



Convention on Biological Diversity

Secretariat

Ref.: SCBD/STTM/MG/ia/32371

17 December 2002

NOTIFICATION

Dear Madam/Sir,

Subject: Call for views on the potential impacts of genetic use restriction technologies on smallholder farmers, indigenous and local communities and Farmers' Rights

In paragraph 21 of its decision VI/5 on agricultural biological diversity, the Conference of the Parties decided to establish an *ad hoc* technical expert group on genetic use restriction technologies (GURTs) to further analyse the potential impacts of GURTs on smallholder farmers, indigenous and local communities and on Farmers' Rights. In preparing its advice for consideration at the seventh meeting of the Conference of the Parties, the expert group was requested to take into account relevant ongoing work being carried out by the Food and Agriculture Organization of the United Nations (FAO), the International Union for the Protection of New Varieties of Plants (UPOV), the Intergovernmental Committee of Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore of the World Intellectual Property Organization (WIPO) and other organizations, as well as comments from Parties, international organizations, and smallholder farmers, indigenous and local communities.

I am pleased to advise that the Secretariat is convening a meeting of the *ad hoc* technical expert group on GURTs from 19 to 21 February 2003, in Montreal, Canada. Background information and an indicative list of relevant documentation are annexed to this notification.

Parties, international organizations, smallholder farmers, indigenous and local communities are hereby invited to submit to the Secretariat at their earliest convenience but no later than **31 January 2003**, their views on the potential impacts of GURTs on smallholder farmers, indigenous and local communities and Farmers' Rights. The views submitted will be compiled in a document to be used for the *ad hoc* technical expert group meeting on GURTs. The Secretariat would also appreciate receiving any additional information relevant to the subject of the meeting.

To: All CBD and SBSTTA National Focal Points



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I wish to thank you for your cooperation and continued support to the work of the Convention.

Accept Madam/Sir, the assurances of my highest consideration.

Yours sincerely,

[signed]

Hamdallah Zedan
Executive Secretary

Annex

***Ad Hoc* Technical Expert Group Meeting on the potential impacts of genetic use restriction technologies on smallholder farmers, indigenous and local communities and Farmers' Rights**

Background

At its fifth meeting, held in May 2000, the Conference of the Parties requested the Executive Secretary, in paragraph 29 of decision V/5, to discuss with organizations with relevant expertise and representatives of indigenous and local communities the potential impacts of the application of genetic use restriction technologies (GURTs) on those communities and on Farmers' Rights, and to prepare a report to be considered by the Conference of the Parties. The Conference of the Parties requested that the discussions take into account the revision of the International Undertaking on Plant Genetic Resources for Food and Agriculture to keep, use, exchange and sell seed or propagating material. On 3 November 2001, the International Treaty on Plant Genetic Resources for Food and Agriculture was adopted as a legally binding instrument. The Executive Secretary convened an informal consultation on 3 February 2002 and further reported the results to the *Ad hoc* Open-ended Inter-sessional Working Group on Article 8(j) and related provisions of the Convention held on 4 February 2002 and to the sixth meeting of the Conference of the Parties held in The Hague, 7 to 19 April 2002.

Recently, the first meeting of the Commission on Genetic Resources for Food and Agriculture (CGRFA) acting as Interim Committee of the Treaty (Rome, 9-11 October 2002) and by the ninth regular session of the same Commission (Rome, 14-18 October 2002) considered also the issues of genetic use restriction technologies.

Documentation

The following indicative list contains relevant documentation prepared by the Secretariat of CBD and FAO.

The Convention on Biological Diversity

- "Decision COP VI/5 on agricultural biological diversity" CBD, April 2002. (UNEP/CBD/COP/6/20/PART2) (English, French, Spanish, Chinese, Russian)
<http://www.biodiv.org/doc/meeting.asp?lg+0&wg=cop-06>

Genetic use restriction technologies (GURTs)

- "Potential impacts of genetic use restriction technologies (GURTs) on agricultural biodiversity and agricultural production systems: follow-up to the first session of the Intergovernmental Technical Working Group on Plant Genetic Resources for Food and Agriculture, and the sixth Conference of the Parties to the Convention on Biological Diversity". FAO, September 2002 (English) (CGRFA-9/02/17)
<http://www.fao.org/ag/cgrfa/docs9.htm>

- “Potential impacts of genetic use restriction technologies (GURTs) on agricultural biodiversity and agricultural productions systems: technical study” FAO, September 2002 (English) (CGRFA-9/02/17 Annex). Consequences of the use of the new technology
<http://www.biodiv.org/doc/meetings/cop/cop-06/information/cop-06-inf-01-rev1-en.pdf>
- “Report on the impacts of the application of genetic use restriction technologies on indigenous and local communities and farmers' rights”, CBD, Expert Consultation, Montreal, February 2002. (English/French/Spanish/Arabic/Chinese/Russian) (UNEP/CBD/COP/6/11/ADD1)
<http://www.biodiv.org/meetings/cop-06.asp>
- “Consequences of the use of the new technology for the control of plant genetic expression for the conservation and sustainable use of biological diversity”, FAO, June 1999 (UNEP/CBD/SBSTTA/4/9/Rev.1) (English/French/Spanish/Arabic/Chinese/Russian)
<http://intranet.biodiv.org/doc/meeting.asp?lg=0&wg=sbstta-04>

The International Treaty on Plant Genetic Resources for Food and Agriculture

- “The International Treaty on Plant Genetic Resources for Food and Agriculture”, FAO, November 2001 (English/French/Spanish)
English: <http://www.fao.org/ag/cgrfa/itpgr.htm>
Spanish: <http://www.fao.org/ag/cgrfa/Spanish/itpgr.htm>
French: <ftp://ext-ftp.fao.org/ag/cgrfa/iu/ITPGRf.pdf>

Code of Conduct on Biotechnology as it affects the Conservation and Utilization of Plant Genetic Resources

- “The status of the draft code of conduct on biotechnology as it relates to genetic resources for food and agriculture: report on surveys of FAO Members and stakeholders”. FAO, June 2002 (CGRFA-9/02/18) (French, English, Arabic, Chinese)
<http://www.fao.org/ag/cgrfa/docs9.htm>
- “Draft Code of Conduct on Biotechnology as it affects the conservation and sustainable use of genetic resources, with a Preliminary Draft International Code of Conduct on Plant Biotechnology as it affects the conservation and utilization of plant genetic resources”, FAO, February 1992 (CGRFA-9/02/18/Annex) (CPGR/93/9) (English, French, Spanish, Arabic, Chinese)
<http://www.fao.org/ag/cgrfa/docs9.htm>