



The International Treaty

ON PLANT GENETIC RESOURCES FOR FOOD AND AGRICULTURE



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Item 4 of the Provisional Agenda

FIFTH SESSION OF THE GOVERNING BODY

Muscat, Oman, 24-28 September 2013

REPORT OF THE CHAIRPERSON OF THE FIFTH SESSION OF THE GOVERNING BODY

Note by the Secretary

1. At its Fourth Session, the Governing Body elected Javad Mozafari Hashjin as Chairperson of the current session of the Governing Body, in accordance with Rule II of the Rules of Procedure of the Governing Body¹.
2. The Chairperson, in this document, reports, for information, on major developments affecting the International Treaty since the Fourth Session of the Governing Body, and on certain actions taken in accordance with the decisions of the Governing Body.
3. The Governing Body is being invited to note the Chair's Report.

¹ Rule II.1 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.

Rule II.3 The Chairperson shall preside at all sessions of the Governing Body and shall exercise such other functions as may be required to facilitate the work of the Governing Body.

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I. INTRODUCTION

1. The Governing Body of the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA) elected its Bureau in accordance with its Rules of Procedure at the close of its Fourth Session, which was held in Bali, Indonesia from 7 to 11 March 2011. The Bureau comprises myself as the Chair (Mr Javad Mozafari Hashjin, Iran for the Near East Region) and six Vice Chairs: Mr Prem Gautam (India, for the Asian Region); Ms Cosima Hufler (Austria, for the European Region); Ms Mónica Martínez (Ecuador, for the Latin and Caribbean Region); Mr Zachary Muthamia (Kenya, for the African Region); Mr Travis Power (Australia, for the South West Pacific Region) and Mr Marco Valicenti (Canada, for the Northern American Region).
2. During the inter-sessional period, Ms Hufler, Mr Valicenti and Mr Power were replaced or assisted in their functions by, Mr Tomas Meier and Ms Felicitas Katepa-Mupondwa, and Mr Matthew Worrell, respectively, who continued to fulfill their duties as members to the Bureau.
3. I would like to start by thanking all of the previous and current fellow Bureau members in recognition of their collaboration and their contribution to the advancement of the preparations for this session. I would also like to extend my gratitude to the Secretary of the Governing Body, Mr Shakeel Bhatti, and all members of his team for their continuous support during the inter-sessional period and for their diligence in facilitating the work of the Bureau.
4. I would like to recall that the mandate of the Bureau, as described in the Rules of Procedure of the Governing Body is to “*provide guidance to the Secretariat with regard to the preparations for, and conduct of, sessions of the Governing Body*”. Additionally, there were further tasks that you, the Governing Body, had delegated to this Bureau.
5. To complete all the work, the Bureau held two meetings and maintained other contacts by e-mail exchanges. Its work during this inter-sessional period mainly focused on providing guidance on the arrangements, the agenda and the documentation for this session, on matters relevant to the Treaty arising from the FAO reform and the revision of the statutory bodies and on the selection and appointment of the new members of the Executive Board of the Global Drop Diversity Trust.
6. Additionally, the Bureau has provided guidance on the execution of the project cycle of the Benefit-sharing Fund and has followed closely the reports from the Secretary on the level of contributions to the Core Administrative Budget and the other funds.
7. Again during this inter-sessional period the Bureau held a joint meeting with the Bureau of the Commission on Genetic Resources for Food and Agriculture at the margins of the 14th meeting of the Commission (April 2013, Rome) to informally discuss on the repartition of work between the two bodies.
8. I am pleased to share with you that my fellow bureau members maintained close and regular contacts with their respective regions that helped to advance effectively on the discussions.
9. This report is not meant to provide a thorough account of all activities of the Bureau but present a summary of the major development since this Bureau has taken

II. OPERATION OF TREATY SECRETARIAT AND IMPLEMENTATION OF THE PROGRAMME OF WORK

10. Elements needed for the smooth operation of the International Treaty’s office (Secretariat) arising from discussions of the Bureau and various Committees of the Treaty over the past biennia were compiled as a list of functional needs of the Treaty. Such list was prepared pursuant to a request received as part of the ongoing exercise by the governing bodies of the Food and Agriculture Organization of the United Nations (FAO) to address the functional needs of

conventions, treaties and other Article XIV bodies housed in FAO, including the International Treaty.

