

1994 - 1995 ANNUAL REPORT

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RAFI

Rural Advancement Foundation International

President's Message

RAFI's fiscal year 1994/95 began with a Latin American workshop of indigenous peoples (Bolivia, September 1994) and the First Conference of the Parties (COP) to the Biodiversity Convention (Bahamas, November 1994). The year concluded with preparations for FAO's Fiftieth Anniversary (Quebec City, October 1995) and for the second meeting of the Biodiversity Convention (Indonesia, November 1995). In between, RAFI's *Conserving Indigenous Knowledge* report was reprinted three times by the United Nations Development Program (UNDP). That led to further seminars by indigenous peoples in Asia and the Pacific, and gave impetus to significant debate on indigenous knowledge and the rights of indigenous communities by the Biodiversity Convention. On the initiative of the Indigenous Peoples' Biodiversity Network, the UNDP, and Canada's International Development Research Centre, the Swiss and several other European governments committed support to a multi-year, multi-million dollar capacity-building programme among indigenous communities. RAFI is now supporting this important effort as a member of its advisory group.

RAFI claims no particular expertise on indigenous peoples' issues. But our research has continued to unvell matters of common concern. Throughout the year, RAFI tracked the progress of two US Government patent claims related to the cell lines of indigenous people in Papua New Guinea and The Solomon Islands. Both of these Pacific governments and RAFI had been assured that the USA was dropping these claims. But in September, 1995, RAFI learned that the patent on a 20-year-old Hagahai man in Papua New Guinea had been granted in the United States. Responding quickly, a RAFI staff person prepared to go to The Solomon Islands at the invitation of that government, and to visit Papua New Guinea, to consider the situation first-hand. Another staff member went to the International Court of Justice in The Hague, to explore the potential for a Court challenge to the claim, and to the wider concept of life patenting. The issue came to a head during the COP meeting in Jakarta, when several governments openly denounced the US patent claims, and the Biodiversity Convention debated, in some confusion, whether or not human beings are part of the intergovernmental accord.



On a related front, RAFI began a process in February 1995, to link concerns about global food security and agricultural biodiversity in the international arena. At a seminar organized by our own Dag Hammarskjold Foundation in Uppsala, Sweden, RAFI gave a briefing to 30 international NGOs who then provided leadership among a further 200 organizations, in making a strong and unified impact on the Fiftieth Anniversary Conference of the FAO. In 1995/96, that process will continue — with the active participation of NGOs in the International Technical Conference on Plant Genetic Resources (in Leipzig, in June 1996); at the World Food Summit (in Rome in November, 1996); and at the third meeting of the Biodiversity Convention (in Buenos Aires, also in November).

The period ahead will see a culmination of several activities that have concerned RAFI for almost 20 years. In 1996, both the World Food Summit and the Biodiversity Convention will consider agricultural biodiversity as a major issue. Conclusions from these meetings will go to the UN General Assembly, for its 1997 Review of Agenda 21. At the same meeting of the General Assembly, RAFI hopes to raise the debate over "life patenting", and ultimately to have it considered by the World Court.

As RAFI President, I am pleased to commend this annual report for your consideration, and to extend my sincerest thanks to those individuals and organizations who have supported RAFI's difficult, and often controversial, work in the past year.

Sven Hamrell, President

On March 21st, 1995 RAFI lost a dedicated Board member and a dear friend, with the death of Amir Habib Jamal. Tanzania's Mwalimu Julius Nyerere said this of him: "Amir Jamal was a good human being who dedicated his life to the service of the people. He was a man who thought not of himself but of others, and who used his great abilities in cooperation with others for the development of our country and all its people." He was an exemplary internationalist, and a staunch supporter of RAFI. We miss him, and his wise counsel.

Issue I:

Biodiversity & Food Security

IR RAFI works to ensure that the earth's priceless agricultural genetic diversity is conserved and used, and that institutions and policies are reshaped to build global food security on the basis of agricultural biodiversity. In 1994/95, RAFI sought to influence the policies and practices of many multilateral agricultural institutions. In preparing for the 50th anniversary of the UN Food and Agriculture Organization (FAO) in Quebec City in October 1995, and for the November 1996 World Food Summit in Rome, RAFI campaigned on several fronts to link food security with agricultural biodiversity in the international arena.

