



# The International Treaty

ON PLANT GENETIC RESOURCES FOR FOOD AND AGRICULTURE



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<b>Item 1 of the Provisional Agenda</b>
<b>FIFTH SESSION OF THE GOVERNING BODY</b>
<b>Muscat, Oman, 24-28 September 2013</b>
<b>ANNOTATED DRAFT PROVISIONAL AGENDA AND PROVISIONAL INDICATIVE TIMETABLE</b>

## Introduction

1. The Governing Body is convened under the provisions of Article 19 of the Treaty, and is open to all Contracting Parties to the International Treaty, and to observers.
2. Following the generous offer of the Sultanate of Oman, the Fifth Session of the Governing Body is being held at the Al Bustan Palace Hotel in Muscat, Oman, from 24 to 28 September 2013.
3. In accordance with Rule 7 of the *Rules of Procedure* of the Governing Body, the Secretary has notified those bodies and agencies, whether governmental or non-governmental, qualified in fields relating to the subject-matter of the Treaty, which have informed the Secretariat of their wish to be represented at the meeting, so that they may be admitted as observers. A list of such bodies and agencies will be made available to the Governing Body for information.
4. At its Fourth Session, the Governing Body adopted a number of Resolutions and requested Contracting Parties and observers, its Bureau as well as the Secretariat to carry out a number of actions. The Governing Body also deferred a number of issues to this Fourth Session, in particular:
  - certain issues related to the operation of the Funding Strategy of the Treaty; and
  - a number of reviews and assessments related to the implementation of the Multilateral System and the operation of the Standard Material Transfer Agreement (SMTA).

### Chairperson and Vice-Chairpersons of the Fifth Session of the Governing Body

5. At the end of its Fourth Session, the Governing Body elected Mr Javad Mozafari Hashjin (Near East Region) as Chairperson of the current Session of the Governing Body, and the following Vice-Chairpersons: Mr Prem Gautam (Asia Region), Cosima Hufler (Europe Region), Ms Mónica Martínez (Latin America and the Caribbean Region), Mr Zachary Muthamia (Africa Region), Mr Travis Power (South West Pacific Region), and Mr Marco Valicenti (North America Region).
6. In the course of the present biennium, in accordance with Rule II.1 of the *Rules of*

*Procedure*,<sup>1</sup> Mr Matthew Worrell was designated as the Vice-Chair representing the South West Pacific Region in the place of Mr Travis Power. Ms Felicitas Katempa-Mupondwa was designated as the Vice-Chair representing the North America Region in the place of Mr Marco Valicenti. Mr Atanu Purkayastha was designated as the Vice-Chair representing the Asia Region in the place of Mr P. L. Gautam.

### Opening Session

7. The opening session will begin at 10.00 a.m. on Tuesday, 24 September 2013. The Governing Body will hear welcoming addresses by representatives of the Sultanate of Oman as well as special addresses by the Director General of FAO, the Executive Secretary of the Convention on Biological Diversity, and invited guest speakers representing some major stakeholders in the Treaty.

### ITEM 1. Adoption of Agenda and Time-Table

8. The present document annotates the *Provisional Agenda*,<sup>2</sup> and provides a proposed timetable, for the consideration of the Governing Body.

9. The provisional agenda has been prepared by the Secretary under the guidance of the Bureau of the Fifth Session of the Governing Body, in accordance with Rule 5.1 of the *Rules of Procedure*.

10. The agenda for this meeting is very heavy, reflecting the volume of work that the Treaty has been able to accomplish in the current biennium and that the Governing Body will undertake at this Session. It includes a number of issues arising from the Third and Fourth Sessions of the Governing Body, or specifically deferred to this Session, as well as issues that the Governing Body expressly requested be put on the agenda for this session. It also includes reports on high-level initiatives on the International Treaty, undertaken by Contracting Parties and stakeholders during the current biennium.

11. The list of the documents for this Session is contained in the document, IT/GB-5/13/Inf. 1, *List of Documents*. The decisions of the Governing Body are expressed through a series of Resolutions, and the working documents accordingly provide elements for possible draft Resolutions, for the consideration of the Governing Body. As has been customary in past Sessions of the Governing Body, contact groups will be established as needed during the Session in order to discuss and finalize draft resolutions which require more extensive discussion. As recommended by the Bureau of this Session, the Secretary has compiled in a single document these elements of possible draft resolutions.

12. The Governing Body is invited to consider the provisional agenda contained in document IT/GB-5/13/1, *Draft Provisional Agenda*, and the indicative timetable suggested in the current document, in order to adopt its Agenda and organize its work for this Session.

### ITEM 2. Election of the *Rapporteur* for the Fifth Session of the Governing Body

13. In accordance with Rule II.1 of the *Rules of Procedure* adopted by the Governing Body at its First Session,<sup>3</sup> “the Governing Body shall elect [...] a Rapporteur from among the delegates, alternates, experts and advisers of the Contracting Parties”. The Governing Body is invited to do so, under this Item.

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<sup>1</sup> “If a Bureau member is unable to temporarily carry out any of his or her functions, the Contracting Party of that Bureau member may designate an alternate”.

<sup>2</sup> Document IT/GB-5/13/1, *Draft Provisional Agenda*.

<sup>3</sup> IT/GB-1/06/Report, *Appendix D*.

### **ITEM 3. Appointment of the Credentials Committee**

14. According to Rule IV.5 of the Rules of Procedure, “*each Contracting Party shall communicate to the Secretary of the Treaty the name of its representatives on the Governing Body before the opening of each session of the Governing Body*”.

15. By Article 19.4 of the Treaty, each Contracting Party shall have one vote and may be represented at sessions of the Governing Body by a single delegate, who may be accompanied by an alternate, and by experts and advisers.

16. Rule XIII of the Rules of Procedure further provides that “*the provisions of the General Rules of the FAO shall apply mutatis mutandis to all matters not specifically dealt with under the Treaty or the present Rules*”. According to Rules III.3 and III.4 of the General Rules of the FAO, a Credentials Committee shall be set up to examine credentials.

17. The Governing Body may wish establish a Credentials Committee, comprising one representative per region, to examine the credentials at this session, and report back to the Governing Body in Plenary.

### **ITEM 4. Report of the Chairperson**

18. Since the election of its members, the Bureau of the Fifth Session of the Governing Body has met several times and the Chairperson of the Fifth Session was requested to undertake a range of activities. The Chairperson will provide his report, for information, on actions taken by him and the Bureau in accordance with the decisions of the Governing Body. Since the report is expected to reflect the latest developments directly prior to the Session, the report will be delivered directly orally in Session and the transcript will be made available simultaneously at the time of delivery of the report.

### **ITEM 5. Report of the Secretary**

19. In accordance with Article 20 of the Treaty, the Secretary will report to the Governing Body on activities undertaken in accordance with the decisions of the Governing Body during the past biennium. Since the report is expected to reflect the latest developments directly prior to the Session, it will be delivered directly orally in Session and the transcript will be made available simultaneously at the time of delivery of the report.

### **ITEM 6. Reports from high-level initiatives on the International Treaty**

20. The Governing Body will be informed on a number of high-level initiatives by Contracting Parties, partners, and other stakeholders that contribute the implementation of the Treaty.

