

RAFI COMMUNIQUE

APRIL, 1987

RURAL ADVANCEMENT FUND INTERNATIONAL

A Report On
The Commission on Plant Genetic Resources
Second Session
Rome, 16 - 20 March, 1987

ISSUE: The establishment of an international fund for the conservation and utilization of plant genetic resources, participation of governments in the U.N. Food and Agriculture Organization's International Undertaking to promote full exchange of genetic resources, and the establishment of an international system of gene banks under FAO auspices.

COUNTRIES AFFECTED: All countries--but especially Third World countries--would be affected by the establishment of an international gene fund. Debate over all the issues at FAO has broken down along North-South lines.

WHEN: The international fund may be established as early as November, 1987, or at the following FAO Conference in 1989. The structure for the international system of gene banks will probably be approved this year.

Sixty-one of the 84 member states of the Commission participated in the Second Session along with 18 observer states including two who are not actually members of FAO: the Soviet Union and the German Democratic Republic. Representatives of 16 inter-governmental and non-governmental organizations were also in attendance.

Farmers' Rights at Centre Stage

In five days of meetings notable for their lack of acrimony, one of the most significant accomplishments was to

place the Rights of Farmers on a footing at least equal to that of Breeders' Rights. In the final document, wherever reference is made to the rights of breeders, that reference is matched by a similar reference to the rights of farmers. But what are these rights? And how are they to be recognized?

Plant breeders' rights are now recognized in national legislation in some industrialized countries. These laws recognize the right of the breeder (normally a corporation) to compensation (through royalties) and to control over the terms of sale and the marketing conditions of their product--the seed. The theory and substance of farmers' rights are not so different from those of plant breeders' rights. Third World governments argue that farmers' rights must also be made real and concrete to be meaningful. Like breeders (who use the diversity created by the efforts of farmers over thousands of years), farmers deserve compensation for their efforts. For technical reasons, this compensation cannot go to individual farmers. But it can go to farmers as a group through the International Fund (see below), where it would be used to further conservation and utilization. Thus where breeders have royalties, farmers have the International Fund. Breeders' rights to control over their product are protected by national legislation. Farmers' rights to control over the product of their labor are enshrined in the FAO's International Undertaking, which sets out guidelines for access to and exchange of plant genetic resources.

Fund Established

To the surprise of many, the Commission agreed to ask the Director-General to establish an International Fund for the Conservation and Utilization of Plant Genetic Resources. Initially, the Fund will be contributed to by both governmental and non-governmental organizations on a voluntary basis. But the door was left open to a more formal arrangement by which the seed industry could be taxed for a small percentage of the retail price of seed and other planting material. The estimated benefit of a non-charity, tax-based approach is approximately US\$150 million per annum. This Fund would be administered as a Special Trust by FAO.

No Compromise on Breeders' Rights

The Fund was established without making changes in the International Undertaking on Plant Genetic Resources related to the status of Breeders' Rights or specialist breeding lines. (The Undertaking calls for the full exchange of all categories of genetic resources from landraces to advanced

breeding lines. This provision is of concern to countries that have strong corporate seed interests and allow for the patenting of new crop varieties under guidelines of the Union for the Protection of New Varieties of Plants--UPOV.) At one point it seemed that some Third World countries were prepared to jettison any part of the Undertaking that offended UPOV member states. But, in the final debates and drafting, all developing countries maintained the view that the Undertaking should not be amended. Left open is the possibility that a new interpretation may sometime in the future allow for a view of Breeders' Rights that would be less offensive to UPOV states. Comments from several Third World countries expressed a willingness to live with UPOV in return for the recognition of Farmers' Rights in practical terms.

Austria Supports FAO Network

Regarding the possible formation of a network of gene banks under the auspices of FAO, most states seemed to prefer an option that would give limited auspices to FAO over certain designated collections. Among industrialized nations, Austria stood out as the only country following the path of Spain and Costa Rica in placing their gene banks directly under FAO control.

It is quite possible that the Dutch government will shortly send a letter to the Director-General of FAO urging that FAO place IBPGR firmly under the control of the Commission on Plant Genetic Resources.

Commission Participation Broadens


The presence of both the Soviet Union and the German Democratic Republic as observers to the meetings was considered significant by all. Neither country is a member of FAO and it has long been argued that the structure of the Commission within FAO would preclude the participation of the Soviets in this body and render any Undertaking ineffective. In fact, the Soviets joined in the final drafting committee and appeared to take an active but low-key role. During the course of the Commission meeting, five new countries announced their intention to join the Undertaking and the Commission.

The next (third) meeting of the Commission will be in March, 1989. The future work programme of the Commission will include consideration of the impact of biotechnology; the link between breeders rights and farmers rights as well as other areas specified in the draft agenda.

