



Food and Agriculture
Organization of the
United Nations



The International Treaty
ON PLANT GENETIC RESOURCES
FOR FOOD AND AGRICULTURE

Item 2.2 of the Provisional Agenda

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

FOURTH MEETING OF THE COMPLIANCE COMMITTEE

3 - 4 February 2021 (Teleconference-1)

ANNOTATED PROVISIONAL AGENDA AND 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, its second meeting from 21 to 22 February 2017 and its third meeting from 31 January to 1 February 2019.
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*, with its reviewed version approved at its Eighth Session.⁴
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;

¹ [Resolution 2/2011](#), Annex.

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

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

⁴ [Resolution 7/2019](#), para. 12, and [IT/GB-8/19/13](#), *Report of the Compliance Committee*, Appendix 3.

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.

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. In consultation with the Chair and the Vice-Chair, the fourth meeting of the Compliance Committee is being held virtually through electronic means, on 3 and 4 February 2021, from 12:00 to 15:00 (CET) on each day.

7. In accordance with rule 9.1 of the Rules of Procedures, “*Electronic means of communication may be used by the members of the Committee for the purpose of conducting its business, to the extent agreed by the Committee. This includes:*

- a. *Conducting informal consultations;*
- b. *Elaborating and taking decisions in writing using electronic means of communication except for decisions under section VII of the Compliance Procedures.”*

8. The current members of the Compliance Committee were elected by the Governing Body at its Eighth Session.

9. 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.

10. 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

11. 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*).

12. The current terms of both the Chair, Ms Angeline Munzara, and the Vice-Chair, Ms Kim Van Seeters, are due to expire on 31 December 2020. They were elected by the Compliance Committee at its third meeting to serve their first term.

13. 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

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

ITEM 2.3 ORGANIZATION OF WORK

15. The list of documents for this meeting is contained in document IT/GB-9/CC-4/21/2.3/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/1259561/>
16. The meeting will be conducted in English language.
17. Taking into account the time differences, the meeting has been organized in two blocks of 3 hours each on 3 and 4 February 2021. The Committee will discuss under other matters, the time and modalities for the continuation of its work during the biennium.
18. The main focus of this meeting will be to take stock of the relevant decisions of the Eighth Session of the Governing Body related to Compliance, review monitoring and reporting, including the review of the reports submitted by Contracting Parties, consider possible reviews of the *Compliance Procedures* and discuss any future work.
19. The Committee is invited to consider the draft provisional timetable contained in the *Appendix* to this document and organize its work for this meeting.

ITEM 3. REVIEW OF THE OUTCOMES OF THE EIGHTH SESSION OF THE GOVERNING BODY OF RELEVANCE TO COMPLIANCE

20. At its third meeting, the Compliance Committee made a number of recommendations to the Eighth Session of the Governing Body, for its consideration.
21. Under this item, the Committee will have before it a note by the Secretary presenting a review of the outcomes of the Eighth Session relevant to compliance, IT/GB-9/CC-4/21/3. This includes a review of decisions adopted in response to the recommendations of the Committee as well as other relevant decisions.
22. The Committee may wish to reflect upon these decisions, how the recommendations of the Committee were considered by Contracting Parties and what follow-up may be needed.

ITEM 4. MONITORING AND REPORTING

23. One of the functions of the Committee is to 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 received in accordance with Section V of the *Compliance Procedures*.
24. 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 and 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.
25. At its Eighth Session, the Governing Body “invite[d] Contracting Parties to continue submitting and updating their reports, pursuant to Section V of the Compliance Procedures, urging those Contracting Parties which [had] not yet done so, and emphasize[d], in this context, that the second reports be submitted by 1 October 2023”.
26. Only four additional national reports were received since the Committee submitted its report to the Eighth Session of the Governing Body.
27. Consequently, the Committee is invited to consider the analysis of reports provided in the document, IT/GB-9/CC-4/21/4, *Synthesis of reports received from Contracting Parties on measures taken to implement the provisions of the International Treaty*, which is an updated version of the synthesis and analysis provided by the Committee to the Eighth Session of the Governing Body.
28. The Governing Body has repeatedly recognized the importance of developing indicators to monitor progress and the need for the Secretary to continue participating actively in the development of the Post-2020 Global Biodiversity Framework, including proposing relevant outreach activities and biodiversity indicators relevant to the Implementation of the International Treaty.

29. Under this agenda item, the Committee will also consider document IT/GB-9/CC-4/21/4/2, *Global Indicators relevant to the implementation of the International Treaty*, which contain information on the current indicators in use and on options to contribute to the monitoring of the Post-2020 Global Biodiversity Framework .

30. 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 Ninth Session. It could also help the Committee to guide the Secretary on future preparation of the draft synthesis and analysis of national reports received.

