

Interim Panel of Eminent Experts for the Establishment of the Global Crop Diversity Trust

Second Meeting Rome, 2 - 4 October 2003

The Interim Panel of Eminent Experts for the Establishment of the Global Crop Diversity Trust held its second meeting in FAO, Rome, from 2-4 October 2003.

The following Members of the Panel were present:

Fernando Gerbasi, Ambassador,

Chairman of the Interim Panel of Eminent Experts

Andrew Bennett, Executive Director, Syngenta Foundation

Lukas Brader, Director-General, International Institute
of Tropical Agriculture (retired)

Lewis Coleman, President, Gordon and Betty Moore Foundation

Tewolde Berhan Gebre Egziagher, General manager,
Environmental Protection Agency, Ethiopia

Walter Fust, Ambassador, Director General,
Swiss Agency for Development and Cooperation

Geoffrey Hawtin, Interim Executive Secretary,

Interim Panel of Eminent Experts and Panel Member, *ex officio*

Chebet Maikut, Chair of the Science and Technology Committee of the
International Federation of Agricultural Producers and President
of the Uganda National Farmers' Federation

Members of the Interim Panel of Eminent Experts, who were unable to attend, sent their regrets:

Mohammed Roositalab, Chairman, Global Forum for Agricultural Research
and Deputy Director-General, Agricultural Research and Education
Organization, Islamic Republic of Iran

Ismail Serageldin, Director, Library of Alexandria, Egypt

Setijati Sastrapraja, Senior Scientist, Indonesian Institute of Sciences

Mahmoud Solh, Director, Plant Production and Protection Division, FAO, and Emile Frison, Director-General, IPGRI, attended the meeting as observers. The Secretary of the Commission on Genetic Resources for Food and Agriculture acting as Interim Committee for the Treaty, Mr. José Esquinas-Alcázar, also attended.

Introduction

Ms. Louise O. Fresco, Assistant Director-General, Agriculture Department, FAO, welcomed the Panel on behalf of the Director-General, noted the importance of its work for food security and agricultural development, and wished it success in its important deliberations.

The Chairman welcomed participants. He informed them that Sir Richard Sykes had resigned, due to pressure of work. The Panel recorded a vote of thanks for his work on the Trust and noted that Andrew Bennett had been invited to join the Panel in his place.

Report on consultations with stakeholders

The Chairman informed the Panel that, on 29 September 2003, the Group of 77 in FAO had been briefed on developments regarding the Trust, and expressed its support for the initiative.

On 1 and 2 October, the Panel had met with a wide range of donors and potential donors, from both developing and developed countries, representing both the private and public sectors, and had invited their opinion and advice regarding the formal establishment of the Global Crop Diversity Trust, and on the proposed interim arrangements for the period before the Trust is formally established. The participants in this meeting are listed in *Appendix 1*. A very useful and constructive dialogue had taken place.

The Chairman also noted that comment on the documents before the Panel had been received from absent Panel Members, and from a wide range of other

stakeholders. It was important that, in finalizing the various documents before the Panel, all relevant opinions be given due consideration.

Update on fundraising

The Panel was informed that, to date, \$32.5 million had been committed and a further \$60 million was under consideration, by various public and private sector donors. The Panel was pleased to learn that the target of raising \$100 million in commitments and firm pledges by the end of 2003 still appeared to be achievable. It stressed the importance of also promoting wide public understanding and support for the Global Crop Diversity Trust, and requested all Members of the Panel to hold themselves available to assist in the fundraising and public information activities, as appropriate.

