

Guiding Global Governance in 1996

A Civil Society Perspective on Food Security, Agriculture, and Biodiversity Issues in the Multilateral Arena

The year 1996 was critical for food security, agricultural development, and biodiversity. Three overlapping multilateral processes intertwined throughout the year. First, plans for the FAO World Food Summit, launched in Quebec City in October, 1995, drew attention to sustainable agriculture and food security, and gave impetus to another extended FAO process, the Leipzig Conference on Plant Genetic Resources. Simultaneously, as a result of decisions taken in Jakarta in November, 1995, the Convention on Biological Diversity (CBD) agreed to focus on agricultural issues at its third session (COP III) planned to coincide with the Food Summit, but in Buenos Aires. Finally, in October, 1995 in Washington, the Consultative Group on International Agricultural Research (CGIAR) responded to pressure from Civil Society Organizations (CSOs) and agreed to implement a full External Review of the CG System in 1997. Relevant discussions about it were held in May and October. CSOs struggled to participate in this triple process through all of 1996.

The Governance Agenda: The January session of the FAO Committee on World Food Security (PrepCom to the World Food Summit), was followed in April by an Extra-ordinary Session of the Commission on Genetic Resources for Food and Agriculture which served as a kind of PrepCom to the Leipzig Technical Conference on Plant Genetic Resources in June. Meanwhile, regional Conferences for the Food Summit ran through the first half of 1996 to July.

In related activities, the UN Convention on Biological Diversity held Bureau meetings in Montreal in May and a full meeting of its scientific body (SBSTTA) in September. This also served as a PrepCom for the third meeting of the Conference of the Parties to the Convention - COP III. At the end of September, a second Summit PrepCom, in the form of another meeting of the FAO Committee on World Food Security (CFS), convened in Rome. It ran through early October and reconvened sporadically through to October 30th. The Biodiversity Convention’s COP III began its two week session on agricultural biodiversity in Buenos Aires at the beginning of November. In mid-November, overlapping with COP III, the Food Summit was held in Rome.

Following discussions during its Mid-term Review in May, 1996, CGIAR’s donors met in Washington at the end of October to give more formal consideration to the first External Review of the Programme and Management of the CGIAR System since 1981. Civil Society Organization (CSO) observers monitored discussions, which concluded that Maurice Strong be invited to chair a Review Panel and if possible, to complete the Review during 1997. Also during the year, CGIAR played an active role in both the Leipzig Conference and in document preparations for the Summit and COP III. During the year, agricultural

