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**International Centers Week 1997
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**Research Impact: Yesterday's Achievements,
Tomorrow's Challenges**

Report of the Genetic Resources Policy Committee

The Genetic Resources Policy Committee (GRPC) held its sixth meeting in London from September 1 to 3, 1997. Attached is the report of the Committee. This report is circulated as background to the agenda item "*Genetic Resources and Biodiversity*" scheduled for discussion on Monday, October 27.

Also included is a discussion draft of the Ethical Principles Relating to Genetic Resources prepared by the GRPC (Annex 2). The Committee is seeking comments and suggestions on this draft so that a final version can be prepared for consideration by the Group at MTM98.

The CGIAR Genetic Resources Policy Committee

Report to International Centers Week 1997

The Genetic Resources Policy Committee (GRPC) met for its sixth meeting in London, 1-3 September 1997. This report summarizes the main conclusions and recommendations of the meeting.

The Chairman, Dr. M.S. Swaminathan welcomed the members and observers present and thanked the Department for International Development (DFID) of the UK government for hosting the meeting.

The agenda as adopted and list of participants are given in Annex 1.

The Global Plan of Action for the Conservation and Sustainable Utilization of Plant Genetic Resources of Food and Agriculture (GPA)

The Committee noted that due to time constraints the FAO Commission had not been able to make any significant progress at its last meeting in April in developing mechanisms for promoting or monitoring the implementation of the GPA. However, the Committee noted with satisfaction the high degree to which the CGIAR Centers are committed to furthering the Plan's implementation, as exemplified in the report prepared for the Commission by the System-wide Genetic Resources Programme (SGRP). This report will be made available to all members of the CGIAR. The GRPC members also commended the SGRP for its action, together with FAO, to convene a series of regional meetings aimed at promoting the implementation of the GPA.

In discussing the GPA, the Committee highlighted, in particular, the need for the Centers to continue to play a proactive role in helping to develop systems for implementing the Plan's activity on restoring genetic resources to communities in cases of loss due to natural disasters or civil strife. The examples of the CGIAR's involvement in restoring genetic resources to communities in Rwanda and Somalia were cited as examples which should be built upon.

The Committee also discussed the need for the CGIAR to examine further its role in the conservation and use of "minor" or "underutilized" crops. The GPA stresses the importance of such species, for example in low rainfall or mountainous areas and in agricultural and nutritional diversification. Opportunities exist for the CGIAR to expand its work on such species through its eco-regional/agro-ecosystem research. However the

Committee noted that there are many technical, operational, political and financial implications to the CGIAR in expanding its role in this area. Dr. Bertram will lead the preparation of a paper on the topic for the Committee's consideration at its next meeting.

Biosafety

The Committee noted that the Centers are complying with the guidelines on biosafety as contained in the current version of the CGIAR Guidelines on Intellectual Property Protection. However, the difficulties created for those Centers which are located in countries which lack their own national biosafety regulations were also noted. Given the highly politically charged nature of the current international debate on biosafety, the Committee urged the Centers to be cautious in their involvement in activities concerning the policy and legal aspects of biosafety. The Centers could, in some circumstances, play a useful catalytic role in promoting the adoption of appropriate biosafety legislation but it was felt that in most circumstances other organizations might be better placed to play this role. The hope was expressed that the Parties to the Convention on Biological Diversity will conclude their protocol on biosafety very soon. The Committee also noted that this issue will be dealt with in greater depth by the TAC Panel on Biotechnology as well as at the proposed symposium on biotechnology and biosafety to be convened in October by the World Bank and others.

Animal Genetic Resources

Following introductory presentations by Dr. Hans Wagner of FAO and Dr. Tony Irvin of ILRI, the committee had a lengthy discussion on policy issues relating to the CGIAR's work on animal genetic resources. The following points arose from the discussion:

- Animal genetic resources are a very important component of food security.
- The work on animal genetic resources in the CGIAR concentrates mostly on ruminants through the work of ILRI and ICARDA. Other Centers also have a role to play.
- The FAO Global Strategy for the Management of Farm Animal Genetic Resources provides a strategic framework for the work of the CGIAR in this area. The Committee was pleased to see the strong, and growing relationship between ILRI, ICARDA and FAO in the development and implementation of the Global Strategy. The desire expressed by FAO for a greater involvement by the SGRP was also noted.

