



Food and Agriculture
Organization of the
United Nations



The International Treaty
ON PLANT GENETIC RESOURCES
FOR FOOD AND AGRICULTURE

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

THIRD MEETING OF THE COMPLIANCE COMMITTEE

Rome, Italy, 31 January – 1 February 2019

**ANNOTATED PROVISIONAL AGENDA
AND PROVISIONAL TIMETABLE**

INTRODUCTION

1. The Compliance Committee was established by Resolution 3/2006 of the Governing Body, pursuant to Articles 19.3e and 21 of the Treaty. It held its first meeting from 20 to 22 April 2013 and its second meeting from 21 to 22 February 2017.
2. At its Fourth Session, the Governing Body approved the *Procedures and Operational Mechanisms to Promote Compliance and Address Issues of Non-Compliance*¹ (*Compliance Procedures*) and, at its Fifth Session, approved the *Rules of Procedure of the Compliance Committee*,² as well as the (voluntary) *Standard Reporting Format*,³ Pursuant to Section V.1 of the *Procedures and Operational Mechanisms to Promote Compliance and Address Issues of Non-Compliance*.
3. Pursuant to Section IV of the *Compliance Procedures*, the Committee shall, with a view to promoting compliance and addressing issues of non-compliance, and under the overall guidance of the Governing Body, have the following functions:
 - a) Consider information submitted to it regarding matters relating to compliance and issues of non-compliance;
 - b) Offer advice and/or facilitate assistance, as appropriate, to any Contracting Party, on matters relating to compliance with a view to assisting it to comply with its obligations under the International Treaty;
 - c) Assist the Governing Body in its monitoring of the implementation by Contracting Parties of their obligations under the International Treaty on the basis of reports of the Contracting Parties in accordance with Section V of the *Compliance Procedures*;
 - d) Address issues of non-compliance and identify the specific circumstances of the issue referred to it, in accordance with Sections VI to VIII of the *Compliance Procedures*;
 - e) Promote compliance by addressing statements and questions concerning the implementation of obligations under the International Treaty, in accordance with Section IX of the *Compliance Procedures*;
 - f) Carry out any other functions as may be assigned to it by the Governing Body pursuant to Article 21 of the International Treaty;
 - g) Submit a report to each regular session of the Governing Body reflecting:
 - i) the work that the Committee has undertaken;
 - ii) the conclusions and recommendations of the Committee; and
 - iii) the future programme of work of the Committee.

¹ [Resolution 2/2011](#), Annex.

² [Resolution 9/2013 Rev. 1](#), Annex 1.

³ [Resolution 9/2013 Rev.1](#), Annex 2.

4. Pursuant to the same provision, the Committee shall not consider any questions concerning the interpretation of, implementation of, or compliance with the Standard Material Transfer Agreement by parties or potential parties to it.
5. The present meeting of the Compliance Committee is organized in accordance with Section III.5 and Section V of the *Compliance Procedures* and Rule VI of the *Rules of Procedure of the Compliance Committee*.

ITEM 1. OPENING OF THE MEETING

6. The third meeting of the Compliance Committee is being held at FAO headquarters in Rome, Italy, from 31 January to 1 February 2019. The meeting will open at 10.00 a.m. on Thursday, 31 January 2019.
7. The current members of the Compliance Committee were elected by the Governing Body at its Seventh Session.⁴
8. According to Section III.5 of the *Compliance Procedures*, the presence of members representing a two-thirds majority of the membership of the Committee shall be necessary to constitute a quorum at any meeting of the Committee.
9. It is recalled that according to Rule III of the *Rules of Procedures of the Compliance Committee*, each member of the Committee shall perform his or her duties and exercise his or her authority as a member of the Compliance Committee honourably, faithfully, impartially and conscientiously, and will seek to avoid any conflict of interest. They shall serve objectively and in their individual capacity.

ITEM 2. ORGANIZATIONAL MATTERS

ITEM 2.1. ELECTION OF THE CHAIRPERSON AND THE VICE-CHAIRPERSON

10. Pursuant to Section III.7 of the *Compliance Procedures*, the Compliance Committee shall elect its Chair and Vice-Chair, who will rotate among the FAO regions. The Chair and Vice-Chair serve for up to two years, renewable once (Rule 4.2 of the *Rules of Procedure of the Compliance Committee*).
11. The terms of both the previous Chair, Mr. René Lefeber (Netherlands), and the previous Vice-chair, Ms. Amparo Ampil (Philippines), expired on 31 December 2017. The Committee has not held any meeting since the current members were formally elected by the Governing Body and it could not agree to elect the Chair and Vice-Chair by electronic means on the basis of Rule IX of the *Rules of Procedure of the Compliance Committee*.
12. Under this agenda item, the Compliance Committee is therefore invited to elect its Chairperson and Vice-Chairperson to serve as its Bureau.

