



The International Treaty

ON PLANT GENETIC RESOURCES FOR FOOD AND AGRICULTURE

**E****Item 16 of the Provisional Agenda****FIFTH SESSION OF THE GOVERNING BODY****Muscat, Oman, 24-28 September 2013****RECORD OF THE FIRST MEETING OF THE COMPLIANCE
COMMITTEE**

Note by the Secretary

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1. This document contains the Record of the first meeting of the Compliance Committee, held from 20 to 22 April 2013 in Rome, Italy.
 2. The Record was published online on the Treaty website and is accompanied by a note summarizing the main outcomes of the meeting.
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I. FIRST MEETING OF THE COMPLIANCE COMMITTEE

1. The first meeting of the Compliance Committee was held from 20 to 22 April 2013 in Rome, Italy. The terms of reference are contained in the Annex to Resolution 2/2011, by which the Governing Body assigned a number of tasks to the Compliance Committee for the consideration and approval of the Governing Body at its Fifth Session, including, *inter alia*:

- development of rules of procedure relevant to Committees' work, including rules on confidentiality, decision making, conflict of interest, members, electronic decision making and replacement of Committee members;
- development of a standard reporting format for approval by the Governing Body at its next Session, taking into account harmony with other relevant reporting processes, such as those under the Commission on Genetic Resources for Food and Agriculture;
- submission of a report to the Governing Body at each regular session.

2. At the end of its deliberations, the Committee:

- adopted its Record summarizing the work undertaken by the Committee during this intersessional period and contains the conclusions and recommendations of the Committee to the Governing Body. The Report also contains the views of the Committee concerning its future programme of work;¹
- finalized the draft Rules of Procedures of the Compliance Committee, which will be submitted to the Governing Body for its consideration and approval and to give any further guidance it considers appropriate for the effective operation of the Committee;
- made recommendations to the Governing Body regarding the election and staggering of the terms of the members of the Committee, as well as on transitional arrangements for period between the election of the members and the commencement of their terms;
- agreed to continue working on the draft reporting format, required under Section V.1 of the *Procedures and Operational Mechanisms to Promote Compliance and Address Issues of Non-Compliance*, for the consideration and approval of the Governing Body at its Fifth Session. The finalized draft reporting format will be integrated into the Report of the Committee to the Governing Body as an addendum, as soon as the Committee completes its work on it; and
- with a view to facilitating the deliberations of the Governing Body at this Fifth Session, developed a draft Resolution for consideration by the Governing Body.²

3. The full Record of the meeting of the Committee is contained in the *Appendix* to this document.

¹ IT/GB-5/13/18

² Idem.

Appendix

COMPLIANCE COMMITTEE
FIRST MEETING
Rome, Italy, 20–22 April 2013
RECORD OF THE MEETING

1. OPENING OF THE MEETING

1. The first meeting of the Compliance Committee was held at FAO Headquarters, Rome, from 20 to 22 April 2013. The list of participants is contained in *Appendix 5* to this document.
2. The Secretary of the Governing Body, Mr Shakeel Bhatti, welcomed the members of the Committee to the first meeting of the Committee since its establishment. He noted that the approval of the Procedures and Operational Mechanisms to Promote Compliance and Address Issues of Non-compliance (Compliance Procedures) by the Governing Body (Resolution 2/2011) represented a major step forward in the implementation of the International Treaty. He expressed his gratitude to the Government of the United Kingdom for the financial contribution that enabled the holding of the meeting.

2. ELECTION OF THE CHAIRPERSON AND VICE-CHAIRPERSON

3. In accordance with Section III.7 of the Compliance Procedures, the Committee was to elect its Chair and Vice-Chair. The Committee elected Mr René Lefeber as interim Chair and Ms Amparo Ampil as interim Vice-Chair, until the election of a Chair and Vice-Chair by the members of the Committee elected by the Governing Body at its Fifth Session.
4. The Chair thanked the members of the Committee for the confidence they placed in him. He recalled that the members had been called to serve objectively and in their individual capacities. He highlighted the innovative provisions and approaches that the Compliance Procedures of the International Treaty had established. These included, in particular, the functions of the Committee related to reports by Contracting Parties on the implementation of their obligations under the International Treaty, as well as the function of addressing questions raised by Contracting Parties regarding such implementation. The Chair welcomed the broad range of expertise, including legal and technical expertise, represented in the membership of the Committee.
5. The Committee decided that the Chair and Vice-Chair elected at the meeting would constitute the interim Bureau of the Committee, by virtue of the application of the draft Rules of Procedure on an interim basis (see also agenda item 4 below), until the election of a Chair and Vice-Chair by the members of the Committee elected by the Governing Body at its Fifth Session.

