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Item 18 of the Provisional Agenda
INTERNATIONAL TREATY ON PLANT GENETIC RESOURCES FOR FOOD AND AGRICULTURE
SECOND SESSION OF THE GOVERNING BODY
Rome, Italy, 29 October – 2 November 2007
DRAFT WORK PROGRAMME AND BUDGET FOR THE 2008-09 BIENNIUM

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I BACKGROUND

1. For the first time since its adoption, the International Treaty on Plant Genetic Resources for Food and Agriculture is reaching a fully-operational implementation stage. Article 19 of the Treaty provides that the Governing Body “shall promote the full implementation” of the Treaty by “adopt[ing] plans and programmes for the implementation of this Treaty”. This document sets out the draft work programme and proposed budget of the 2008-09 biennium for the implementation of the Treaty.

2. The Secretariat would like to thank the Bureau of the Governing Body for reviewing and commenting on an earlier draft of this document, which was circulated to members of the Bureau at an early stage of its preparation.

3. The Treaty is now at its most critical stage of implementation – the start-up phase. The Treaty can remain a central element of the international legal framework for genetic resources only if the Multilateral System of the Treaty and its Funding Strategy can be made fully operational during the 2008-09 biennium. If the Multilateral System and the Funding Strategy are not operationalized in the 2008-09 biennium, there is a significant risk that the functional and political momentum of the Treaty may be lost.

4. It is therefore critical that Contracting Parties fully support the Treaty in the coming 2008-09 biennium, both in terms of financial and political commitment. The coming biennium will lay the foundation for the future of the Treaty in the long term. Developing a critical mass of genetic material in the Multilateral System, ensuring policy coherence, and investing adequate resources for the launching of the Multilateral System are the key factors for the functioning of the System in the current phase. The work programme and budget adopted by the Governing Body at this session will therefore be a decisive factor for the long term future and sustainability of the Treaty.

5. This will require considerable investment and effort in three primary implementation tracks for the Treaty:

- operationalizing the Multilateral System of Access and Benefit-sharing globally;
- implementing the Funding Strategy of the Treaty;
- ensuring coherent start-up and operation of the Multilateral System at the national and regional levels.

6. This work programme and budget has been prepared to address these priority areas for the Treaty’s current stage of implementation – reflecting the provisions of the Treaty, the decisions of the Governing Body, and the requests of Contracting Parties (CPs).

An Implementation Work Programme

7. In the first seven months since the commencement of operations of the Multilateral System, more than 90,000 transfers of genetic material took place within the Multilateral System.¹ This equates to more than 7,400 transfers every month and more than 240 every day within the CGIAR alone. This represents a rapid and massive start-up – and the Treaty needs to cope with this *daily operation* of the Multilateral System on a global scale.

¹ For example, the Centre for Genetic Resources of the Netherlands (CGN) has reported 1,580 transfers between 6 March and 10 August 2007, and is applying the SMTA with an additional footnote also to non-Annex I material. The data submitted by the CGIAR are contained in document IT/GB-2/07 Inf.11.

8. This start-up phase of the Treaty requires implementation, establishment and day-to-day operation of the Multilateral System in more than 100 countries – in many different legal systems, languages and institutional contexts. This massive exercise of coherent start-up needs to be undertaken quickly, since the rapid growth in use of the System would otherwise lead to unmanageable backlogs and incoherence. Moreover, the Multilateral System needs to be made operational within the 2008-09 biennium in order to sustain the political and technical momentum which the Treaty has at present. Once a reasonable amount of plant genetic resources has accumulated within the Multilateral System, the Treaty can become a self-sustaining and mature instrument. However – and critically – in order to reach this self-sustaining stage a significant injection of resources will be needed in the 2008/09 biennium

9. Despite these imperative needs at this stage, the overall work programme presented in this document represents a relatively modest increase in resource requirements over the 2006-07 biennium – the Core Administrative Budget represents little more than a maintenance budget, scaled up to reflect full staffing and a full two-year time-span.

10. Everything has been done to enable the Governing Body to address this critical phase of the Treaty's evolution by adopting a structured, transparent, realistic, focused and outcome-oriented work programme. It is proposed that the work programme be adopted as the overall Business Plan for the implementation of the Treaty in the next biennium.

II. STRUCTURE OF THE PROPOSED WORK PROGRAMME

11. The proposed 2008-09 work programme is structured in four Modules, each one consisting of clearly-defined and costed work programme elements. Each Module consists of a Core Administrative Budget and a Technical Assistance component for the implementation of start-up activities. The work programme has been planned in the framework of the long-term strategy described in related working documents.² The Modules are as follows:

² See document IT/GB-2/07/08 (Implementation of the Funding Strategy) and IT/GB-2/07/11 (Progress in the Inclusion of PGRFA in the Multilateral system) and other working documents.

Module A: Operating and developing the Multilateral System	Module B: Implementing the Funding Strategy	Module C: Capacity Building for Treaty Implementation	Module D: Secretariat Services
<p>A.1: Reviewing of, and Reporting on, the CP's Operation of the Multilateral System</p> <p>A.2: Policy Support on Development of the Multilateral System</p> <p>A.3: SMTA Management System</p> <p>A.4: Facilitating the Start-Up and Operation of The MLS at National and Regional Levels</p>	<p>B.1: Supporting CPs in Taking Measures to Ensure Effective Allocation of Resources for the Funding Strategy</p> <p>B.2: Developing Modalities of a Strategy to Promote Voluntary Contributions to the Funding Strategy</p> <p>B.3: Operating the Funding Strategy and Disbursement of Funds, If Available</p> <p>B.4: Exchange of Information on Bilateral, Regional and Multilateral Channels of Financial Resources</p>	<p>C.1: Policy Direction and Guidance on Implementation of the Treaty</p> <p>C.2: Legal assistance for Treaty Implementation</p> <p>C.3: Coordination Mechanism for Capacity Building on Implementation of the Treaty</p> <p>C.4: Awareness Raising, Training on the Treaty and the Multilateral System</p>	<p>D.1: Servicing of the Governing Body and Subsidiary Body Meetings</p> <p>D.2: Administration of Treaty's Work Programmes</p> <p>D.3: Carrying Out the Functions of the Governing Body</p> <p>D.4: Coordination with other Organizations</p> <p>D.5: General Secretariat Services</p>

12. The budget has been structured in a transparent and modular form, so that Contracting Parties can decide on an overall work programme on the basis of agreed activities. In this light, it is important to stress that technical assistance for start-up and implementation activities of the Multilateral System can only realistically be envisaged once an adequate Core Administrative Budget has been adopted, as the ability to implement such projects will depend on managerial support from the Secretariat. It is therefore recommended that final decisions regarding the Core Administrative Budget be taken before provisions for extra-budgetary technical assistance for implementation activities through Trust Funds are considered.

13. The four Modules complement each other and it is understood that there is a continuum at the substantive and practical work-delivery levels between the Modules. In particular, Modules C and D support Modules A and B. They are distinguished here for presentation purposes – to simplify the review and decision making by the Contracting Parties.

14. Contracting Parties may be selective when reviewing the Trust Fund portions of the Modules by adding or removing activities – and their corresponding resource needs – from the Modules. However, again, it should be borne in mind that changes in one module may affect the delivery and viability of other modules.

module A	Amount	Percentage
<i>CAB</i>	2030	55%
<i>TF</i>	1668	45%
Total A	3698	100%
module B		
<i>CAB</i>	1068	46%
<i>TF</i>	1371	54%
Total B	2439	100%
module C		
<i>CAB</i>	284	10%
<i>TF</i>	2813	90%
Total C	3097	100%
module D		
<i>CAB</i>	2148	100%
<i>TF</i>	0	0%
Total D	2148	100%

III. RELATIONSHIP BETWEEN THE BUDGETS OF 2006-07 AND 2008-09

Distinguishing between the Core Administrative Budget and the Trust Fund Budget

15. This document distinguishes between (1) the Core Administrative Budget on the one hand and (2) support for start-up Technical Assistance activities for the launch of the Multilateral System.

- The Core Administrative Budget includes those ongoing activities that form part of the core operational functions of the Treaty System, which will exist beyond the current start-up phase of the Treaty, and without which the Treaty cannot properly function. Examples would include the convening of the Governing Body or the basic operation of the Multilateral System and the Funding Strategy.
- The start-up activities (funded through the *Trust Fund for Purposes Agreed Between the Contributor and the Secretary* – covered by Financial Rule VI.2(b)) are related to the launch of the Multilateral System. While they are of high importance in the present phase of Treaty evolution, they may not be required beyond the 2008-09 biennium.