Approval of the governance instruments

a. Constitution

The Panel considered the draft Constitution of the Trust. It noted that the text had been seen by and discussed with a wide range of stakeholders, and had met with general support. It reviewed and amended this text, and, in accordance with its mandate, approved the Constitution of the Global Crop Diversity Trust.

b. Establishment Agreement

The Panel considered that the Trust should be established as an independent international fund, and reviewed a draft Establishment Agreement, which States would be requested to sign or in due course accede to, for this purpose. It approved the Establishment Agreement, and decided that the Constitution of the Trust should be annexed to it and form an integral part of the Establishment Agreement. These documents are attached as *Appendix 2*.

c. Draft Relationship Agreement between the Governing Body of the International Treaty on Plant Genetic resources for Food and Agriculture, and the Global Crop Diversity Trust

The Panel noted that the Ninth Session of the Commission on Genetic resources for Food and Agriculture had recorded that the Trust would operate within the framework of the International Treaty, and be an essential element of its funding strategy, under the overall policy guidance of the Treaty's Governing Body. It therefore approved a

draft Relationship Agreement between the Governing Body of the Treaty and the Trust, for the consideration of the Governing Body, once the Treaty had come into force. This is attached as *Appendix 3*.

The Panel requested its Chairman to convey these governance instruments to the Directors General of FAO and IPGRI, and to request the Director-General of FAO, as Depository of the Establishment Agreement, to send the Establishment Agreement and the Constitution of the Global Crop Diversity Trust to all States, requesting them to sign the Establishment Agreement or in due course accede to it, so that the Trust might formally be established. It further decided to request the Directors General of FAO and IPGRI, acting on behalf of the Future Harvest Centres of the CGIAR, to appeal to all potential donors, from both the public and private sectors throughout the world, rapidly to make available the financial resources that will be needed.

Interim Functioning of the Global Crop Diversity Trust

The Panel accordingly decided that it would assume the roles and responsibilities foreseen for the Executive Board in the Establishment Agreement and the Constitution of the Trust, on an interim basis until the formal establishment of the Trust and the first meeting of the Executive Board. In this capacity, it would, *inter alia*, and as appropriate, initiate the disbursement of funds when this became possible, in accordance with the objectives of the Trust's Constitution. It requested the Chairman to inform the Directors General of FAO and IPGRI, acting on behalf of the Future Harvest Centres of the CGIAR, and to request their assistance to the work of the panel in this capacity.

The Panel decided that the Chairman should invite the Governments of Australia and Egypt, which had already contributed to the Trust, to make a proposal to its next meeting for the establishment of an Interim Donors' Council, on the basis of the pertinent articles of the Constitution, to fulfil the functions foreseen for the Donors' Council, in the period before the formal establishment of the Trust.

The Panel reviewed the draft principles, criteria and standards for identifying collections that would be eligible to receive funding from the Trust, which had been prepared by the Interim Executive Secretary, following intensive consultations with a wide range of stakeholders. It requested the Interim Executive Secretary to further develop the principles and criteria, for consideration at its next meeting.

The Panel decided that, in the interim period, it would continue to use the financial arrangements provided by FAO and IPGRI for the holding of contributions. Furthermore, the Secretariat should continue to explore possible interim fund management arrangements with the United Nations Foundation and begin work on the development of a permanent financial system for the Trust.

The Panel considered and adopted its Work Programme for the interim period, which is attached as *Appendix 4*. It also considered the proposed operational budget for its work in this period. It decided that a clear distinction should be made in the budget between operational costs and the costs of fund-raising. The Panel expressed concern about the limited funds currently available for operations in 2003 and 2004, and urged donors, the Future Harvest Centres and other relevant institutions to make the necessary funds available.

The Panel requested the Interim Executive Secretary to circulate a monthly update to the Panel on the Trust, to include financial and operational aspects. It decided to review and adopt its budget at its Third Meeting.

The Panel requested IPGRI to continue to provide pre-financing for the operational costs of the Trust, should this become necessary, on the understanding that such moneys would be reimbursed from contributions in due course.

The Panel took note of the proposal by the Interim Executive Secretary on a Roster of Experts.

The Panel requested the Interim Executive Secretary to elaborate terms of reference for hosting the Trust, for consideration at its next meeting.

Date and place of the Third Meeting of the Interim Panel of Eminent Experts

The Panel decided that its Third meeting would be in Rome, tentatively from 10-12 March 2004. It requested the Interim Executive Secretary to circulate the agenda and documents at least six weeks before the meeting.