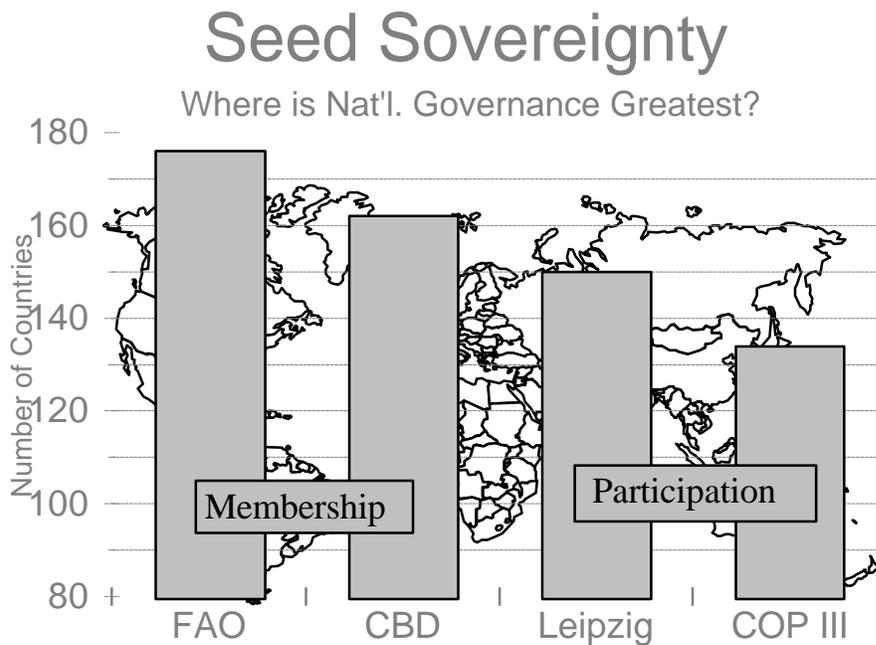


Figure 1

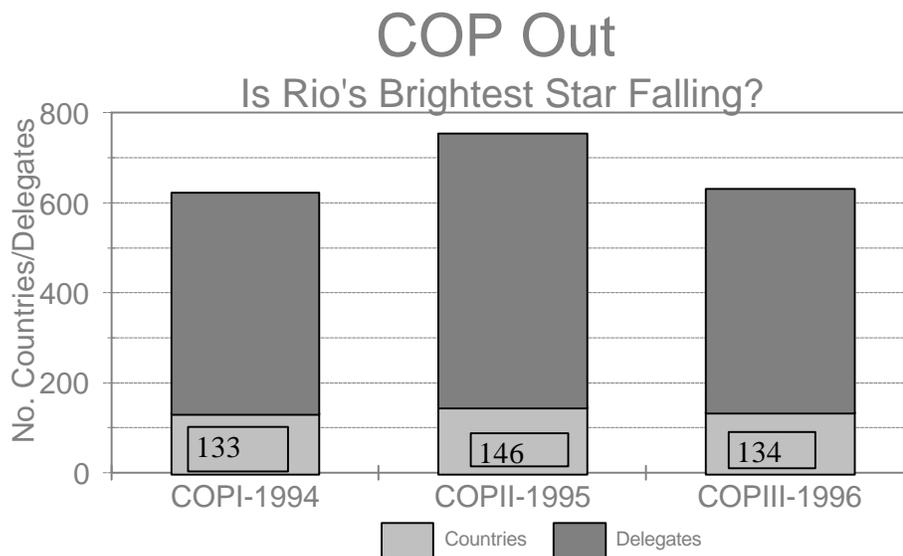
research grew to become a major theme of the Summit Plan of Action and CGIAR, in Leipzig and at the Summit, was scripted to play a key role in follow-through.

In mid-December, the year ended with a second meeting of the FAO Commission on Genetic Resources. On the same dates, the Ministerial session of the World Trade Organization was held in Singapore, where agriculture and food security were again prominent concerns.

The Civil Society Agenda: CSOs monitored and participated in all of these events. Major CSO initiatives were undertaken collectively during the Leipzig genetic resources conference in June; at the CFS Summit negotiating session in Rome at the end of September; at COP III in Buenos Aires; and at the Summit in Rome. A large contingent of CSOs also monitored the WTO in Singapore. Smaller but organized CSO lobbying exercises were coordinated at the two rounds of the FAO Commission and at the CBD's Bureau and SBSTTA sessions in Montreal. Although no single person attended all of these meetings in 1996 (a physical impossibility!) Many CSOs were present at the major points of negotiation.

Seed Sovereignty: Among the recurring themes of 1996 was the concern to protect national sovereignty over agricultural biodiversity. The Extra-ordinary Session of the FAO Commission, held immediately prior to the May session of the CBD's two Bureaus, made clear that some governments felt that the Biodiversity Convention offered greater sovereignty security than FAO. During the Leipzig Conference itself, it became evident to CSOs and governments that the CBD Secretariat felt that all agricultural biodiversity issues should be determined through CBD processes and that FAO (and Leipzig) had only technical responsibilities.

The "turf" issue over agricultural biodiversity arose again during COP III, where some governments tried to discount unanimous intergovernmental decisions reached in Leipzig, and re-open debates in the CBD forum.



For civil society, this was a difficult logic to follow. Decisions reached by FAO's governing bodies are the result of a consensus achieved among its 176 sovereign member states. Since the CBD has 162 government members, there are 14 states (including the USA) whose sovereign interests are represented within FAO but unprotected under the Biodiversity Convention.