16. This distinction may facilitate the task of mobilizing funds, as in many countries support for one-time activities can be considered under their development assistance budgets, rather than under the budgets covering Treaty obligations.

Core Administrative Budget

17. At its First Session, the Governing Body adopted a minimal, transitional Core Administrative Budget, which provided simply for the establishment of a small Secretariat and the convening of the Second Session of the Governing Body. There was no provision for the implementation and operation of the Multilateral System and strategies of the Treaty.

18. The Budget adopted at the First Session of the Governing Body was for a total of USD 2.8 million. This allowed for gradual recruitment and activities to take place over the 2006-07 biennium. The 2006-07 budget was therefore significantly lower than that needed for a fully-functioning Secretariat. A pure Core Administrative Budget for the 2008-09 biennium at the same level of funding as at the end of 2006-07 would therefore be in the order of USD 3.81 million. However, the additional resources required for basic operation of the rapidly growing Multilateral System and Treaty implementation services to Contracting Parties bring the Core Administrative Budget in the four modules to USD 5.530 million. The rest of project servicing costs, working capital reserve and general operating expenses comes to USD 1,064 million, thus bringing the total Core Administrative Budget to USD 6,594.

19. Few of the activities necessary to implement the Treaty could in fact be launched in the 2006-07 biennium, because of the very slow receipt of Contracting Party contributions to the Core Administrative Budget. The Secretariat was therefore forced to adopt a very prudent policy, leading to delaying hiring of staff and careful disbursement of resources, which severely constrained the implementation of the work programme during the biennium. Such a situation is unsustainable. The delay in mobilizing technical assistance to developing countries in 2006-07 makes it doubly urgent to carry out the activities in 2008-09.

Trust Fund Budget

20. Financial Rule VI.2(b) makes provision for the Secretary to accept funds for agreed purposes – other than for the regular Secretariat functions covered by the Core Administrative Budget – through a Multidonor Trust Fund, or through separate Trust Funds. That is, certain agreed activities within the Treaty’s overall work programme may be approached as “projects”. This reflects their nature as one-time, start-up activities, which do not necessarily have long-term resource implications. Many are of a “technical assistance” nature – providing technical assistance to Contracting Parties that so request, to initiate the operation of the Multilateral System in their countries.

21. The Contracting Parties need to decide how much they wish to invest in this critical phase of the Multilateral System’s evolution, essentially for technical assistance for implementation activities. It is proposed that if the right investments are made now, the System has the potential to become self-sustaining. It would be most valuable if Contracting Parties were able to make pledges towards such activities, in cash or kind, during the Session itself.

Contribution from FAO and collaboration with other institutions

22. FAO’s contribution (under Programme Entity 2AP03) from its 2008-09 Regular Programme budget towards the Treaty’s Core Administrative Budget is currently proposed at USD 1.607 million (at 2006-07 costs)³. The evolution of the Core Administrative Budget from the 2006-07 to the 2008-09 biennium is as follows:

Core Administrative Budget	2006-07 ⁴	2008-09
FAO contribution	1,124,000	1,607,000 (before cost increases)
Balance to be funded	1,730,988	4,987,861

23. This entire document and its work planning are based on the assumption that the work programme will, as far as possible, be delivered in close cooperation with relevant FAO departments and units in FAO and with other international organizations and institutions with high technical and legal expertise in the field of the Treaty, in particular Bioversity International, other Centres of the Consultative Group on International Agricultural Research, the United Nations University and other institutions, guided by the decisions of the Governing Body.⁵ Activities may be conducted and shared through such partnerships, as appropriate and as most efficient and cost-effective. At all times, the Secretariat will ensure that such collaborative work is consistent with the decisions, guidance and directions of the Governing Body.

³ As proposed in the FAO Programme of Work and Budget 2008-09. The final level of FAO contribution will be determined after adoption of the PWB 2008-09 by the FAO Conference in November 2007.

⁴ Budget adopted for 18 months. The projection for 24 months at this level of funding is USD 2,530,988 (i.e., USD 1,730,988 + 800,000)

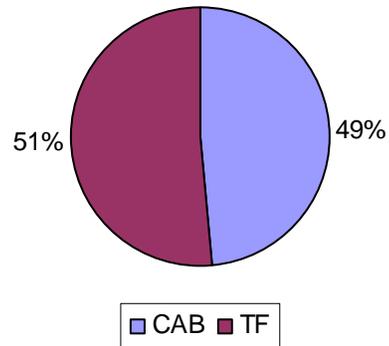
⁵ In accordance with Article 19.3(a) and (g)

24. Relation between 2008-09 Core Administrative Budget and Trust Funds:

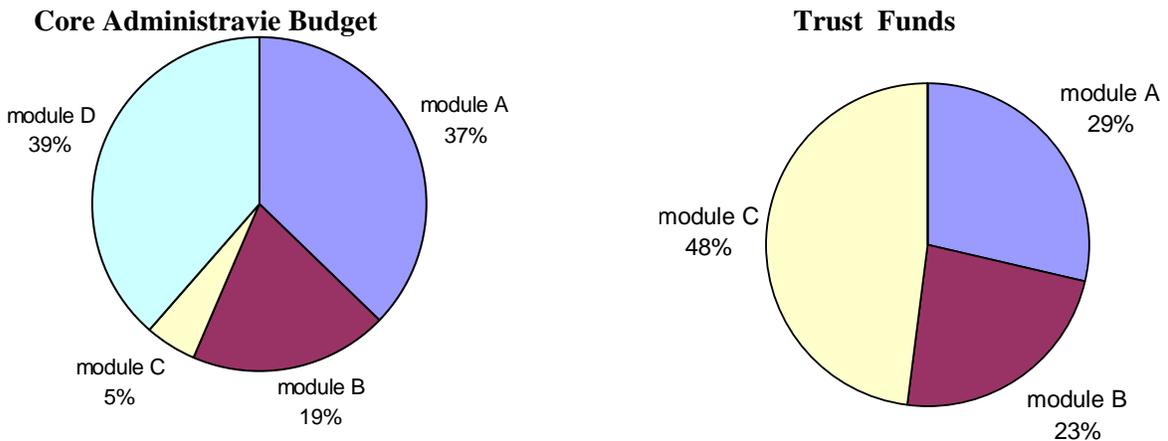
CAB		
<i>module A</i>	2030	37%
<i>module B</i>	1068	19%
<i>module C</i>	284	5%
<i>module D</i>	2148	39%
Total	5530	100%

TF		
<i>module A</i>	1668	29%
<i>module B</i>	1371	23%
<i>module C</i>	2813	48%
<i>module D</i>	0	0%
Total	5852	100%

CAB and TF Proportions



25. The Modules of the work programme and Budget within Core Administrative Budget and Trust Funds:



26. Further detailed substantive descriptions of the Modules and their elements are provided in the appendixes to this document.

IV. RECOMMENDATIONS

27. The Governing Body is requested to:

- establish a work programme for the 2008-09 biennium, as outlined in Appendices A – D of this document, including any further additional activities as required;
- adopt a corresponding budget for the 2008-09 biennium.

28. The Governing Body may also wish to call upon Contracting Parties to make early payments to the Core Administrative Budget, so that the Treaty can begin to operate effectively.