- FAO has established an Inter-governmental Technical Working Group on Animal Genetic Resources. The role of the CGIAR in providing input and support to the work of this Working Group, as well as the CGIAR's status need to be further explored.
- The conservation of animal genetic resources must be based primarily on *in situ*/ on-farm management strategies. The extent to which the CGIAR should become involved with *ex situ* genome banking, if at all, needs to be very carefully considered in light of the many complex and controversial technical, legal and political issues involved. These include such issues as ownership and national sovereign rights to determine access, as well as both short and long-term financial implications.

Intellectual Property Rights (IPR)

The Committee had a wide-ranging discussion on the issue of IPR in the CGIAR. It was noted that the current guidelines have received wide acceptance among many stockholder groups and the Committee strongly recommended that they be taken as a basis for further discussions on the topic - notably by the panel on IPR to be convened by TAC.

The IPR environment is rapidly changing and the Centers are now regularly facing issues that need to be resolved. It was suggested that it might be worth giving attention to the need and possibility for developing a "clearing-house" mechanism to operate at the System level within the CGIAR, and to the possibility of conducting an IPR audit.

It was noted that not only does the full range of formal IPR measures need to be addressed (patents, plant variety protection, copyright, trade secrets etc.) but also the System needs to come to grips with the protection, and recognition, of "informal" innovation and indigenous knowledge.

IPR can be seen from two perspectives: a) the protection of innovations by the Centers - to prevent misappropriation by others (e.g. through defensive protection or disclosure) and b) the need for the Centers to have access to products and processes protected by others in order to promote technology transfer. Both aspects require considerably more thought and attention.

The Committee agreed that it would take up the issues further, and in greater depth, at a future meeting once the recommendations of the TAC panels on biotechnology and IPR have become available.

Ethics and Equity

The Committee reported to MTM'97 in Cairo the preliminary outcome of the workshop that had been held in April at Foz do Iguacu, Brazil, on Ethics and Equity in relation to the CGIAR's work on genetic resources. The proceedings of the workshop will be published by ICW'97.

The Committee, with the help of a professional social philosopher, has distilled the outcome and recommendations of the workshop into a set of draft Ethical Principles for the CGIAR. These are attached as Annex 2. The Committee will circulate these draft principles widely to all CGIAR stakeholder groups and committees to solicit their comments and suggestions as to how they might be further refined and improved. Comments will be requested by early in the new year so that the Committee will have time to assimilate them and revise the draft statement of ethical principles in time for endorsement by the CGIAR at MTM'98 in Brazil.

The Ethical Principles which complement the CGIAR's Working Principles on Intellectual Property Rights, are not intended to be comprehensive, but only to cover "higher-order" principles of direct relevance to the System's work on genetic resources. Once endorsed by the CGIAR, the Centers would be encouraged to use them as a framework to guide the development of their individual sets of guiding ethical principles or codes of conduct that are adapted to their own particular needs and circumstances.

External Review of the CGIAR

The Committee endorsed the report that had been submitted to the CGIAR External Review Panel entitled "The CGIAR's Role in the Evolving International Policy Debates on Genetic Resources". The report had been prepared by Dr. Fowler, with input from GRPC Committee members and others.

Future of the Genetic Resources Policy Committee

The Committee discussed a paper that had been prepared by Drs. Bertram and Benz concerning the future of the GRPC. Based on the Committee's deliberations, the paper was slightly revised and is attached as Annex 3. The Committee wishes to draw the attention of the members of the CGIAR and of the External Review Panels to the suggestions and ideas contained in this Annex.

