

6 October 2014



The International Treaty

ON PLANT GENETIC RESOURCES FOR FOOD AND AGRICULTURE



Bureau of the Sixth Session of the Governing Body

6 October 2014

SUMMARY REPORT

1. The Chairman of the Sixth Session of the Governing Body, Mr Matthew Worrell, welcomed the members of the Bureau of the Sixth Session and sought their confirmation of the agenda items, which were agreed.

I. EXECUTION OF THE PROJECT CYCLE: 4TH ROUND OF THE PROJECT CYCLE

1.1 Information Note on the 4th Call for Proposals (CFP-4) of the Benefit-sharing Fund

2. The Chairman recalled that during its last phone call the Bureau had requested the Secretary to prepare a short information note on the 4th Call for Proposals to make available to possible donors in the context of the Secretariat's ongoing resource mobilization efforts as requested by the Governing Body.

3. The Bureau reviewed the Information Note and introduced additions regarding the description of the grant-making process in the Fund and added acknowledgements of donors in the 1st and 2nd rounds of the project cycle of the Benefit-sharing Fund (BSF). The revised Information Note, as amended and finalized by the Bureau, is attached to this summary and will be made available to possible donors.

1.2 Resource mobilization for CFP-4 and joint resource mobilization with the Global Crop Diversity Trust (GCDT), including GCDT Fundraising Strategy 2014-2018

4. At the request of the Bureau, Germany, as Chair of the Donor Council of the GCDT, had circulated the Fundraising Strategy 2014-2018 to the Bureau members and explained that the activities of the GCDT as an essential element of the Funding Strategy of the Treaty must be taken into consideration when discussing the future resource mobilization activities for the BSF.

5. The Bureau thanked Germany for circulating the GCDT Fundraising Strategy and agreed that the Secretary and the Chairman, as guests of the Donor Council, should bring to the attention of the membership of the Council the level of interest from the Treaty membership in the GCDT Fundraising Strategy. The Bureau agreed that it was important to ensure mutually supportiveness of the resource mobilization activities of the GCDT and BSF and to remind donors of their distinct but complementary funding priorities. The Bureau would consider important to avoid a first-come first-serve approach in how governments give funding to the GCDT and the Benefit-sharing Fund and it was therefore necessary to make sure that Governments coordinate internally when approached for funding. The Bureau will explore and prepare how the Governing Body could provide more meaningful political guidance to the GCDT at its next Session.

II. RESOLUTION 8/2014 AND IDENTIFICATION OF INTERRELATIONS BETWEEN INSTRUMENTS

6. The Chair referred to the information update circulated by the Secretary on 3 October regarding the implementation of paragraph 3 of Resolution 8/2014. He inquired whether, taking into account the comments and communications received from the European region and civil society organizations, the identified course of action for the joint identification of possible areas of interrelations between the Treaty and international instruments of UPOV and WIPO would be agreeable.
7. It was indicated that it would be preferable if the Notification to be issued would also expressly invite comments from Contracting Parties in all regions on the possible interrelations between the respective instruments (ref. step 4 below). It was further indicated that the wish for an inclusive process was very well addressed in the identified steps, including the commenting facility on the Treaty website, through which anyone may contribute comments. It was also noted that the projected publication could take the form of a report for consideration by the Governing Body.
8. The Bureau agreed that the process as outlined by the Secretary in his email of 3 October would be a good approach for the joint identification of possible areas of interrelations between the Treaty and international instruments of UPOV and WIPO.
9. With the additions incorporated, the Secretary will proceed with the following steps:
 1. the Secretary will refer the matter to the *Ad Hoc* Technical Committee on Sustainable Use of Plant Genetic Resources for Food and Agriculture (ACSU), which has traditionally dealt with matters related to Farmers' Rights under Article 9 and has a mandate to provide advice to the Secretary on "cooperation with [...] international processes and institutions in the field of sustainable use of PGRFA". The Committee includes a representative range of stakeholder participation, including in particular farmers and civil society representatives.
 2. The Committee will meet in the first quarter of 2015 and the Secretary will add the identification of interrelations between the Treaty and the relevant instruments to the agenda of the meeting. He will also compile the comments received for consideration and processing by the Committee;
 3. in addition, the Secretariat will issue a specific invitation on the Treaty website's standard 'Farmers' Rights Comment Submissions'-webpage, by which the Governing Body is continuously seeking inputs from all stakeholders on Farmers' Rights, for any member of the public to identify interrelations between the Treaty and the relevant related instruments (<http://www.planttreaty.org/content/farmers-rights-submissions>). The Secretary will include comments received in the compilation and forward them for processing to the ACSU;
 4. in addition, the Secretary will issue a Notification inviting comments of Contracting Parties for the identification of interrelations pursuant to Resolution 8/2013; the Notification will also request Contracting Parties and other donors to provide funding for a possible additional session of the ACSU on Farmers' Rights and, if funding is received for it, would organize an additional session of the Committee on Farmers' Rights;
 5. After the Committee processes the identified interrelations, the Secretary will transmit the interrelations identified to UPOV and WIPO, pursuant to the Governing Body Resolution;
 6. Based on the interrelations thus identified, jointly with UPOV and WIPO, a small team of 3 or 4 experts will be agreed and an initial outline for a joint report prepared and made available for public comments by membership and stakeholders of the respective instruments. After closing of the comments on the draft outline, the experts would be tasked to incorporate the comments and work on a draft report to the Governing Body. The draft report would again be made available for comments on the Treaty website and comments would be incorporated into the final version.
 7. in response to the Governing Body's request, the Secretary would then submit the final version to the Governing Body.