WORK PROGRAMME AND BUDGET, 2008-09

CORE ADMINISTRATIVE BUDGET OF THE INTERNATIONAL TREATY ON PLANT GENETIC RESOURCES FOR FOOD AND AGRICULTURE	
	2008-2009
<u>A. Secretariat</u>	
Secretariat Staff and Consultancy Costs	4,115,418
<u>B. Meetings</u>	
Third Session of the Governing Body	630,000
Bureau Meetings (4)	48,000
Workshop on the Funding Strategy	50,000
Global Workshop for Food Processing Industries	40,000
Information Technology Consultations (3)	75,000
Third Party Beneficiary Committee (3)	65,000
Appraisal of projects under FS meeting	20,000
Capacity-building Coordination Mechanism (2)	24,000
Sub-total	952,000
<u>C. Other Costs</u>	
Core staff duty travel	344,000
Publications	50,000
Supplies and equipment	69,000
Sub-total	463,000
D. General Operating Expenses (4% of A+B +C)	221,216
E. Operating Budget (A+B+C+D)	5,751,635
F. Project Servicing Costs (13% of E less FAO Contribution, given in "Funding the Budget" below)	538,803
G. Core Administrative Budget before Working Capital Reserve (E+F)	6,290,437
H. Working Capital Reserve (6.5% of G less FAO Contribution)	304,423
I. Core Administrative Budget after Working Capital Reserve (G+H)	6,594,861
FUNDING THE TOTAL CORE ADMINISTRATIVE BUDGET AFTER WORKING CAPITAL RESERVE	
FAO Contribution (PE 2AP03)	1,607,000
Balance to be funded	4,987,861

Appendix A

**MODULE A - OPERATION AND DEVELOPMENT OF THE TREATY'S
MULTILATERAL SYSTEM OF ACCESS AND BENEFIT-SHARING**

29. As the Governing Body stated at its First Session, “the first priority of the Treaty [i]s to make the Multilateral System functional”.⁶ This means no less than establishing a new global system of access and benefit-sharing and making it work on a daily basis down to the level of individual genetic resource-transfers and the transfer of individual monetary and other benefits. In practice, this means establishing a new global infrastructure for this System to work on a daily basis and creating a new network of institutions to ensure coherent global operations in multiple countries, jurisdictions, languages and pre-existing legal-technical operating systems – all of which must function in a coherent manner to operate the Multilateral System of the Treaty. The activities necessary to ensure this would be undertaken in close cooperation with the Contracting Parties and the users of the System, i.e. providers and recipients of genetic resources.

30. The activities of this module will make the operation and evolution of the Multilateral System functional by: \

- (1) generating reliable aggregate data on what is happening within the Multilateral System as an information basis for further policy development by the Governing Body and as a confidence building measure for Contracting Parties and users of the System;
- (2) generating policy support and further guidance on the development of the System by Contracting Parties and Governing Body;
- (3) servicing day-to-day SMTA operations through information technology support systems for SMTA management; and
- (4) facilitating increased operation and coverage of the System at the national levels by facilitating the inclusion of material and standardized operations at national level.

A.1 Reviewing of, and Reporting on, the Operation of the Multilateral System

31. Articles 19.3 requires the Governing Body “to monitor ... the operation of the Multilateral System”.⁷ To this end, Resolution 2/2006 of the Governing Body “*requests* the Secretary of the Treaty to review the implementation and operation of the Standard Material Transfer Agreement, and report to the Governing Body”.⁸ This reporting on, and reviewing of, the exact operation of the Multilateral System is in itself a major exercise. Currently it is not known in precise, quantitative and empirically verified terms what is happening in the System: how much material is in the System, which material it is, how was it included, and what is happening to it in the Multilateral System. Producing clear and reliable data on these questions for the further decision-making of the Governing Body is in itself the first exercise under Module

⁶ IT/GB-1/06/Report, para 54

⁷ Article 19.3(b)

⁸ See para 2, Resolution 2/2006

1. Having clear, solid and verifiable data on these questions will be critical for (1) the credibility of the System, (2) the planning and operation of the System, (3) the ordering of material from the System by potential users; (4) the monitoring and review of the operation of the System by the Governing Body; (5) a sound information basis for policy decisions of the Governing Body on the future evolution of the Multilateral System. A clear and reliable information base and analysis of these questions can only be developed through direct and concrete visits and contacts with the institutions which are practically operating the system on a day-to-day basis at the national and international levels, including the *ex-situ* collections which have signed Article 15 agreements with the Governing Body, in particular the International Agricultural Research Centers of the Consultative Group on International Agricultural Research.

A.1.1 Seven case studies about the inclusion of genetic material in the Multilateral System, including detailed documentation of which material is being included in the System and of the practices and procedures by which it is being included in the System by Contracting Parties and other holders of PGRFA.⁹ The cases selected would cover developing, developed and least developed countries, as well as countries with economies in transition.

Target: Seven cases documented in 2 years. Information systematically collected, analyzed and presented to the Governing Body.

A.1.2 Case studies of how Contracting Parties and their national stakeholders and regional organizations are implementing the Multilateral System in practice, in particular the benefit-sharing provisions and modalities of payment, including the practices of their governments, institutions under their control, and the private sector;¹⁰

Target: Seven cases surveyed in 2 years. Information systematically analyzed, published and distributed to users of the Multilateral System and wider public audience.

A.1.3 Documentation of measures by which Contracting Parties are encouraging natural and legal persons within their jurisdictions to include material to the Multilateral System and description of these practices in options and possible guide practices;¹¹

Target: Practices in seven countries described and description thereof disseminated widely to Contracting Parties and the private sector.

A.1.4 Data analysis for the Report requested by Resolution 2/2006 for the Third Session of the Governing Body, including data on benefit-sharing and SMTA operation as set out in Element A.3 below.¹²

⁹ See paras 2 and 7, Resolution 2/2006

¹⁰ Article 10.2

¹¹ See Article 11.3 of the Treaty and paragraph (vii), Resolution 2/2006

¹² Resolution 2/2006 “*Requests* the Secretary of the Treaty to review the implementation and operation of the Standard Material Transfer Agreement, and report to the Governing Body at its third session, in particular on the benefit-sharing provisions and the modalities of payment;” (para 2)

Target: SMTA operations in 15 countries documented and analyzed, with emphasis on benefit-sharing, if any. Report provided to Governing Body at its Third Session.

A.2 Policy Guidance on Operation and Evolution of the Multilateral System

32. Article 19.3 establishes as the first function of the Governing Body to “provide policy direction and guidance ... in particular for the operation of the Multilateral System”.¹³ Such guidance is particularly crucial to ensure coherence in the Multilateral System in its early years of operation, in order to ensure basic coherence and coordination in the System. As many governments wish to utilize and contribute to the Multilateral System, this would entail, in a first phase, the coherent development of Provider Protocols, specifying how Providers may include material in the system, and coherent Recipient Protocols, specifying how Recipients may comply with their obligations under the Multilateral System – recognizing that all countries are simultaneously Providers and Recipients of PGRFA under the Multilateral System. The policy guidance required may, in a subsequent phase, include guidance on detailed substantive questions regarding the operation, coverage and evolution of the System.

A.2.1 Documenting concrete practices and procedures used by Contracting Parties, their statal and para-statal institutions and natural and legal persons under their jurisdiction, to, address problems that might arise during national and regional implementation of the Multilateral System, and to create solutions which respect the spirit of the Treaty;¹⁴

Target: 50 countries documented, analyzed and compiled in 2 years.

A.2.2 Based on the documentation gathered under A.2.1 above, development of Options and a Guide, on practices, procedures and measures that respect the spirit of the Treaty within different legal systems, policy areas, sectorial contexts, including documentation on the ways in which they address problems that arise and find solutions which help Contracting Parties.¹⁵ Peer review of the draft Options and Guide by a regionally balanced panel of appointed experts. After review and comments by the regionally balanced panel of appointed experts, presentation of the revised Options and Guide to the Bureau of the GB and subsequent publication thereof.

Target: Options and Guide on implementation of the Multilateral System available and published for Contracting Parties and other stakeholders

¹³ Article 19.3(a)

¹⁴ for example where a government may not have direct ownership of material which is held by universities and institutes which are funded from government funds

¹⁵ for example where a government may not have direct ownership of material which is held by universities and institutes which are funded from government funds (direct contacts or visits).

A.2.3 Based on the documentation gathered under A.2.1 and A.2.2, development of Provider Procedures and Recipient Procedures for the Multilateral System and subsequent peer review by a regionally balanced panel of appointed experts.¹⁶ After review and comments by the regionally balanced panel of appointed experts, presentation of the revised Options and Guide to the Bureau of the GB and to the GB at its Third Session for approval.

Target: Provider Procedures and Recipient Procedures for the Multilateral System prepared, reviewed, finalized and made available for Contracting Parties and other stakeholders.