At the more functional level, the Global Plan of Action adopted in Leipzig for plant genetic resources, was approved by the 150 governments present. Challenging that Plan in Buenos Aires were a handful of countries arguing that COP III - with 16 fewer countries in attendance - could ignore the Leipzig decision. At the Summit, 194 governments (with 3705 delegates) endorsed the Leipzig Plan, while the Buenos Aires meeting had sixty fewer governments present and less than a seventh of the delegate strength.

Where is sovereignty best served? Clearly, a legally-binding protocol on plant genetic resources, ultimately to widen to a protocol on agricultural biodiversity at FAO but under the umbrella (or *constitution*) of the Convention on Biological Diversity, would safeguard the interests of the greatest number of countries. It would also ensure that both the political and the scientific sides of the issue are cohesively maintained.

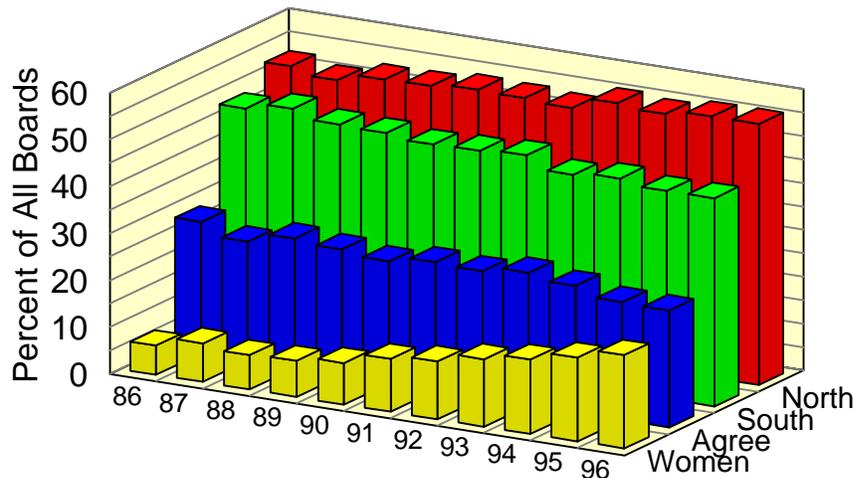
COP Out? Adding to the concern over sovereignty security is the worry expressed by many CSOs and delegations in Buenos Aires that the CBD is losing momentum. The Argentine session of COP was a lacklustre affair that drew neither the numbers of delegates nor the level of participation of the previous COP II in Jakarta. State representation dropped from 146 countries in Indonesia to 134 in Argentina. Delegate strength plummeted 22% from over 600 at COP II to less than 500 at COP III. While it is premature to predict a crisis, the postponement of COP IV to 1998 will either serve to build intergovernmental interest, or continue the CBD's decline in influence.

CGIAR's AgreeCulture: Between the high-profile events unfolding through FAO and the CBD. CSOs (and governments) gave limited attention to important developments unfolding in the Consultative Group on International Agricultural Research (CGIAR). Tagged by the Leipzig Plan of Action to play a central role in *ex situ* genebanking and coordination, and cited in the Summit Plan as the key organ for the coordination of agricultural research for food security, CGIAR also worked with the World Bank to assist the CBD in document preparation for Buenos Aires. By an agreement reached in 1994, CGIAR's regionally-located genebanks operate under the policy guidance of FAO but are still the "property" of individual centres and their Boards of Trustees. In 1997, the FAO-CGIAR Accord will be reviewed by both parties and could either be maintained, changed, or cancelled. Because CG genebanks hold 13-16% of the world's crop germplasm in storage (and possibly 40% of unique unduplicated crop germplasm gathered from farmers' fields in the South) both the Accord and the governance of the CGIAR itself are matters of primary importance for those concerned with seed sovereignty.