10. The Secretary will proceed with this approach and the Bureau agreed that the suggested approach be communicated through a Notification to all Contracting Parties and stakeholders of the Treaty. The Secretary will inform UPOV and WIPO.

III. ADMINISTRATION OF THE SECRETARIAT, INCLUDING RENEWAL OF THE SECRETARY

11. The Chairman indicated that the renewal of the Term of Office of the Secretary was due and there were two distinct items to address, namely (i) to renew the Term of Office of the Secretary for the next standard Term of four years; and (ii) to formally recognize the established practice as the standard procedure, which could be done at the Sixth Session of the Governing Body.

3.1 Renewal of the Term of Office of the Secretary

12. Following the established practice, the Bureau commented on the performance of the Secretary and there was a unanimous conclusion about the excellent performance of Mr. Bhatti and his office. In appraising Dr Bhatti's performance, Bureau members in particular highlighted his: leadership of the Treaty throughout the successful start-up phase; unquestionable dedication and competence; delivery of impressive amounts of output; approach, as a person, always to find solutions which will work for all; achievement of raising significant funds for member countries; capability of executing work as decided by the Governing Body; and his experience and its value for meeting future challenges of the Treaty. It was in the interest of the Treaty to have his corporate knowledge kept in place. Bureau members noted that he had fully achieved or exceeded work programme objectives and unanimously expressed their strong support for the renewal of his Term of Office for the next standard Term of four years.

13. Dr Ren Wang, the Assistant Director General for Agriculture and Consumer Protection, expressed his appreciation of Dr Bhatti's work as the Treaty's Secretary and highlighted in particular: guiding the establishment of the Multilateral System; the development of the Global Information System of the Treaty; initiatives to develop partnerships for the Treaty, illustrated by expanding the partnerships with the GCDT, CBD, and others; promoting the strategy of benefit-sharing; the 20-fold multiplication of the benefit-sharing portfolio of the Benefit-sharing Fund; the ongoing work of putting the benefit-sharing mechanisms on a sustainable and predictable basis; successful work in communication, through the Treaty's communication products, strategy, awareness and fundraising events; and his major role in successfully moving the International Treaty from its start-up phase to the enhancement phase. Dr Bhatti was a competent and hard-working professional and his dedication was a valuable asset to the Treaty.

14. Dr Wang encouraged more engagement with non-member countries in order to increase Treaty membership and to strengthen and consolidate the Secretariat capacity by continuing to build the long term capacity for the Secretariat through consolidating the existing posts and team for the future. He confirmed that, as per the Bureau's request, the administration would make the necessary administrative arrangements for the renewal of his term. Since Mr Bhatti was seconded to FAO from the World Intellectual Property Organization, the inter-organizational exchange would also be renewed to match the period of contract renewal. Following the Bureau's request, the administration would pursue the necessary administrative actions.

15. The Bureau unanimously agreed to renew the Secretary for the next standard Term of Office of four years (2015-2019) and requested the Director-General to make the necessary arrangements for the renewal of the employment contracts and the Memorandum of Inter-organizational Exchange with the World Intellectual Property Organization under the Inter-organizational Mobility Accord for the next four year Term.

3.2 Formal recognition of the procedure for future renewals of terms

16. Mr. Antonio Tavares, Legal Counsel, noted that the administration requested to agree a long-term procedure for future renewals, which would be approved by the Governing Body, as was the case with other Article XIV bodies. The Bureau agreed to propose to the Governing Body to formally recognize the established practice of renewals of the Secretary by the Bureau and that the Secretary, working with the Legal Office and the Governing Body Chairperson, should integrate a formalized description of the established practice into the documents for the Sixth Session of the Governing Body in order to formalize the existing procedure.

IV. ANY OTHER BUSINESS

17. Mr Rasmi Mahmoud, the representative of Oman, informed the Bureau that the 4th High Level Round Table on the Treaty (HLRT-4) was held on the margins of the 69th United Nations General Assembly in New York on 24 September 2014. It was chaired by H.E. Dr. Fuad Al-Sajwani, Minister for Agriculture and Fisheries of Oman, attended by numerous Ministers, the EU Commissioner for Agriculture, FAO Director-General, CBD Executive Secretary and many other high-level dignitaries. The Minister had chaired the meeting in his capacity as Chair of the High Level Task Force of the Benefit-sharing Fund and the meeting was co-hosted by Norway and Austria. Participants had welcomed a draft New York Communiqué on the Treaty, which was on the Treaty website for comments. The Minister will report on the outcomes of the HLRT-4 to the Ministerial Segment of the Sixth Session of the Governing Body next year.

18. The Minister also chaired a meeting of the High Level Task Force attended by all members of the Task Force or their representatives. The Minister will follow up on a number of tasks and next steps identified by the Task Force. The Minister will report on the work of the Task Force to the Sixth Session of the Governing Body next year.

19. The Bureau thanked H.E. Minister Al-Sajwani for his strong leadership in hosting meetings in New York and welcomed that under the leadership of H.E. Minister Al-Sajwani the High-level Task Force was building momentum for the Benefit-sharing Fund.