



# The International Treaty

ON PLANT GENETIC RESOURCES FOR FOOD AND AGRICULTURE



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<b>Item 16 of the Draft Provisional Agenda</b>
<b>FIFTH SESSION OF THE GOVERNING BODY</b>
<b>Muscat, Oman, 24 – 28 September 2013</b>
<b>REPORT OF THE COMPLIANCE COMMITTEE</b>

### *Note by the Secretary*

1. *At its Fourth Session, the Governing Body approved the Procedures and Operational Mechanisms to Promote Compliance and Address Issues of Non-Compliance (Resolution 2/2011). The Procedures specify the composition and functions of the Compliance Committee. Among those functions is the submission of a report to the Governing Body at each regular Session.*
2. *At its Fourth Session, the Governing Body assigned a number of tasks to the Compliance Committee for the intersessional period and made interim arrangements for the membership of the Committee, with a view to electing members for full terms at this Session.*
3. *The present report summarizes the work undertaken by the Committee, in its interim membership, to fulfill the above tasks, and refers the conclusions and recommendations of the Committee to the Governing Body. It also contains the views of the Committee in its interim membership concerning its future programme of work. The full record of the first meeting of the Committee is available for the information of the Governing Body.<sup>[1]</sup>*
4. *The Governing Body is invited to elect the members of the Committee. The Governing Body is also invited to consider for approval the draft Rules of Procedures of the Compliance Committee, as developed by the Committee, and to give any further guidance it considers appropriate for the effective operation of the Committee.*
5. *With regard to the reporting format pursuant to Section V.1 of the Procedures, which the Committee was to prepare for the consideration and approval of the Governing Body, this report is scheduled to be integrated with an addendum, once the Committee completes its work on such reporting format.*
6. *A draft Resolution, as prepared by the Committee, is included for the consideration of the Governing Body.*

<sup>[1]</sup> Document IT/GB-5/13/Inf. 14.

<b>INTERNATIONAL TREATY ON PLANT GENETIC RESOURCES FOR FOOD AND AGRICULTURE</b>
<b>FIFTH SESSION OF THE GOVERNING BODY</b>
Muscat, Oman, 24-28 September 2013
<b>REPORT OF THE COMPLIANCE COMMITTEE</b>

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## I. INTRODUCTION

1. By Resolution 2/2011, the Governing Body approved the *Procedures and Operational Mechanisms to Promote Compliance and Address Issues of Non-Compliance* (Compliance Procedures). The Compliance Procedures specify membership and functions of the Compliance Committee (Committee), which the Governing Body established at its First Session by Resolution 3/2006.<sup>1</sup>
2. Among those functions is the submission of a report to the Governing Body at each regular session, reflecting:
  - i) the work that the Committee has undertaken;
  - ii) the conclusions and recommendations of the Committee; and
  - iii) the future programme of work of the Committee.<sup>2</sup>
3. The present document constitutes the first such report. The report covers the period from 22 October 2012, i.e. the date on which the members were appointed by the Bureau of the Governing Body in accordance with paragraph 5 of Resolution 2/2011, to 14 June 2013.
4. The Committee held one meeting during the reporting period. The meeting was held from 20 to 22 April 2013 in Rome, Italy. The full record of the meeting is available for the information of the Governing Body.<sup>3</sup>

## II. ORGANIZATIONAL MATTERS

### *Membership of the Compliance Committee*

5. At its Fourth Session, the Governing Body decided that each of the seven FAO Regions would submit nominations for two members to the Committee to the Bureau of this Fifth Session, for interim appointment by the Bureau until this Fifth Session, at which it will elect members for full terms in accordance with Section III.4 of the Compliance Procedures.<sup>4</sup>
6. The members of the Committee were appointed by the Bureau on 22 October 2012 for the interim period as requested by the Governing Body. The list of members of the Committee that the Bureau appointed for the interim period is contained in *Appendix 2* to this document.
7. At this Fifth Session, the Governing Body is to elect the members of the Committee to serve for staggered terms. Accordingly, it shall elect up to seven members for half a term (i.e. two years), and up to seven members for a full term (i.e. four years).<sup>5</sup>
8. To facilitate the expedient simplification of the staggering of terms in accordance with the formula stipulated in the Compliance Procedures, the Committee recommends that the Governing Body elect one of the members from each FAO Region to serve for a full term, while the second member from each FAO Region serves for half a term. Where only one member is elected from a Region, such a member should begin to serve for the full term.
9. In electing the members, the Governing Body may wish to consider that members of the Committee shall have recognized competence in the field of genetic resources or other fields relevant to the International Treaty, including legal or technical expertise, and shall serve objectively and in their individual capacity.<sup>6</sup>