CG Governance fared poorly in 1996. At the time of the CGIAR's last (supposedly quinquennial) External Review in 1981, its reviewers expressed concern that the South's participation in decision-making and in key posts was inadequate. At that time, almost 54% of all of the trustees on all of the centre boards were from the South. By the time the third review should have taken place in 1986, the South's share had dipped below half. It stood at 47% when the fourth review should have rolled around in 1991. Immersed

in both a financial and philosophical crisis in 1994, the CGIAR launched an 18 month period of renewal, during which it once again committed itself to strengthening the South's participation in agricultural research policy-making. In 1996, on the eve of the long-overdue External Review being pressed by civil society, the ratio of South trustees on the Boards of the 16 International Agricultural Research Centres

CGIAR Governance - 1986-96 IARC Boards of Trustees



(IARCs) had fallen further to 44%.

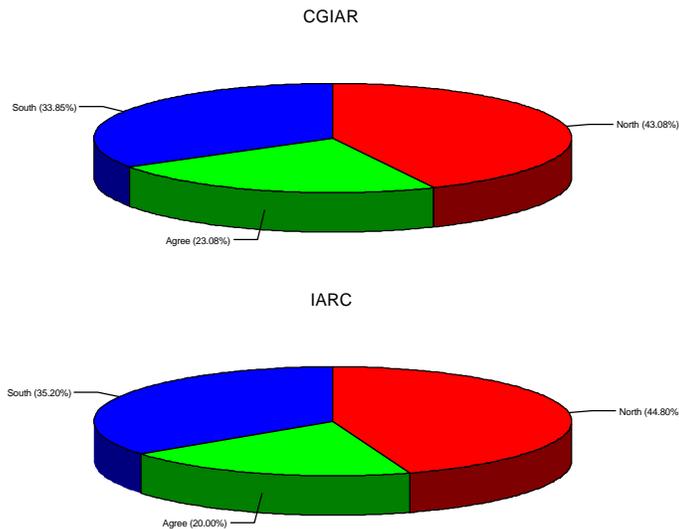
Calculations of the share of South citizens on IARC boards, however, grossly over-represent the very little influence the South has over agricultural research and seed sovereignty. Since trustees convene, at best, once or twice a year, the real governance of the IARCs is undertaken by its various committee chairs. At the beginning of the renewal period, two-thirds of these posts were held by the North. By 1996, the ratio had risen to three-quarters. All 16 IARC board chairs were from the North and 14 of the 16 IARC Directors-General were Northerners. Even these figures fail to tell the entire tale. Four countries within the North - Australia, Canada, UK, and the USA (the White, Anglo-Scientist, Patriarchy - or WASPs) comprise what is often referred to as the *AgreeCulture* of the CGIAR. They normally account for 25-28% of all trustee seats and half to two-thirds of the key policy posts. Their influence is overwhelming.

To their credit, when the CG's donors gathered in Washington in late 1996, governance was a major theme in the plenaries as well as in the corridors. Centre Chairs defended their atrocious statistics by insisting that seven of the 16 IARCs do have a South-North balance; that four more are only a member shy of balance; and that they are once again, committed to equity. It is also evident that a shift is slowly taking place within the CG's seven systemwide committees. In 1995, the South-North ratio here was as bad as - or worse - than for IARC boards. During 1997, it appears as though ratios will improve.

For the purpose of understanding global governance and protecting sovereignty, it is instructive to compare North/South ratios in the CGIAR with ratios within the UN System. In 1996, the 15 Executive Heads of major UN agencies were 59% from the North (with 29% from the *AgreeCulture*). In the same year, 88% of CG Directors-General were from the North (69% from the *AgreeCulture*).

CGIAR - Leadership on Membership

CG System Committees * IARC Boards



Once again, where is democracy and sovereignty better served? Will the South continue to tolerate the control of the world's most important genebanks and of agricultural research resting in the hands of a few North governments? The year 1997 will be critical since both the FAO-CGIAR genebank accord and the External Review of CGIAR will be considered.