ITEM 5. REVIEWS UNDER THE MANDATE OF THE COMPLIANCE COMMITTEE

31. 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.

32. 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.

33. 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”. At its Eighth Session, the Governing Body “request[ed] the Compliance Committee to review the Compliance Procedures at its subsequent meetings for consideration by the Governing Body at the Ninth Session”.⁵

34. The Secretary prepared a summary of previous discussions of the Committee on this issue and possible further considerations in the document, IT/GB-9/CC-4/21/5, *Reviews under the Mandate of the Compliance Committee*.

35. At its Eighth Session, the Governing Body also “request[ed] the Compliance Committee, in consultation with Contracting Parties and with the support of the Secretariat, to review compliance with the International Treaty and in particular the Articles that specify binding obligations on Contracting Parties, and to present its conclusions and suggestions for action to the Ninth Session of the Governing Body”.⁶

36. The document IT/GB-9/CC-4/21/5, *Review of the Mandate of the Compliance Committee*, also briefly summarizes some of the discussions previously held by the Committee that may be of relevance for this item.

37. Therefore, the Committee may wish to consider the document, IT/GB-9/CC-4/21/5, and prepare its recommendations to the Governing Body regarding the *Compliance Procedures* as well as its conclusions and suggestions for action regarding compliance with the International Treaty.

ITEM 6. FUTURE WORK OF THE COMMITTEE

38. 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. Nevertheless, the Committee identified as one area for future work the possible ways to encourage Contracting Parties to submit technical questions on the implementation of the International Treaty. Accordingly, the Governing Body, at its Eighth Session, “encourage[d] Contracting Parties to submit, pursuant to section IX of the Compliance Procedures, additional technical questions related to the implementation of the International Treaty to the Committee for their consideration and response.” The Secretary has prepared a note with some activities and possible ideas for the consideration of the Committee, IT/GB-9/CC-4/21/6.

39. The Secretary has also made available to the Committee the draft Capacity Development Strategy for the Implementation of the International Treaty, currently under development. The Committee may wish provide inputs to the development of the Strategy and discuss the Committee’s possible future role in its implementation.

⁵ [Resolution 7/2019](#), para. 15.

⁶ [Resolution 7/2019](#), para. 10.

ITEM 7. OTHER MATTERS

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

41. The Committee may wish to note that one member of the Committee will finish her second term at the end of 2021, so the Governing Body will be invited to appoint a new member in her place.

42. The Committee may discuss the date for the next meeting/teleconference, should additional work be need to be undertaken in the current biennium.

ITEM 8. RECORDS AND CLOSURE OF THE MEETING

43. According to rule XVI of the *Rules of Procedure of the Compliance Committee*, following each meeting, the Bureau of the Committee shall record the main outcomes and submit such records, through the Secretariat, to the members of the Committee for approval. The Committee shall take those records into account when preparing its report to the Governing Body.

44. The meeting records, containing a summary of the discussions of the Committee, will be documented and circulated by the Secretariat following the meeting. Comments on the draft Records can be made electronically by Members of the Committee for the finalization of the document. The Committee will agree the timeframe for providing comments on the draft document.

45. The first Teleconference is expected to close at 3 p.m. on 4 February 2021.

PROVISIONAL INDICATIVE TIMETABLE

3 February 2021 - 12:00 –15:00, Rome time

Time	Item	Title	Documents
12:00	1	Opening of the meeting	
12:05	2	2.1. Election of the Chairperson and Vice-Chairperson 2.2. Adoption of the Agenda 2.3. Organization of work	Resolution 7/2019 Resolution 9/2013 Rev. 1 Resolution 2/2011, Annex IT/GB-9/CC-4/21/2.2/1 IT/GB-9/CC-4/21/2.2/2 IT/GB-9/CC-4/21/2/Inf.1
12:20	3	Review of the outcomes of the Eighth Session of the Governing Body of relevance to compliance.	Resolution 7/2019 IT/GB-9/CC-4/21/3
12:50	4	Monitoring and reporting	IT/GB-9/CC-4/21/4 IT/GB-9/CC-4/21/4/2
14:30	5	Reviews under the mandate of the Compliance Committee	IT/GB-9/CC-4/21/5
Closing at 15:00.			

4 February 2021 - 12:00, Rome time

Time	Item	Title	Documents
12:00	5	Reviews under the mandate of the Compliance Committee (cont.)	IT/GB-9/CC-4/21/5
12:20	6	Future work of the Compliance Committee	IT/GB-9/CC-4/21/6 IT/GB-9/CC-4/21/6/Inf.1
12:45	7	Other matters	Resolution 7/2019 Resolution 9/2013 Rev. 1 Resolution 2/2011, Annex
13:15	8	Records and closure of the meeting	
Closing			