A.3 SMTA Management System

33. At its First Session, the Governing Body “*emphasize[d]* that the SMTA is crucial for the Treaty”.¹⁷ It also requested the Secretariat to report on the operation of the SMTA.¹⁸ Major investment will be required in this field, since the SMTA is the core instrument of the Multilateral System. It is also the main vehicle for benefit-sharing and the major comparative advantage of the Treaty vis-à-vis other, less functional and operationally advanced benefit-sharing frameworks. The investment will have to be on (1) making the SMTA easier to use for Providers and Recipients, through Toolkits, training, awareness raising, support systems, etc; (2) establishing functional information management system for the information to be reported under the SMTA to the Governing Body; (3) ensuring coherence in the application of the SMTA by users in different jurisdictions through policy guidance; (4) awareness raising and training for wider application and recognition of the SMTA by stakeholders in other policy processes related to plant genetic resources. Given the urgency, some of these tasks have already been initiated in the past biennium (see document IT/GB-2/07/Inf.4), but will require considerable further development in the coming biennium.

A.3.1 Completing development of the Provider Toolkit and Recipient Toolkit for easy use of the SMTA by providers and recipients under the Multilateral System, i.e. completion of stand-alone computer modules for the management and implementation of the SMTA by providers and recipients (see existing toolkit described in IT/GB-2/06/Inf.4);

Target: Stand-alone SMTA Provider and Recipient Toolkits available free-of-charge for Windows, Macintosh and Linux operating systems in English, French and Spanish on CD-ROM and downloadable from Treaty website, including User Manual and How-To Guide

¹⁶ For example where a government may not have direct ownership of material which is held by universities and institutes which are funded from government funds (direct contacts or visits).

¹⁷ See IT/GB-1/06/Report

¹⁸ See IT/GB-1/06/Report

- A.3.2** Further development and operation of the information management system for the information provided to the Governing Body by Providers and Recipients pursuant to the reporting obligations under the SMTA;¹⁹

Target: Operational information technology management system for the processing, storing and reporting to the Governing Body of information provided to it by Providers and Recipients under clauses 5e, 6.4b, 6.5c, 6.11h, *Annex 2* (para 3), *Annex 3* (para 4) and *Annex 4* of the SMTA

- A.3.3** Provision of reports to the Governing Body, providing data on SMTA operation in combination with reports on operation of the Multilateral System under Work Programme Element A.1.4 above;

Target: Detailed Report on SMTA operation provided to Governing Body, with reliable data and value-added analysis as a reliable information basis for further decision making and guidance by the Governing Body

- A.3.4** Full integration of the Toolkits and other SMTA information management systems of the Multilateral System with the information systems of major Article 15 institutions of the Treaty;

Target: All major Article 15 institutions fully using SMTA management tools of the Multilateral System and providing accurate information to the Governing Body on operation of the SMTA on material from their collections within the System

- A.3.5** Developing systems which will allow reliable ordering of materials from the Multilateral System and working with partners to ensure simple and seamless ordering facilities for users for material from the system (SINGER, GRIN, etc)

Target: developing online systems which will allow for persistent identification of material and users and facilitate reliable ordering of materials from the Multilateral System

- A.3.6** Working with Contracting Parties and other providers as well as the managers of existing genetic resource information systems to ensure that all material in the Multilateral System be available to potential users through existing and new portals, search engines, etc;

Target: integration of the SMTA information support system with existing genetic resource information systems so that

¹⁹ See Articles 5(e), 6.4(b), 6.5(c) and 6.11(h) of the SMTA, which require the Provider and Recipient of Material under the SMTA to inform, or notify, the Governing Body (through its Secretariat) *inter alia* about the SMTAs entered into, the benefit-sharing options chosen and the third party transfers of Material undertaken. The Governing Body is required under clause 5(e) of the SMTA to pass on this information to the Third Party Beneficiary. In order for the Secretariat to be able to fulfill its function pursuant to these clauses of the SMTA, an SMTA information management has already been established in 2007 and is described in document IT/GB-2/07/Inf.4

material in the Multilateral System becomes available to potential users through existing and new portals, search engines and delivery systems

A.3.7 Facilitating the interfacing of the twelve existing national and regional systems with the Multilateral System and its information support systems by providing capacity building in information technologies ;

Target: 12 existing national and regional systems having SMTA information support system installed and capacity to provide reliable data on their SMTA operations to the Governing Body for further decision making

A.3.8 Customized information material and User Manual on the operation of the SMTA for Providers, for Recipients, and for general stakeholders.

Target: User Manual of the SMTA published and disseminated to Providers, Recipients and other stakeholders;

A.3.9 Two Technical Consultations to be held at international level as follow up to the Technical Consultation on IT Support held in the 2006-07 biennium.²⁰

Target: Full stakeholder guidance and participation in ensuring that the Multilateral System and SMTA information technology support systems meet user needs, priorities and expectations;

A.3.10 Activities required to support the work and function of the Third Party Beneficiary by FAO, including information gathering, collation, research, dossier preparation, organizing or attending relevant meetings, and costs of mediation and arbitration services.

Target: if any disputes over SMTAs arise, 3 disputes covered, cases resolved and obligations of Third Party Beneficiary under SMTA met

A.3.11 Programme maintenance and development and purchase of machines for the IT support;

Target: servers running and operating to process SMTA information provided by Providers and Recipients;

²⁰ That cannot be done with the above consultations for governments. They target different constituency and address a different level. Estimate: 3 x 1 week x 50 countries = xx manmonths;

A.4 Facilitating start-up, operation and increased coverage of the Multilateral System at the national and regional level

34. There are now 114 Contracting Parties. To date there is no information that a single developing country Contracting Party or legal or natural persons under its jurisdiction have included material into the Multilateral System.²¹ Many Contracting Parties have requested information on how to include PGRFA in the Multilateral System and the implications thereof. The success of the Multilateral System will depend on a critical mass of material included within the next two biennia for it to remain relevant and attractive to users, and for it to develop traction for: (1) users and providers to use the System, (2) Contracting Parties to invest in the System and include further materials in it; (3) additional ratifications by non-member governments, and (4) a possible revision of the list contained in Annex I. In this exercise, therefore, it is critical that a sufficiently large number of countries get online within this biennium, or else it will be too late to sustain confidence, critical mass and momentum in the system. Countries cannot do it on their own, in particular Developing Countries. Facilitating their work must be done on a case-by-case basis through direct assistance and support, addressing questions such as: what goes into the system? How do you handle it?, how is it made available to users? In practice, these activities are connected to those of Sub-module A.1, which focuses on assessment, information gathering and reporting, whereas this sub-module focuses on implementation, day-to-day operation and maintenance of the System and increased coverage of material by the System.

A.4.1 A target should be to service 40 countries in the biennium, with missions of one week, with the objectives of:

- Identifying the material;
- Discussing the legal procedures that are necessary;
- Training for trainers of officers involved in handling the material;
- Establishing information infrastructure for reporting to the Governing Body, as required and desired;
- Providing any further support that may be required by the Contracting Party.

It is crucial to begin this exercise in 2008-09 and support the relevant countries to include their material in the Multilateral System within the next biennium.

Target: 40 countries supported to practically operationalize the Multilateral System within their existing national or regional systems of access and benefit-sharing and include material in the System, as well as establish infrastructure and capacity according to their own laws, policies and needs and interests.

A.4.2 upon request and in accordance with guidance given by the Governing Body: direct, customized policy analysis and advice to Contracting Parties and regional organizations, concerning options, requirements and benefits of the Multilateral System to support their own national needs, interests and policy frameworks;

²¹ While all material listed in Annex I which is under the management and control of the Contracting Parties and in the public domain is included in the Multilateral System by virtue of Article 11.2, the Treaty also provides that Contracting Parties will encourage the holders of PGRFA under their jurisdiction to include additional material in the Multilateral System. See Article 11.2, 11.3

Results fed into the database of measures for implementation of the Treaty under C.3 and into the Survey and Analysis of A.1. Necessary funds channelled through the Trust Fund for Agreed Purposes for the Implementation of the Treaty;²²

Target: 40 Contracting Parties supported, in accordance with their requests and the guidance of the Governing Body, with information and advice regarding the operation of the Multilateral System in their own jurisdiction and the inclusion of material under their control and in the public domain into the Multilateral System.

A.4.3 Online reporting system and Online Database on the Treaty website regarding national and regional legislative, measures

Target: Online database of national measures and policies adopted by Contracting Parties to implement the Multilateral System

A.4.4 Regional- and international training courses on the use of the SMTA and SMTA management tools:

It is recognized that this training activity is in continuity with Sub-module C.4, since both concern training. However, this activity has to be seen as a hands-on technical training for direct users of the SMTA only. In contrast, the training provided under Module C.4 is an overall awareness raising and training about the Treaty in general. As opposed to general awareness raising, the applied, hands-on, technical training on SMTA operation is an integral part of making the Multilateral System work. It would be delivered in direct tandem with the information technology support delivered under A.3.4, A.3.5, A.3.6 and A.3.7. Whereas A.3 provides the technological tools, A.4.4 addresses the human capacity needed to make the human side of the human-technology interface of the Multilateral System work.