### **ITEM 7. Establishment of the Budget Committee**

21. Rule II of the *Financial Rules of the Governing Body* (Financial Rules) provides that the draft budget is to be prepared by the Secretary and circulated to Contracting Parties before regular sessions of the Governing Body. The draft Work Programme and Budget for the biennium 2014-2015 is contained in the documents, IT/GB-5/13/25, *Draft work programme and budget for the 2014-2015 biennium*; IT/GB-5/13/25 Add.1 Rev. 1, *Proposed Indicative Scale of Contributions for 2014 and 2015*; and IT/GB-5/13/25 Add. 2, *Donor-supported activities under the Special*

*Fund for Agreed Purposes: Report on activities in 2012-13 and projects proposed for further donor support.*

22. **The possible elements of the Resolution are contained in document IT/GB-5/13/25.**

23. The Governing Body may wish to establish a Budget Committee, to meet from time to time following Plenary proceedings, to translate the decisions taken by the Plenary into budgetary provisions, review the consolidated draft budget, and forward the draft Budget for the 2014-2015 Work Programme for the consideration of the Governing Body in Plenary.

24. In accordance with established practice, it is suggested that the Budget Committee consist of a maximum of two representatives per region, acting as the spokespersons for their respective regions, and that all Contracting Parties be able to attend as observers. It is also suggested that there be two Co-Chairs, one from a developing, and one from a developed country.

#### **ITEM 8. Implementation of the Multilateral System of Access and Benefit-sharing**

25. The Multilateral System of Access and Benefit-sharing is the core of the Treaty. This agenda item is therefore both extensive and complex, and deals with several interlinked issues, and there are many and close links with the matters to be discussed under Agenda Item 9. The central document is IT/GB-5/13/5, *Report on the implementation of the Multilateral System of Access and Benefit-sharing*, which provides the Governing Body with a single, overall picture of the status of the various elements of the Multilateral System.

26. For a synoptic picture of the current status of implementation of the Multilateral System, delegates may wish to look at Part XI of this document.

27. **The possible elements of the Resolution are contained in document IT/GB-5/13/5**

**Add. 1.** In order to facilitate a systematic approach to the item, it is proposed that the Governing Body structure its discussions by the substantive blocs in the draft Resolution, which reflect the structure of the working document.

#### ***Item 8.1. Report on the implementation of the Multilateral System***

##### DEVELOPMENTS IN THE INTERNATIONAL ENVIRONMENT OF IMPORTANCE TO THE IMPLEMENTATION OF THE MULTILATERAL SYSTEM (DOCUMENT PART II. RESOLUTION PART 1)

28. This section of the document reports on a number of major developments that have taken place in the last biennium, in the World Intellectual Property Organization (WIPO), the Union for the Protection of New Varieties of Plants (UPOV), the Convention on Biological Diversity (CBD) and its Nagoya Protocol, the United Nations Environment Programme (UNEP), and the FAO Commission on Genetic Resources for Food and Agriculture (CGRFA).

29. Of particular importance is the pending entry into force of the *Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization to the Convention on Biological Diversity* (hereinafter, “the Nagoya Protocol”), which has important implication for the overall international architecture for access and benefit-sharing and the Treaty in particular. It establishes the International Regime on Access and Benefit-sharing, of which the Treaty is the only recognized constituent element in the agricultural sector. The challenge will be to ensure that implementation of the Treaty and of the Nagoya Protocol at national level are harmonious and mutually supportive. The ongoing work in the Commission on Genetic Resources for Food and Agriculture can also provide valuable support to the Treaty in this.

30. This section of the document also provides summary information on the High-Level Roundtables convened by Contracting Parties in support of the Treaty: these will be reported under Agenda Item 6.

31. **Part I of the Resolution contained in document IT/GB-5/13/5 Add. 1 deals with these matters. Also of relevance are the Resolutions in Documents IT/GB-5/13/14, on the relationship with the Convention on Biological Diversity, and IT/GB/13/11, on cooperation with the Commission on Genetic Resources for Food and Agriculture.**

COVERAGE OF THE MULTILATERAL SYSTEM (ARTICLES 11 AND 15.1A)  
(DOCUMENT PART III. RESOLUTION PART II)

32. At its Fourth Session, the Governing Body noted a shortage of information from Contracting Parties and other stakeholders regarding, in particular, the material that was actually available from the Multilateral System, and the use of the SMTA.

33. Document IT/GB-5/13/5 contains the report requested by the Governing Body, outlining the current state of knowledge. While there still remain numerous gaps in information, a number of technical studies in the biennium, information provided by Contracting Parties and International Institutions on their implementation of the Multilateral System and their experiences in the use of the SMTA, and particularly the deployment of “Easy-SMTA”, have provided more and more precise information than was available to the previous Session. In particular, the plant genetic resources that have been notified as available to the Multilateral System are compared to the known *ex situ* holdings of all countries and international institutions, and general information on the percentage of various categories of plant genetic resources for food and agriculture that are now available under SMTA is given.

34. There remains little information on materials that natural and legal persons in the jurisdictions of Contracting Parties may have put into the Multilateral System, or the legal and administrative measures that Contracting Parties have taken to encourage this. There is also no effective measure of how effective access is to *in situ* resources that are to be available in accordance with Article 12.3h of the Treaty.

35. The document highlights a number of short-term priorities for the continued effective functioning of the Multilateral System. These include: (a) to promote the complete documentation of Materials “in” the Multilateral System; (b) to document exchange under the Multilateral System; and (c) to assist users of the Multilateral System to resolve legal and technical challenges that are impeding the inclusion of plant genetic resources in the Multilateral System, as well as broader implementation of the Multilateral System.

36. **Part II of the Resolution contained in document IT/GB-5/13/5 Add. 1 deals with these matters.**

LEGAL AND OTHER APPROPRIATE MEASURES TO PROVIDE FACILITATED ACCESS  
TO PLANT GENETIC RESOURCES FOR FOOD AND AGRICULTURE  
WITHIN THE MULTILATERAL SYSTEM (ARTICLE 12)  
(DOCUMENT PART IV. RESOLUTION PART III)

37. In Resolution 4/2011, the Governing Body:

*Urge[d] Contracting Parties, in accordance with Article 12.2, to take necessary legal and other appropriate measures to provide access to plant genetic resources for food and agriculture through the Multilateral System, within a clear time-frame, and request[ed] them to report on such information, using the standard format to be adopted by the Governing Body.*

38. No Contracting Party has yet done so. This question is of particular importance in the context of the need to ensure harmony and mutual supportiveness with the Nagoya Protocol, at national level.

39. **Part III of the Resolution contained in document IT/GB-5/13/5 Add. 1 deals with this matter.**

THE ROLE OF INFORMATION ON THE MULTILATERAL SYSTEM  
(DOCUMENT PART VII. RESOLUTION PART IV)

40. The implementation of “Easy-SMTA”, and the analysis of the Data Store provide the Governing Body with increasingly useful information for its monitoring and governance of the Multilateral System. The development of the Global Information System, in accordance with Article 17 of the Treaty, is reported in more detail in document IT/GB-5/13/7. The particular importance of the ongoing work to develop the stage of GENESYS is of particular importance in providing an overall picture of material available under the Multilateral System, linked to technical information of value to plant breeders, and a Treaty-compliant ordering system.

