

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

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## **Report of the Fifth Meeting**

**FAO, Rome, Italy, 13-14 October 2004**

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The Interim Panel of Eminent Experts for the Establishment of the Global Crop Diversity Trust, held its fifth meeting at FAO in Rome, Italy from 13-14 October 2004.

The following Members of the Panel were present:

Ambassador Fernando Gerbasi (Chair)

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

Andrew Bennett, Executive Director, Syngenta Foundation;

Tewolde Berhan Gebre Egziagher, Director General, Environmental Protection Authority, Ethiopia;

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;

Mohammad Roozitalab, Chairman, Global Forum for Agricultural Research and Deputy Director General, Agricultural Research and Education Organization, Islamic Republic of Iran;

Setijati D. Sastrapradja, Senior Scientist, Indonesian Institute of Sciences.

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

Lewis Coleman, President, Gordon and Betty Moore Foundation;

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

Ismail Serageldin, Director, Library of Alexandria, Egypt.

The following attended as observers:

Emile Frison, Director-General, IPGRI;

Ismail Abdel Galil Hussein, Professor, President, Desert Research Center,  
Egypt;

John Lovett, Emeritus Professor, Former Chief Executive Officer, The Grains  
Research and Development Corporation, Australia;

Donelle Wheeler, Counsellor, Development Cooperation, Australian  
Delegation to the OECD.

Katharina Jenny, Senior Advisor, Natural Resources and Environment  
Division, Swiss Agency for Development and Cooperation.

The following attended as resource persons:

José Esquinas-Alcázar, Secretary of the Commission on Genetic Resources  
for Food and Agriculture

Julian Laird, Director for Development, Global Crop Diversity Trust;

Josephine Luzon, Finance Manager, IPGRI;

Arturo Martinez, Chief, Seed and Plant Genetic Resources Service, FAO

Gerald Moore, Legal advisor, Global Crop Diversity Trust;

Ruth Raymond, Global Crop Diversity Trust and IPGRI;

Mahmoud Solh, Director, Plant Production and Protection Division, FAO;

Clive Stannard, Secretariat of the Commission on Genetic Resources for  
Food and Agriculture acting as Interim Committee for the Treaty;

Jane Toll, Coordinator, CGIAR Systemwide Genetic Resources Programme,  
IPGRI;

## **Introduction**

The Chair, Ambassador Fernando Gerbasi, welcomed the members of the Interim Panel of Eminent Experts and observers and informed the meeting that Lewis Coleman was unable to attend for health reasons. The IPEE sent its best wishes for a speedy recovery. The Chair also thanked Lukas Brader for his excellent chairing of the previous two meetings of the Interim Panel of Eminent Experts which he had been unable to attend.

José Esquinas-Alcázar briefed the Interim Panel of Eminent Experts on the meeting that had recently taken place in Brussels of the Expert Working Group on the Material Transfer Agreement under the International Treaty on Plant Genetic Resources for Food and Agriculture. He said that very good progress had been made and that it appears possible that a draft text could be agreed for the consideration of the first meeting of the Governing Body of the Treaty which is expected to take place in 2005.

### **Matters arising from the Report of the Fourth Session**

Tewelde indicated that the report of the fourth meeting should show him as the Director General of the Environmental Protection Authority, Ethiopia.

### **Status of the Establishment Agreement**

The IPEE was informed that to date there have been signatures from 11 countries from four of the FAO regions: Africa (Cape Verde, Ethiopia, Mali and Togo) Latin America (Ecuador), the Near East (Egypt, Jordan, Morocco and Syria) and the Pacific (Samoa and Tonga). It was announced at the meeting that the Sweden will also sign within the next few days – bringing the total regions to five and thus conferring on the Trust its international legal status. A number of other countries are expected to sign over the coming few months.

### **Report of the Informal Donor Meeting**

Donelle Wheeler briefed the meeting on the outcome of the informal meeting of donors to the Trust that had taken place in the evening of 11 October and all day 12 October at IPGRI. The meeting had been co-convened by Egypt and Australia. Sweden had announced its decision to provide SKr 50 million (approx US\$ 7 million) to the Trust, which news was received with great acclaim. The morning session had focussed on raising resources for the Trust and a number of specific ideas and recommendations had emerged. The afternoon session had been devoted to governance issues related to the process for establishing the Donor Council including how to fulfil its function of appointing four members to the Executive Board of the Trust.