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<sup>1</sup> IT/GB-4/11/Report, Resolution 2/2011, *Annex*, Compliance Procedures, Section III.4 and Section IV.

<sup>2</sup> Compliance Procedures, Section IV.1.g).

<sup>3</sup> Document IT/GB-5/13/Inf. 14.

<sup>4</sup> Resolution 2/2011, paragraph 5.

<sup>5</sup> Compliance Procedures, Section III.4.

<sup>6</sup> Compliance Procedures, Section III.3.

10. In order to forestall a situation where the Committee could be without membership, given that the terms of the members shall commence on January 1<sup>st</sup> of the first year of the financial period of the International Treaty following their election, the Committee further recommends that the terms of the interim members of the Committee be extended until the commencement of the terms of the elected members.

#### *Election of Chair and Vice-Chair of the Compliance Committee*

11. In accordance with section III.7 of the Compliance Procedures, the Committee elected Mr René Lefeber as interim Chair and Ms Amparo Ampil as interim Vice-Chair of the Committee by acclamation on 20 April 2013. The Chair and Vice-Chair constitute the interim Bureau of the Committee.

### **III. THE WORK UNDERTAKEN BY THE COMMITTEE**

12. At its Fourth Session, the Governing Body decided that the Committee shall develop further rules of procedure relevant to its work. In addition, the Committee was to develop a succinct standard reporting format in accordance with Section V.1 of the Compliance Procedures, i.e. for the report on the implementation of obligations by each Contracting Party. The Committee was to report on this work to the Governing Body at this Fifth Session, for consideration and approval.<sup>7</sup>

#### *Draft Rules of Procedures of the Compliance Committee*

13. The Committee developed the draft *Rules of Procedure*. Pursuant to the request of the Governing Body, the draft *Rules of Procedure* include provisions on confidentiality, decision-making, conflict of interest, electronic decision-making, replacement of members and the format of submissions by the Governing Body. The Committee applied the draft Rules of Procedure on an interim basis pending their approval by the Governing Body.

#### *Standard reporting format by Contracting Parties*

14. With regard to the reporting format pursuant to Section V.1 of the Compliance Procedures, due to the rescheduling of its meeting from February to April, the Committee was not able to complete the task during the reporting period. A process for its members to further develop, review and finalise such format was agreed upon at the first meeting of the Committee, and is being implemented at the time of issuance of this report with the aim of submitting the reporting format to the Governing Body for its approval at this Fifth Session.<sup>8</sup>

15. Consequently, this report will be supplemented by an addendum to the present document, once the Committee completes its work on the reporting format.

### **IV. FUTURE PROGRAMME OF WORK OF THE COMMITTEE**

16. The Committee fulfilled most of the tasks assigned to it by the Governing Body for the intersessional period, and will complete any remaining tasks by the commencement of this Fifth Session of the Governing Body.

17. In regard of the future programme of work, the Committee submits that such a programme, besides the functions of the Committee that are established in the Compliance Procedures, would consist of any functions the Governing Body may assign to it in accordance

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<sup>7</sup> Resolution 2/2011, paragraphs 3 and 4.

<sup>8</sup> In relation to Article 17 of the International Treaty on the Global Information System, the Committee requested the Secretariat to refer to the option of reporting by Contracting Parties to the Committee on its implementation after the development of the global information system, for possible inclusion into the draft reporting format. The Secretary has reflected such a request in the relevant documents.

with Section IV.1.f of the Compliance Procedures at this Fifth Session, based on any relevant question or issues that may emerge during the Session of the Governing Body.<sup>9</sup>

## V. BUDGETARY MATTERS

18. Among the issues considered by the Committee were the costs associated with fulfilling its mandates under the International Treaty. Taking into account that the Committee is a permanent committee of the Governing Body as well as the nature of the tasks to be undertaken by it, it is recommended that the costs of the meetings and related activities of the Committee be incorporated into and covered by the Core Administrative Budget of the Governing Body.