41. **Part IV of the Resolution contained in document IT/GB-5/13/25 Add. 1 deals with these matters. Also of relevance is the Resolution in Document IT/GB-5/13/17, on the Global Information System: the Governing Body may wish to integrate those elements here, or leave them as a self-standing Resolution.**

BENEFIT-SHARING IN THE MULTILATERAL SYSTEM (ARTICLE 13)  
(DOCUMENT PART V. RESOLUTION PART V)

42. The documents reports on two important initiatives undertaken by stakeholders, in support of non-monetary benefit-sharing, within the Funding Strategy of the Treaty: the development of a Platform for the Co-development and Transfer of Technologies, and a Public-Private Partnership for Pre-breeding. These will be presented by the relevant stakeholders and Contracting Parties in detail in the context of Agenda Item 6, *Reports from High-level Initiatives on the International Treaty* and have been incorporated in Agenda Item 10, *Implementation of Article 6, Sustainable Use of Plant Genetic Resources*, at the recommendation of the *Ad Hoc Advisory Committee on Sustainable Use*.

43. In the context of the sharing of monetary and other benefits of commercialization, the document reports on a study recently undertaken with support from the Government of Australia, that suggests though income to the Benefit-sharing Fund from current SMTA could in theory be substantial, it is likely to take longer than was expected. The study also identifies two factors on which income is critically dependent: avoidance of material under SMTAs, and non-payment of voluntary payments.

44. The document also briefly summarizes the relevant work of the *Ad Hoc* Committee on the Funding Strategy during the biennium, which will be reported and considered under Agenda Item 9.1.

45. **Part V of the Resolution contained in document IT/GB-5/13/5 Add. 1 deals with this matter.**

SUPPORT TO CONTRACTING PARTIES AND USERS OF THE MULTILATERAL SYSTEM  
(DOCUMENT PART VIII. RESOLUTION PART VI)

46. Support to relevant authorities and entities, particularly in developing countries, in improving their capacity to provide, manage or access information relevant to the Multilateral System, continues to be vital for the consolidation and functioning of the Multilateral System. Such support is particularly topical, as countries take national measures to implement the Convention on Biological Diversity and its Nagoya Protocol.

47. The *Joint Capacity-building Programme*, implemented with Bioversity International has proved particularly effective in this regard, and information on relevant developments is given in document IT/GB-5/13/21.

48. **Part VI of the Resolution contained in document IT/GB-5/13/5 Add. 1 deals with this matter. Also of relevance is the Resolution in Document IT/GB-5/13/21, on cooperation with the Consultative Group on International Agricultural Research (CGIAR).**

THE WORK OF THE *AD HOC* TECHNICAL COMMITTEE ON THE MULTILATERAL SYSTEM  
AND THE STANDARD MATERIAL TRANSFER AGREEMENT  
(DOCUMENT PART IX(A). RESOLUTION PART VII)

49. By Resolution 4/2011, the Governing Body reconvened the *Ad Hoc* Advisory Technical Committee on the Standard Material Transfer Agreement and the Multilateral System. The Co-chairs will present the work and recommendations of the Committee, drawing on reports of its two meetings, which are available as documents IT/GB-5/13/Inf. 3 and IT/GB-5/13/Inf. 3 Add.1.

50. The Committee recommended that the Secretary bring a number of issues to the attention of the Governing Body for its consideration and, where appropriate, further guidance.

51. The Committee, at its second meeting, had identified a number of minor, non-substantive updates to the text of the SMTA, in order to incorporate a number of relevant decisions by the Governing Body at its Third Session, as well as to resolve uncertainties of formulation and cross-reference. These were brought to the attention of the Governing Body at its Fourth Session, which deferred a decision. The Committee in the current biennium worked on options to incorporate clarifications or interpretations into the SMTA, and recommended that the Secretary bring the options, and an integrated and updated text of the SMTA to the attention of the Governing Body, for its consideration. Any relevant decision will form part of the Resolution.

52. Matters of particular importance for the work of the Committee in the next biennium include technical and expert work on the role of the Multilateral System and the SMTA in the implementation of the Convention on Biological Diversity and its Nagoya Protocol, and implementation of Article 12.3h of the Treaty, on access to *in situ* resources.

**Part VII of the draft Resolution contained in document IT/GB-5/13/5 Add. 1 deals with this matter.**

REVIEW OF THE MATERIAL TRANSFER AGREEMENT BEING USED BY THE INTERNATIONAL  
AGRICULTURAL RESEARCH CENTRES OF THE CONSULTATIVE GROUP ON INTERNATIONAL  
AGRICULTURAL RESEARCH AND OTHER RELEVANT INTERNATIONAL INSTITUTIONS,  
FOR PLANT GENETIC RESOURCES FOR FOOD AND AGRICULTURE  
NOT INCLUDED IN *ANNEX 1* TO THE TREATY  
(DOCUMENT PART VIII. RESOLUTION PART VIII)

53. At its Second Session, the Governing Body endorsed the use, by the Centres of the Consultative Group on International Agricultural Research of the SMTA with the inclusion of a footnote or footnotes for the non-*Annex 1* materials.

**Part VIII of the Resolution contained in document IT/GB-5/13/25 Add. 1 deals with this matter.**

***Item 8.2. Reviews and assessments under the Multilateral System,  
and of the implementation and operation of the Standard Material Transfer Agreement***

54. The document IT/GB-5/13/6, *Reviews and Assessments under the Multilateral System, and of the Implementation and Operation of the Standard Material Transfer Agreement*, provides the limited information currently available, for consideration by the Governing Body.

55. A number of reviews and assessments concerning the implementation and operation of the Multilateral System and the SMTA have been postponed to this Session. They relate to:

- (a) The inclusion of materials in the Multilateral System by private and legal persons, and whether to allow access to such persons who are not making materials available;
- (b) Levels of payment in the SMTA, with a view to achieving fair and equitable sharing of benefits; and

(c) An assessment of whether mandatory payment shall also apply in cases where commercialized products are available without restriction to others for further research and breeding.

56. The document notes that a number of proposals of the *Ad Hoc* Advisory Committee on the Funding Strategy relate directly to these matters. In the light of this, and of the continuing lack of information, the Governing Body may wish to again postpone these reviews to its next session, providing clear guidance as to what information it wishes to obtain, responsibilities for providing it, and channels of communication. **Document IT/GB-5/13/6 deals with this matter.**

## ITEM 9. Implementation of the Funding Strategy of the Treaty

57. In addition to the synoptic information provided in document IT/GB-5/13/5, document IT/GB-5/13/7, *Report on the implementation of the Funding Strategy* is the basis for the Governing Body's consideration of this Agenda Item. **The possible elements of the Resolution are contained in document IT/GB-5/13/7 Add. 3.**

### *Item 9.1 Report of the Co-chairs of the Ad Hoc Advisory Committee on the Funding Strategy*

58. At its Fourth Session, the Governing Body reconvened the *Ad Hoc* Advisory Committee on the Funding Strategy to undertake a range of tasks, including advising the Bureau and the Secretary on resource mobilization and innovative approaches to resources mobilization; the operations of the Benefit-sharing Fund; and addressing remaining issues within the full remit of the Funding Strategy.

59. The Co-chairs will present the work and recommendations of the Committee, drawing on reports of its meetings, which are available as documents IT/GB-5/13/Inf. 4, IT/GB-5/13/Inf. 4 Add.1, and IT/GB-5/13/Inf. 4 Add. 2.

