

	منظمة الأغذية والزراعة للأمم المتحدة	CPGR/87/Inf.4 18 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

SUMMARY OF THE DELIBERATIONS OF THE CONTACT GROUP MEETING  
HELD ON 17 MARCH 1987

by the Chairman, Mr. Horacio Carandang (Philippines)

1. The Contact Group created by the Plenary, and composed of 17 members, met on 17 March from 14.45 to 17.45 hours. The following countries had agreed to serve on the Contact Group: Philippines (Chairman), Argentina, Australia, Cape Verde, Congo, Costa Rica, Cuba, Egypt, Ethiopia, France, Federal Republic of Germany, India, Kenya, Mexico, Sweden, Tunisia, USSR.

2. The Contact Group agreed that its objective was to seek an improvement in the full participation of countries in the International Undertaking on Plant Genetic Resources. This objective was to be achieved, not by introducing amendments in the present text of the Undertaking, but rather through, a negotiated interpretation of the controversial portions of the Undertaking.

3. The Contact Group agreed that this was a difficult task: breeders' rights are already recognized by national legislation in many countries. The so-called "farmers' rights", however, which stem from the work that farmers have performed over the centuries, which resulted in the formation of the land-races, have not found any recognition in the laws and institutions of nations. It was agreed that these rights,

too, must be given some formal recognition. It was acknowledged that, while the so-called "farmers' rights" could not yet be given a precise definition, some sort of compensation for their most valuable contribution to the enrichment of the plant genetic resources of the world was well-founded and legitimate. It was pointed out that one way of giving practical recognition to this right could be in a form of a multifaceted international cooperation including a freer exchange of plant genetic resources, exchange of information and research findings and training. Another way could be through monetary contribution for financing a program for the furtherance of the objectives of the International Undertaking on Plant Genetic Resources.

4. Some delegations indicated that a recognition of breeders' rights the Undertaking would enable their countries to drop their reservations to the Undertaking.

5. It was pointed out that, for purposes of scientific research and plant breeding, no authorization from breeders was required to use cultivated varieties in current use, as is spelled out in the UPOV convention. It was also pointed out that some special genetic stocks, including some elite and current breeders' lines, have in the past been made available' for the purpose of research and breeding. These stocks and lines, however, were usually not available in genebanks. They were kept by the breeders themselves, who were private persons or entities, and were therefore not under the control of genebanks or of governments.

6. It was indicated that since the operation and maintenance of genebanks cost a lot of money, it might not always be possible to provide material free of charge. But perhaps a distinction between profit and the recovery of operating and maintenance costs could be useful in the search for a negotiated interpretation of the text in question.

7. It was agreed that an attempt should be made to reach a negotiated interpretation of the controversial texts: art. 1; art. 2. 1. V; and arts. 5, 6 and 7. Some delegations indicated that this work could possibly be pursued in the Working Group, the membership of which could be expanded if the commission so desired.

8. The views expressed in the Contact Group, as well as in the Commission and in the Working Group, relative to breeders' rights, farmers' rights and the free exchange of plant genetic resources should be taken into account by the negotiating group in the search for a negotiated interpretation of the controversial texts.

9. This is the Chairman's summary of the various stages of the deliberations of the Contact Group on 13 March 1987.