study on Genetic Resources and politics in Germany, 1933-1945, emphasizing the links between high science, politics and social conflict spilling over into current geopolitical issues on intellectual property and genetic resources. **The GRPC welcomed the study as an interesting historical account.**
28. The GRPC revisited the topic of allegations made against CIP involving five accessions of yacon held “in trust” under the terms of the FAO-CGIAR Agreements. These accessions were originally collected in Peru. CIP conserved the accessions at its facilities in Peru. Subsequently, Peru requested material of these accessions from CIP, and CIP obliged in conformity with Article 9 of FAO-CGIAR Agreements. The GRPC wishes to reconfirm the conclusions of its original review of the allegations that CIP had acted improperly. **The GRPC finds these allegations to be baseless and moreover, to be unrelated to the actual terms of the FAO-CGIAR Agreements. The Committee thus reconfirms its commendation of CIP “for its proper management of this germplasm held ‘in-trust’ under the auspices of FAO, and, in the context of a complex situation, for its strict adherence to the requirements of the Agreement with FAO.”**

## **Closing**

29. There being no further business, the Chairman thanked everyone for their contribution to the meeting and in particular IPGRI for its hosting of the meeting and its hospitality.

**GENETIC RESOURCES POLICY COMMITTEE**  
**13<sup>th</sup> Meeting, Maccarese, Italy, 3-5 September 2001**

**PROVISIONAL AGENDA**

1. Adoption of the Agenda
2. Developments in the CGIAR (*Reeves*)
  - Global Challenge Programmes
  - Other developments (Executive Council, Science Council, System Office)
3. Presentation and discussion on IPGRI's policy work at the local, national and international levels (*various IPGRI staff*)
4. Renegotiation of International Undertaking and implications for the CGIAR (*Fowler, Moore, Bertram, other GRPC members*)
5. IARCs and Farmers' Rights: Assisting NARS to implement Farmers Rights under the revised International Undertaking (*M.S. Swaminathan*)
6. CGIAR System-wide Genetic Resources Programme– SGRP (*Toll*)
7. Global Conservation Trust (*Raymond*)
8. Developments in SINGER (*Gaiji*)
9. Update on Underutilized Species' work: follow-up to the GRPC Chennai workshop (*Hodgkin*)
10. Access to private and public genomic databases and other information (*Cantrell*)
11. Genetic resources and international public goods (*Bragdon*)
12. CGIAR Central Advisory Service on Intellectual Property - CGIAR-CAS (*Henson-Apollonio*)
13. Update on developments at the national, regional and international levels, including WTO, WIPO, UPOV, CBD, GEF, etc. (*all*)
14. Report to AGM'01
15. Date, place and agenda of GRPC14
16. Any other business
  - Vol. 2 of "Seeding Solutions" (*Thornstrom*)
  - Kaiser Wilhelm Institute's biological research during the Third Reich in Germany (*Thornstrom*)

