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منظمة الأغذية  
والزراعة  
للأمم المتحدة

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

Organización  
de las  
Naciones  
Unidas  
para la  
Agricultura  
y la  
Alimentación

## Item 8 of the Draft Provisional Agenda

### COMMISSION ON GENETIC RESOURCES FOR FOOD AND AGRICULTURE

Eighth Regular Session

Rome, 19 – 23 April 1999

**BACKGROUND DOCUMENTATION PROVIDED BY THE  
SECRETARIAT OF THE CONVENTION ON BIOLOGICAL  
DIVERSITY (CBD) TO THE FAO COMMISSION ON GENETIC  
RESOURCES FOR FOOD AND AGRICULTURE**

This report is fully the responsibility of the CBD Secretariat and is available in the language in which it has been submitted only.

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**REPORT OF THE SECRETARIAT OF THE CONVENTION ON BIOLOGICAL DIVERSITY (CBD) TO THE FAO COMMISSION ON GENETIC RESOURCES FOR FOOD AND AGRICULTURE ON ITS POLICIES, PROGRAMMES AND ACTIVITIES ON AGRICULTURAL BIOLOGICAL DIVERSITY**

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1. The report submitted by the CBD Secretariat to the 7<sup>th</sup> regular session of the Commission on Genetic Resources for Food and Agriculture (CGRFA) highlighted the key decisions of relevance that were adopted at the third meeting of the Conference of the Parties (Buenos Aires, November 1996) and the major activities for their implementation (CGRFA/7/97/7). On the basis of progress made, and taking into account new and emerging issues, the fourth meeting of the Conference of the Parties (COP) (Bratislava, Slovakia, May 1998) adopted further decisions regarding genetic resources for food and agriculture as outlined below.
2. Decision IV/6 of the COP complements its earlier decision III/11 which agreed to establish a multi year programme of work on the conservation and sustainable use of agricultural biological diversity. The assessment of activities and instruments on agricultural biodiversity at national and international levels is in progress with a view to the further development of the programme of work by the Subsidiary Body for Scientific, Technical and Technological Advice (SBSTTA-V, Montreal, 31 January - 4 February 2000) and its subsequent adoption by the COP (COP-V, Nairobi, 15-26 May 2000). The progress that is being made, is further elaborated in the report before this meeting regarding Cooperation between the Food and Agriculture Organisation of the United Nations (FAO) and the Convention. That report has been jointly prepared by FAO and CBD Secretariat, and outlines further cooperation regarding forest and aquatic genetic resources important to food and agriculture.
3. In its decision IV/5 and its annex, and building on decision II/10 (the Jakarta Mandate), the COP adopted a detailed programme of work on marine and coastal biological diversity. It highlights the ecosystem and precautionary approaches, and includes programme elements on the implementation of integrated marine and coastal area management (IMCAM), marine and coastal living resources and protected areas, mariculture, as well as alien species and genotypes. The Secretariat is actively developing cooperative arrangements and partnerships in the implementation of this substantive programme of work with a view to avoiding duplication, harmonizing efforts, and ensuring cost effective implementation.
4. A programme of work on forest biological diversity was endorsed by COP decision IV/7 and its annex, which builds on decision III/12. It focuses on research and technology development through programme elements that address holistic and inter-sectoral ecosystem approaches for the conservation and sustainable use of biological resources as well as the elaboration and implementation of criteria and indicators for forest biological diversity. It further identifies specific research and technical priorities for minimizing or mitigating the underlying causes of the loss of forest biological diversity and for assessing ecological landscape models and protected area networks. Technical cooperation is emphasised and, in this regard, FAO was invited to integrate forest biological diversity into ongoing work on the Global Forest Resources Assessment.