60. The Committee reviewed progress in resource mobilization for the Benefit-sharing Fund, noting a funding shortfall with respect to the *Strategic Plan for the Implementation of the Benefit-sharing Fund*. As requested by the Governing Body, it explored innovative, use-based approaches to fund mobilization, and identified six such approaches, which are described in detail in document IT/GB-5/13/7. These are technically interlinked and inter-dependent, and the Committee concluded that the objective should be to stack such approaches within a single package.

61. The need to rapidly increase the level of effective benefit-sharing, through the Benefit-sharing Fund is evident to many stakeholders, and the Committee recommends to the Governing Body that it take the necessary steps to implement such a package. The Committee accordingly recommended that the *Ad Hoc* Committee on the Funding Strategy be reconvened in the next biennium, with widened mandate, as the *Ad Hoc* Open-ended Working Group to Expand Benefit-sharing and the Scope of the Multilateral System.

62. With regard to the operations of the Benefit-sharing Fund, the Committee provided advice to: finalize the *Report of lessons learned* from the first and second project cycles of the Fund; review the *Operational Procedures* for the Benefit-sharing Fund; prepare the draft policy of conflict of interest for the Benefit-sharing Fund; prepare the design and structure of the Third Call for Proposals for the Benefit-sharing Fund; elaborate a Medium Term Plan for the Benefit-sharing Fund; develop partnerships for the Benefit-sharing Fund. The Committee reviewed and welcomed the progress made in the implementation of the project portfolio funded by the first and second rounds of the project cycle of the Benefit-sharing Fund. It prepared a proposal to explore how to integrate 8 project proposals favourably appraised but not funded by the end of the biennium into

the next call for proposals. Finally, the Report of the Committee also provided general advice on the overall implementation of the Funding Strategy.

### ***Item 9.2. Implementation of the Funding Strategy***

63. The document IT/GB-5/13/5 provides an update on resource mobilization efforts for the Benefit-sharing Fund. It focuses in particular on the work and recommendations of the *Ad Hoc* Advisory Committee on the Funding Strategy. It then summarizes progress in the further operationalization of the Benefit-sharing Fund, in particular with the review of the Operational Procedures. It addresses other elements of the Funding Strategy, including resources not under the direct control of the Governing Body. It concludes with a brief analysis of the intergovernmental work that needs to be undertaken in the next inter-sessional period.

64. There are four addenda to document IT/GB-5/13/5. The first addendum provides the reviewed Operational Procedures for the Benefit-sharing Fund.<sup>4</sup> The second addendum contains elements for a mid-term programmatic approach for the Benefit-sharing Fund.<sup>5</sup> The third addendum provides the draft Resolution.<sup>6</sup>

65. Document IT/GB-5/13/07 Add.4, *Arrangements for the Ad Hoc Open-ended Working Group to Expand Benefit-sharing and the Scope of the Multilateral System*, provides the Governing Body with a variety of options for the composition of the *Ad Hoc* Working Group, with the financial implications. Document IT/GB-5/13/25, *Draft Work Programme and Budget for the 2014-15 Biennium*, makes substantial provision for this work, under both the zero-growth budget and the augmented budget option. Document IT/GB-5/13/24, *Financial Report on Progress of the Work Programme and Budget for the 2012-2013 Biennium*, draws particular attention to the currently nearly depleted state of the Fund to Support the Participation of Developing Countries.

66. Document IT/GB-5/13/8, *Report on the execution of the project cycle of the Benefit-Sharing Fund since the Fourth Session of the Governing Body*, provides information on the execution of the first and second rounds of the project cycle.

67. To facilitate the work of the Governing Body, both the Report and draft Resolution follow the same structure as in the Third and Fourth Sessions of the Governing Body. In order to facilitate a systematic approach to the agenda item, it is proposed that the Governing Body structure its discussions in the same way as the Resolution contained in document IT/GB-5/13/7 Add. 3 :

**Part I of the Resolution deals with this resource mobilization for the Benefit-sharing Fund, including through innovative approaches.**

**Part II of the Resolution deals with the operations of the Benefit-sharing Fund.**

**Part III of the Resolution deals with resources not under the direct control of the Governing Body.**

**Part IV of the Resolution deals with the proposed *Ad Hoc* Working Group to Expand Benefit-sharing and the Scope of the Multilateral System, and provides the draft Terms of Reference proposed by the *Ad Hoc* Committee on the Funding Strategy.**

### **ITEM 10. Implementation of Article 6, Sustainable use of plant genetic resources**

68. At its First Session, the Governing Body decided “*that the implementation of Article 6*

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<sup>4</sup> IT/GB-5/13/7 Add.1.

<sup>5</sup> IT/GB-5/13/7 Add.2

<sup>6</sup> IT/GB-5/13/7 Add.3

should be a component of its programme of work, and a standing item on its agenda, as a priority.<sup>7</sup> At its Second Session, it

*reiterated the high importance it attaches to the promotion of Article 6 for the successful implementation of the Treaty. It stressed that Article 6 should continue to be a component of its Programme of Work, and a standing item on its agenda. Capacity-building, research and availability of financial resources were considered to be integral components for the implementation of Article 6.*<sup>8</sup>

69. At its Third Session, the Governing Body noted that in many regions, the implementation of Article 6 was lagging behind other elements of the Treaty, and that further financial resources, capacity-building and technology transferred were required. At the same Session, the Governing Body invited the Contracting Parties to regularly submit progress reports on implementation of Article 6, through the reporting mechanism of the *Global plan of Action for the Conservation and Sustainable Utilization of Plant Genetic Resources for Food and Agriculture*.<sup>9</sup>

70. At its Fourth Session, the Governing Body, by Resolution 7/2011, established the *Ad Hoc* Technical Committee on Sustainable Use of Plant Genetic Resources for Food and Agriculture, with terms of reference that included:

- The identification of needs and opportunities to facilitate the sustainable use of plant genetic resources for food and agriculture;
- The development of a Toolbox on the Sustainable Use of Plant Genetic Resources for Food and Agriculture, in order to assist Contracting Parties in the implementation of Article 6 of the Treaty; and
- The elaboration of a draft Programme of Work on the Sustainable Use of Plant Genetic Resources for Food and Agriculture;

The Committee met in November 2012 and a summary of the outputs of its meetings, and other aspects of the implementation of Article 6 of the Treaty, is contained in the document, IT/GB-5/13/9, *Implementation of Article 6, Sustainable Use of Plant Genetic Resources for Food and Agriculture*, while the full report is in the document, IT/GB-5/13/Inf.5.

71. The document, IT/GB-5/13/Inf.6, contains the submissions received from Contracting Parties, other governments and relevant institutions and organizations on how to improve the sustainable use of plant genetic resources for food and agriculture, including on sectorial policies and best practices for sustainable agriculture. Documents IT/GB-5/13/Inf.7 and IT/GB-5/13/Inf.7 Add.1 provide an overview of the main results of an Electronic Consultation on Sustainable Use of Plant Genetic Resources for Food and Agriculture.

72. The Governing Body is also invited to take note of the documents, IT/GB-5/13/Inf.16, *Reports of Meetings on the Establishment of a Platform for the Co-Development and Transfer of Technology*, and IT/GB-5/13/Inf.17, *Report of the technical consultation to promote a Public-Private Partnership for Pre-breeding*. These are substantive contributions by the stakeholders who have launched them, within the context of the Treaty's Funding Strategy, to the achievement of sustainability in agriculture, and to the promotion of non-monetary benefit-sharing. The Committee was briefed on the Platform by the stakeholders and the Committee "considered the initiative appropriate and timely, and suggested that a link should be established between the Platform and the Programme of Work on sustainable use of PGRFA." In accordance with the advice of the Committee, it is therefore recommended that the *Ad Hoc* Technical Committee on Sustainable Use of Plant Genetic Resources for Food and Agriculture follow and where appropriate support their development.