**LIST OF CROPS COVERED UNDER THE MULTILATERAL SYSTEM**  
**Food crops**

<b>Crop</b>	<b>Genus</b>	<b>Observations</b>
Breadfruit	<i>Artocarpus</i>	Breadfruit only.
Asparagus	<i>Asparagus</i>	
Oat	<i>Avena</i>	
Beet	<i>Beta</i>	
Brassica complex	<i>Brassica</i> et al.	Genera included are: <i>Brassica</i> , <i>Armoracia</i> , <i>Barbarea</i> , <i>Camelina</i> , <i>Crambe</i> , <i>Diplotaxis</i> , <i>Eruca</i> , <i>Isatis</i> , <i>Lepidium</i> , <i>Raphanobrassica</i> , <i>Raphanus</i> , <i>Rorippa</i> , and <i>Sinapis</i> . This comprises oilseed and vegetable crops such as cabbage, rapeseed, mustard, cress, rocket, radish, and turnip. The species <i>Lepidium meyenii</i> (maca) is excluded.
Pigeon Pea	<i>Cajanus</i>	
Chickpea	<i>Cicer</i>	
Citrus	<i>Citrus</i>	Genera <i>Poncirus</i> and <i>Fortunella</i> are included as root stock.
Coconut	<i>Cocos</i>	
Major aroids	<i>Colocasia</i> , <i>Xanthosoma</i>	Major aroids include taro, cocoyam, dasheen and tannia.
Carrot	<i>Daucus</i>	
Yams	<i>Dioscorea</i>	
Finger Millet	<i>Eleusine</i>	
Strawberry	<i>Fragaria</i>	
Sunflower	<i>Helianthus</i>	
Barley	<i>Hordeum</i>	
Sweet Potato	<i>Ipomoea</i>	
Grass pea	<i>Lathyrus</i>	
Lentil	<i>Lens</i>	
Apple	<i>Malus</i>	
Cassava	<i>Manihot</i>	<i>Manihot esculenta</i> only.
Banana / Plantain	<i>Musa</i>	Except <i>Musa textilis</i> .
Rice	<i>Oryza</i>	
Pearl Millet	<i>Pennisetum</i>	
Beans	<i>Phaseolus</i>	Except <i>Phaseolus polyanthus</i> .
Pea	<i>Pisum</i>	
Rye	<i>Secale</i>	
Potato	<i>Solanum</i>	Section <i>tuberosa</i> included, except <i>Solanum phureja</i> .
Eggplant	<i>Solanum</i>	Section <i>melangena</i> included.
Sorghum	<i>Sorghum</i>	
Triticale	<i>Triticosecale</i>	
Wheat	<i>Triticum</i> et al.	Including <i>Agropyron</i> , <i>Elymus</i> , and <i>Secale</i> .
Faba Bean / Vetch	<i>Vicia</i>	
Cowpea et al.	<i>Vigna</i>	
Maize	<i>Zea</i>	Excluding <i>Zea perennis</i> , <i>Zea diploperennis</i> , and <i>Zea luxurians</i>

## Forages

Genera	Species
<b>LEGUME FORAGES</b>	
<i>Astragalus</i>	<i>chinensis, cicer, arenarius</i>
<i>Canavalia</i>	<i>ensiformis</i>
<i>Coronilla</i>	<i>varia</i>
<i>Hedysarium</i>	<i>coronarium</i>
<i>Lathyrus</i>	<i>cicera, cilialatus, hirsutus, ochrus, odoratus, sativus</i>
<i>Lespedeza</i>	<i>cuneata, striata, stipulacea</i>
<i>Lotus</i>	<i>corniculatus, subflorus, uliginosus</i>
<i>Lupinus</i>	<i>albus, angustifolius, luteus</i>
<i>Medicago</i>	<i>arborea, falcata, sativa, scutellata, rigidula, truncatula</i>
<i>Melilotus</i>	<i>albus, officinalis</i>
<i>Onobrychis</i>	<i>vicii folia</i>
<i>Ornithopus</i>	<i>sativus</i>
<i>Prosopis</i>	<i>affinis, alba, chillensis, nigra, pallida</i>
<i>Pueraria</i>	<i>phaseoloides</i>
<i>Trifolium</i>	<i>alexandrinum, alpestre, ambiguam, angustifolium, arvense, agrocicerum, hybridum, incarnatum, pratense, repens, resupinatum, rueppellianum, semipilosum, subterraneum, vesiculosum</i>
<b>GRASS FORAGES</b>	
<i>Andropogon</i>	<i>gayanus</i>
<i>Agropyron</i>	<i>cristatum, desertorum</i>
<i>Agrostis</i>	<i>stolonifera, tenuis</i>
<i>Alopecurus</i>	<i>pratensis</i>
<i>Arrenatherum</i>	<i>elatius</i>
<i>Dactylis</i>	<i>glomerata</i>
<i>Festuca</i>	<i>arundinacea, gigantea, heterophylla, ovina, pratensis, rubra</i>
<i>Lolium</i>	<i>hybridum, multiflorum, perenne, rigidum, temulentum</i>
<i>Phalaris</i>	<i>aquatica, arundinacea</i>
<i>Phleum</i>	<i>pratense</i>
<i>Poa</i>	<i>alpina, annua, pratensis</i>
<i>Tripsacum</i>	<i>laxum</i>
<b>OTHER FORAGES</b>	
<i>Atriplex</i>	<i>halimus, nummularia</i>
<i>Salsola</i>	<i>vermiculata</i>