3. ADOPTION OF THE AGENDA

6. The Committee adopted the agenda of its meeting, as contained in *Appendix 1* to this document.

4. DRAFT RULES OF PROCEDURE OF THE COMPLIANCE COMMITTEE

7. The Committee considered the document, *Draft Rules of Procedure* (IT/CC 1/2), containing elements for the draft rules of procedures, that the Secretariat had prepared, and agreed to the draft Rules of Procedure, as contained in *Appendix 2* to this document. It requested the

Secretariat to submit the draft Rules of Procedure to the Governing Body for consideration and approval.

8. In reference to Rule IX of the draft Rules of Procedures on the use of electronic means to conduct its business, the Committee requested the Secretary to explore the possibility of establishing a secure web portal to facilitate the consultations and, where appropriate, decisions of the Committee through electronic means.

9. The Committee decided to apply the draft Rules of Procedure on an interim basis pending their approval by the Governing Body.

5. STANDARD REPORTING FORMAT BY CONTRACTING PARTIES

10. The Committee considered the document, *Draft Standard Reporting Format by Contracting Parties* (IT/CC 1/4), that the Secretariat had prepared. It worked on the basis of the elements of a reporting format that was attached to the document and revised the list of relevant provisions of the International Treaty on which, in the view of the Committee, reporting by Contracting Parties was to be sought. The revised list is contained in *Appendix 3* to this document.

11. The Committee agreed that the draft reporting format was to be designed in the form of a practical and accessible questionnaire addressing the relevant provisions of the International Treaty which required implementation by Contracting Parties. The Committee requested two of its members, namely Mrs Clare Hamilton and Ms Maria Antonieta Coelho, to further develop the draft reporting format by the third week of May, for circulation by e-mail to the other members and selected experts for comments. The Committee, furthermore, requested its interim Bureau to revise the draft reporting format and submit it to its members for approval. If further work were required and approval could not be obtained, the revised draft would be submitted as an interim draft to the Governing Body for its consideration, with the possibility, subject to the availability of financial resources and capacity, of a second meeting of the Committee to finalize the draft (see also agenda item 7 below). Once finalized and approved by the members of the Committee, the draft reporting format would be submitted to the Governing Body for its consideration and approval.

12. In relation to Article 17 of the International Treaty on the Global Information System, the Committee requested the Secretariat to refer, in the relevant working document to be prepared for the Fifth Session of the Governing Body, 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.

6. DRAFT RESOLUTION FOR CONSIDERATION BY THE GOVERNING BODY

13. With a view to facilitating the deliberations of the Governing Body at its 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*;
- b) approve the *Reporting Format pursuant to Section V.1 of the Compliance Procedures*;
- c) elect the members of the Compliance Committee and establish the terms thereof.

14. In regard of point *c*) above, the Committee deemed it expedient that the draft Resolution should reflect:

- i) the staggering of terms of the members of the Committee to be elected by the Governing Body at the Session, through a chart annexed to the draft Resolution, on which the Governing Body would indicate the respective terms of the members;

- ii) the continuation of terms of the interim members of the Committee to serve for the intervening period between the Session of the Governing Body and the commencement of the terms of the elected members.

15. The draft Resolution, as developed by the Committee, is contained in *Appendix 4* to this document.

7. OTHER BUSINESS

16. With a view to facilitating the consideration of compliance matters by the Governing Body at its Fifth Session, the members of the Committee undertook the commitment to provide information and updates to their respective Regions, on the work of the Committee, through electronic means and other forms of consultations.

17. In view of unfinished work on the standard reporting format by Contracting Parties (see agenda item 5 above), the Committee left open the possibility of a second meeting to finalize the format for the consideration of the Governing Body. It requested the Secretary to explore the availability of financial resources and capacity to support such a meeting. In this regard, the Committee suggested that, for cost efficiency, such second meeting could take place in Muscat, Oman, in conjunction with the meetings and consultations preceding the Fifth Session of the Governing Body. Such an arrangement would also present an opportunity for members to provide direct information to Contracting Parties, the regional groups and the Governing Body, as well as to answer questions regarding the outputs of the work of the Committee.