19. Another activity that has cost implications stems from Rule IX of the draft Rules of Procedures, on the use of electronic means. The Committee requested the Secretary, as a cost-saving measure, to explore the possibility of establishing a secure web portal to facilitate the consultations and, where appropriate, decisions of the Committee through electronic means.

20. In regard to the above matters, the draft Resolution being proposed to the Governing Body also addresses the issue of the costs of meetings and related activities of the Committee, as well as the costs for the participation of members and representatives of Contracting Parties concerned.

21. Accordingly, provision will be made within the draft Work Programme and Budget (document IT/GB-5/13/25) for the costs of meetings and related activities, including the use of information technologies, for consideration by the Governing Body.

## VI. CONCLUSIONS AND RECOMMENDATIONS OF THE COMMITTEE

### Draft Resolution

22. With a view to facilitating the deliberations of the Governing Body at this Fifth Session, and without prejudice to any further guidance by the Governing Body, the Committee developed a draft Resolution, by which the Governing Body would:

- a) approve the *Rules of Procedure of the Compliance Committee*, as annexed to the draft Resolution;
- b) approve the *Standard Reporting Format* pursuant to Section V.1 of the Compliance Procedures, which, once finalized by the Committee, will also be annexed to the draft Resolution;
- c) elect the members of the Committee and establish the terms thereof, in accordance with a chart annexed to the draft Resolution, as well as provide for the continuation of the interim members until the commencement of the terms of the elected members;
- d) decide on the funding arrangements for the functioning of the Committee.

23. The draft Resolution, including the Annexes thereto, is contained in *Appendix 1* to this document.

24. The conclusions and recommendations of the Committee are embodied in the draft Resolution below and the Annexes thereto for the consideration and approval by the Governing Body. The Governing Body is, accordingly, invited to consider these and take any necessary decisions or give any further guidance it considers appropriate in that regard.

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<sup>9</sup> The functions of the Committee are established in Section IV of the Compliance Procedures.

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**APPENDIX 1**

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**DRAFT RESOLUTION \*\*/2013****PROCEDURES AND OPERATIONAL MECHANISMS TO PROMOTE COMPLIANCE  
AND ADDRESS ISSUES OF NON-COMPLIANCE**

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**The Governing Body,**

**Recalling** Resolution 2/2011 by which it approved the Procedures and Operational Mechanisms to Promote Compliance and Address Issues of Non-Compliance;

**Recognizing** the important role of the Compliance Committee in promoting compliance and addressing issues of non-compliance with the Treaty, and the need for the smooth and effective functioning of the Committee;

1. **Thanks** the Compliance Committee for developing its Rules of Procedures and the standard format for reporting in accordance with section V.1 of the *Procedures and Operational Mechanisms to Promote Compliance and Address Issues of Non-Compliance*;
2. **Hereby approves** the Rules of Procedure of the Compliance Committee included in *Annex 1* hereto;
3. **Further approves** the standard reporting format included in *Annex 2* hereto;
4. **Elects** the members of the Committee for two or four calendar years in accordance with section III.4 of the Compliance Procedures, as contained in the chart included in *Annex 3* hereto;
5. **Decides** that the members of the Compliance Committee that the Bureau of the Fifth Session of the Governing Body appointed for the interim period up to this Session shall continue to serve until the commencement of the term of the members of the Compliance Committee elected at this Session;
6. **Reiterates** the importance of maintaining sufficient resources for the operation of the *Procedures and Operational Mechanisms to Promote Compliance and Address Issues of Non-Compliance* and the functioning of the Compliance Committee;
7. **Decides** that costs of meetings of the Compliance Committee, including those to facilitate the participation of members of the Committee, and related activities shall be included in the Core Administrative Budget as may be adopted by the Governing Body, supplemented by any voluntary contributions made available for that purpose, and **requests** the Secretary to include such costs into the Core Administrative Budget that is presented to the Governing Body for approval at its Regular Sessions;
8. **Reiterates** its recommendation that funds be made available through the *Special Fund to Support the Participation of Developing Countries* to facilitate participation in relevant meetings of the Committee by representatives of developing country Contracting Parties and Contracting Parties with economies in transition regarding whom a submission has been made under the *Procedures and Operational Mechanisms to Promote Compliance and Address Issues of Non-Compliance*.