5. In its decision IV/4 and its annex, the COP adopted a programme of work on the biological diversity of inland waters ecosystems, including the assessment of the status and trends and the identification of options for conservation and sustainable use. Other programme elements address the associated matters of identification and monitoring, assessment methodologies and taxonomy. The implementation of these programmes of work on inland waters and forest biological diversity have been initiated through inviting national focal points and relevant organisations, to submit relevant inputs and case studies to the Secretariat, as well as through consultations with key partners and institutions and attendance at relevant meetings.
6. The four programmes of work that address the conservation and sustainable use of crop, livestock, aquatic, and forest genetic resources for food and agriculture are supported by decision IV/1 which addresses the cross-cutting scientific and technical issues regarding the development and application of the ecosystem approach, alien species that threaten ecosystems, habitats or species and taxonomy. The Secretariat has initiated consultations with potential partners with a view to the eventual organisation of a liaison group meeting of experts on the ecosystem approach which would draw inter alia upon relevant activities under the programmes of work for agricultural, forest, inland waters and marine and coastal biological diversity.
7. Such activities include the Secretariat's participation in the Workshop on the Ecosystem Approach to the Management and Protection of the North Sea (Oslo, June 1998) with a view to promoting the ecosystem approach and testing the application of the 12 principles of the ecosystem approach (Lilongwe workshop, 1998). Another relevant activity was the international workshop, organised jointly by FAO-CBD and supported by the Netherlands Government, on Opportunities, Incentives and Approaches for the Conservation and Sustainable Use of Agricultural Ecosystems and Production Systems (Rome, 2-4 December 1998). Through reviewing case studies, experiences and lessons learnt at ecosystem level, experts from 20 countries and 15 organisations considered opportunities and incentives for promoting sustainable agricultural strategies, farming systems and practices, as well as landscape management approaches, that enhance biological diversity and ecosystem functioning. The report of the workshop should be of interest to the Commission.
8. Further decisions and programmes of direct relevance to the work of the Commission include decision IV/8 on access and benefit sharing, decision IV/15 which addresses inter alia, intellectual property rights (IPR) and decision IV/9 on the implementation of Article 8(j) and related provisions. The inter-sessional meeting on the operations of the Convention, to be held immediately after SBSTTA-IV from 28-30 June 1999 (ref. decision IV/16), will explore options for access and benefit sharing mechanisms. It will also analyse information and develop recommendations for consideration at the fifth meeting of the COP with a view to resolving the issue of those ex situ collections that were acquired prior to the entry into force of the Convention and which are not addressed by the Commission. The Secretariat has invited information on ex situ collections and on relevant activities and experience in the development and promotion of legislative and administrative measures, policies and programmes for benefit sharing arrangements.
9. This inter-sessional meeting will also start work on developing a common appreciation of the relationship between IPR and the relevant provisions of the Agreement on the Trade Related Aspects of Intellectual Property Rights (TRIPS) and the Convention. This work will focus particularly on issues relating to technology transfer and conservation and sustainable use of biological diversity and the fair and equitable sharing of benefits arising out of the use of genetic resources, including the protection of knowledge, innovations and practices of indigenous and local communities.

10. In accordance with COP decision IV/8, and earlier decisions II/15, III/11 and III/15, a regionally balanced panel of experts on access and benefit sharing is being established. It aims to develop a common understanding of the basic concepts and to explore all options for access and benefit sharing on mutually agreed terms including guiding principles, guidelines and codes of best practice. The Secretariat has invited Governments to nominate experts for this panel which will be composed of representatives from the private and public sectors and from indigenous and local communities. It has also started compiling information, from all relevant sources, for use by the Panel, including legislative, administrative and legal measures, best practices and case studies on access to genetic resources and benefit sharing arising from the use of those genetic resources, including the whole range of biotechnology.
11. COP Decision IV/9 established the ad hoc open-ended inter-sessional working group on the implementation of Article 8(j), and short and medium-term programmes of work to facilitate the work of the Parties. The first meeting of the working group will take place in Montreal in January, just prior to SBSTTA-V to allow its advice to feed into that meeting. The Secretariat has prepared an indicative outline for case studies based on the five areas specified in paragraph 10 of decision IV/8 and a sixth, relating to Article 8(j) and intellectual property rights. It has invited national focal points, local and indigenous community organizations and other relevant organizations to submit case studies. A scheme for a joint work plan has been developed with the World Intellectual Property Organization (WIPO) in order to determine how best to protect the knowledge, innovations and practices of indigenous and local communities embodying traditional lifestyles relevant to the conservation and sustainable use of biological diversity (decision IV/8, paras. 14-17).
12. The sixth and final negotiating meeting of the ad hoc open ended Working Group on Biosafety for the elaboration of a Protocol for the safe, handling, transfer and use of living modified organisms is to be held in Cartagena (Colombia), from 14 to 19 February 1999. This will be preceded by two days of regional and inter-regional consultations and followed by an extraordinary meeting of the Conference of the Parties to adopt the Protocol.
13. Also reflecting the precautionary approach, pursuant to paragraph 11 of decision IV/6 and in preparation for the fourth meeting of SBSTTA (Montreal, 21-25 June 1999), the Secretariat has invited contributions from Parties and organisations towards the assessment of the consequences for the conservation and sustainable use of biological diversity of the development and use of new technology for the control of plant gene expression, as exemplified by US patent 5,723,765. A team of biotechnology, intellectual property, plant breeding and socio-economic specialists has been recruited to assist in preparing a scientifically sound technical paper which will be subject to review by a panel of experts nominated by each region and by key organisations and associations. The final paper will be distributed in April 1999 for further contributions that will be compiled in a SBSTTA information document.
14. There are currently 175 Parties to the Convention on Biological Diversity, including 174 countries and one regional economic integration organisation.