8. ADOPTION OF THE RECORD OF THE MEETING

18. The Committee requested its interim Bureau, with the support of the Secretariat of the International Treaty, to develop the record of its meeting and to submit it to its members for approval.

19. In line with its decision to apply, on an interim basis, Rule XVI of the draft Rules of Procedures (see paragraph 9 above), the Committee recommended that the report by the Committee to the Governing Body pursuant to Section IV.1.g of the Compliance Procedures, reflect the outcomes of its meeting, as embodied in this document, with the subsequent addition of the draft reporting format, once finalized by the Committee.

20. In regard to its future programme of work, which was to be part of the report to the Governing Body, the Committee decided that such programme, besides the functions of the Committee that are established in the Compliance Procedures, would consist of any functions the Governing Body would assign to it in accordance with Section IV.1.f of the Compliance Procedures.

20. The Committee requested its interim Bureau, with the support of the Secretariat of the International Treaty, to develop the report of the Committee to the Governing Body, to be included in the documentation for its Fifth Session, and to submit it to its members for approval.

9. CLOSING OF THE MEETING

21. The Committee thanked the Chair and the Vice-Chair for the guidance of, and the Secretariat for the excellent preparations for, and support to, the meeting. It also thanked the Government of the United Kingdom for its financial support that made the holding of the meeting possible.

APPENDIX 1

FIRST MEETING OF THE COMPLIANCE COMMITTEE
Rome, Italy, 20–22 April 2013
AGENDA

1. Opening of the meeting
2. Election of the Chairperson and Vice-Chairperson
3. Adoption of the agenda
4. Draft *Rules of Procedure* of the Compliance Committee
5. Standard reporting format by Contracting Parties
6. Draft Resolution for the consideration of the Governing Body
7. Other business
8. Adoption of the record of the meeting
9. Closing of the meeting

APPENDIX 2

INTERNATIONAL TREATY ON PLANT GENETIC RESOURCES FOR FOOD AND AGRICULTURE

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

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.

APPENDIX 3

STANDARD REPORTING FORMAT FOR SUBMISSIONS IN ACCORDANCE WITH SECTION V.1 OF THE PROCEDURES AND OPERATIONAL MECHANISMS TO PROMOTE COMPLIANCE AND ADDRESS ISSUES OF NON-COMPLIANCE

Obligations under the Treaty that require reporting

Article 4 - General Obligations
Article 5 – Conservation, Exploration, Collection, Characterization, Evaluation and Documentation of Plant Genetic Resources for Food and Agriculture
Article 6 – Sustainable Use of Plant Genetic Resources
Article 7 – National Commitments and International Cooperation
Article 8 – Technical Assistance
Article 9 – Farmers’ Rights ³
Article 11 – Coverage of the Multilateral System ⁴
Article 12 – Facilitated access to plant genetic resources for food and agriculture within the Multilateral System ⁵
Article 13 - Benefit-sharing in the Multilateral System ⁶
Article 14 – Global Plan of Action
Article 15 – <i>Ex Situ</i> Collections of Plant Genetic Resources for Food and Agriculture Held by the International Agricultural Research Centres of the Consultative Group on International Agricultural Research and Other Institutions ⁷
Article 16 – International Plant Genetic Resources Networks
Article 17 – The Global Information System on Plant Genetic Resources for Food and Agriculture ⁸
Article 18 – Financial Resources ⁹

³ The Committee will request the guidance of the Governing Body as to whether Article 9 shall be included into the reporting format.

⁴ Paragraphs 2 and 3 only.

⁵ Paragraph 1 excluded.

⁶ Paragraph 2 only.

⁷ Paragraphs 2 and 4 only.

⁸ Paragraph 1 only.

⁹ Paragraph 4 only.

APPENDIX 4

A. DRAFT RESOLUTION **/2013**B.****C. PROCEDURES AND OPERATIONAL MECHANISMS TO PROMOTE COMPLIANCE AND ADDRESS ISSUES OF NON-COMPLIANCE**

D.**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*.

APPENDIX 5

LIST OF PARTICIPANTS

COMMITTEE MEMBERS	
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