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<sup>7</sup> IT/GB-1/06/Report, paragraph 22.

<sup>8</sup> IT/GB-2/07/Report, paragraph 71.

<sup>9</sup> IT/GB-3/09/Report, paragraphs 44 and 46.

73. A brief report on the most relevant activities undertaken in relation with the Treaty's supporting components is in document IT/GB-5/13/Inf.13.

74. **The draft Resolution on Sustainable use is in Appendix 3 of Document IT/GB-5/13/9.**

#### **ITEM 11. Implementation of Article 9, *Farmers' Rights***

75. The Treaty, in Article 9.2, provides that "*the responsibility for realizing Farmers' Rights, as they relate to plant genetic resources for food and agriculture, rests with national governments*".

76. By Resolution 6/2011, the Governing Body, *inter alia*,

*Invite[d]* Contracting Parties consider convening national and local consultations on Farmers' Rights with the participation of farmers and other relevant stakeholders;

*Request[ed]* the Secretary to convene regional workshops on Farmers' Rights, subject to the agreed priorities of the Work Programme and Budget and to the availability of financial resources, aiming at discussing national experiences on the implementation of Farmers' Rights as set out in Article 9 of the International Treaty, involving, as appropriate, farmers' organizations and other stakeholders;

*Request[ed]* the Secretary to compile the submissions referred to in paragraph 2 above, and the reports of the regional workshops for consideration by the Ad Hoc Technical Committee on Sustainable Use, and to disseminate relevant information through the website of the International Treaty, where appropriate.

77. Document IT/GB-5/13/10 summarizes the submissions received from Contracting Parties and relevant organizations on the implementation of Farmers' Rights. The full compilation of submissions is available in document IT/GB-5/13/Inf.8.

78. Document IT/GB-5/13/10 also refers to relevant discussion by the *Ad Hoc* Technical Committee on Sustainable Use of Plant Genetic Resources, Regional Workshops on Farmers' Rights, other activities undertaken by the Secretariat of the Treaty related to Farmers' Rights at the request of the Governing Body, and the work of FAO Programmes in relation to Farmers' Rights in the Treaty.

79. The Governing Body is invited to take note of the information submitted and to provide any guidance it wishes in relation to Farmers' Rights, in accordance with Article 9 of the Treaty.

#### **ITEM 12. Relationship between the Governing Body and the Commission on Genetic Resources for Food and Agriculture**

80. At its Fourth Session, the Governing Body requested the Secretary, in collaboration with the Secretary of the Commission on Genetic Resources for Food and Agriculture, to provide a paper on the legal, administrative and financial implications of transferring activities or tasks related to plant genetic resources for food and agriculture from the FAO Commission to the Governing Body of the International Treaty.

81. The document, IT/GB-5/13/12, *Transfer of activities or tasks from the Commission to the Governing Body of the International Treaty on Plant Genetic Resources for Food and Agriculture: legal, administrative and financial implication*, responds to this request. It is the same document that was considered by the Fourteenth Regular Session of the Commission, in April 2013.

82. The Commission welcomed the analysis of the legal implications of transferring activities or tasks from the Commission to the Governing Body, but it considered that additional

information, particularly in respect of financial and administrative implications, was needed before any decision.

83. At its Fourth Session, the Governing Body also requested a report on activities undertaken to maintain, strengthen and extend partnerships, synergies, and cooperation, including with the Commission. The document, IT/GB-5/13/11, *Cooperation with the Commission on Genetic Resources for Food and Agriculture*, responds to this request. It notes the invitations addressed to the Governing Body by the Commission, and provides a summary of activities that may contribute to maintain, strengthen and extend the partnership, synergies and cooperation between the two bodies.

84. The Governing Body is invited to consider these documents before it and recommend, for consideration by the Commission, joint steps the two bodies may wish to take, in order to further enhance cooperation and, in particular, achieve a functional division of tasks and activities.

85. **An appendix to document IT/GB-5/13/12 contains elements of a Resolution on these matters.**

#### **ITEM 13. Relationship with the Convention on Biological Diversity**

86. Article 1.2 provides that the objectives of the Treaty are to be attained by closely linking it with the Convention on Biological Diversity (CBD), while Articles 19.3g and 19.3l, provide that the Governing Body shall establish and maintain cooperation, in particular with the Conference of the Parties to the Convention on matters covered by the Treaty, and that the Governing Body shall also take note of the relevant decisions of its Conference of the Parties.

87. By Resolution 8/2011, the Governing Body, *inter alia*, requested the Secretary to report on cooperation with the Secretariat of the Convention at each Session of the Governing Body.

88. Document IT/GB-5/13/14, *Report on Cooperation with the Convention on Biological Diversity*, responds to this request. It provides information on the outcomes of the Eleventh Conference of the Parties to the Convention of relevance to the Treaty, including in relation to the Nagoya Protocol and the Strategic Plan for Biodiversity 2011-2020 and the Aichi Targets, the Modus Operandi for the Liaison Group of the Biodiversity-related Conventions, as well as cooperation between the two secretariats and joint initiatives, following the Memorandum of Cooperation signed between them, that can be of importance in promoting harmony in the implementation of the Treaty, and the Convention and its Nagoya Protocol.

89. **Appendix III to document IT/GB-5/13/14 contains elements of a Resolution on these matters.**

#### **ITEM 14. Relationship between the Governing Body and the Global Crop Diversity Trust**

90. Under this Agenda Item, the Executive Secretary of the Global Crop Diversity Trust will present a report to the Governing Body on the activities of the Trust on the basis of the document, IT/GB-5/13/15, *Report from the Global Crop Diversity Trust*.

91. At its First Session, the Governing Body recognized the Global Crop Diversity Trust as an “essential element of the Funding Strategy in relation to the ex situ conservation and availability of plant genetic resources for food and agriculture”,<sup>10</sup> and entered into a *Relationship Agreement between the Global Crop Diversity Trust and the Governing Body of the International Treaty on Plant Genetic Resources for Food and Agriculture*.<sup>11</sup>

<sup>10</sup> Resolution 1/2006, Preamble, para. (ix), IT/GB-1/06/Report, p.3.

<sup>11</sup> IT/GB-1/06/Report, Appendix M.

92. At its Third Session, the Governing Body requested the Bureau, in conjunction with the Secretariat, to prepare a report for presentation at this Session, on possible options for simplification of the *Normal Selection and Appointment Procedures* for the members of the Executive Board of the Global Crop Diversity Trust.<sup>12</sup> The Fourth Session of the Governing Body was accordingly provided with draft simplified procedures, but decided to postpone a decision regarding this matter to this current Session.

93. The Bureau of this Fifth Session did not reach consensus on the simplification of the Normal Procedures. Document, IT/GB-5/13/16, *Procedures for the Selection and Appointment of Members of the Executive Board of the Global Crop Diversity Trust*, reintroduces the draft simplified procedures, as presented to the Governing Body at its Fourth Session, as well as some additional options introduced by some members of the Bureau.