Making Space for the Third System: The objective of multilateral institutions, of course, is governance and consensus-building among governments. The participation of civil society, or the *Third System*, is supplementary to effective intergovernmental decision-making, and not a goal of itself. During 1996, both the CBD and FAO recognized the helpful role the *Third System* can play in this regard and worked to improve our opportunities for participation. CSOs have tended to be more sympathetic to the CBD and its Secretariat since the Convention directly addresses environmental concerns and because it is new. CSOs have historically been unsympathetic to FAO, which has (fairly or unfairly) reaped the reward/blame for both the Green Revolution and deforestation. Experiences in 1996 may cause us to review this interpretation.

The CBD Secretariat and facilities, of course, are more limited than those of FAO. But neither body has

authority to significantly finance CSO participation. Both have to appeal for extra-budgetary funding from external sources. Given the chronic problems of ensuring full South (government) representation in multilateral fora, this is as it should be.

CBD: With these caveats in view, the CBD worked reasonably hard to encourage the *Third System* in 1996. Individual CSO representatives were drawn into the drafting process for many documents. CSO participation in SBSTTA and COP III was transparent and unencumbered. Even in Bureau discussions, CSOs were invited to meet with governments, and meeting rooms were made available. Meeting rooms were also made available at SBSTTA and COP III, and the Secretariat was approachable and helpful within the limits of its size and resources.

Not only were CSOs encouraged to join in plenary debates, but Working Group Chairs often actively solicited CSO opinion. During COP III, however, the Australian delegate moved to have CSOs barred from attendance in one sensitive Working Group.

CSOs were also given the freedom to distribute two different newsletters (*BioTalk* and *Eco*) even though the content was occasionally offensive to some governments and the Secretariat itself.

Unfortunately, the CBD was unable to offer significant financial support for CSO participation. There were no subsidies for travel or accommodation at any CBD meetings. Likewise, facilities at CBD meetings were restricted to meeting rooms without computer or communications support. Most significantly, negotiating texts were not readily available to CSOs in the lead up to COP III.

FAO: Possibly the most significant difference between FAO and CBD was the extent to which CSOs were given an opportunity to comment on drafts for both the Leipzig Global Plan of Action and the Summit Plan of Action. Secretariat and intergovernmental texts were placed on the Internet and routinely provided to CSOs by e-mail and mail. For our part, CSOs felt that our opinions were taken seriously and often incorporated into texts by governments (or by the Secretariat depending on the stage of the process). FAO provided us with meeting rooms, telephones, copying services, computers, e-mail, and (sometimes) Internet connections. With external funding negotiated with the close cooperation of the Secretariat, CSOs were able to attend regional meetings as well as global fora, with subsidized travel and accommodation. A CSO consultation at FAO was arranged to coincide with the Summit negotiating process, in order to ensure civil society's contribution to intergovernmental debate. CSOs - at Leipzig, the Commission, and in the Summit process - were encouraged to intervene in both Plenary and Working Group sessions. With its larger staff, FAO was able to assign staff members to work directly with CSOs both on physical arrangements and on substance.

CSOs had some transitory difficulties in circulating two newsletters (*BioTalk* and *The [Bread] Bracket*) but these were largely overcome with Secretariat assistance. The degree of FAO Secretariat support for CSO involvement, even in the midst of the Summit was remarkable.

Progress: Although the influence of the *Third System*, especially at FAO, increased markedly in 1996, this is not a very helpful criterion for evaluating global governance. On a more substantive level, the CBD

did adopt an agricultural biodiversity agenda and is proceeding with potentially fruitful discussions on intellectual property and on indigenous knowledge. There is no evident progress in increasing financial support for biodiversity conservation however. The CBD also failed to act on the critical outstanding issue of *ex situ* germplasm collections obtained prior to the Convention's coming into force. Because of this, pharmaceutical enterprises are negotiating access arrangements with botanical gardens in the North with impunity. In sum, the CBD continues to lack direction and coherence - problems that are becoming more worrisome as it moves past its initial "honeymoon" in the UN System.