Following a discussion of the recommendations of the informal donor meeting, the Interim Panel of Eminent Experts **agreed** that the Donor Forum (a body to comprise all donors who have made a total contribution to the Trust of at least \$25,000) would be invited to act as the Donor Council for a period of one year. At the end of this period the situation would be reviewed by the Executive Board, which it was hoped would be established before then, with a view to putting in place the permanent arrangements. It was **agreed** that the Interim Panel of Eminent Experts would contact all donors with this suggestion and invite their comments within ten working days of receiving the message and only after this, and provided no major objections are received, would donors be formally invited by the Chair of the IPEE to join the Donor Council.

It was noted that a first item of business for the Donor Council was the appointment of four people to serve, in their individual capacity, on the Executive Board. The process for making such appointments was discussed and, based on the recommendations of the informal donor meeting, it was **agreed** that when contacting donors with respect to the composition of the Donors Council, the Secretariat would also solicit their views regarding the following proposal for appointing Executive Board members. All members of the Donor Council would be invited to forward the names of candidates, with their c.v.s, to the Secretariat which, after a given deadline, would compile a list of all names received. This would be circulated to all Donor Council members and they would be asked to name their top six candidates in ranked order. Based on the responses received, the Secretariat would compile a list of the top six candidates as a basis for consultation with the Bureau of the Interim Committee of the International Treaty (see next item). Based on this the Secretariat would, in consultation with the co-convenors of the informal donor meeting, propose a slate of four candidates, together with an analysis of the reasons for the proposal, to the Donor Council members for their comment and approval. Further iterations of consultations with the Donor Council might be needed before reaching a final consensus on the appointees.

It was **agreed** that donors would be notified of the particular need to identify candidates with financial, and in particular investment, expertise in considering their nominations.

#### **Report on the Appointment of the Executive Board members by the Interim Committee of the International Treaty**

It was noted that the Trust will make a formal presentation in November to the meeting of the Commission on Genetic Resources acting as the Interim Committee of the international Treaty. The Interim Committee is being requested by the Interim Panel of Eminent Experts to consider setting up a mechanism (ideally the Bureau of the meeting) that would take the lead in identifying the four Governing Body appointees to the Executive Board. The list of possible Donor Council appointees would be shared with the Bureau, or other body as agreed by the Interim Committee, to make sure that there is a good overall balance among the Executive Board appointees with respect to countries and regions, expertise, gender etc. The paper on this topic that had been approved in June 2004 at IPEE4 will be made available to all members of the Interim Committee as well as the Donor Council members.

### **Business Plan**

The draft Business Plan was discussed at some length and it was **agreed** that overall it was a very useful and well presented document. A number of **suggestions** were made for its improvement and some issues were raised with respect to Annex 4 on the Interim Investment Policy. It was **agreed** that the Secretariat would incorporate the suggested changes as appropriate and that the Interim Finance and Investment Committee would sign off on the final version of the section referring to the Trusts investments. With this, the Interim Panel of Eminent Experts **approved** the business plan and **recommended** that it be circulated widely.

### **Communications**

The Secretariat indicated that it had not been possible to make as much progress as had been hoped at IPEE4 with respect to developing a more detailed communications strategy. However, steps have been initiated to strengthen the Secretariat's communications capacity. It is expected that an additional staff member with expertise in communications will be in place early in 2005 and that in the mean time the expertise of consultants may be engaged. Further work may also be channelled through the Washington-based communications company that is already assisting the Trust with its communications.

### **Fundraising Update**

Julian Laird briefed the meeting on the latest situation regarding fundraising. Since IPEE4 in June 2004, contributions have been pledged by Ethiopia, Sweden and a private individual. All three contributions are very significant in the context of the overall fundraising strategy. The pledge by Ethiopia is particularly welcome in terms of the strong message it sends to other potential donors concerning the importance Ethiopia attaches to the Trust. The Swedish contribution is the first pledge from a country that is a member of the European Union and their assistance is being sought in securing contributions from other member countries and the EC itself. The private donation is the first to be pledged by an individual and again helps demonstrate the broad spread of support for the Trust's work.

The IPEE noted the revised schedule for the build-up of the endowment fund but also recognized that the Trust will not have to wait until the initial endowment fund target has been reached before being able to make a very valuable contribution to the achievement of its goals. Grants for upgrading and capacity building will be made

immediately and long-term grants for conservation will be phased in as soon as the first investments proceeds are received from the initial payments into the endowment fund.

### **Finance and Investment Management**

At IPEE4 the Panel had approved that the Interim Finance and Investment Committee proceed with making arrangements for investing the initial US\$25 million received for the endowment fund. In line with the process agreed by the Interim Panel of Eminent Experts, six investment companies had been contacted and invited to submit proposals that meet the investment criteria approved at IPEE4. Three companies had submitted proposals and the Interim Finance and Investment Committee is currently examining them and expects to be able to make a decision soon and to initiate arrangements for the investment.

