

March 2013



The International Treaty

ON PLANT GENETIC RESOURCES FOR FOOD AND AGRICULTURE



Item 6 of the Draft Provisional Agenda

FIRST MEETING OF THE COMPLIANCE COMMITTEE

Rome, Italy, 20–22 April 2013

DRAFT RESOLUTION ON COMPLIANCE FOR THE CONSIDERATION OF THE GOVERNING BODY

I. Introduction

1. By Resolution 2/2011, the Governing Body approved the *Procedures and Operational Mechanisms to Promote Compliance and Address Issues of Non-Compliance* (Compliance Procedures), and requested the Compliance Committee to undertake a number of tasks for the consideration and approval of the Governing Body at its Fifth Session.
2. These tasks include the development of further rules of procedures relevant to the work of the Committee and a succinct standard reporting format, in accordance with Section V of the Procedures and Operational Mechanisms.¹
3. Elements of draft Rules of Procedure for the Committee are contained in the document IT/CC-1/13/2 and the draft Format for reporting is contained in the document, IT/CC-1/13/4 .

II. Elements of a draft Resolution

4. The outputs of the work of the Committee at this meeting will be forwarded to the Fifth Session of the Governing Body for its consideration and approval, and it may decide to do so by way of a Resolution as it has done in the past.
5. Consequently, elements of a possible draft Resolution, by which the Governing Body could approve the draft Rules of Procedure of the Compliance Committee, as well as the draft reporting format, is contained in the *Appendix* to this document.
6. The elements of the draft Resolution take into account the decisions of the Governing Body at its Fourth Session and the number of issues it is expected to address at the Fifth Session, namely:
 - a) The need to approve the Rules of Procedure of the Compliance Committee;
 - b) The need to approve the draft reporting format;
 - c) The need to elect the members of the Compliance Committee, in accordance with the Compliance Procedures, with staggered terms, commencing after the Fifth Session of the Governing Body;

¹ IT/GB-4/11/Report, Resolution 2/2011.

- d) The consideration of the issue of financial resources to cover the costs and expenses arising from the operations of the Compliance Committee.

7. The attention of the Committee is particularly drawn to Section III.4 of the Compliance Procedures and operational mechanisms, which requires that the terms of the members be staggered. In order to facilitate the deliberations of the Governing Body on this issue, the Committee may wish to propose a formula to the Governing Body for its consideration.

8. The Committee is invited to consider the elements of a draft Resolution, for possible submission to the Governing Body for its consideration and adoption. In the so doing, the Committee may wish to make any necessary or additional recommendations to the Governing Body it deems fit.

Appendix

DRAFT RESOLUTION _/2013
PROCEDURES AND OPERATIONAL MECHANISMS TO PROMOTE COMPLIANCE
AND ADDRESS ISSUES OF NON-COMPLIANCE

The Governing Body,

Recalling Resolution 2/2011 by which it approved the Procedures and Operational Mechanisms to Promote Compliance and Address Issues of Non-Compliance;

Recognizing the important role of the Compliance Committee in promoting compliance and addressing issues of non-compliance with the Treaty, and the need for the smooth and effective functioning of the Committee;

1. **Thanks** the Compliance Committee for developing its Rules of Procedures and the standard format for reporting in accordance with section V.1 of the *Procedures and Operational Mechanisms to Promote Compliance and Address Issues of Non-compliance*;
2. **Hereby approves** the Rules of Procedure of the Compliance Committee included in *Annex 1* hereto;
3. **Further approves** the standard reporting format included in *Annex 2* hereto;
4. **Elects** the members of the Committee in accordance with the chart included in *Annex 3* hereto;
5. **Reiterates** the importance of maintaining sufficient resources for the operation of the *Procedures and Operational Mechanisms to Promote Compliance and Address Issues of Non-compliance* and the functioning of the Compliance Committee;
6. **Decides** that costs of meetings of the Compliance Committee, including those to facilitate the participation of members of the Committee, and related activities shall be included in the Core Administrative Budget as may be adopted by the Governing Body, and **requests** the Secretary to include such costs into the *Core Administrative Budget* that is presented to the Governing Body for approval at its Regular Sessions;
7. **Reiterates** its recommendation that funds be made available through the *Special Fund to Support the Participation of Developing Countries* to facilitate participation in relevant meetings of the Committee by representatives of developing country Contracting Parties and Contracting Parties with economies in transition regarding whom a submission has been made under the *Procedures and Operational Mechanisms to Promote Compliance and Address Issues of Non-compliance*.