ITEM 2.2. ADOPTION OF THE AGENDA

13. The present document annotates the *Provisional Agenda*,⁵ for the consideration of the Compliance Committee, so that it could adopt its Agenda and organize its work.

ITEM 2.3. ORGANIZATION OF WORK

14. The list of documents for this session is contained in document IT/GB8/CC-3/19/Inf.1, *List of Documents*. The documents are available on the website of the Treaty at <http://www.fao.org/plant-treaty/meetings/meetings-detail/en/c/1099128/>
15. The language of the meeting will be English.

⁴ Resolution 8/2017.

⁵ IT/GB8/CC-3/19/1, available at <http://www.fao.org/3/CA2688EN/ca2688en.pdf>

16. The main focus of this meeting will be the synthesis report on submissions received pursuant to Section V of the *Compliance Procedures* that the Committee is requested to prepare for the consideration of the Governing Body. In this regard, the Committee may wish first to make a quantitative assessment of reports received, before drawing its general conclusions from an analysis of the results and, if necessary, discuss specific issues that may arise. The Committee may then wish to provide guidance to the Secretary on the organization of its future work and finalize a draft Resolution on Compliance for the consideration of the Governing Body, at its Eighth Session.

17. The Committee is invited to consider the draft provisional timetable in the *Appendix* and organize its work for this meeting.

ITEM 3. CONSIDERATION OF REPORTS FROM CONTRACTING PARTIES ON MEASURES TAKEN TO IMPLEMENT THE INTERNATIONAL TREATY

18. Pursuant to Section V of the *Compliance Procedures*, each Contracting Party shall submit to the Compliance Committee, through the Secretary, a report on the measures it has taken to implement its obligations under the International Treaty. The first of such reports were due by October 2016, three years after the approval of the *Standard Reporting Format* by the Governing Body.

19. The Governing Body, by Resolution 8/2017 “*urge[d] Contracting Parties that have not yet done so, including States that have become Contracting Parties since the Fifth Session and before the Seventh Session of the Governing Body, to submit, as soon as possible, and no later than 1 October 2018, their reports pursuant to Section V of the Compliance Procedures*”. It also “*invite[d] Contracting Parties to update their reports pursuant to Section V of the Compliance Procedures, as necessary, and note[d] that such reports are to be submitted every five years or periodically, in accordance with the Compliance Procedures*”.

20. Section V of the *Compliance Procedures* provides that the Committee shall consider the reports received up to 12 months before the next session of the Governing Body. For this meeting, the Secretariat has examined and compiled all the reports received up to 10 December 2018, taking into account that many reports were only received in October and November 2018, following the organization of various regional capacity-building workshops. The Secretary provides a brief update on the capacity-building activities undertaken during 2018 in the document, IT/GB8/CC-3/19/Inf.3, *Update by the Secretary on capacity-building activities related to compliance*.

21. Section V of the *Compliance Procedures* also provides that the Committee submit to the Governing Body for its consideration, a synthesis, on the basis of the reports that it has considered, in order to assist the Governing Body in its monitoring of the implementation by Contracting Parties of their obligations under the Treaty.

22. Under this agenda item, the Compliance Committee is invited to consider the analysis of reports provided in the document, IT/GB8/CC-3/19/3, *Synthesis of reports received from Contracting Parties on measures taken to implement the provisions of the International Treaty*.

23. The document is intended to assist the Committee in identifying progress in and constraints to the implementation of the International Treaty at the national level and prepare a synthesis report for the consideration of the Governing Body at its Eighth Session. It could also help the Committee to guide the Secretary on future preparation of the draft synthesis and analysis of national reports received. The Committee is also invited to review draft elements of a resolution for the consideration of the Eighth Session of the Governing Body.

ITEM 4. REVIEWS IN THE MANDATE OF THE COMPLIANCE COMMITTEE

ITEM 4.1. REVIEW OF THE COMPLIANCE PROCEDURES

24. Pursuant to Section X of the *Compliance Procedures*, the Governing Body shall review the effectiveness of the *Compliance Procedures* and take appropriate action, within six years of their approval and periodically thereafter.

25. The *Compliance Procedures* were adopted at the Fourth Session of the Governing Body in 2011, and the first review of their effectiveness was, therefore, due in 2017.
26. At its Seventh Session in 2017, the Governing Body “*decide[d] to postpone the review foreseen in Section X of the Compliance Procedures to its Eighth Session.*”
27. In connection with this item, the Secretary has prepared the document, IT/GB8/CC-3/19/4, *Review of the Compliance Procedures*.
28. The Committee may, therefore, wish to discuss the contribution it may provide to the assessment and review process and to submit relevant information and recommendations to the Governing Body, so that the Governing Body could undertake the review at its Eighth Session in November 2019.
29. If the Committee should come to the conclusion that the information currently available is not sufficient for the Governing Body to carry out an assessment and to review the effectiveness of the *Compliance Procedures*, it might wish to suggest to the Governing Body to, again, postpone the review foreseen in Section X of the *Compliance Procedures* to its next Session. Alternatively, the Committee could discuss and suggest focusing the review to be conducted at the Eight Session on agreed aspects considered by the Committee for which sufficient information and experience have been accumulated during the first reporting period.