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**ANNEX 1 TO DRAFT RESOLUTION \*\*/2013**

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**INTERNATIONAL TREATY ON PLANT GENETIC RESOURCES FOR FOOD AND AGRICULTURE**

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**PROCEDURES AND OPERATIONAL MECHANISMS TO PROMOTE COMPLIANCE AND ADDRESS ISSUES OF NON-COMPLIANCE**

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**DRAFT RULES OF PROCEDURES OF THE COMPLIANCE COMMITTEE****Rule I  
SCOPE**

1.1 These Rules of Procedure shall apply to any meeting of the Compliance Committee and shall be read together with and in furtherance of the *Procedures and Operational Mechanisms to Promote Compliance and Address Issues of Non-Compliance*, adopted by the Governing Body and contained in the *Annex* to Resolution 2/2011.

1.2 The Rules of Procedure of the Governing Body shall apply, *mutatis mutandis*, to all matters not specifically dealt with under these Rules of Procedure.

**Rule II  
USE OF TERMS**

For the purpose of these Rules of Procedure:

“Bureau” shall mean the Bureau of the Committee, unless otherwise provided;

“Conflict of interest” shall refer to any current interest which could significantly impair the individual’s impartiality, objectivity or independence in carrying out his or her duties as a member of the Committee;

“Contracting Party concerned” shall mean the Contracting Party referred to in section VI.1 of the Compliance Procedures;

“Committee” shall mean the Compliance Committee established by the Governing Body by Resolution 3/2006;

“Compliance Procedures” shall mean the Procedures and Operational Mechanisms to Promote Compliance and Address Issues of Non-Compliance, contained in the *Annex* to Resolution 2/2011 of the Governing Body, and any amendment thereto as may be adopted by the Governing Body;

“Governing Body” shall mean the Governing Body as referred to in Article 19 of the International Treaty;

“International Treaty” shall mean the International Treaty on Plant Genetic Resources for Food and Agriculture;

“Member of the Committee” shall mean a member of the Committee elected pursuant to section III.4 of the Compliance Procedures;

“Secretary” shall mean the Secretary of the Governing Body, referred to in Article 20 of the International Treaty.

### **Rule III MEMBERS**

3.1 Each member of the Committee shall perform his or her duties and exercise his or her authority as member of the Compliance Committee honourably, faithfully, impartially and conscientiously and seek to avoid any conflict of interest.

3.2 Where a member finds himself or herself faced with a conflict of interest regarding a matter before the Committee, the member concerned shall bring it to the attention of the Secretary, who shall inform the Committee. The member concerned may participate in the discussions, but not in the elaboration and adoption of any decision of the Committee regarding such matter.

3.3 Where the Secretary becomes aware of a situation of conflict of interest in respect of a member regarding a matter before the Committee, the Secretary shall raise and discuss it with the member concerned. If it is not resolved, the Secretary shall inform the Committee and refer it to the Bureau of the Governing Body for its consideration. Pending resolution, the member may neither participate in the discussions nor in the elaboration and adoption of any decision of the Committee regarding that matter.

3.4 If a member of the Committee wishes to resign, he or she shall inform the Secretary in writing indicating the date when the resignation takes effect.

3.5 If a member of the Committee resigns or is unable to complete his or her term of office, the Secretary shall inform the FAO Region concerned through the member of the Bureau of the Governing Body representing that Region. The FAO Region concerned may nominate a replacement to serve the remainder of the term of that member. The Bureau of the Governing Body, in accordance with section III.4 of the Compliance Procedures, shall consider the nomination, and make an appointment, as appropriate.

### **Rule IV BUREAU**

4.1 The Chair and Vice-Chair of the Committee shall constitute the Bureau.

4.2 The Chair and Vice-Chair serve for up to two years, renewable once. If the Chair resigns or is unable to complete his or her term of office, the Vice-Chair shall assume the chair *ad interim*.