- After careful lobbying, and RAFI's last minute publicity to expose a World Bank proposal that would have blocked it, an accord was reached in October 1994 to place the world's twelve gene banks of agricultural seeds under intergovernmental control. Housed in the Centres of the Consultative Group on International Agricultural Research (CGIAR), these gene banks hold 40% of the world's ex situ seed collections — seeds given freely by farmers in the South. At a meeting in Washington of all the Centres for International Agricultural Research, the CGIAR and FAO agreed to place these gene banks under FAO's control. Three RAFI staff attended the historic signing. RAFI has worked for several years to ensure inter-governmental control over the twelve gene banks of agricultural seeds, and many present at the meeting were well aware of RAFI's role in bringing this agreement to fruition.
- RAFI is an active member of FAO's planning committee for the Fourth Technical Conference on Plant Genetic Resources, to be held in June 1996, in Leipzig, Germany. One RAFI contribution to the conference preparations was a concept paper by Hope Shand, entitled *NGOs and Biodiversity: Moving from Basic Agreements to Concrete Actions and Justice*. The paper was used to brief NGOs at an international strategy seminar, convened by the Dag Hammarskjöld Foundation in Uppsala, Sweden, in February 1995.



- Building on the Uppsala meeting, RAFI played a pivotal role in preparing NGOs, first for the Global Assembly on Food Security, and then the FAO Food Symposium, which were held in Quebec City in October 1995 — to commemorate the 50th anniversary of the FAO. RAFI prepared briefing papers and programme proposals for the international planning committee, and worked to ensure a strong, substantive NGO presentation to the FAO meeting. RAFI also began research for an Occasional Paper written for the event, and later published as *The Hidden Hot Zone: An Epidemic in Two Parts*. To bring home the importance of genetic resource conservation for world food security, the paper analyses the potato blight and the Irish Potato Famine of the 1840s, and its modern-day sequel.
- RAFI and GRAIN (a Barcelona-based NGO) began an analysis of the world's principal multilateral agricultural institutions, which recommended substantial reform to the organizational framework for international agricultural research. The study proposed changes to the mandates, policies and governance structures of agricultural research institutions, in order to achieve better accountability, sustainable agriculture, and food security. It also called for an external review of the CGIAR. This critique was presented by 37 NGOs worldwide, to government ministers from the countries that fund international agricultural research, when they met in May 1995 in Lucerne, Switzerland, to discuss the future of the CGIAR. The same critique was later presented to the FAO in Quebec City, in October 1995. The complete RAFI/GRAIN study will be published in early 1996.
- RAFI remains on the steering committee of the Community Biodiversity Development and Conservation Project — a four-year, \$US 4 million initiative to encourage cooperation between formal institutions and community organizations, in the conservation and use of agricultural genetic resources. In 1994/95 the programme began in earnest in Asia, Africa and Latin America, where 14 community-based conservation, research and documentation projects are now underway. Grassroots personnel are being trained, and all the experiences are being carefully recorded and publicized — via institutional and informal channels. RAFI's contribution to the initiative is to translate its successes into appropriate policy proposals, and to facilitate policy development both nationally and internationally.

Issue II:

Biotechnology



RAFI provides up-to-the-minute research to policy makers and activists worldwide, on biotechnology and its impact on the countries and peoples of the South.

In 1994/95, RAFI followed up its ground-breaking studies of the previous year on microbial genetic resources, and expanded research and action on the contentious issue of "human patenting".

- Action-oriented research is at the heart of all RAFI's education programmes, media work and policy advocacy. In 1994/95 RAFI substantially enhanced its research capacity, by contracting occasional research staff and hiring Edward Hammond to work with Research Director Hope Shand. RAFI produced six Communiques and five Occasional Papers in 1994/95:

New RAFI Communiques 1994/95:

November 1994:

Bioprospecting/Biopiracy and Indigenous Peoples

December 1994:

Communique Updates and RAFI Programme Highlights 1994

January/February 1995:

Microbial Genetic Resources

March/April 1995:

*Genetically Engineered High Lauric Rapeseed (Canola):
What Threat to Tropical Lauric Oil Producers?*

May/June 1995:

*Gene Hunters in Search of "Disease Genes" Collect Human DNA from
Remote Island Populations*

July/August 1995:

Utility Plant Patents: A Review of the US Experience (1985-July, 1995)



RAFI Occasional Papers 1994/95

October 1994: Vol. 1, no. 3:

Declaring the Benefits: The North's Annual Profit from International Agricultural Research Is in the Range of \$US 4-5 Billion

November 1994: Vol. 1, no. 4:

COPs...and Robbers — Transfer-Sourcing Indigenous Knowledge: Pirating Medicinal Plants (Co-published with the Indigenous Peoples' Biodiversity Network)

December 1994: Vol. 1, no. 5:

RAFI Challenges W.R. Grace (Agracetus) "Species Patent" on Soybeans at European Patent Office

April 1995: Update of Vol. 1, no. 2

Microbial Genetic Resources (6 country tables added)

April 1995: Vol. 2, no. 1:

A Chronology of International Patent Law (update and revision of 1988 table in The Laws of Life, Development Dialogue 1988, vol 1-2)

August 1995: Vol. 2, no. 2:

The Hidden "Hot Zone" - An Epidemic in Two Parts

- In October 1994, Pat Mooney was keynote speaker at Plants, Genes and Butterflies, an international symposium for non-governmental organizations on biodiversity and intellectual property rights, which was organized by Swissaid and the Worldwide Fund for Nature, and held in Berne, Switzerland.
- In February 1995, Hope Shand presented a paper and responded to a series of national reports on biotechnology, at a Workshop conducted by the OECD in Paris, entitled Biotechnology For the Third World.

Issue III:

Biopiracy

IR Research on "bioprospecting" and opposition to biopiracy have become a major focus of RAFI's programme. In 1994/95, this work took the lion's share of staff time and financial resources.

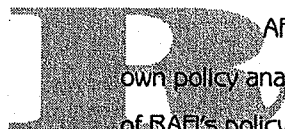
- In September 1994, RAFI's study *Conserving Indigenous Knowledge: Integrating Two Systems of Innovation* was published by the United Nations Development Programme (UNDP). It highlighted implications for indigenous peoples of international policy debates about biodiversity and intellectual property rights. Its first recommendation was that the UNDP provide a chance for indigenous leaders worldwide to consider these issues, and develop strategies to defend their interests in a fast-changing legal and policy environment. UNDP responded quickly, providing support to indigenous peoples' organizations for three gatherings. RAFI was invited as international consultant to all these UNDP-funded meetings. A South American conference was organized by the Coordinating Body for Indigenous Peoples' Organizations of the Amazon Basin, and held in Santa Cruz de la Sierra, Bolivia, from September 30-October 2, 1994. An Asian consultation was organized by RAFI's principal Asian partner, SEARICE, and Partners for Community Organizations of Sabah. It was held in Tambunan, Sabah, East Malaysia, from February 24-27, 1995. A South Pacific conference was organized by the Pacific Concerns Resource Centre, and held in Suva, Fiji from April 24-27, 1995. Together, these meetings were attended by nearly 100 indigenous leaders from 41 countries. At each of them, RAFI worked closely with regional organizations of indigenous peoples and local consultants, and presented a package of material and three major papers, including an *Overview of BioPiracy*, an *Overview of BioProspecting*, and *Intellectual Property: Fora and Focus for the evolving debate* (a review of the institutional fora where important debates about biodiversity and indigenous peoples' knowledge would be played out in the years ahead). Jean Christie was resource person to all these gatherings. Hope Shand participated in the Latin American gathering, and Pat Mooney in the Asian one.