With respect to agricultural genetic resources in FAO, the Leipzig process not only gave the world a realistic Global Plan of Action based upon an impressive State of the World Report, it also built considerable momentum in favour of (at least bilateral) financial support. It also built political momentum to address the thorny access and benefit-sharing arrangements around a revised International Undertaking.

Although the April 1996 session of the FAO Commission could be little more than a tumultuous PrepCom for Leipzig, the December session was particularly useful. It made clear government commitments to the Plan of Action, which are reflected in the sincerity with which governments are now pursuing the IU as an eventual legal protocol under the constitution of the CBD. At least two more negotiating sessions will be necessary in 1997. But all parties left Rome in December optimistic that the revision was not only within reach but that it was worth reaching for.

With respect to the Summit, it clearly achieved its primary goal of raising the visibility of food security concerns among governments and in society. Beyond this, the rejection of food as a political weapon and the agreement to review the Right to Food as a legally-enforceable concept are both constructive, and potentially powerful, steps forward. CSOs have linked the Right to Food to work on a Hunger Map (from the household to the global level) and to the re-negotiation of the WTO's agricultural and TRIPs chapters in 1999-2000. The Food for All Campaign is seen as a helpful CSO/governmental process, closely tied to the Right to Food, Hunger Mapping, and the WTO schedule. If the actual Summit Plan of Action was lacklustre, which is the case, there remain threads to be followed that weave well into CSO plans and interests into the 21st Century.

Twenty Countries that Made a Difference in 1996 (Positively or negatively)	
Nation	Comment
Angola	The delegation shows consistency as well as scientific and political acumen in all fora. Serious misunderstanding over limitations of <i>ex situ</i> genebanks however, has caused unnecessary problems, and has confused otherwise constructive role within Africa.
Argentina	Well established maverick role in Latin America continued throughout 1996. Delegation often seemed led by personal vendettas of a former CBD staffer. As a consequence, delegation drew wide hostility within and beyond region, and was seen to be destructive factor in most fora.
Australia	Seen as a creative consensus-builder prior to last Australian election, the delegation now appears confused and rudderless. During COP III and FAO Commission, Australia was manipulated by Argentina and Brazil, causing unnecessary delays and dissension.
Brazil	Without doubt one of the most intelligent and consistent delegations in all fora, Brazil's strategy nevertheless remains unclear. Delegation appears to believe its weakness in crop biodiversity means it must keep all biodiversity in CBD pot. Brazil's approach to both indigenous knowledge and Farmers' Rights has been diplomatic, deceptive, and destructive.
Canada	After years of uncharacteristic negativism, delegations to all fora showed an impressively constrictive and consistent approach that did much to bring the North along. On Indigenous Rights issues however, Canada seems to be following the Brazilian model.
Chile	Despite a critical and constructive role in the Summit process, Chile's performance in the CBD and elsewhere has been lacklustre and disappointing to its friends.
China	The delegation played a pivotal role in achieving progressive compromises in Leipzig, at the Summit, and in the Commission. Combining diplomacy, intelligence, and humour, the delegation was at the heart of every important decision and won praise from all sides.
Colombia	Colombia was creative, charming, and illogical throughout all fora in 1996. Many South delegations felt it was marching to Uncle Sam's drum. In Buenos Aires, however, Colombia's indigenous Senators shouldered aside the diplomats and led the important and progressive debate on Article 8j concerning indigenous knowledge.