Target: One technical, hands-on training course per region on the use of the SMTA and SMTA management tool.

MODULE A: RESOURCE REQUIREMENTS		
OPERATION AND DEVELOPMENT OF THE TREATY'S MULTILATERAL SYSTEM OF ACCESS AND BENEFIT-SHARING		
<i>Core Administrative Budget</i>	<i>Multidonor Trust Fund</i>	<i>Total</i>
<i>USD 2,030,000</i>	<i>USD 1,668,000</i>	<i>USD 3,698,000</i>

²² Conducted in close cooperation with, and through outsourcing to, relevant FAO departments, United Nations University and Bioversity International under the guidance of the Secretariat of the Governing Body of the Treaty

*Appendix B***MODULE B - IMPLEMENTING THE TREATY'S FUNDING STRATEGY*****B.1 Supporting Contracting Parties in taking measures to ensure effective allocation of resources²³***

35. The first concrete step to be taken for the Funding Strategy of the Treaty is that Contracting Parties “shall take the necessary [...] measures within the Governing Bodies of relevant international mechanisms, funds and bodies to ensure [...] allocation of [...] resources for the implementation of [...] this Treaty”.²⁴ This obligation could, for example, be implemented if governments state in international bodies, such as the GEF, that the relevant rules, criteria and procedures of those bodies should be amended to ensure allocation of predictable resources to the implementation of the Treaty’s Funding Strategy. Programme element B.1 is there to facilitate the task of Contracting Parties in achieving this objective and implementing this obligation. It would support Contracting Parties in ensuring that other international processes provide assistance that meets the criteria set by the Governing Body and take the Treaty’s criteria into account in deciding on assistance. In particular the Secretariat would work with relevant mechanisms, funds and bodies, and their Secretariats, to make proposals to governments and enter into partnership agreements. It is to be clearly stated, however, that under Article 18, the responsibility of implementing the Funding Strategy and mobilizing voluntary contributions and other resources for the Funding Strategy rests with the Contracting Parties and the Secretariat can thus not be expected to raise funds and voluntary contributions as such, but rather in a facilitating role to support the Contracting Parties and prepare the ground for their measures to encourage voluntary contributions.

B.1.1 Identifying opportunities and maintaining a Calendar of Events for promotion of the Funding Strategy by Contracting Parties. Definition of a strategy and appropriate measures by Contracting Parties; setting of targets, a calendar of events and target institutions for Contracting Party measures to implement Article 18.4(a), including agreed allocations of Contracting Parties to institutions, roles and responsibilities, reporting, feedback and analysis.

Target: Calendar of Events and list of opportunities for promotion of the Funding Strategy by Contracting Parties; Agreed and coordinated targets for Contracting Parties to take measures under Article 18.4(a), with responsibilities, reporting and feedback allocated and equally distributed among Contracting Parties

B.1.2 Customized, professional fundraising and promotional materials for Contracting Parties on the Treaty’s Funding Strategy, prepared and provided to Contracting Parties for their efforts at mobilizing resources for the Funding Strategy.²⁵

²³ Article 18.4

²⁴ Article 18.4(a)

²⁵ Paras 7 and 20, IT/GB-2/07/07, ‘Report of the Chair of the Ad Hoc Advisory Committee on the Funding Strategy’

Target: 8 target institutions profiled, researched; customized fundraising material prepared and provided to agreed Contracting Parties responsible for the targeted institutions;

B.1.3 Preparation, support and facilitation of high-level outreach and measures by Contracting Parties to targeted international mechanisms, funds and bodies to ensure allocation of resources to the Funding Strategy, including liaison work with the Secretariats of such other institutions

Target: High-level contacts established between Contracting Parties and 10 international mechanisms, funds and bodies to ensure allocation of resources to the Funding Strategy

B.1.4 Considering the development of Annex 4 of the Funding Strategy, as originally foreseen by document

The Report of the Chair of the *Ad Hoc* Advisory Committee on the Funding Strategy (AHAC-FS) concludes that the Committee may continue its work under new terms of reference on: (1) “strategies adopted by the Governing Body to encourage voluntary contributions”, (2) “a process by which Contracting Parties meet with the private sector to encourage voluntary contributions” and (3) “professional help ... to develop an effective strategy to attract voluntary funds.”²⁶

Target: Annex 4 of the Funding Strategy as originally envisaged by the Committee on Financial Rules and the Funding Strategy elaborated for consideration by the Governing Body at its Third Session

B.1.5 Meetings of the Ad Hoc Advisory Committee on the Funding Strategy

The Chair of the Ad Hoc Advisory Committee recommended that the Governing Body extend the work of the Committee under new Terms of Reference to address three specific issues for the further implementation of the Funding Strategy. If the Governing Body so decides, the meetings of the Ad Hoc Advisory Committee would be serviced and prepared under this Module.

Target: 3 meetings of the AHAC-FS to conduct its work under new terms of reference for consideration of the GB at its Third Session

B.2 Developing Strategies to Promote Voluntary Contributions to the Funding Strategy

36. Article 18.4 of the Treaty provides that “the Governing Body shall consider modalities of a strategy to promote” voluntary contributions by Contracting Parties, the private sector, non-governmental organisations and other sources.²⁷ Additionally, Article 13.6 provides that “Contracting Parties shall consider [...] a strategy of voluntary benefit-sharing contributions

²⁶ Paras 5, 6, 7 and 20, IT/GB-2/07/07, ‘Report of the Chair of the Ad Hoc Advisory Committee on the Funding Strategy’

²⁷ Article 18.4(f)

whereby Food Processing Industries that benefit from plant genetic resources for food and agriculture shall contribute to the Multilateral System.”²⁸

37. In light of these provisions, the *Ad Hoc* Advisory Committee on the Funding Strategy has recommended that the Governing Body should seek “professional help ... to develop an effective strategy to attract voluntary funds.”²⁹ Highly specialized expertise and professional services are the only way to develop effective fundraising strategies for voluntary contributions in a highly competitive fundraising environment. The development of such strategies for consideration by the Governing Body is the subject of this Sub-module.

B.2.1 Convening of a Brainstorming Workshop(s)

Convening of Brainstorming Workshop(s) to bring together selected high-level experts and decision makers on fundraising and voluntary contributions, in order to identify strengths, weaknesses and opportunities for the Treaty and to identify elements of a strategy for the Governing Body and Contracting Parties to promote voluntary contributions. The workshop would include only selected high-level fundraisers, portfolio managers and funding specialists to identify elements of a strategy for the Funding Strategy of the Treaty.

Target: Creation of elements of a strategy to implement Article 18 and a network of key decision-makers and experts in international funding institutions to function as advisors and ambassadors for the development of the Governing Body’s strategies for mobilization of voluntary contributions.

B.2.2 Development of a Strategy and Options Paper for the Funding Strategy of the Treaty on the strategies, opportunities and possible actions for promoting voluntary contributions, based on the outcomes of the Workshop under B.2.1 above and additional contacts and fact-finding missions with Contracting Parties, the private sector, non-governmental organisations, such as foundations, and other sources³⁰

Target: A Strategy and Options Paper for promoting voluntary contributions to the FS by building on the unique strengths of the Treaty, presented to the Governing Body for consideration and decision, including options for an Action Plan to promote voluntary contributions

B.2.3 Implementing the Strategy and Options through outreach to, and positive pursuing of, relevant international mechanisms, funds and bodies identified in the Strategy and Options Paper

If the Strategy and Options paper finds any possible opportunities to mobilize voluntary contributions, it would provide a framework for the Secretariat to pursue such possible

²⁸ Article 13.6

²⁹ Paras 5, 6, 7 and 20, IT/GB-2/07/07, ‘*Report of the Chair of the Ad Hoc Advisory Committee on the Funding Strategy*’

³⁰ Resolution 1/2006, paragraph 2 and 7

contributions. In Resolution 1/2006, the Governing Body “[r]equested the Secretariat of the Treaty to positively pursue, with the secretariats of relevant international mechanisms, funds and bodies, means by which they might contribute to the implementation of the Funding Strategy of the Treaty”. In particular, the Secretariat of the Treaty should explore “the possibility of establishing memoranda of understanding with the Governing Body in this regard”.