The meeting considered a paper prepared by the Secretariat on the issue of counterpart funding. It was **agreed** that it is important to give the message that the Trust aims to support the work of others and that the collections it supports are not the Trust's. The ability to provide counterpart contributions varies considerably and many countries are in a position to provide comparatively little in this respect. Nevertheless, it was agreed that items such as the recipient continuing to cover professional staff salaries is one way to demonstrate a commitment to conservation.

The Secretariat indicated that steps have been initiated to recruit a Finance Officer to handle all the day-to-day financial matters of the Trust. The Interim Panel of Eminent Experts agreed with the need to also begin the recruitment of a Chief Financial Officer and **requested** the Interim Finance and Investment Committee to work with the Secretariat in making this important appointment.

### **Fund Allocation Strategies**

A paper was presented on the revised interim principles, criteria and priorities for allocating funds from the Trust. This is a revision of the paper that had been generally endorsed at IPEE4, taking into account the comments made at that meeting. It was suggested that the wording with respect to safety duplication in a second country be further clarified to make it clear that such duplication is only a criterion for funding by the Trust in the case of material that is included in the multilateral system under the International Treaty. It was pointed out that the reference to a "safety depository" had been included in the paper to take into account

the recent discussions with Norway concerning their proposal to develop such a storage facility in the permafrost at Svalbard. The issue of safety depositories will be discussed at the forthcoming meeting of the Commission on Genetic Resources for Food and Agriculture. If the concept is endorsed by the Commission, this topic will be considered in more detail at IPEE6 with respect to any implications for the Trust.

The status of the development of the regional and crop conservation strategies was described by Ruth Raymond. More than half of the regional strategies will have begun before the end of 2004 as will about 17 of the crop strategies. It is planned that all strategies will be completed by the end of 2006. The strategies will guide the Trust's allocation of resources for both upgrading/capacity building and for long-term support for conservation.

It was noted that the strategies are being developed through existing networks – and in the case of the regional strategies, through the networks associated with the Global Forum on Agricultural Research. Some regional and crop networks are relatively weak and in such cases additional arrangements are being made to help ensure the participation of key stakeholders in the strategy development process.

It was further noted that the process of developing the regional and crop strategies was fully in line with the implementation of the Global Plan of Action and it was suggested that this be brought to the attention of the Commission at its meeting in November.

#### **Initial Upgrading and Capacity Building Grants**

The following proposals were considered by the Interim Panel of Eminent Experts for funding by the Trust:

Urgent Regeneration of Food Legume and Forage Crops at the Vavilov Institute (VIR)

Regeneration of Accessions in the International Coconut Genebank for Africa and the Indian Ocean

Securing Important Collections of Apple Genetic Resources in Kazakhstan and Turkmenistan

Increasing and Improving Seed Drying Capacity in Southern Africa

A Pilot project to Develop an Accession-level Information Resource for Rice

It was pointed out that collectively these projects will have a direct or indirect impact on at least 30 countries in all developing regions of the world.

The Interim Panel of Eminent Experts noted that the Executive Secretary is authorized to approve upgrading and capacity building projects that require total funding from the Trust of less than US\$ 100,000. While several of the proposals submitted to IPEE5 fall into this category, as these are the first grants to be made by the Trust, the Secretariat felt it to be important that the Interim Panel of Eminent Experts consider all five proposals submitted. In future, grants for upgrading and capacity building projects requiring less than US\$ 100,000 from the Trust will be approved by the Executive Secretary and all such grants will be brought to the attention of the Interim Panel of Eminent Experts, and in future the Executive Board.

The five proposals were discussed by the Interim Panel of Eminent Experts and **approved in principle** for funding, subject to the Secretariat successfully finalizing arrangements with the recipient institutions concerned, taking into account the suggestions made by the Panel. It was **agreed** that potential recipient institutions located in countries that had not yet ratified the International Treaty, would be required to sign a declaration confirming that they would make the materials available under the terms and conditions contained in Part IV of the International Treaty. A draft wording of this declaration is given in Annex 1.

The awards will be made to the recipient institutions through a standard Grant Letter that specifies the terms and conditions of the grant including the work to be carried out, financial and technical reporting requirements, the payment schedule and audit requirements. The Interim Panel of Eminent Experts **requested** that a standard Grant Letter be prepared by the Secretariat and that this be discussed at the next meeting of the Interim Panel of Eminent Experts.