11. To ensure the functional autonomy of the Treaty as an Article XIV body of FAO in day to day operation of the Treaty Secretariat, the issue was followed up with the Director-General of FAO, and FAO Management (Legal Counsel and the Assistant Director-General of the Agriculture and Consumer Department of FAO). It is my great pleasure to inform you that Director General, Dr Graziano da Silva, is fully supportive of the Treaty and the decisions of its Governing Body and assured me of lending FAO's full support for the work of the Treaty Secretariat.

12. The functional autonomy of the Treaty as an Article XIV body also was taken up by relevant FAO governing bodies including Committee on Constitutional and Legal Matters (CCLM), Program of and Budget Committee, Finance Committee and finally to FAO Council. Favorable rulings and recommendations of CCLM was well received and upheld by the bodies.

III. TOWARDS THE EXPANSION OF THE MEMBERSHIP OF THE TREATY

13. To encourage additional membership of the Treaty, Director General of FAO and I agreed to send a jointly signed letter to all nonmember countries to inform them of the importance of Treaty and its significant achievement in the less than ten years since its entry into force in 2004.

14. The Treaty's membership has been expanded considerably fast, despite its short history of about ten years. I am very pleased to inform you that until now 131 countries have deposited their instrument ratification and have joined the Treaty.

IV. RELATIONSHIP WITH OTHER INTERNATIONAL INSTRUMENTS, RELEVANT ORGANIZATIONS AND POLICY PROCESS

15. Treaty in its endeavor for establishing new and unique functional systems for food security, agrobiodiversity conservation and utilization, agricultural development, access and benefit-sharing for plant genetic resources for food and agriculture needs to closely interact with other relevant and overlapping instruments or processes. Such interaction will be crucial to ensure efficacy of Treaty's activities, mutual supportiveness and coherence of policies, developing synergy towards implementing the Treaty and meeting its goals and objectives. In this direction I had the privilege of representing you the Governing Body of the Treaty in several occasions with such instruments, bodies and policy processes including:

- Bioversity International
- Global Crop Diversity Trust (GCDDT)
- UPOV – International Union for the Protection of New Varieties of Plants
- WIPO - World Intellectual Property Organization
- Rio Summit and the Second High Level Round Table on the International Treaty
- FAO Committee on World Food Security (CFS) and FAO Committee of Agriculture (C)
- Participating in the celebration of the 10th Anniversary of the Treaty
- Meeting with the co-chairs of Advisory Committee on the Funding Strategy and in their consultation with representative of seed industry for developing innovative approaches on benefit sharing arrangement with vegetable seed companies.

V. INTERSESSIONAL PROCESSES AND ACTIVITIES

16. Almost all intersessional works and process that you decided in the GB4 in Bali, were materialized. Some very difficult issues were undertaken in these processes among them: ongoing review of Multilateral System and its SMTA, exploring ways and means to enhance the Treaty's benefit-sharing mechanisms, sustainable use, compliance issues and farmers rights.

17. Contracting Parties initiatives on the advancement of the Treaty were phenomenal during this period. Some of the main activities are as follow:

- a) Second High-Level Round Table (HLRT2) organized by the initiative of Norway, Brazil and Italy sideline of United Nations Rio+20 Summit in Rio, Brazil, in 2012 which adopted the Rio Six Point Action Plan.
- b) Third High-Level Round Table hosted by Indonesia in Bandung;
- c) Development of Technology Transfer Platform organized by Indonesia and Brazil in Bandung, Indonesia, in facilitating the implementation of sustainable use of PGRFA.
- d) The FAO Global Partnership Initiative for Plant Breeding (GIPB) for its work on public-private partnership on pre-breeding
- e) The Keystone type dialogue on governance of plant genetic resources organized by Bioversity international;

18. I would like to take this opportunity to thank all those countries for their initiatives in the implementation of the Treaty.

19. I would also like to thank Director General for his relentless support and encouragement to the Treaty and its Secretariat.

20. My special thanks goes to Dr Shakeel Bhatti and his team. His vision, insight, dedication and tireless efforts were instrumental for implementing the Treaty and its program of work adopted by you at the Fourth Session of the Governing Body.