Target: Contacts established and three agreements reached with relevant international mechanisms, funds and bodies, such as memoranda of understanding, memoranda of cooperation, etc, and practical working relations established with several additional international mechanisms, funds and bodies to support the Funding Strategy of the Treaty.

B.2.4 Holding consultations with the Food Processing Industries to develop a strategy by which the Food Processing Industries could make voluntary benefit-sharing contributions, including possible promotional mechanisms such as seal- or labelling-mechanisms which promote food products that have been subject of voluntary benefit-sharing contributions under the Treaty.

Target: Consultation with the major Food Processing Industry stakeholders on possible strategies and mechanisms to promote voluntary benefit-sharing contributions from these Industries. Strategy Paper, resulting from the consultations, submitted to the Governing Body for decision. Feasibility study of possible mechanisms, such as seals, labels and other promotional and positive public relations mechanisms. If required, creation of a working group to elaborate and implement the identified mechanisms and strategies.

B.3 Operating the Funding Strategy and Disbursement of Funds, if any are available

38. If and when any funds are received under the Funding Strategy which are under the direct control of the Governing Body, it will be necessary to disburse them in an efficient, transparent and accessible manner which achieves the objectives of the Funding Strategy effectively. The Ad Hoc Advisory Committee on the Funding Strategy has already successfully elaborated Priorities, Eligibility Criteria and Operational Procedures for the operation of funding support to agricultural priority projects under the FS. These will have to be ongoingly serviced by a separate unit in the Secretariat for processing of project proposals for funding.

B.3.1 Opening a call for proposals in the official languages, as decided by the Governing Body; receiving, collection and compilation of Pre-proposals; preparatory work for screening and response to the Pre-proposals by the Bureau according to the adopted Eligibility Criteria and Priorities; receiving, processing and making public of project proposals submitted from approved

pre-proposals; Appraisal, ranking and making public of project proposals; Approval of projects for funding within the project cycle;³¹

B.3.2 Organizing and servicing the Meetings of the Panel of Experts on Project Appraisal under the Funding Strategy;

- Compile and prepare documentation on proposals received
- Organize and service the meetings of the Committee
- Follow up from the decisions of the meetings

B.3.3 Monitoring and reporting of the projects

The AHAC-FS has developed Monitoring and Evaluation Procedures for projects funded under the Funding Strategy, which include monitoring and evaluation of individual projects (evaluations are only to be performed for projects above a certain budget threshold) and evaluation of the overall programme funded by moneys under the direct control of the Governing Body. This activity would only be undertaken if there are any moneys under the direct control of the Governing Body, which is not the case at present. The conduct of this activity is therefore subject to the conduct and success of the activities listed in B.1 and B.2.

B.4 Providing information services on bilateral, regional and multilateral funding sources

39. Article 18.4 states that “the Contracting Parties that are developed countries also provide, and Contracting Parties that are developing countries ... avail themselves of, financial resources for the implementation of this Treaty through bilateral and regional and multilateral channels.”³² This concerns funds which are not under the control of the Governing Body but which are nevertheless provided under the umbrella of, and according to the criteria and priorities of, the Funding Strategy.

B.4.1 Developing an information service on bilateral and multilateral funding sources

In Resolution 1/2006, the Governing Body invited “the governing bodies of all relevant international mechanisms, funds and bodies to provide information on their mandates, priorities, eligibility criteria and procedures relevant to the support ... of the Treaty, to be made available through the website of the Treaty.”³³ The Secretariat would issue a wide-ranging request for such information to relevant international mechanisms, funds and bodies and would make the information received available through a specialized online information service.

Target: Specialized information service available for applicants seeking funding under the Funding Strategy from sources not under the control of the Governing Body

³¹ These procedures and responsibilities of the Secretariat have been set out in detail in Annex 3 of the IT/GB-2/07/7 (Report of the Chair of the Ad Hoc Advisory Committee on the Funding Strategy).

³² Article 18.4(c).

³³ Para 9, Resolution 1/2006.

B.4.2 Information service for donor institutions on priority and eligibility projects, eligible for funding under the Funding Strategy of the Treaty. The draft Operational Procedures of the Funding Strategy (Annex 3 of the Funding Strategy) provide that “projects not fundable within that year will be presented to donors for possible funding”.³⁴ The Secretariat could provide a customized information service for relevant donors to receive project proposals which are eligible for funding according to the criteria and priorities of the Treaty’s Funding Strategy but are not fundable within a given year.

Target: Specialized information service available on the Treaty website for donors on Project-proposals which are eligible for funding according to the priorities and criteria of the Treaty’s Funding Strategy, but are not fundable within a given year.

<i>MODULE B: RESOURCE REQUIREMENTS IMPLEMENTING THE FUNDING STRATEGY</i>		
<i>Core Administrative Budget</i>	<i>Multidonor Trust Fund</i>	<i>Total</i>
<i>USD 1,068,000</i>	<i>USD 1,371,000</i>	<i>USD 2,439,000</i>

³⁴ Para II.6(c), Annex 3, Operational Procedures, document IT/GB-2/07/7

Appendix C

**MODULE C - IMPLEMENTATION OF THE INTERNATIONAL TREATY AT
NATIONAL AND REGIONAL LEVELS**

40. The provisions of the Treaty are therefore very clear that the implementation of the Treaty must be directed, guided and monitored by the Governing Body, and no other entity or organization. Article 19.3 of the Treaty clearly states that the first function of the Governing Body is “to provide policy direction and [...] monitor [...] the implementation of this Treaty”.³⁵ The second function of the Governing Body is to “adopt plans and programmes for the implementation of this Treaty.”³⁶ A further function of the Governing Body is to “establish [...] a Trust Account, for receiving and utilizing financial resources [...] for purposes of implementing this Treaty”, to receive moneys in accordance with Financial Rules VI.1d and VI.1e.³⁷

41. Guidance, monitoring, coordination and programming of a coherent implementation process by the Governing Body is particularly crucial for the coherent functioning of the global systems of the Treaty, in particular the Multilateral System and the Funding Strategy. This is so, because the Treaty establishes concrete operational systems, which depend on day-to-day coherent processes and procedures being carried out all over the world in a coherent manner, such as the application of the SMTA, the inclusion of material in the System and the benefit-sharing operations under the four benefit-sharing mechanisms of Article 13. Other international conventions and treaties, which establish such operational global systems, have ensured coordinated capacity-building for establishment of the systems by creating Coordination Mechanisms under the guidance of their Governing Bodies for the implementation of the relevant agreement, convention or treaty. Examples include the Cartagena Protocol on Biosafety, the Patent Cooperation Treaty (PCT), the Convention on International Trade in Endangered Species (CITES) and the Budapest Treaty on the Recognition of the Deposit of Micro-organisms for the Purposes of Patent Procedure, among others.

42. It is important to emphasize two complementarities which are already built into this Module:

1. Much of the work will be undertaken through close partnerships and collaboration with, and outsourcing to, relevant departments in FAO and other international organizations and institutions, including the CBD, CGIAR Centers, IUCN, UNEP, UNICC, UNU-IAS and similar institutions. General suggestions for collaboration have already been received by the Secretariat from Bioversity International, the CBD, IUCN and UNU-IAS. In the close collaboration and partnerships with such organizations, the Secretariat would seek to ensure that the guidance of the Governing Body and the effective functioning of the Treaty systems guide the implementation of the Treaty, rather than any other institutional or individual interests. It is imperative, especially at the early stages of operation of the Multilateral System, that the implementation of the Treaty reflect the guidance of the Governing Body of the Treaty, in order to ensure coherence in daily operation of its Multilateral System and strategies.

³⁵ Article 19.3(a)

³⁶ Article 19.3(b)

³⁷ Article 19.3(f). Such a Trust Account has already been established by the Governing Body and serviced by its Secretariat in GINC/INT/031/MUL

Such coordination would be achieved through the Coordinating Mechanism for the Implementation of the Treaty, as described under activity C.3.1. In practice, it is envisaged that, under the guidance of the Governing Body, there would therefore be a high degree of complementarity with the related work of these entities, while ensuring consistency with the objectives of the Treaty and no other objectives.