94. Without prejudice to any other option that the Governing Body may decide to pursue based on the inputs made by the Bureau of this Fifth Session, the Governing Body is invited to consider again the draft simplified *Procedures for the Selection and Appointment of Members of the Executive Board of the Global Crop Diversity Trust*, in the version that was presented at the Fourth Session.

95. **Appendix III to document IT/GB-5/13/16 contains elements of a Resolution on these matters.**

96. The document also reports on extensions of terms made by the Bureau of this Fifth Session, for existing members of the Executive Board, in order to fill some impending vacancies. The Governing Body is also invited to review and ratify the actions taken by the Bureau of this Fifth Session concerning members of the Executive Board.

97. Furthermore, the attention of the Governing Body is drawn in the above document to the fact that a number of vacancies have arisen or will arise before the end of the current year, that the Governing Body would need to fill. Accordingly, the Governing Body is also invited to provide guidance as to how those vacancies would have to be filled.

#### **ITEM 15. Implementation of the Article 17, *Global Information System***

98. Article 17.1 of the Treaty provides that:

*Contracting Parties shall cooperate to develop and strengthen a global information system to facilitate the exchange of information, based on existing information systems, on scientific, technical and environmental matters related to plant genetic resources for food and agriculture, with the expectation that such exchange of information will contribute to the sharing of benefits by making information on plant genetic resources for food and agriculture available to all Contracting Parties.*

99. At its Third Session Contracting Parties requested the Secretariat “to develop a vision paper to be presented to the Fourth Session of the Governing Body to take stock of existing information systems and to outline a process for the development of this global information system”.

100. Accordingly, the Secretariat developed the vision paper, which was presented to the Fourth Session of the Governing Body. The document provided information on some of the major information systems on plant genetic resources for food and agriculture, and information and technology transfer initiatives, which could contribute to the sharing of benefits in the context of the International Treaty. Furthermore, it drew the attention of the Contracting Parties to the need to set up a consultation process for the effective development of a coherent Global Information System.

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<sup>12</sup> IT/GB-3/09/Report, *Appendix H*.

101. By Resolution 4/2011, the Governing Body

*welcomed the efforts underway to coordinate and improve information systems documenting plant genetic resources for food and agriculture, based on existing information systems, in order to develop and strengthen the Global Information System, foreseen in Article 17, consistent with Article 12.3b, of the International Treaty, and requests the Secretary to further develop the Vision Paper prepared for the current Session of the Governing Body.*

102. Under this agenda item, document IT/GB-5/13/17 provides the Governing Body with an updated vision paper, which, *inter alia*, contains information on the activities carried out by the Secretariat since the Fourth Session of the Governing Body in partnership with relevant organizations, and a summary of the progress made in the field of information systems on plant genetic resources at global and regional levels.

103. Furthermore, the paper contains an updated proposal for the process and the establishment of expert consultations on the Global Information System on Plant Genetic Resources for Food and Agriculture during the inter-sessional period. The document also outlines, for the consideration of the Governing Body, a number of activities that may be undertaken in the next biennium for the effective development and strengthening of a coherent global information system, pursuant to Article 17 of the Treaty, including the necessary cooperative activities.

104. **Appendix III to document IT/GB-5/13/17 contains elements of a Resolution on these matters.**

#### ITEM 16. Report of the Compliance Committee

105. 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 that, among the functions of the Compliance Committee, is the submission of a report to the Governing Body at each regular Session.

106. Document IT/GB-5/13/18, *Report of the Compliance Committee*, and document IT/GB-5/13/18/Add.1, *Draft Standard Voluntary Reporting Format*, constitutes the first such report, and covers work done on tasks assigned to the Compliance Committee by the Governing Body, at its Fourth Session. These were the development of (a) Rules of Procedures of the Committee, to include provisions on confidentiality, decision-making, conflict of interest, electronic decision-making, replacement of Committee members and the format for submissions by the Governing Body; and (b) of the reporting format pursuant to Section V.1 of the Procedures. The draft *Rules of Procedure of the Compliance Committee* and the draft *Standard Voluntary Reporting Format* are before the Governing Body for its consideration and adoption.

107. At its Fourth Session, the Governing Body made interim arrangements for the membership of the Committee, with a view to electing members for full terms at this Session. The attention of the Governing Body is drawn to the need to carry out such elections.

108. **Appendix III to document IT/GB-5/13/18 contains elements of a Resolution on these matters, prepared by the Committee.**

#### ITEM 17. Operations of the Third Party Beneficiary

109. By Resolution 5/2009, the Governing Body adopted the *Procedures for the Operation of the Third Party Beneficiary*.

110. Article 9 of the Third Party Beneficiary Procedures requires the Third Party Beneficiary to submit to the Governing Body, at each of its Regular Sessions, a report setting forth information on a number of items regarding its operations in the previous biennium.

111. By Resolution 5/2009, the Governing Body requested:

*the Secretary of the International Treaty to provide, at each session of the Governing Body, a report in accordance with Article 9 of the Third Party Beneficiary Procedures.*

112. In this context, the document, IT/GB-5/13/19 contains the report on the operations of the Third Party Beneficiary for the period 2011 – 2013, and includes updates on the technical implementation of the Third Party Beneficiary, as well as information on the status of the Third Party Beneficiary Operational Reserve. It also brings the notice to the Governing Body of a case of potential relevance to the Third Party Beneficiary

**113. The Appendix III to document IT/GB-5/13/19 contains elements of a Resolution on these matters.**

#### **ITEM 18. Consideration of the Business Plan of the Governing Body**

114. At its Second Session, by Resolution 3/2007, the Governing Body requested the Secretary, working with the Bureau, to prepare and submit a Business Plan for the implementation of the Treaty, for consideration by the Governing Body at its Third Session, and decision at its Fourth Session.

115. At its Third Session, the Governing Body agreed that the *Draft Business Plan* to be further developed, and requested the Bureau, working with the Secretary, to revise it, in the basis on the comments received from Contracting Parties, for consideration at this Fourth Session of the Governing Body. At its Fourth Session, the Governing Body requested the Secretary to bring the *Draft Business Plan* to the attention of the Governing Body at the present session.

116. The document IT/GB-5/13/20 contains the revised draft Business Plan of the Governing Body, takes into account further direction by the Bureau and comments received from Contracting Parties, and puts forward some suggestions on possible next steps for consideration by the Governing Body.

117. The Governing Body is invited to consider the *Draft Business Plan* in the *Appendix* to document IT/GB-5/13/20, for a decision, and to provide any further guidance it may consider appropriate.

#### **ITEM 19. Cooperation with other bodies and International Organizations, including with the International Agricultural Research Centres of the Consultative Group on International Agricultural Research and other International Institutions that signed agreements under Article 15 of the Treaty**

##### ***19.1 Relationship between the Governing Body and the International Agricultural Research Centres of the Consultative Group on International Agricultural Research and other relevant International Institutions***

118. The Governing Body has repeatedly recognized the significant role of the International Agricultural Research Centres (IARCs) of the Consultative Group on International Agricultural Research (CGIAR) and of the other institutions signatories of agreements under Article 15 of the Treaty, in support of the objectives of the Treaty.