**Twenty Countries that Made a Difference in 1996
 (Positively or negatively)**

Ethiopia	Always among the most politically-astute and scientifically-prepared delegations, Ethiopia played a leadership role in Africa and joined with Malaysia, the Philippines, and China in offering progressive direction for the G77.
Germany	Propelled by the Leipzig Conference to play a mediating role both there and in Commission negotiations, Germany did well and has continued to be a constructive voice in Rome, if rather invisible at the CBD.
Malaysia	The current delegation has honoured and added to the tradition established by Malaysia during the Rio process, by combining a feisty pro-South style with strategic diplomacy. The delegation works well with South partners but is also able to look beyond normal South-North relations to cajole the South and entice the North.
Netherlands	Dutch delegates played a helpful role in Leipzig and Commission follow-through and have also been constructive, though low-key, in the CBD. A higher-profile would be welcome.
Norway	With Sweden now locked inside the EU, Norway has moved gracefully to take the lead post in moving issues and brokering consensus in the North. Delegation is consistent in all fora, and displays ingenuity and integrity much respected by other countries. Norway's Summit role was uncharacteristically visible, slightly convoluted, but still beneficial. In the CBD, Norway is irreplaceable.
Philippines	One of Asia's Three Diplomatic "Tigers" (with China and Malaysia) the delegation ranked among the most innovative and energetic in all fora and gave the country a consistent policy position from Leipzig to Buenos Aires that the USA must have envied.
South Africa	Still finding its way, South Africa shows competence and possibilities in both FAO and CBD fora, but needs more experience and homework.
Sweden	Muted but never muted, Sweden continues to fight the good fight within the EU. If it wouldn't do much on the Right to Food at the Summit, it remained creative and constructive in the CBD, at Leipzig and the Commission.
Tanzania	From a silence of many years, this delegation rose in 1996 to take a lead role (with Ethiopia) in Africa and to play a significant part in G77 strategies, especially in the FAO Commission. Many delegates expect Tanzania's influence to grow in 1997 and hope it will spread to the CBD and CGIAR as well.

**Twenty Countries that Made a Difference in 1996
(Positively or negatively)**

United States	For a delegation that would have had to commit collective <i>hari-kari</i> to win approval, the Americans did better than many expected. The delegation appeared consistently inconsistent, often irascible, and sometimes incompetent, but it was ultimately not a barrier to progress, and many delegations suspect its bark was intentionally worse than its bite on several issues.
Venezuela	Winning wide respect for its adroit leadership of the G77 in some critical fora, Venezuela restored faith in Latin America's place in the G77 when Argentina, Brazil, and Colombia were doing great damage.
Zimbabwe	More evangelical than political, the delegation consistently bemused and delayed proceedings while still managing to score important points in FAO and at CGIAR fora.

Making Space for the Third System

Ability to:	Convention on BioDiversity	FAO (Commission/Leipzig/Summit)
I. Preparation		
1.1 Draft	Although individuals were contracted to assist with drafting papers, CSOs did not have access to document drafts and were not generally consulted.	CSOs were encouraged to contribute to all phases of the drafting process and had Internet access to all negotiating texts as they evolved. CSO comments were taken into account both by the Secretariats (in early stages) and by governments (in later stages).
1.2 Access	Although some documents were available on the Internet several weeks ahead of COP III, many were not seen until CSOs arrived in Buenos Aires.	CSOs had Internet (and mail) access to technical papers and negotiating texts (including square bracket versions) at the same time as they became available to governments.
II. Negotiation		
2.1 Attend	CSOs were welcome to attend SBSTTA (PrepCom) in September and were also invited to meet with the SBSTTA and CBD Bureaus in May.	CSOs were encouraged (and sometimes financed) to attend national and regional consultations for both Leipzig and Summit. CSOs were also invited to Commission PrepCom in April (no financial support). Financing was available for CSOs to participate in the Committee of Food Security PrepCom for Summit in September.
2.2 Intervene	CSOs could intervene in plenaries at Chair's discretion and in Working Groups, also at Chair's discretion. CSOs were expelled from IPR Working Group in Buenos Aires.	CSOs could attend and intervene in both Plenaries and Working Groups at the discretion of the Chair.
III. Participation		
3.1 Liaison	CSOs had cordial relations with small CBD Secretariat.	CSOs had easy access to all Secretariats. Summit provided several FAO liaison staff to assist CSOs.
3.2 Facilities	CSOs had access to a meeting room without other services.	CSOs were provided with meeting rooms, telephones, computers, printers, e-mail and copying services - for Commission, Leipzig and Summit -.