2. As mentioned in the introduction, there is a strong complementarity between Modules C and D on the one hand and Modules A and B on the other, which focus on the implementation of the main system and strategy of the Treaty. In particular, Module A focused on the operationalization of the Multilateral System at the international level through the establishment of the required legal, policy and technical platforms and their coordinated daily operation at the international level. In contrast, the present Module focuses on the start-up of the Multilateral System at the national level in the Contracting Parties. It does so by strengthening capacity at the national level on the side of the Contracting Parties for the operation and implementation of the Treaty. While these parts are distinct, the national and international parts of operationalizing the Treaty cannot be divorced from each other because the Treaty's System and strategy function in a seamless continuity between their international and national application. It is therefore important that the national and international/multilateral operation of the System have to be undertaken coherently under the guidance of the Governing Body in order to ensure the overall coherent functioning of the Multilateral System at various levels.

C.1 Policy direction and guidance on the implementation of the Treaty

43. Demand from Contracting Parties for information and assistance through direct policy advice has been growing rapidly, as the Treaty enters implementation stage. In follow-up to the Resolutions of the Governing Body of the Treaty, Contracting Parties are requesting its Secretariat to assist them in translating the policy guidance of the Governing Body into domestic strategies and frameworks which support their own national needs, interests and policy frameworks. Such assistance can only be provided through direct, tailor-made, case-by-case support, including information on trends, best practices and options applied by other Contracting Parties.

44. Any work undertaken for the implementation of the Treaty must fulfil three essential requirements:

1. it must be driven by the needs of the Contracting Parties of the Treaty;
2. it must follow the guidance, monitoring and coordination of the Governing Body, and no other institution or interests;
3. it must implement the objectives of the Treaty and no other instrument, institution, organization;

45. This is essential for the effective and coherent implementation of the Treaty and the coherent functioning of its global Systems and Strategies. The activities of this module seek to ensure/facilitate the national part of the implementation of the Treaty's Systems and Strategies.

C.1.1 Policy guidance on the implementation of Articles 5, 6 and 9 at the national level through focused information gathering and meetings aimed at developing guidance on the options and possibilities for the national implementation of these articles. The Governing Body had already requested Contracting Parties to provide information on their national measures to implement these articles and the current activity envisages a continuation of this exploration through further questionnaires, surveys and meetings on the subjects.

Target: further information on implementation of Articles 5, 6 and 9 gathered and meetings held to discuss that information with a view to the development of policy guidance on national options for the implementation of these provisions

C.2 Legal assistance in the implementation of the Treaty

46. Upon request, providing legal comments or legal drafting services in accordance with the guidance of the Governing Body on implementation of the Treaty, thus enabling Contracting Parties to meet their obligations under the Treaty in accordance with their own national needs, interests and legal frameworks.

Target: 25 countries assisted in their national legislative, administrative and policy measures to implement the Treaty, in accordance with the guidance of the Governing Body.

Conducted in close cooperation with, and, as appropriate, through outsourcing to, the FAO Development Law Service and other relevant international organizations and institutions in accordance with the policy guidance of the Governing Body

C.3 Capacity building on the national and regional implementation of the Treaty

47. Rather than attempting to deliver such capacity-building itself, the Secretariat of the Governing Body will seek to develop partnerships with those FAO units, international institutions and organizations who have extensive expertise and capacities relevant to the implementation of the Treaty. Instead of undertaking the work itself, the Secretariat would seek to deliver the work through (a) close cooperation, and (b) outsourcing of work to relevant departments, institutions and organizations. In this approach, the role of the Secretariat would be limited to four functions:

- (1) operating the Coordinating Mechanism for implementation of the Treaty to ensure that capacity building follows the guidance of the Governing Body and that capacity is built in a coherent, coordinated, equitable and regionally balanced way which reflects the actual needs of Contracting Parties and stakeholders, rather than other institutions;
- (2) developing the capacity building materials and Toolkits in accordance with the guidance of the Governing Body, which shall be used for a coordinated approach to capacity building for implementation of the Treaty (i.e., in the form of training, information and policy materials);

- (3) further building and maintaining the network of National Focal Points for the Treaty in Contracting Parties and strengthening their technical, coordination, policy and infrastructural capacities;
- (4) channelling and administering the funds required for implementation through the Multilateral Trust Fund established for this purpose by the Governing Body.

C.3.1 Operation of a Coordinating Mechanism for capacity building for the national and regional implementation of the Treaty.

The Coordinating Mechanism ensures that the Treaty can offer Contracting Parties a coordinated, coherent and integrated package of capacity building for implementation of the Treaty, including, if requested, legislative advice, administrative support, infrastructure building for SMTA management, standard and customized training for officials, awareness raising support, etc. The Coordinating Mechanism would consist of:

- an online database of capacity building activities, based on standardized questionnaire and reporting formats on capacity building initiatives;³⁸
 - Ad Hoc Committee of Experts/Steering Committee to advise on complex legal or policy issues that arise in the process of capacity building for implementation;
 - Secretariat support services, liaison and partnerships with relevant FAO departments, international institutions and organizations to transmit the guidance of the Governing Body, including in particular by concluding partnership agreements and memoranda of cooperation;

Target: (1) An online database of capacity building activities and initiatives undertaken by different institutions, organizations and Parties on the Treaty; (2) two meetings of a regionally balanced Ad Hoc Committee of Experts/Steering Committee to advise in the initial phase on complex legal and policy questions that arise in the process of capacity building for implementation; (3) 3-4 formally established partnerships for implementation of the Treaty in accordance with the policy guidance of the Governing Body.

C.3.2 Development of applied, practical and standardized information material for capacity building on implementation of the Treaty.

- (1) General information, such as Guides, Toolkits and Decision Making Tools, for those who are directly responsible for implementation of the Treaty on national implications, options and consequences of implementing the Treaty (policy makers, managers of *ex situ* collections, private sector, etc)
- (2) Development of a Distance Learning Course on the International Treaty and establishment of partnerships and a network of academic and training institutions for delivery of the Course and other specialized training on the International Treaty

³⁸ Similar to the database established by the CBD Secretariat for capacity building for implementation of the CBD. See: <http://www.cbd.int/programmes/socio-eco/benefit/projects.aspx> A preliminary list of questions on the needs and priorities of Contracting Parties for capacity building has already been issued by the Secretariat.

Target:

- (1) Guide, Toolkits and Decision Making Tools prepared and published for those who are directly responsible for implementing the Treaty and for operation of its systems at national level.
- (2) Guide, Toolkit and Decision Making Tool prepared and published for those who are directly responsible for implementation of SMTA and its reporting requirements.
- (3) Development of Distance Learning Course of the International Treaty and establishment of a network of collaborations with academic and training institutions for delivery of the course

C.3.3 Extending the National Focal Point system established by the Treaty and building the capacity of National Focal Points.

Following the decisions of the Governing Body at its first session, the Interim Secretary sent a Circular State Letter to Contracting Parties, requesting them to nominate their National Focal Points for the International Treaty. As of 1 September 2007, the Secretary had received 44 nominations of National Focal Points (NFPs) and had provided them with an initial package of information and capacity building material. Under this activity the system of NFPs is further extended, strengthened and operationalized for the coherent implementation of the Treaty. It includes:

- (a) ongoing liaison with National Focal Points
- (b) a National Focal Points Week to facilitate exchange of experiences, networking and coordination among the National Focal Points of the Treaty;
- (c) establishing a network of institutional and human relations among Contracting Parties that can facilitate coherent implementation of the Multilateral System and the Treaty as a whole, by:
 - developing and managing the network of the NFP system;
 - linking implementing authorities;
 - establishing systematic communication and information dissemination channels among the NFPs;
 - integrating various elements of Modules A and B into the work of the NFP network;
 - facilitating exchange of experience and collectively addressing operational issues and problems among the NFPs of the Contracting Parties;
 - collection and collation of the issues identified by the NFPs for consideration at the next session of the Governing Body or the relevant subsidiary bodies of the Treaty;

This exercise is not just about exchanging information or creating dialogue on general and theoretical policy issues, but about the exchange of operational experience and problem solving for the efficient operation and evolution of the Multilateral System. It is crucial to create a dialogue among the NFPs on the practical, day-to-day, hands-on issues and difficulties that arise in the implementation of the Treaty and its systems at the national level.