119. The document, IT/GB-5/13/21 covers the relations with the CGIAR Centres and other institutions which have signed agreements with the Governing Body under Article 15 of the Treaty. It notes, in particular, the importance of the Joint Capacity-building Programme that was implemented by Bioversity International, and its particular relevance in the context of the need to promote the harmonious implementation of the Treaty and the Nagoya Protocol. It reports on the adoption, by the Commission on Genetic Resources for Food and Agriculture, of revised *Genebank Standards for Plant Genetic Resources for Food and Agriculture*. In accordance with

their agreements with the Governing Body, International Institutions are required to maintain their *ex situ* collections in accordance with these standards.

120. **Document IT/GB-5/13/21 contains elements of a Resolution on these matters.**

***19.2 Cooperation with other organisations***

121. Articles 1, 15, 17, 18, 19 and 20 of the Treaty, as well as several Resolutions of the Governing Body, foresee cooperation of the Treaty with a number of international organizations in the implementation of the Treaty. At its Fourth Session, the Governing Body requested the Secretary to foster cooperation with such international organizations and regional initiatives, and strengthen existing cooperative arrangements, with a view to developing synergies and reducing inefficiencies consistent with their respective mandates, governance structures and agreed programmes, and based on available resources.<sup>13</sup>

122. The Secretary has therefore systematically pursued partnerships with relevant international organizations, treaty bodies and their Secretariats, as described in document IT/GB-5/13/22, *Report on Partnerships, Synergies and Cooperation with other Organizations*.

123. **Document IT/GB-5/13/22 Add.1 contains elements of a Resolution on these matters.**

**ITEM 20. Matters relevant to the Treaty arising from the Report of the Independent External Evaluation of FAO**

124. At its Third Session, the Governing Body requested:

*the Secretary to continue following the process of FAO reform, in particular, regarding any potential financial and administrative implications for the International Treaty, regularly updating the Bureau on the reform process and, working with the Bureau to prepare a report for the consideration of the Governing Body at its Fourth Session.*<sup>14</sup>

125. At its Fourth Session, the Governing Body considered the ongoing reform process in FAO, following the *Report of the Independent External Evaluation of FAO (IEE)*, and the implications for the implementation of the Treaty, and the administration of the Treaty Systems and Secretariat.

126. In the 1012-2013 biennium, FAO has reviewed the status of bodies established under Article XIV of the FAO Constitution, of which the Treaty is one. The Chairman and Bureau followed this process closely, as it has implications for the functional autonomy of the Treaty. A letter was sent to the Director-General of FAO, reiterating the functional autonomy and needs of the Treaty. The Bureau also decided to submit to the Governing Body at its current session a draft resolution on greater financial and administrative authority for the Treaty, within the framework of FAO, as well as a list of the functional needs, as identified by Contracting Parties.

127. Document IT/GB-5/13/23, *Matters Relevant to the Treaty Arising from the FAO Reform Process and the Review of Statutory Bodies*, reports on these processes within FAO.

128. **An Appendix to document IT/GB-5/13/23 contains elements of a Resolution on these matters.**

**ITEM 21. Adoption of Work Programme and Budget for the 2014 – 2015 biennium**

129. The three documents relating to the budget for the forthcoming biennium are:

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<sup>13</sup> Resolution 8/2011, paragraph 13.

<sup>14</sup> IT/GB-3/09/Report, paragraph 59.

- IT/GB-5/13/25, *Work Programme and Budget for the 2014-2015 Biennium*;
- IT/GB-5/13/25 Add.1, *Proposed Indicative Scale of Contributions for 2014 and 2015*; and
- IT/GB-5/13/25 Add.2, *Donor-supported activities under the Special Fund for Agreed Purposes: Report on activities in 2012-13 and projects proposed for further donor support*.

130. Document, IT/GB-5/13/24, *Financial Report on Progress of the Work Programme and Budget for the 2012-2013 Biennium*, concludes that, although there has been significant improvement in the level of voluntary contributions by Contracting Parties, compared to the similar period in previous biennia, the unpredictability of both the level and the timing of voluntary contributions to the Core Administrative Budget continues to create difficulties in the implementation of the Work Programme. Furthermore, the probable depletion of the Special Funds during the forthcoming biennium will have an additional severe operational impact on the overall Work Programme of the Treaty, unless further donor resources are mobilized.

131. The structure of the proposed Work Programme and Budget for the 2014-2015 biennium in document IT/GB-5/13/25 largely follows the approach adopted in the presentation of the draft Work Programme and Budget 2012-13, and is intended to enable the Governing Body to guide the budgeting and programming process in an efficient and transparent manner. The procedure proposed for finalizing and adopting the Work Programme and Budget 2014-15 seeks to directly link the discussions of the Governing Body to the draft Work Programme, and to the budgetary provisions required for its execution. Each substantive agenda item or issue for discussion is correlated with a defined component of the Work Programme, and the financial implications are reflected in the corresponding Budget line.

132. In this regard, the Governing Body may wish to refer each decision or conclusion it reaches in Plenary on the various agenda items to the Budget Committee, which will evaluate the financial implications and report back to the Governing Body for a final decision on the relevant amounts, and the sources of funding to be used.

133. The proposed Work Programme and Budget is a zero-growth budget. However, the accession of new members has broadened the potential contribution base for the Core Administrative Budget. Accordingly, the draft Work Programme and Budget has also identified key priority activities that the Governing Body may wish to consider within an augmented budget option, which would take the broadened potential contribution base into account, while keeping the contributions of individual Contracting Parties *at zero growth*. The extra functions cover both the Maintenance Functions and the Core Implementing Functions.

134. The Core Administrative Budget detailed in document IT/GB-5/13/25 — that is, the part of the Budget presented in *Annex 1* that, in accordance with Financial Rule III.3, is to be met by (a) the amount provided for the Treaty in the Regular Programme of Work and Budget of the FAO; (b) the voluntary contributions of Contracting Parties; (c) other voluntary contributions and moneys carried over from a previous biennium — has been kept to an absolute minimum and a zero real growth level has been proposed relative to the 2012-13 biennium budget. It is composed of two elements. These are: *Annex 2*, the statutory and overhead expenses required for the basic Maintenance Functions of the Treaty, to keep it in existence; and *Annex 3*, the cost of those activities which are already approved or expected to be approved by the Governing Body that are necessary to ensure the Core Implementing Functions of the Treaty systems, and thereby make it possible to meet the Treaty's objectives.

135. The accession of new members has broadened the potential contribution base for the Core Administrative Budget. Accordingly, the draft Work Programme and Budget has also identified key priority activities that the Governing Body may wish to consider within an augmented zero growth budget option, which would take the broadened potential contribution base into account, while keeping the contributions of individual Contracting Parties at zero growth. The extra functions cover both the Maintenance Functions and the Core Implementing Functions. The

augmented budget options are provided in the *Annex 2A* and *Annex 3A*, which compose the augmented option Core Administrative Budget presented in *Annex 1A*.

136. The capitalization of the Working Capital Reserve during the forthcoming biennium is also requested.

137. Document IT/GB-5/13/25 Add. 1 lists, in accordance with Financial Rule V, Provision of Funds, 5.1b, an Indicative Scale of Contributions to be prepared by the Treaty Secretary for adoption, by consensus, by the Governing Body.

138. Document IT/GB-5/13/25 Add. 2 lists further possible supporting activities that could be funded by donors as separate, self-contained projects, according to their individual priorities, in accordance with Financial Rules V.1d and e. In this regard, project descriptions on each element will be provided to prospective donors who may be interested in providing financial support to the related activities.