### **Documentation Strategy**

A paper was tabled outlining the action that the Trust Secretariat proposes to take with respect to supporting the development of a global platform to link accession-level databases and information systems. Such a platform would build on existing infrastructures, initiatives and datasets, with ownership and management of the data maintained by the information providers. The Trust's support for documentation and information activities will require the use of existing international standards, protocols and systems for access and exchange of genetic resources information. This will

include the use of the IPGRI/FAO Multi-Crop Passport Descriptors as the standard for data exchange among multiple crop databases.

The Interim Panel of Eminent Experts **endorsed** the proposal and noted that the project they had approved earlier, to develop an accession-level information resource for rice, will serve as a pilot for testing this approach.

#### **Interim Arrangements for the location of the Trust's Headquarters in Rome**

The Secretariat described the steps that have been taken to put in place a temporary arrangement for the Trust to be able to continue to operate in Rome under the administrative umbrellas of FAO and IPGRI for a period of up to five years. Some concerns were expressed about continuing to spreading the Secretariat over two institutions rather than concentrating in a single location. It was explained that the proposed arrangements would allow flexibility for the Secretariat to consolidate in a single location should this become feasible. The Interim Panel of Eminent Experts expressed its gratitude to FAO and IPGRI for all the assistance they have given to date, and looks forward to maintaining the excellent strong and productive relationships. The Secretariat aims to finalise these interim arrangements within the next couple of months and will report on progress to the next meeting of the Interim Panel of Eminent Experts.

#### **Appointment of the Executive Secretary (closed session)**

The Search Committee, comprising Lukas Brader (Chair), Fernando Gerbasi, Andrew Bennett and Mohammad Roozitalab, together with Mahmoud Solh as an observer from FAO, reported that approximately 60 applications had been received for the position of Executive Secretary. They had met prior to IPEE5 and drawn up a shortlist of five candidates for the consideration of the Interim Panel of Eminent Experts. An additional candidate was also nominated to be kept in reserve should any of the others be unavailable for further consideration. The Interim Panel of Eminent Experts agreed with the short-listed candidates identified and **requested** that they now be contacted to determine their continuing interest in being considered for the position. In conformity with the constitutional requirement for consultation with the Donor Council and Governing Body of the International Treaty with respect to the appointment of the Executive Secretary, it was **agreed** that the short-list will be shared with these bodies with the request that they indicate if they have any particular objection to any of the candidates, and if so to provide the reason. It is proposed to hold interviews for the short-listed candidates immediately prior to the

next meeting of the Interim Panel of Eminent Experts at which time a decision will be made on the appointment.

### **Date and Place of IPEE-6**

The IPEE **decided** that IPEE-6 should be convened in Rome on 10 and 11 March 2005. This will be preceded by a meeting of the Search Committee on 8 and 9 March and the Interim Finance and Investment Committee on 9 March 2005.

### **Other Business**

With the coming into force of the Agreement to Establish the Global Crop Diversity Trust, an event that is expected to occur within a few days following the fifth meeting of the Interim Panel of Eminent Experts, the task set for the IPEE of establishing the Trust will have been concluded. In order to ensure continuity and to maintain momentum, it was **agreed** that the Chair will send a brief report to the Directors General of FAO and IPGRI outlining the action taken by the Panel and proposing that the Interim Panel of Eminent Experts continue to act as the interim Executive Board of the Trust until the first meeting of the Executive Board established in accordance with the Trust's constitution.

### **Closing**

There being no other business, the Chair thanks all those who had helped make the meeting so successful and closed the meeting.

**Solemn Undertaking**

The Interim Panel of Eminent Experts (IPEE) is currently considering making a grant to the ..... institution, for upgrading the conservation and management of the ..... collection of plant genetic resources for food and agriculture (PGRFA) to international standards. In the event that the grant is made, the ..... institution undertakes to make the PGRFA in the collection that are included in Annex I of the International Treaty on Plant Genetic Resources for Food and Agriculture available for the purpose of utilization and conservation for research, breeding or training for food and agriculture in accordance with the terms and conditions set out in Part IV of the Treaty. The payment of the grant will be conditional on the fulfillment by the institution of this commitment. The commitment will be deemed to have been fulfilled if the host country becomes a Contracting Party to the International Treaty on Plant Genetic Resources for Food and Agriculture.

Signed ..... Title ..... on .....

(Authorized Person responsible for the .....institution)

I, being the Minister/Government Officer responsible for plant genetic resources for food and agriculture in ....., hereby confirm that there are no legal obstacles to the ..... Institution fulfilling its undertaking as above.

Signed ..... on .....

Minister/Government Officer responsible for plant genetic resources for food and agriculture, .....(country)