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Rt Hon Nick Brown
Ministry of Agriculture, Food and Fisheries
Nobel house
17 Smith Square
London
SW1P 3JR

Dear Mr Brown

**INTERNATIONAL UNDERTAKING
on Plant Genetic Resources (IU)**

You will be aware of the sensitive yet urgent nature of the negotiations on this important international agreement. The IU aims to conserve and sustainably use the genetic resources of the world's most important food crops and to ensure that benefits through their commercial use are returned to developing countries. Furthermore, the IU has the potential to be a prime example of responsible global governance, ensuring that those genetic resources that underpin social needs are maintained in the public domain: they are our 'life insurance' against future adversity be it from climate change, war, industrial developments or ecosystem collapse.

Failure in these negotiations could be extremely serious. In the view of many, ourselves included, failure could threaten food security not only among the smallholder farmers whose livelihoods depend on these resources but also consumers worldwide. Failure would also deny the farmers of the world the benefits they are owed for the contribution they have made through developing these genetic resources. We believe, together with many who manage the world's public gene banks, that failure could lead rapidly to a severe reduction in the genetic diversity of food crops accessible to farmers and plant breeders from international, national and local collections. Failure would accelerate the decline of agricultural biodiversity on-farm, where, according to some estimates, more than 90% of crop varieties have been lost in the past century.

The importance of the IU has been underscored in the Globalisation White Paper (para 146) where it is cited as an important example of a potential mechanism for access to genetic resources that should be considered by the proposed IPR Commission.

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We have elaborated on these issues in a Briefing paper “Who will Own the Genes in our Food” which we are sending under separate cover.

Urgent steps need to be taken to increase the political commitment of all OECD countries and indeed all Members of FAO to ensure that negotiations can be speedily concluded. This was highlighted by Tewolde Egziabher, the Ethiopian leader of the Africa Group, who was quoted recently as saying that he hoped the EU will increase pressure on its OECD allies to secure this agreement.

The current potential sticking point in the negotiations is the extent to which the IU can include a mechanism for the sharing of benefits from the commercial use of protected varieties of plants. While the EU has a clear position on this a few countries are raising problems. They claim that this might be TRIPs incompatible. There will be further potential disagreements on Access, the list of genera that should be included in the IU and these could cause further delays, if there is not the political will to finalise the negotiations.

It is unhelpful, we believe, to have negotiations stalled at each session for lack of political mandate. Indeed, we would like to emphasise what Ambassador Gerbasi, the Chair of the contact group, said to the FAO Council in November:

“The only way to conclude our negotiations relatively rapidly will be through political commitment to conclude by a fixed date, not subject to more changes. Because of this, those countries that participate in the negotiation process need to send delegations at a sufficiently high political level that allows them to take decisions at the negotiating table itself.”

As a result, the FAO Council called on the Commission on Genetic Resources for Food and Agriculture (CGRFA) to present agreed text to them by the FAO Conference in November 2001.

We have been approached by a number of journalists and MPs in recent days following the publication of our article in the Guardian (attached) and an article in the New Scientist. Some may have already written to you. A number of NGOs in the UK, EU and Internationally, with whom we are networked, feel equally strongly about this issue and are resolved to focus on this over the next year – by the end of which we would hope the FAO Conference has met, adopted the revised IU and will have forwarded it to the CBD’s 6th Conference of the Parties, which meets in 2002, for their consideration.

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While we are in touch with a number of the UK's negotiators in various Ministries, we and our supporters would be very interested to hear from you about the steps HMG will be taking

- to ensure that UK negotiators have a clear political mandate to conclude these negotiations
- to influence those Members of the FAO who are less committed to rapidly concluding the negotiations, and
- to ensure that a legally-binding agreement is produced that satisfies the multiple concerns of farmers, consumers, public sector institutions, industry and civil society organisations.

Future global food security and the livelihoods of millions of smallholder farmers do depend on this.

Should you wish to learn more about some of the underlying issues, problems and opportunities, we would be happy to meet with you to discuss these or provide you with further information.

Yours sincerely

Cowan Coventry
Director
ITDG