139. **Document IT/GB-5/13/25 contains elements of a Resolution by which the Governing Body may adopt its Work Programme and Budget for the 2014-2015 Biennium.**

#### **ITEM 22. Date and place of the Sixth Session of the Governing Body**

140. The Governing Body is requested to indicate when and where the Sixth Session of the Governing Body should be convened.

#### **ITEM 23. Election of the Chair and Vice-Chairs of the Sixth Session of the Governing Body**

141. In accordance with Rule II.1 of its *Rules of Procedure*,

*the Governing Body shall elect a Chairperson and one Vice-Chairperson per FAO region other than the region of the Chairperson (hereinafter collectively referred to as "the Bureau") and in addition a Rapporteur from among the delegates, alternates, experts and advisers (hereinafter referred to as "representatives") of the Contracting Parties.*

142. The Governing Body is invited to elect the Chair and Vice-Chairs of the Sixth Session of the Governing Body. In accordance with Rule II.2 of the *Rules of Procedure*, the term of office of the Bureau of the Sixth Session will commence with immediate effect upon the closure of this Fifth Session.

#### **ITEM 24. Other business**

143. Under this item, the Governing Body may address any other business requested or raised by Contracting Parties.

#### **ITEM 25. Adoption of the Report**

144. According to Rule VIII.1 of the *Rules of Procedure*,

*[a]t each session, the Governing Body shall approve a report embodying its decisions, views, recommendations and conclusions."*

This final agenda item therefore provides for the approval of the *Report of the Fifth Session of the Governing Body*.

**PROVISIONAL INDICATIVE TIME-TABLE**

<b>PLENARY</b>			
<b>Time</b>	<b>Agenda Item</b>	<b>Title</b>	<b>Documents</b>
<b>Tuesday, 24 September 2013</b>			
<b>Morning</b>			
<b>10:00-13:00</b>	Opening Ceremony of the Fifth Session of the Governing Body		
	1	Adoption of the Agenda and Timetable	IT/GB-5/13/1 IT/GB-5/13/2 IT/GB-5/13/13 IT/GB-5/13/Inf. 1
	2	Election of the <i>Rapporteur</i>	
	3	Appointment of the Credentials Committee	
	7	Establishment of a Budget Committee	
	4	Report of the Chairperson	IT/GB-5/13/3
	5	Report of the Secretary	IT/GB-5/13/4
	6	Reports from high-level initiatives on the International Treaty	IT/GB-5/13/Circ.1 IT/GB-5/13/Circ.2 IT/GB-5/13/Circ.3
<b>Tuesday, 24 September 2013</b>			
<b>Afternoon</b>			
<b>15:00-18:00</b>	8	Implementation of the Multilateral System of Access and Benefit-sharing	IT/GB-5/13/5 IT/GB-5/13/5 Add.1 IT/GB-5/13/6 IT/GB-5/13/Inf.3

			IT/GB-5/13/Inf.3 Add.1 IT/GB-5/13/Inf.15
	9	Implementation of the Funding Strategy of the Treaty	IT/GB-5/13/7 IT/GB-5/13/7 Add.1 IT/GB-5/13/7 Add.2 IT/GB-5/13/7 Add.3 IT/GB-5/13/7 Add.4 IT/GB-5/13/8 IT/GB-5/13/Inf.4 IT/GB-5/13/Inf.4 Add.1 IT/GB-5/13/Inf.4 Add.2 IT/GB-5/13/Inf.10 IT/GB-5/13/Inf.11 IT/GB-5/13/Inf.12
<b>Wednesday, 25 September 2013</b>			
<b>Morning</b>			
<b>10:00-13:00</b>	9	Implementation of the Funding Strategy of the Treaty <i>(continued)</i>	
	16	Report of the Compliance Committee	IT/GB-5/13/18 IT/GB-5/13/18 Add.1 IT/GB-5/13/Inf.14
<b>Wednesday, 25 September 2013</b>			
<b>Afternoon</b>			
<b>15:00-18:00</b>	14	Relationship between the Governing Body and the Global Crop Diversity Trust	IT/GB-5/13/15 IT/GB-5/13/16
	12	Relationship between the Governing Body and the	IT/GB-5/13/11

		Commission on Genetic Resources for Food and Agriculture	IT/GB-5/13/12 IT/GB-5/13/Inf.9 IT/GB-5/13/Inf.13
	13	Relationship with the Convention on Biological Diversity	IT/GB-5/13/12
	19	Cooperation with other bodies and International Organizations	IT/GB-5/13/21 IT/GB-5/13/22 IT/GB-5/13/22 Add.1
<b>Wednesday, 25 September 2013</b>			
<b>Evening</b>			
<b>20:00-23:00</b>	9	Implementation of the Funding Strategy of the Treaty <i>(continued)</i>	IT/GB-5/13/7 Add.3 (Part IV)
<b>Thursday, 26 September 2013</b>			
<b>Morning</b>			
<b>10:00-13:00</b>	10	Implementation of Article 6, <i>Sustainable Use of Plant Genetic Resources</i>	IT/GB-5/13/9 IT/GB-5/13/Inf.5 IT/GB-5/13/Inf.6 IT/GB-5/13/Inf.7 IT/GB-5/13/Inf.7 Add.1 IT/GB-5/13/Inf.13 IT/GB-5/13/Inf.16 IT/GB-5/13/Inf.17
	11	Implementation of Article 9, <i>Farmers' Rights</i>	IT/GB-5/13/10 IT/GB-5/13/Inf.8
	9	Implementation of the Funding Strategy of the Treaty <i>(continued)</i>	IT/GB-5/13/7 Add.3 (Part IV)

<b>Thursday, 26 September 2013</b>			
<b>Afternoon</b>			
<b>15:00-18:00</b>	9	Implementation of the Funding Strategy of the Treaty	IT/GB-5/13/7 Add.3 (Part IV)
<b>Friday, 27 September 2013</b>			
<b>Morning</b>			
<b>10:00-13:00</b>	15	Implementation of Article 17, <i>Global Information System</i>	IT/GB-5/13/17
	17	Operations of the Third Party Beneficiary	IT/GB-5/13/19
	18	Consideration of the Business Plan of the Governing Body	IT/GB-5/13/20
	20	Matters relevant to the Treaty arising from the of FAO reform process	IT/GB-5/13/23
<b>Friday, 27 September 2013</b>			
<b>Afternoon</b>			
<b>15:00-18:00</b>	21	Adoption of the Work Programme and Budget for 2014/2015 biennium	IT/GB-5/13/24
			IT/GB-5/13/25
			IT/GB-5/13/25 Add.1
			IT/GB-5/13/25 Add.2
<b>Evening 18:00-21:00</b>	8	Implementation of the Multilateral System of Access and Benefit-sharing ( <i>continued</i> )	
	9	Implementation of the Funding Strategy of the Treaty ( <i>continued</i> )	
	22	Other business	
<b>Saturday, 28 September 2013</b>			
<b>Morning</b>			

<b>10:00-13:00</b>	Preparation of the Report		
<b>Saturday, 28 September 2013</b>			
<b>Afternoon</b>			
<b>15:00-18:00</b>	23	Election of the Chair and Vice-Chairs of the Sixth Session of the Governing Body	
	24	Date and place of the Sixth Session of the Governing Body	
	25	Adoption of the report	
		Closing of the Session	