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Governing Agrobiodiversity: International Regimes, Plant Genetics and Developing Countries

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SUMMARY

This dissertation analyses the effects of international regimes on the management of plant genetic resources for food and agriculture (PGRFA) in developing countries.

Access to diverse genetic resources is vital to modern plant breeding, as it provides the genetic traits required to deal with crop pests and diseases, as well as with changing climate conditions. It is also essential for traditional small-scale farming, on which approximately 1.4 billion people worldwide depend for their livelihoods. Thus, it is an indispensable factor in the fight against poverty. However, the diversity of domesticated plant varieties is disappearing at an alarming rate. At the same time, interest in the commercial use of genetic resources has increased with the growing economic stakes of bio-technologies, followed by demands for intellectual property rights. From the South has come considerable protest against intellectual property rights, along with demands for protecting the rights of farmers and indigenous peoples and ensuring a fair and equitable sharing of the benefits arising from the use of these resources.

The international community has responded to these developments with several regimes that pertain fully or partly to PGRFA: the Convention on Biological Diversity (CBD), the Agreement on Trade Related Intellectual Property Rights (TRIPS), and the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA) with its predecessor, the International Undertaking on Plant Genetic Diversity (IU). These regimes have emerged from differing rationales and interests, resulting in more or less different functional scopes, goals and emphases. What they all have in common is that they affect the management of PGRFA. Since multilateral agreements are the most important instruments available to the international community for influencing PGRFA management, it is vital to understand how these work and interact – and how this affects the situation at the national level.

Taking as its point of departure the international regimes pertaining to PGRFA, the dissertation identifies the international norms and rules on PGRFA management in the period 1992–2004, overlaps in their functional scopes, and the interaction among them. From these regime constellations, propositions on the aggregate effects for developing countries are derived – taking into account an analysis of the driving forces behind regime developments and their mechanisms of influence. These propositions are in turn tested in case studies from the Philippines, where the relative aggregate effects of the international regime constellations

on PGRFA management are analysed in terms of policy decisions and goal achievements. The findings are explained in the light of a theory framework on mechanisms of influence of international regimes, taking the involved actors as points of departure. Thus, the aggregate effects of international regimes are analysed and explained across scales down to the national level. In the concluding chapter, the general relevance of the findings for other developing countries is discussed, and implications for future PGRFA management at the international and national levels and for further research are derived.

A key conclusion from the dissertation is that the international constellations of norms and rules resulting from the overlap and interaction between the regimes in question were largely negative to the management of PGRFA in developing countries throughout the period studied – despite other intentions behind the individual agreements – due to regime interaction. The result of these developments is an emerging anti-commons tragedy: a situation where multiple actors have the possibilities to exclude each other from the use of these vital resources.

The driving forces that produced this regime interaction transform and channel their interests and/or ideas into these developments along various patterns – mechanisms of influence – which can be traced across scales from the international to the national level: (1) structural power, i.e. the power to shape political-economic structures, (2) learning and norm diffusion, and (3) institutional capacity. The latter is not a separate mechanism in its own right, but one through which other mechanisms work and which also determines their influence. The dissertation shows how the driving forces shaped the regime interaction pertaining to the management of PGRFA through these mechanisms of influence. It also shows how the identification of mechanisms of influence and their patterns of work can provide entry points for actors to shape governance in agrobiodiversity at the international as well as national levels. Moreover, it indicates possible ways of breaking out of the emerging anti-commons tragedy of PGRFA management in order to ensure the continued maintenance of these resources and thereby contribute to poverty eradication.

A particular contribution of this dissertation to regime studies is that it develops an analytical framework and a methodology for the analysis of aggregate regime effects. Whereas many regime studies have focused on the effectiveness of international regimes – where effects are measured against the norms and rules of the regimes themselves – the aggregate effects of international regimes are in this dissertation measured against a set of criteria developed independently of these regimes. These criteria are formulated on the basis of a problem analysis. This approach has proven fruitful for determining the requirements for improved international governance of PGRFA management, and is considered to have potentials for analysing the requirements for international governance in other issue areas as well.