- The above three meetings greatly strengthened RAFI's cooperation with indigenous peoples' organizations, many of which later sought RAFI's collaboration or advice. Cooperation with the Indigenous Peoples' Biodiversity Network (IPBN) also expanded. In November 1994, RAFI and IPBN co-published an Occasional Paper on indigenous peoples, medicinal plants and intellectual property, which was used successfully at the First Conference of the Parties to the Biodiversity Convention (COP) in the Bahamas in December 1994. Intellectual property rights and indigenous knowledge were slated for discussion at the COP meetings of 1995 and 1996 respectively. IPBN and RAFI then worked closely with UNDP to develop a multi-million dollar program to provide training and support for indigenous peoples' organizations in developing policy initiatives and action strategies on Indigenous peoples' knowledge, intellectual property and biodiversity.
- In 1994/95 RAFI continued to monitor and publicize trends in life patenting. RAFI Communiqués last year reported on two "species patents", granted to W.R. Grace and its subsidiary Agracetus, on all transgenic cotton and soybeans. On December 1, 1994, RAFI filed opposition at the European Patent Office against the soybean patent, with a generous donation of legal services by two British patent lawyers, and support from two foundations and 18 NGOs on six continents. RAFI's opposition included both moral and technical arguments. Six corporations also filed technical challenges, leaving RAFI free to focus on ethical arguments against "species patents" in the year ahead. In Canada, the Canadian Environmental Law Association filed opposition on RAFI's behalf, to a similar soybean patent claim in Canada, where life patenting is under review. Both legal actions continue, and RAFI is optimistic about their outcome. Late in 1994, RAFI learned that the US government had revoked the Agracetus cotton patent. The Indian government has moved to revoke the same patent in India. Both governments attribute their decisions in part to RAFI's opposition.
- After collaboration on the soybean patent challenge, RAFI and the Canadian Environmental Law Association deepened their cooperation, and developed a programme to link Canadian and Southern environmental activists in their opposition to life patenting and biopiracy.

Issue IV:

Biopolicy



RAFI continues to translate the hands-on experience of its partners and its own policy analysis into workable proposals for national and international policies. Much of RAFI's policy advocacy in 1994/95 focused on intellectual property rights and indigenous peoples' knowledge, and on reform of international agricultural institutions.

- On March 1, 1995, after a seven-year campaign, RAFI joined "life patenting" opponents worldwide to celebrate an unexpected victory when the European Parliament rejected the European Commission's Directive on "The Legal Protection of Biotechnological Inventions". The decision did not stop life patenting, but it did block the standardization of patent laws, and made it clear that the industrialized world is not united on the patenting of living things. The international campaign that defeated this directive was of the kind that RAFI has conducted for nearly two decades. It was therefore fitting that RAFI staff could personally announce news of this vote to colleagues in Colombia, Malaysia and the Philippines almost as soon as it occurred.
- In October 1994, RAFI completed a study for the Canadian International Development Agency, entitled *Agrigenda 21*. In it, RAFI analysed debates about agricultural biodiversity and intellectual property that were occurring in multilateral fora such as the Biodiversity Convention, the FAO and the Consultative Group on International Agricultural Research, and made proposals for Canadian policy and action. This study provided the basis for policy recommendations that extended well beyond Canada, to other Northern and Southern policy-makers.
- In 1993/94, RAFI helped to establish, and then provided a secretariat for "The Crucible Group" — 40 individuals from South and North, with wide-ranging expertise on intellectual property rights and agriculture. It was established to debate and analyse trends, and to set out policy choices — especially for Southern governments — in this fast-changing field. In June 1994, Canada's International Development Research Centre published the group's findings in the book *People, Plants and Patents*, which



appeared in English, French and Spanish, and quickly became a reference point for journalists, policy-makers and negotiators in international fora. During 1994/95, RAFI promoted the book, spoke extensively about its findings, and worked to secure additional funding — for policy seminars in Africa, Asia and Latin America; research on specific topics; and periodic updates on news and trends. Working with a Crucible Group editorial committee, RAFI drafted the first *Crucible newsletter*, and will produce future issues in 1995/96.

- In March 1995, Hope Shand was invited by the Interamerican Institute for Cooperation in Agriculture to Bogota Colombia, to present a seminar paper on the Impact of Plant Breeders' Rights on Developing Countries. In it she reviewed the evolution of intellectual property over plants, outlined the dangers for developing countries, and urged policy makers to consider alternatives to current IPR agreements over plants.
- As NGOs and indigenous people began to consider the implications of intellectual property rights, RAFI increasingly received requests for educational material on the subject, for use in the South and North. In mid-1995, Jean Christie drafted a popularly-styled resource kit on community knowledge, biodiversity and intellectual property rights. It will be published in 1995/96, as part of RAFI's contribution to the Community Biodiversity Conservation and Development programme.
- In 1994/95, RAFI initiated actions to bring the issue of life patenting before the International Court of Justice, or World Court, in The Hague. Working with Southern governments and United Nations agencies, RAFI will make this a major campaign focus in 1995/96.



