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

RULES OF PROCEDURE OF THE GOVERNING BODY

**Rule I
Scope**

These rules of procedure shall apply to all sessions of the Governing Body and the activities of its Secretary. They shall also apply, *mutatis mutandis*, to subsidiary bodies of the Governing Body unless the Governing Body should decide otherwise, in accordance with Rule 9.2.

**Rule II
Bureau**

2.1 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. In electing the Bureau, the Governing Body shall have due regard to the principle of rotation. No member of the Bureau may be re-elected for a third consecutive term. If a Bureau member resigns from his or her position or finds him or herself permanently unable to exercise his or her functions, the Contracting Party of that Bureau member shall designate another representative so that he or she may replace the said member during the remainder of the term. Except as provided for in Rule 2.3, 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.

2.2 The terms of office of the Chairperson and Vice-Chairpersons shall commence with immediate effect upon the closure of the session at which they are elected. They shall serve as the Bureau of any special session held during their terms of office, and provide guidance to the Secretary with regard to the preparations for, and conduct of, sessions of the Governing Body.

2.3 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. The Chairperson, if temporarily absent from a session or any part thereof or temporarily unable to fulfil his or her inter-sessional duties, shall designate a Vice-Chairperson to act as Chairperson. A Vice-Chairperson acting as Chairperson shall have the same powers and duties as the Chairperson.

**Rule III
Secretary**

In accordance with Article 20.1 of the Treaty, the Director General of the FAO shall appoint, with the approval of the Governing Body, a Secretary of the Governing Body to perform the functions included in Articles 20.2 to 20.5 of the Treaty. The Secretary shall be assisted by such staff as may be required.

Rule IV Sessions

4.1 In accordance with Article 19.9 of the Treaty, the Governing Body shall hold regular sessions at least once every two years. These sessions should, as far as possible, be held back-to-back with the regular sessions of the Commission on Genetic Resources for Food and Agriculture.

4.2 In accordance with Article 19.10 of the Treaty, special sessions of the Governing Body shall be held at such other times as may be deemed necessary by the Governing Body, or at the written request of any Contracting Party, provided that this request is supported by at least one third of the Contracting Parties. In the case of special sessions convened at the request of a Contracting Party, these shall be held within six months of the request having received the support of one third of the Contracting Parties.

4.3 Sessions of the Governing Body shall be convened by the Chairperson of the Governing Body with the agreement of the Bureau and in consultation with the Director-General of the FAO and the Secretary.

4.4 Notice of the date and place of each session of the Governing Body shall be communicated to all Contracting Parties at least twelve weeks before the opening of the session.

4.5 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.

4.6 The Secretary may invite experts to sessions of the Governing Body, with the agreement of the Bureau.

4.7 Sessions of the Governing Body shall be held in public unless the Governing Body decides otherwise.

4.8 In accordance with Article 19.8, the presence of delegates representing a majority of the Contracting Parties shall be necessary to constitute a quorum at any session of the Governing Body.

Rule V Agenda and documents

5.1 The Secretary shall prepare the provisional agenda on the request of the Chairperson and under the guidance of the Bureau of the Governing Body.

5.2 Any Contracting Party may request the Secretary to include specific items in the Provisional Agenda before it is dispatched.

5.3 The provisional agenda shall be circulated by the Secretary at least twelve weeks before the opening of the session to all Contracting Parties and observers invited to attend the session.

5.4 Any Contracting Party may, after the despatch of the provisional agenda, propose the inclusion of specific items on the agenda with respect to matters of an urgent or unforeseen nature, if possible not later than two weeks before the opening of the session. These items should be placed on a supplementary list, which, if time permits before the opening of the session, shall be despatched by the Secretary to all Contracting Parties, failing which the supplementary list shall be communicated to the Chairperson for submission to the Governing Body. Any Contracting Party may propose to include, before the adoption of the agenda, any other item that it considers to be of relevance.

5.5 After the agenda has been adopted, the Governing Body may, by consensus amend the agenda by the deletion, addition or modification of any item.

5.6 Documents to be submitted to the Governing Body at any session shall be furnished by the Secretary to the Contracting Parties at the time the agenda is despatched or as soon as possible thereafter, but always at least six weeks prior to the opening of the session.

5.7 Formal proposals relating to items on the agenda and amendments thereto introduced during a session of the Governing Body shall be made in writing and handed to the Chairperson, who shall arrange for copies to be circulated to all representatives of Contracting Parties.

Rule VI Decision-making

All decisions of the Governing Body shall be taken by consensus unless by consensus another method of arriving at a decision on certain measures is reached, except that consensus shall always be required in relation to Articles 23 and 24 of the Treaty.