4.3 Pursuant to section III.7 of the Compliance Procedures, the members nominated by one FAO Region shall not serve as Chair or Vice-Chair for more than two consecutive terms.

### **Rule V OBSERVERS**

5.1 Any person may attend open meetings of the Committee as an observer. A person wishing to do so shall inform the Secretary at least four weeks before the meeting.

5.2 The number of observers may be limited by the Secretary, in consultation with the Bureau, due to logistic or other limitations.

### **Rule VI MEETINGS**

6.1 Meetings of the Committee shall be convened by the Secretary in consultation with the Bureau;

6.2 Notice of the date and place of each meeting of the Committee shall be communicated by the Secretary to all members at least twelve weeks before the opening of the meeting;

6.3 Meetings of the Committee shall be open unless it decides otherwise or this Rule provides otherwise. The Committee may decide that all or part of any meeting will be closed. It shall meet in closed session at the request of the Party concerned and when considering information that is confidential in accordance with Rule VII below.

6.4 For the purposes of section VI.8 of the Compliance Procedures, the Committee shall, through the Secretary, inform the Contracting Party concerned through official channels, with a copy to the National Focal Point, of a meeting of the Committee where a submission related to that Contracting Party will be considered, and may invite that Contracting Party to attend such meeting.

6.5 The Committee may, subject to the availability of financial resources and where the circumstances so require, invite to its meetings any expert or person with valuable knowledge to provide technical opinion, advice or information that may assist it in the consideration of a matter before it.

6.6 Only members of the Committee and Secretariat officials may be present during elaboration and adoption of a decision by the Committee.

#### **Rule VII CONFIDENTIALITY**

7.1 Save as otherwise provided for in this Rule, no information held by the Committee shall be kept confidential.

7.2 The Committee and any person involved in its work shall seek to ensure the confidentiality of information that has been provided to it in confidence by a Contracting Party in respect of its own compliance.

7.3 Information relating to the identity of a person who provides information to the Committee shall be kept confidential if that person asks that it be kept confidential because of a substantiated concern in relation to penalization, persecution or harassment.

7.4 Information that is in the public domain shall in no circumstance be deemed to be confidential.

7.5 Records and reports of the Committee shall not contain any information that the Committee must keep confidential or that was provided to it or discussed in a closed meeting.

#### **Rule VIII DECISION-MAKING**

8.1 The Committee shall make every effort to adopt its decisions by consensus, that is, the absence of a formal objection by any of its members.

8.2 If reasonable efforts to reach consensus have been exhausted and no consensus has been achieved, any decision on matters of substance shall, as a last resort, be taken by a two-thirds majority of the members present and voting or by eight members, whichever is the greater. Decisions on matters of procedure shall, as a last resort, be taken by a simple majority of the members present and voting. A member may provide a succinct explanation of his or her vote for incorporation in the record of the meeting if he or she wishes to do so.

8.3 For the purposes of this Rule, the phrase “members present and voting” means members present at the session at which voting takes place and casting an affirmative or negative vote. Members abstaining from voting shall be considered as not voting.

8.4 The Committee shall, through the Secretary, communicate the decision to the Contracting Party concerned through official channels, with a copy to the National Focal Point. The Secretary shall make decisions available to other Contracting Parties and to the public.

**Rule IX**  
**USE OF ELECTRONIC MEANS**

9.1 Electronic means of communication may be used by the members of the Committee for the purpose of:

- (a) Conducting informal consultations;
- (b) Elaborating and taking decisions in writing using electronic means of communication except for decisions under section VII of the Compliance Procedures.

9.2 The Committee may establish further rules on electronic means of communication under paragraph 1.b of this Rule, taking into account the provisions of Rule VII above, including on the verification of the receipt of a draft decision by all members and the adoption of a decision on a no-objection basis.

9.3 Any decision taken in accordance with paragraph 1.b above shall be deemed to be taken at the headquarters of the Secretariat of the International Treaty.

**Rule X**  
**PUBLICATION OF DOCUMENTS**

Subject to Rule VII above, the Secretary shall make all documents of the Committee available to the public.