ITEM 4.2. REVIEW OF THE STANDARD REPORTING FORMAT

30. According to Section V.4 of the *Compliance Procedures*, the Compliance Committee, at the request of the Governing Body, shall develop and submit recommendations on the procedures and operational mechanisms on monitoring and reporting contained in the *Compliance Procedures*, including a review of the Standard Reporting Format, to the Governing Body for its consideration and approval.
31. At its Seventh Session the Governing Body “*request[ed] the Compliance Committee to review the Standard Reporting Format, considering harmonization with the reporting to FAO in the context of the Second Global Plan of Action for PGRFA, and make recommendations for its improvement, based on suggestions from Contracting Parties and experiences in its use.*”
32. Under this agenda item, the Committee is invited to consider the document, IT/GB8/CC-3/19/5, *Review of the Standard Reporting Format*, which provides a summary and an analysis of comments and suggestions received from Contracting Parties on their experiences in the use of the Format during the first reporting period. The document presents several possible options and contains possible elements for a draft Resolution for the consideration of the Committee.

ITEM 5. FUTURE WORK OF THE COMPLIANCE COMMITTEE

33. Under this agenda item, the Compliance Committee will discuss how it wishes to organize its future work. Since the Committee has held only two meetings so far, there is not yet an established practice of the Committee on how it structures its work. Furthermore, the functions of the Committee are established in Section IV of the *Compliance Procedures*, many of which depend on receiving submissions from Contracting Parties or the Governing body.
34. The document, IT/GB8/CC-3/19/6, contains information on the possible future work that the Committee may wish to consider for the next biennium.
35. Under this agenda item, the Compliance Committee is invited to consider the work it may wish to undertake and how it wishes to proceed in the next biennium, including possible meetings and support by the Secretary, and to make appropriate recommendations to the Governing Body, for consideration at its Eighth Session.

ITEM 6. OTHER BUSINESS

36. No advice or assistance has been requested by any Contracting Party on issues related to compliance for the consideration of the Committee at this meeting.

37. Under this agenda item, the Compliance Committee may wish to discuss any other relevant matters that may be raised by its members.

ITEM 7. ADOPTION OF THE REPORT

38. Under this agenda item, the Compliance Committee is invited to consider and adopt its report, which would, subsequently, be submitted to the Eighth Session of the Governing Body for its consideration.

ITEM 8. CLOSURE OF THE MEETING

39. It is expected that the meeting will be closed at 6 p.m. on Friday, 1 February 2019.

*Appendix***PROVISIONAL INDICATIVE TIMETABLE**

Time	Agenda Item	Title	Documents
Thursday, 31 January 2019 Morning			
10:00-13:00	1	Opening of the meeting	Resolution 8/2017 Resolution 2/2011, <i>Annex</i>
	2	Organizational matters: 2.1. Election of the Chairperson and the Vice-Chairperson 2.2. Adoption of the agenda 2.3. Organization of work	Resolution 8/2017 Resolution 9/2013 Rev. 1 Resolution 2/2011, <i>Annex</i> IT/GB8/CC-3/19/1 IT/GB8/CC-3/19/2 IT/GB8/CC-3/19/Inf.1
	3	Consideration of reports from Contracting Parties on measures taken to implement the International Treaty	Resolution 8/2017 Resolution 9/2013 Rev. 1 Resolution 2/2011, <i>Annex</i> IT/GB8/CC-3/19/3
Tuesday, 21 February 2017 Afternoon			
15:00-17:00	3 (cont'd)	Consideration of reports from Contracting Parties on measures taken to implement the Treaty (cont'd)	Resolution 8/2017 Resolution 9/2013 Rev. 1 Resolution 2/2011, <i>Annex</i> IT/GB8/CC-3/19/3
Time	Agenda Item	Title	Documents
Friday, 1 February 2019 Morning			
10:00-13:00	4	Reviews in the mandate of the Compliance Committee: 4.1 Review of the Compliance Procedures 4.2 Review of the Standard Reporting Format	Resolution 8/2017 Resolution 9/2013 Rev. 1 Resolution 2/2011, <i>Annex</i> IT/GB8/CC-3/19/4 IT/GB8/CC-3/19/5
	5	Future work of the Compliance Committee	Resolution 9/2013 Rev. 1 Resolution 2/2011, <i>Annex</i> IT/GB8/CC-3/19/6

	6	Other business	
Friday, 1 February 2019 Afternoon			
15:00-18:00	7	Adoption of the Report	