Rule VII Observers

7.1 The Secretary shall notify the United Nations, its specialized agencies and the International Atomic Energy Agency, as well as any State not a Contracting Party to the Treaty, of sessions of the Governing Body so that they may be represented as observers, at least twelve weeks before the opening of the session. Such observers may, upon invitation of the Chairperson, participate without the right to vote in sessions of the Governing Body.

7.2 The Secretary shall notify any other body or agency, whether governmental or non-governmental, qualified in fields relating to the subject-matter of the Treaty, which has informed the Secretary of its wish to be represented as an observer, of the sessions of the Governing Body at least twelve weeks before the opening of the session. Such observers may, upon invitation of the Chairperson, participate without the right to vote in sessions of the Governing Body on matters of direct concern to the body or agency they represent unless at least one third of the Contracting Parties present at the session object.

7.3 International institutions that have signed agreements with the Governing Body under Article 15 of the Treaty shall be invited to attend all sessions of the Governing Body as observers, at least twelve weeks before the opening of the session. Such observers may, upon invitation of the Chairperson, participate without the right to vote in sessions of the Governing Body on matters of direct concern to the international institutions they represent.

7.4 Before the opening of a session of the Governing Body the Secretary will circulate a list of observers who have requested approval to be represented at the session.

Rule VIII Records and Reports

8.1 At each session, the Governing Body shall approve a report embodying its decisions, views, recommendations and conclusions. Such other records, for its own use, as the Governing Body may on occasion decide, shall also be maintained.

8.2 The report of the Governing Body shall be circulated, for their information, by the Secretary within sixty days of approval to all Contracting Parties and observers that were represented at the session the Director-General of FAO, and, upon request, to other Members and Associate Members of the FAO.

8.3 Recommendations and decisions of the Governing Body having policy, programme or financial implications for the FAO shall be brought by the Secretary, through the Director-General of the FAO, to the attention of the Conference or Council of the FAO for appropriate action.

8.4 Subject to the provisions of the preceding paragraph the Secretary may request Contracting Parties to supply the Governing Body with information on action taken on the basis of recommendations made by the Governing Body.

Rule IX Subsidiary Bodies

9.1 The Governing Body may establish such subsidiary bodies as it deems necessary for the accomplishment of its functions. The establishment of subsidiary bodies shall be subject to the availability of the necessary funds in the approved budget of the Treaty. When the related expenses are to be borne by the FAO, the determination of such availability shall be made by the Director-General of the FAO. Before taking any decision involving expenditure in connection with the establishment of subsidiary bodies, the Governing Body shall have before it a report from the Secretary or the Director-General of the FAO, as appropriate, on the administrative and financial implications thereof.

9.2 The membership, terms of reference and procedures of the subsidiary bodies shall be determined by the Governing Body.

9.3 Each subsidiary body shall elect its own Bureau, unless appointed by the Governing Body.

Rule X Expenses

10.1 Expenses incurred by representatives of Contracting Parties, when attending sessions of the Governing Body or subsidiary bodies, as well as the expenses incurred by observers at sessions, shall be borne by their respective governments or organizations. Provision shall be made to support the participation of developing country Contracting Parties and of Contracting Parties with economies in transition in the Governing Body, and its subsidiary bodies in the financial rules of the Governing Body, through a special fund.

10.2 Any financial operations of the Governing Body and its subsidiary bodies shall be governed by the appropriate provisions of the financial rules.

Rule XI Languages

11.1 The languages of the Governing Body shall be the six languages of the United Nations.

11.2 Any representative using a language other than one of the languages referred to in Rule 11.1 shall provide for interpretation into one of the languages of the Treaty.

11.3 "Documentation" to be provided by the Secretary for Sessions of the Governing Body, in accordance with Article 20.4 of the Treaty, shall comprise the working documents of sessions.

Rule XII
Amendment of the Rules

Amendments to these Rules may be adopted by consensus. Consideration of proposals of amendments to these Rules shall be subject to Rule 5 and documents on the proposals shall be circulated in accordance with Rule 5.7 and in no case less than 24 hours prior to their consideration by the Governing Body.

Rule XIII
Application of the General Rules of FAO

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.

Rule XIV
Over-riding Authority of the Treaty

In the event of any conflict between any provision of these rules and any provision of the Treaty, the Treaty shall prevail.

Rule XV
Entry into Force

These Rules and any amendments thereto shall come into force upon their approval by consensus by the Governing Body unless, by consensus, the Governing Body decides otherwise.