C.4 Awareness raising, training and promotion of the International Treaty

48. The Treaty lives from its recognition as a major instrument representing agriculture in the environment, trade and intellectual property policy arenas. For the International Treaty to sustain and maintain its momentum it is critical to raise awareness about its objectives and relevance among broader audiences. Several key messages about the Treaty's importance have to be conveyed to other policy communities and the general public, in order, for example, to raise awareness, ensure recognition and facilitate voluntary contributions for the Treaty. An initial set of information and awareness raising materials was already produced by the Secretariat as part of a larger communication strategy for the Treaty. In the second stage of this communication strategy for the Treaty, wider outreach to the media and a broader set of information products would be required. In collaboration with relevant FAO units and other international organizations, this sub-module will deliver and execute this communication strategy through:

Target: Information and publicity material support to Modules A and B

Target: Outreach to media and general publics in developed and developing countries (image management, branding, media campaign, film on Treaty, publicity, public relations, etc)

Target: Mainstreaming of the Treaty in formal academic training and education curricula by establishing a network of education institutions which deliver in-depth training on the International Treaty and its Systems

Target: Cooperation Agreements with the leading universities on genetic resource law and policy for delivery of DL course and specialized training on the International Treaty;

Target: Information material for, and outreach to, governments which are not yet Contracting Parties regarding implications and benefits of accession to the Treaty;

Maintenance and updating of the Treaty website, including integration of the Multilateral System's Information Support Infrastructure on the Treaty website (SMTA report statistics, etc). This includes extensive information and content management on the operation of the Multilateral System, which only the Treaty Secretariat can provide to all the users of the System.

MODULE C: RESOURCE REQUIREMENTS IMPLEMENTATION OF THE TREATY AT NATIONAL AND REGIONAL LEVELS

<i>Core Administrative Budget</i>	<i>Multidonor Trust Fund</i>	<i>Total</i>
<i>USD 284,000</i>	<i>USD 2,813,000</i>	<i>USD 3,097,000</i>

Appendix D

MODULE D - SECRETARIAT SERVICES AND REGULAR MEETINGS OF THE GOVERNING BODY AND ANY SUBSIDIARY BODIES

49. At its First Session, the Governing Body was “mindful of the workload that the Secretariat was carrying”³⁹ and thus staggered certain activities. Now that the Treaty systems have reached an operational stage and, at the same time, there are additional meetings and subsidiary bodies to service, the resources available to the Secretariat, both human and financial, will have to be significantly increased in accordance with the increase of workload for the Secretariat.

D.1 Secretariat Services for Sessions of the Governing Body, and meetings of any subsidiary bodies

50. One of the main tasks of the Secretary and the Secretariat is to provide administrative support for Sessions of the Governing Body and any subsidiary bodies, including preparation of documents.⁴⁰ In the 2008-09 biennium, subject to the decision taken by the Governing Body, this might include:

- (a) Governing Body (one Session, as decided by the Governing Body);
- (b) Bureau of the Governing Body (four Sessions);
- (c) Committee on Compliance (established by the Governing Body at its First Session);
- (d) Panel of Experts on the Appraisal of Projects Under the Funding Strategy (if the Governing Body adopts the draft Annexes to the Funding Strategy as proposed by the Ad Hoc Advisory Committee on the Funding Strategy; one meeting at most, on the assumption that there will not be any funds to disburse under the Funding Strategy unless Contracting Parties mobilize resources rapidly);
- (e) Third Party Beneficiary Committee (if established by the Governing Body);
- (f) Expert Panel on Capacity Building for Implementation of the Treaty (if established by the Governing Body);
- (g) Other subsidiary bodies and meetings, as may be decided by the Governing Body.

51. Throughout the negotiations of the Treaty and in the first Session of the GB, governments generously hosted major meetings of the Treaty. It is now growing practice in a number of conventions, including the CBD, for the Governing and Subsidiary bodies to be hosted by Contracting Parties. Any such decisions taken at the present session of the GB need to be reflected in the budget.

³⁹ IT/GB-1/06/Report, para 54

⁴⁰ Article 20.2(a)

D.2 Administration of the Treaty's Work Programmes, including Technical Consultations

52. Extensive management support is required to operate the Work Programmes of the Treaty and ensure that key deliverables for the Multilateral System, Funding Strategy and Contracting Parties, as foreseen in these Work Programmes are delivered in a coherent, transparent, reliable and efficient way. Such administration and management support applies to all activities listed in modules A, B and C, and requires a high degree of professional competence and resources on the Secretariat side. Since this work has to be guided at all times by the Contracting Parties and other stakeholders it might include, as required, technical consultations which are listed under the respective substantive Modules of the work programme, but need to be taken into account in terms of Secretariat servicing time. Although additional meetings are costed under the elements below, the number of meetings to be serviced by the International Treaty Secretariat and therefore must be taken into account when considering the overall ITS resources.

- (a) Three technical consultations on Information Technology support for the SMTA and Multilateral System
- (b) Two meetings of the Panel of Experts for peer review of information products on guidance with the implementation of the Multilateral System

D.3 Carrying Out the Functions of the Governing Body

53. The Treaty provides that the Secretary shall “assist the Governing Body in carrying out its functions, including the performance of specific tasks that the Governing Body may decide to assign to it.”⁴¹ As the Multilateral System and Funding Strategy become fully functional, specific tasks and functions of the Governing Body will commence their daily operation and will require Secretariat assistance. For example, in the context of the Multilateral System one of the functions of the Governing Body under the SMTA is to periodically receive information from providers and recipients about SMTAs entered into, according to a schedule to be established by the Governing Body.⁴² A Note in the SMTA specifies that such information for the Governing Body shall be provided to the Secretary of the Governing Body. In assisting the Governing Body in carrying out this function, the Secretariat will therefore have to receive and store this information, in order to enable the Governing Body to take informed decisions on the further evolution of the Multilateral System. SMTA information management systems which are established for this purpose under A.3.2 and A.3.3 will have to be operated on a daily basis and this will require certain dedicated human resources, and operational running costs which are expected to drop after initial establishment of the management systems. Nevertheless, human and financial resource investments will have to be dedicated during the initial start-up phase, which is covered by this budget, for the establishment, launch and operation of these SMTA information management systems. Other examples, where the Secretariat assists the Governing Body in carrying out its functions include, in the context of the Funding Strategy, the opening of a call for proposals as

⁴¹ Article 20.2(b)

⁴² Article 5e SMTA. A further function is to make such information available to the third party beneficiary. See also Articles 6.4b, 6.5c and 6.11h SMTA

decided by the Governing Body; preparatory work for screening the Pre-proposals by the Governing Body's Bureau; and monitoring and reporting of approved projects under the Funding Strategy.⁴³

D.4 Support to the Secretary in Coordination with Other International Organizations and Processes

54. The Treaty provides that “the Secretary shall cooperate with other organizations and treaty bodies, including in particular the Secretariat of the Convention on Biological Diversity, in achieving the objectives of this Treaty.”⁴⁴ Support to the Secretary in coordination with other organizations, treaty bodies and relevant international processes might include:

- (a) Agreements signed with the IARCs of the CGIAR and Treaty's GB and other relevant international institutions concerning their ex situ collections.
- (b) Adoption of working arrangements for cooperation between the CGRFA and the Treaty's programme of work
- (c) Cooperation between the Treaty's Governing Body and the CBD and other relevant international processes and organizations.

D.5 General Secretariat Services

55. There are extensive administrative Secretariat services, related to the administrative procedures in FAO, including journalization, budget revision, complying with FAO administrative procedures and requirements; administering financial/personnel systems for recruitment of consultants, such as Personnel Processing Requests, Purchase Orders, contracts, payments, quality assessment, etc; administration of Trust Funds and RP allocations; provision of promotional material to Contracting Parties and other stakeholders on the Treaty; representation of the Treaty in the various departments of FAO and other international organizations; consultancies for languages and rapid translation. There is also an enormous amount of time spent in liaison with relevant FAO departments to ensure that all departments are informed and agreed with relevant activities, especially those who wish to relate their work to the Treaty in one way or another.

MODULE D: RESOURCE REQUIREMENTS SECRETARIAT SERVICES

*Core Administrative Budget
USD 2,148,000*

⁴³ For details see Module B.3 and the Report of the Chairman of the *Ad Hoc* Advisory Committee on the Funding Strategy

⁴⁴ Article 20.5