**Rule XI**  
**FORMAT OF SUBMISSIONS BY A CONTRACTING PARTY WITH RESPECT TO ITSELF**

11.1 Any submission pursuant to section VI.1.a of the Compliance Procedures shall be received through official channels of the Contracting Party concerned or from its National Focal Point, and be delivered to the Secretariat in hard copy and by electronic means. Any relevant document in support of the submission shall be annexed thereto.

11.2 Any such submission shall, in addition to the requirements of section VI.2 of the Compliance Procedures, include:

- (a) Additional information substantiating the matter of concern;
- (b) A list of all documents annexed to the submission;
- (c) Any measures requested from the Committee pursuant to section VII of the Compliance Procedures.

**Rule XII**  
**FORMAT OF SUBMISSIONS BY A CONTRACTING PARTY WITH RESPECT TO ANOTHER CONTRACTING PARTY**

12.1 Any submission pursuant to section VI.1.b of the Compliance Procedures shall be received through official channels of the Contracting Party making the submission, and be delivered to the Secretariat in hard copy and by electronic means. Any relevant document in support of the submission shall be annexed thereto.

12.2 Any such submission shall, in addition to the requirements of section VI.2 of the Compliance Procedures, identify the Contracting Party concerned, and include:

- (a) Any additional information substantiating the matter of concern;
- (b) A list of all documents annexed to the submission.

12.3 Pursuant to section VI.4 of the Compliance Procedures, the submission shall be forwarded through official channels to the Contracting Party concerned and copied to its National Focal Point.

**Rule XIII**  
**FORMAT OF SUBMISSIONS BY THE GOVERNING BODY**

13.1 A decision by the Governing Body to make a submission pursuant to section VI.1.c of the Compliance Procedures shall be in the form of a Resolution adopted by it. Any such submission shall, in addition to the requirements of section VI.2 of the Compliance Procedures, identify any Contracting Party concerned.

13.2 Pursuant to section VI.4 of the Compliance Procedures, the submission shall be forwarded through official channels to any Contracting Party concerned and copied to its National Focal Point.

**Rule XIV**  
**FORMAT FOR CONSIDERATION OF STATEMENTS AND QUESTIONS  
CONCERNING THE IMPLEMENTATION OF A CONTRACTING PARTY'S  
OBLIGATIONS UNDER THE INTERNATIONAL TREATY**

Any statement or question pursuant to section IX.2 of the Compliance Procedures shall be received through official channels of that Contracting Party or from its National Focal Point, and be delivered to the Secretariat in hard copy and by electronic means. Any relevant document in support of the statement or question shall be annexed to the letter.

**Rule XV**  
**DECISIONS OF THE COMMITTEE**

15.1 A decision of the Committee, pursuant to section VII of the Compliance Procedures, shall contain:

- (a) The name of the Contracting Party concerned;
- (b) A statement identifying the matter of concern;
- (c) The provisions of the International Treaty and any Resolutions of the Governing Body as well as relevant sections of the reports of the Governing Body and its subsidiary bodies, that are applicable to the matter of concern;
- (d) The substantive decision on the matter of concern, including the measures taken, if any, as well as the results of a vote if Committee had to resort to voting to adopt the decision;
- (e) Reasons for the decision.

15.2 A recommendation of the Committee, pursuant to section IX.6 of the Compliance Procedures, shall contain:

- (a) The name of the Contracting Party that addressed to the Committee statements and questions concerning the implementation of its own obligations under the International Treaty, or the Governing Body, as the case may be;
- (b) A statement identifying the matter raised;
- (c) The relevant provisions of the International Treaty and Resolutions of the Governing Body as well as relevant sections of the reports of the Governing Body and its subsidiary bodies;
- (d) The recommendation as well as the results of a vote if Committee had to resort to voting to adopt the recommendation;
- (e) Reasons for the recommendation.

**Rule XVI**  
**RECORDS AND REPORTS**

16.1 Following each meeting, the Bureau shall record the main outcomes and submit such records, through the Secretariat, to the members of the Committee for approval.

16.2 In submitting its report in accordance with section IV.1.g of the Compliance Procedures, the Committee shall take those records into account.

**Rule XVII**  
**LANGUAGES**

17.1 The working language of the Committee shall be English or any other official United Nations language agreed by the Committee.