**CGIAR Genetic Resources Policy Committee
6th Meeting, London, UK. 1-3 September 1997**

Provisional Agenda

- a) Welcome (Chairman and DFID representative)
- b) Adoption of the agenda
- c) Adoption of the minutes of the previous meeting
- d) Matters arising from the minutes
- e) Update on developments in the FAO commission
 - the renegotiation of the International Undertaking
 - the implementation of the GPA
 - forestry genetic resources
 - animal genetic resources
 - renewal of the FAO-Center agreements
- f) Update on developments in the CBD
 - SBSSTA
 - biosafety protocol
 - relationship between FAO and the CBD Secretariat
 - relationship between the CGIAR and the CBD Secretariat
- g) Update on developments in UPOV and WIPO
- h) Update on the Sida/ESDAR initiative
- i) Developments within SGRP
 - Strategy development
 - SINGER
 - genebank costing initiative
 - global genebank system
 - implementing the GPA
 - funding situation
 - External Programme and Management Review of SGRP
- j) IPRs in the CGIAR
 - Panels on biotechnology and IPRs
 - Outstanding issues in relation to the CGIAR IPR guidelines
- k) External Review of the CGIAR
- l) Policy issues relating to Livestock Genetic Resources
- m) Review of Statement of Ethical Principles arising from the Brazil workshop
- n) Future of the GRPC
- o) Report of GRPC to ICW'97
- p) Any other business

Participants

Members: M. Swaminathan (Chairman) J. Benz (Switzerland)
R. Bertram (USA) G. Hawtin (IPGRI)
N. Olembo (Kenya) M. Zimmerman (Brazil)

Observers: T. Reeves (CIMMYT) F. Begemann (Germany)
C. Fowler (IPGRI) J.H. Dodds (ICARDA)
T. Irvin (ILRI) H. Wagner (FAO)
R. Straughan (University of Reading)

Absent: A. El Beltagy (ICARDA) S. Sastrapradja (Indonesia)
B. Bengtsson (Sweden)

(Draft - for discussion and comment)

**The CGIAR's Ethical Principles Relating
to Genetic Resources**

prepared by the

CGIAR Genetic Resources Policy Committee

Introduction

The CGIAR has, since its inception, implicitly followed certain ethical principles. Increasing food security and alleviating poverty have long been central to the system's science-based humanitarian mission. With the growing complexity of the problems being addressed by the research of the Centers, the expanding number of partners with whom they work and the rapidly evolving scientific, social and economic environment within which they operate, an increasing need has been felt for a clearer enunciation of the System's underlying ethical principles. Greater transparency about what the CGIAR really stands for is important in enabling strong and unambiguous relationships to be forged with a wide range of partners.

Recognizing that the need for clear ethical principles was particularly acute in the case of the System's activities in the field of genetic resources, the CGIAR Genetic Resources Policy Committee convened a workshop at Foc do Iguacu, Brazil, in April 1997 to begin the process of developing such principles. The meeting, supported by the Governments of Switzerland and Sweden and hosted by the Government of Brazil, was attended by a wide cross-section of CGIAR stakeholders. The set of principles which follow represent the direct outcome of this workshop as distilled by the Genetic Resources Policy Committee. The full proceedings of the workshop have been published separately.

The main ethical principles are presented under four headings: Equity; Trusteeship of Genetic Resources; Respect, Responsibility and Integrity in Science; and Social Benefits. These are intended to encapsulate the essential principles followed by the CGIAR in relation to its work on genetic resources and in the pursuance of its vision, expressed by the CGIAR Chairman in his address to the workshop as:

“to help liberate the deprived and disadvantaged from hunger and poverty,
the responsible and creative management of natural resources, the wide

application of people-centered policies for sustainable development, and respect for the views of all.”

Equity

- The CGIAR works for the attainment of equity in the conservation, use and sharing the benefits derived from genetic resources. This commitment to fairness requires that emphasis be given to the needs of resource poor communities and to disadvantaged members of society, such as rural women.
- The CGIAR recognizes the contribution of many different communities and individuals, especially of women and traditional societies, to the conservation and enhancement of genetic diversity of potential use for food and agriculture. The CGIAR strives to ensure that the benefits derived from such use are made available to those that developed and nurtured these resources.

Trusteeship of genetic resources

- The CGIAR centers hold genetic resources in trust for the world community. In the case of plant genetic resources for food and agriculture this is, to a great extent, recognized through agreements with FAO. As trustees of genetic resources the CGIAR centers recognize their responsibility to be impartial and fair in their administration of the trust; to respect and observe national regulations and international conventions, in particular the Convention on Biological Diversity; to be accountable for their actions; and to exercise due care and diligence in conserving the material for the use of present and future generations and in making it readily available for use for the public good.