The Working Group of the Commission is to be increased

to 23 members including five from Africa, compared to four from Asia, four from Latin America, and three from the Near East. This new formula allows the participation of Ethiopia, a country of immense genetic diversity.

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	منظمة الأغذية والزراعة للأمم المتحدة	CPGR/87/Inf.1 March 1987
	联合国粮食及农业组织	
	FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS	
	ORGANISATION DES NATIONS UNIES POUR L'ALIMENTATION ET L'AGRICULTURE	
	ORGANIZACION DE LAS NACIONES UNIDAS PARA LA AGRICULTURA Y LA ALIMENTACION	

COMMISSION ON PLANT GENETIC RESOURCES

Second Session

Rome, 16-20 March 1987

MEMBERS OF THE COMMISSION AND/OR COUNTRIES WHICH HAVE ADHERED TO THE UNDERTAKING

AFRICA

BENIN 1/
 BOTSWANA 1/
 BURKINA FASO 1/2/
 CAMEROON 1/2/
 CAPE VERDE 1/2/
 CENTRAL AFRICAN REP. 1/2/
 CHAD 1/2/
 CONGO 1/
 COTE D'IVOIRE 2/
 GABON 2/
 GAMBIA 1/
 GUINEA 2/
 GUINEA-BISSAU 1/
 KENYA 1/2/
 LIBERIA 1/2/
 MADAGASCAR 1/2/
 MALAWI 2/
 MALI 1/2/
 MAURITANIA 1/2/
 MAURITIUS 2/
 MOROCCO 1/
 MOZAMBIQUE 2/
 RWANDA 1/
 SENEGAL 1/2/
 SIERRA LEONE 1/
 SUDAN 1/
 UGANDA 1/
 ZAMBIA 1/2/
 ZIMBABWE 2/

ASIA AND THE SOUTH WEST PACIFIC

AUSTRALIA 1/
 BANGLADESH 1/2/
 CHINA 2/
 DEMOCRATIC PEOPLE'S REP. OF KOREA 1/2/
 FIJI 2/
 INDIA 1/2/
 INDONESIA 1/
 KOREA, REPUBLIC OF 1/2/
 NEPAL 2/
 NEW ZEALAND 2/
 PAKISTAN 1/
 PHILIPPINES 1/2/
 SOLOMON ISLANDS 2/
 SRI LANKA 1/2/
 THAILAND 1/
 TONGA 2/

EUROPE

AUSTRIA 1/2/
 BELGIUM 2/
 BULGARIA 2/
 CYPRUS 1/2/
 DENMARK 1/2/
 FINLAND 1/2/
 FRANCE 1/2/
 GERMANY, FEDERAL REPUBLIC OF 1/2/
 GREECE 1/2/
 HUNGARY 1/2/
 ICELAND 1/2/
 IRELAND 1/2/
 ISRAEL 1/2/
 ITALY 1/
 LIECHTENSTEIN 2/
 NETHERLANDS 1/2/
 NORWAY 1/2/
 POLAND 1/2/
 PORTUGAL 1/
 SPAIN 1/2/
 SWEDEN 1/2/
 TURKEY 1/2/
 UNITED KINGDOM 1/2/
 YUGOSLAVIA 1/

LATIN AMERICA AND THE CARIBBEAN

ANTIGUA & BARBUDA 2/
 ARGENTINA 1/2/
 BARBADOS 1/2/
 BELIZE 1/
 BOLIVIA 1/2/
 BRAZIL 1/
 CHILE 1/2/
 COLOMBIA 1/2/
 COSTA RICA 1/
 CUBA 1/2/
 DOMINICA 2/
 ECUADOR 1/
 EL SALVADOR 1/2/
 GRENADA 2/
 GUATEMALA 1/
 HAITI 1/2/
 HONDURAS 1/2/
 JAMAICA 2/
 MEXICO 1/2/
 NICARAGUA 2/
 PANAMA 1/2/
 PARAGUAY 2/
 PERU 1/2/
 SAINT LUCIA 1/
 SAINT VINCENT AND THE GRENADINES 1/
 URUGUAY 1/
 VENEZUELA 1/

NEAR EAST

AFGHANISTAN 1/
 BAHRAIN 2/
 EGYPT 1/2/
 IRAN, ISLAMIC REP. OF 1/2/
 IRAQ 2/
 KUWAIT 2/
 LEBANON 2/
 LIBYA 1/2/
 OMAN 2/
 SYRIA 1/2/
 TUNISIA 1/2/
 YEMEN ARAB REP. 1/
 YEMEN, P.D.R. 2/

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1/ Members of the Commission 2/ Countries which have adhered to the Undertaking

The above totals 109 countries which have become members of the Commission (81) or which have adhered to the Undertaking (81), or both.