17.2 The submissions from the Contracting Party concerned, the response and the information, pursuant to in section VI.5 of the Compliance Procedures, shall be made in any one of the six official languages of the United Nations. The Secretariat shall make arrangements to translate them into English if they are submitted in one of the languages of the United Nations other than English. This Rule shall also apply in respect of questions or statements pursuant to section IX.2 of the Compliance Procedures.

17.3 A representative of the Contracting Party concerned taking part in the proceedings of the Committee in accordance with section VI.8 of the Compliance Procedures may speak in a language other than the working language of the Committee, if the Contracting Party provides for interpretation.

**Rule XVIII**  
**EXPENSES**

Expenses incurred by members of the Committee, when attending sessions of the Committee, shall be covered by the budget of the International Treaty. Any member may choose for his or her costs not to be so covered.

**Rule XIX**  
**AMENDMENTS TO THE RULES OF PROCEDURE**

19.1 Any amendment to these Rules of Procedure shall be adopted by consensus by the Committee and submitted to the Governing Body for consideration and approval.

19.2 Any amendment of these Rules of Procedures adopted by the Committee shall be provisionally applied pending their approval by the Governing Body.

**Rule XX**  
**OVERRIDING AUTHORITY OF THE COMPLIANCE PROCEDURES**

In the event of a conflict between any provision of these Rules of Procedure and any provision of the Compliance Procedures, the provisions of the Compliance Procedures shall prevail.

**Rule XXI**  
**ENTRY INTO FORCE**

These Rules of Procedure and any amendments thereto shall come into force upon their approval by the Governing Body.

**ANNEX 2 TO DRAFT RESOLUTION \*\*/2013**

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**STANDARD REPORTING FORMAT PURSUANT TO SECTION V.1 OF THE  
PROCEDURES AND OPERATIONAL MECHANISMS TO PROMOTE COMPLIANCE AND  
ADDRESS ISSUES OF NON-COMPLIANCE**

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[The standard reporting format will be provided in an addendum to this document, once the Committee completes its work on it.]

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**ANNEX 3 TO DRAFT RESOLUTION \*\*/2013**


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**MEMBERS OF THE COMPLIANCE COMMITTEE**


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The chart below is to be filled by the Governing Body with the names of the elected members.

<b>AFRICA</b>	(name)	2 years
	(name)	4 years
<b>ASIA</b>	(name)	2 years
	(name)	4 years
<b>EUROPE</b>	(name)	2 years
	(name)	4 years
<b>LATIN AMERICA AND THE CARIBBEAN</b>	(name)	2 years
	(name)	4 years
<b>NEAR EAST</b>	(name)	2 years
	(name)	4 years
<b>NORTH AMERICA</b> <sup>10</sup>	(name)	4 years
<b>SOUTH WEST PACIFIC</b>	(name)	2 years
	(name)	4 years

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<sup>10</sup> Without prejudice to any decision that the Governing Body may make concerning the election of a second member of the Compliance Committee by the North America Region.

*Note by the Secretary*

At the meeting of the Bureau at which the interim members of the Committee were formally elected, the Bureau agreed that, taking into account the relevant provisions of the Compliance Procedures and the interpretation thereof, the guidance of the Governing Body would be sought with regard to the election of a second member from the North America Region, given that there is currently only one Contracting Party from the region.

**APPENDIX 2****INTERIM MEMBERS OF THE COMPLIANCE COMMITTEE**

<b>AFRICA</b>	Ms Maria Antonieta COELHO Ms Manyara Angeline MUNZARA
<b>ASIA</b>	Ms Amparo AMPIL Ms Tashi DORJI
<b>EUROPE</b>	Mr René LEFEBER Mrs Clare HAMILTON
<b>LATIN AMERICA AND THE CARIBBEAN</b>	Ms Paula RASSI BRASIL Ms Margaret GUTIÉRREZ MULAS
<b>NEAR EAST</b>	Mr Ali CHEHADE Ms Nadiya AL SAADY
<b>NORTH AMERICA</b>	Ms Felicitas KATEPA-MUPONDWA
<b>SOUTH WEST PACIFIC</b>	Mr Raj PATIL Mr Douveri Mavaru HENAO