Respect, Responsibility and Integrity in Science

- The CGIAR’s scientific work on genetic resources, while respecting the general scientific principles of good faith and the search for truth, is guided by its particular humanitarian and equity-based concerns, and not by a morally neutral pursuit of knowledge for its own sake.
- The CGIAR’s scientific work, including that on biotechnology, is based on the principles of accountability, responsibility and precautionary action. For any undertaking, potential benefits shall clearly outweigh potential risks, emphasizing broad societal interests such as long-term environmental sustainability over shorter term gains.

- The CGIAR recognizes the necessity to respect the integrity of culture, tradition and the relationship of local people with nature. Likewise the CGIAR respects the aspirations and culture of partner institutions and the societal context within which they operate.
- The CGIAR adheres to national regulations and to relevant internationally accepted codes of behaviour and conduct in areas of both plant and animal biology and in particular the collection and transfer of genetic resources, biosafety, animal welfare and intellectual property.

Social Benefits

- The CGIAR aims to promote lasting social benefit through its research for the international public good. In its activities on genetic resources the CGIAR strives to increase individual, local and national food and livelihood security in developing countries through sustainable advances in productivity, stability and through promoting biological and food diversity. For this purpose it will internalize and be accountable for the dimensions of social and gender equity and environmental sustainability in its research, human resource development and capacity building programs.

Conclusion

The above principles, while not exhaustive, are intended to provide an overall statement of ethical principles relating to the CGIAR's work in genetic resources. They are also intended to provide a basis on which individual Centers can further elaborate their own guiding ethical principles or codes of conduct, and set up monitoring mechanisms, as appropriate.

Discussion Note: Future of the Genetic Resources Policy Committee

I. Is there a continuing need?

The CGIAR is one of the largest and most important institutions involved in both the conservation and development of genetic resources. International policies and policy debates can and do have a profound impact on the CGIAR's programs, priorities, and day-to-day work. Likewise the CGIAR can, in some circumstances, play an influential role in contributing to the development of international policies concerning genetic resources for food and agriculture, and in helping provide information and expertise to its partners that supports them in policy formulation.

Among the outstanding issues currently under consideration at the national and international levels are:

- ownership
- access
- benefit sharing
- farmers' rights
- intellectual property

The CGIAR's ability to understand and analyze the implications, and develop and implement appropriate policy in a coherent manner affects:

- status of the collections
- exchange of genetic materials
- ability to collaborate with NARS and farmers
- research partnerships with private sector and AROs

This situation warrants the continuation of a multi-perspective group at the System level.

II. What could we do better?

We did well in:

- monitoring a range of policy fora
- summarizing developments
- bringing policy matters to the attention of the CGIAR
- responding to initiatives from the centers (e.g. IPR Guidelines)
- supporting the Chairman of the CGIAR in his ambassador role (e.g. Stockholm Statement)

We could do better in:

- providing in-depth analysis of pressing policy issues
- examining their operational implications and proposing action
- developing focused reports
- availing ourselves of diverse perspectives (inside and outside the CGIAR)

III. What should our functions be?

- Monitoring policy developments
 - emphasize consequences for CGIAR
 - targeted reporting
- In-depth and selective policy analysis, and derived recommendations
- Oversee implementation of CGIAR Policy
 - ensure coherence
 - accountability
- Convener
 - accessing a range of viewpoints
 - facilitate system interaction with outside partners (e.g. the Ethics and Equity Workshop)
- Advocacy and outreach

IV. How should we operate?

- In addition to standing items, we should focus each meeting on one or two key issues and structure our reports accordingly
- We should prepare for in-depth treatment of these issues
- Invite on an *ad hoc* basis expertise and diverse perspectives - in line with principal agenda items
- We should prepare a rolling work program (1-2 years in advance) - stepped-up preparation may be required
- Our work should be supported by the IPGRI Policy Unit
- We should have a clearer plan for consulting within the CGIAR (e.g. NGO and PS Committees)
- Less frequent, longer (3-day) meetings not held in conjunction with CGIAR meetings

VI. What should our membership be?

The following composition is proposed:

- Chairperson
- 2 donor members
- 2 developing country members
(above 5 members to be appointed by CGIAR Chairman)
- 2 Center Directors (appointed by CDC)
- DG of IPGRI
- 1 TAC member (appointed by TAC)
- 1 Board Chair (appointed by CBC)
 - within this membership, we should strive for gender, regional and stakeholder diversity
 - members serve in their individual capacity
 - 3 to 4 year term with rolling replacement