THANK YOU!

RAFI extends a sincere thank you to the following organizations, which all contributed generously to RAFI programmes in 1994/95:

- Australian Centre for International Agricultural Research
- Canadian Environmental Law Association
- Canadian International Development Agency (International NGO and Multilateral Divisions)
- CS Fund (USA)
- Dutch Ministry for International Cooperation
- Goldsmith Foundation (UK)
- HKH Foundation (USA)
- International Development Research Centre (Canada)
- J.W. McConnell Foundation (Canada)
- Jessie Smith Noyes Foundation (USA)
- Right Livelihood Foundation (Sweden)
- Swedish International Development Cooperation Agency
- Swiss Development Corporation
- United Nations Development Program
- United Nations Food and Agriculture Organization
- USC Canada
- Warsh-Mott Legacy (USA)

RAFI's 1994/95 audited financial statement is available on request.

RAFI Board of Trustees

- *Sven Hamrell*, Uppsala Sweden: RAFI President; senior advisor Director of Dag Hammarskjold Foundation
- *Tim Brodhead*, Montreal Canada: RAFI Treasurer; VP and Chief Operating Officer, J.W. McConnell Foundation
- *Erna Bennett*, Corfu, Greece: retired plant geneticist and journalist; founder of FAO's Crop Ecology Unit in the 1960s
- *Erskine Childers*, Roosevelt Island, USA: former senior officer at UNDP; co-author of the Leadership Series on the future of the UN
- *Anwar Fazal*, Penang, Malaysia: Past President of International Organization of Consumers' Unions and Founding Director of its Asia office
- *Amir Jamal **, Dar-Es-Salaam, Tanzania: Diplomat and acknowledged "dean" of the Group of 77 Ambassadors to the United Nations in Geneva (*See box, P. 3)
- *Daniel Pollitt*, Bethesda, USA: retired Keenan Professor of Law, University of North Carolina
- *Rene Salazar*, Manila, Philippines: community organizer and coordinator of SEARICE network of genetic conservation and use
- *Ursula Schulz-Dornburg*, Hanover, Germany: photographer and artist; jury member Right Livelihood Award
- *Helen Vinton*, New Iberia, USA: President, Southern Research and Development Corporation; founding Board member, RAFI-USA

- *Kathryn Waller*, Savannah, USA: Executive Director, Rural Advancement Fund/National Sharecroppers Fund 1978-89; founding president, RAFI-USA
- *Melaku Worede*, Addis Ababa, Ethiopia: Director Ethiopian Gene Bank 1977-93; scientific advisor African Seeds of Survival

In 1995, *Erna Bennett*, *Erskine Childers*, *Anwar Fazal*, *Daniel Pollitt* and *Ursula Schulz-Dornburg* were named founding members of RAFI's Advisory Council. Four new members of RAFI's Board of Trustees were elected, to take office in 1995/96. They are:

- *Alejandro Argumedo*, Peru/Canada: Coordinator, Indigenous People's Biodiversity Network
- *Elizabeth Bravo*, Quito, Ecuador: lecturer in biology and environmental activist
- *Ann Danaiya Usher*, Thailand/Sweden: journalist
- *Sarojani Rengam*, Penang, Malaysia: Asian Coordinator, Pesticides Action Network

RAFI Staff 1994/95:

- *Pat Mooney* - Executive Director
- *Jean Christie* (RAFI-Australia) - Director of International Liaison
- *Beverly Cross* - Office Manager
- *Hope Shand* (RAFI-USA) - Director of Research
- *Maurice St. Pierre* - Accountant
- *Edward Hammond* (RAFI-USA) - Researcher
- *Kathy Zaumseil* (RAFI-USA) - Administrative Assistant

RAFI (The Rural Advancement Foundation International) is an international non-governmental organization headquartered in Canada, and governed by a Board of Trustees with members from 5 continents. RAFI is dedicated to the conservation and sustainable use of biodiversity, and to the socially responsible development of technologies useful to rural societies. RAFI is concerned about the loss of genetic diversity — especially in agriculture — and about the impact of intellectual property on agriculture and world food security.

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