

March 2023



**Food and Agriculture
Organization of the
United Nations**



**International Treaty
on Plant Genetic Resources
for Food and Agriculture**

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

FIFTH MEETING OF THE COMPLIANCE COMMITTEE

Rome, Italy, 28–29 March 2023

RECORDS

Opening of the meeting

1. The Secretary of the International Treaty on Plant Genetic Resources for Food and Agriculture, Mr Kent Nnadozie, opened the fifth meeting of the Compliance Committee and welcomed participants to FAO headquarters as well as those connected remotely. He emphasized the importance of the Committee's work for the implementation of the International Treaty. He confirmed that, in accordance with the Committee's Rules of Procedure, the members in attendance reached the quorum required for the meeting to proceed. The list of participants is contained in *Appendix 2*.

Election of the Chairperson and the Vice-Chairperson

2. The Committee elected Ms Priya L. BHANU as Chairperson, and Mr Mahendra PERSAUD as Vice-Chairperson.

Adoption of the agenda

3. The Committee adopted its agenda as contained in *Appendix 1*.

Organization of work

4. The Committee commended the Secretariat for the excellent quality and timely publication of the documentation prepared for this meeting and agreed on the timetable for the meeting.

Monitoring and reporting

5. Pursuant to Section V of the *Procedures and operational mechanisms to promote compliance and address issues of non-compliance* (Resolution 2/2011, the Compliance Procedures), the Committee considered the document, IT/GB-10/CC-5/23/3, *Synthesis of reports received from Contracting Parties on measures taken to implement the provisions of the International Treaty*, and analysed 91 reports received from Contracting Parties. In doing so, the Committee followed the methodology and structure it had established at its previous meetings to elaborate its report.

6. The Committee drew up a synthesis of the reports to assist the Governing Body in monitoring implementation by Contracting Parties of their obligations under the International Treaty. The result of the work is contained in its report to the Tenth Session of the Governing Body.

7. The Committee invited the Secretary to include in future synthesis reports references to the figures contained in the report submitted to the Eighth Session of the Governing Body, and which are to be considered the baseline data for future analyses.

Reviews in the mandate of the Compliance Committee and future work

8. The Committee considered the document, IT/GB-10/CC-5/23/4, *Reviews Under the Mandate of the Compliance Committee and Future Work*, and welcomed the framework proposed by the Secretariat with three main sections or pillars dealing with the structure, the execution and the support provided to

Contracting Parties under the Compliance Procedures and agreed to use it as a basis for further work. The review framework is contained in *Appendix 3*.

9. The Committee agreed to recommend to the Bureau of the Governing Body and the Governing Body the replacement of the titles of Chair and Vice-Chair of the Committee with that of Co-Chairs, to be consistent with the structure and language of other subsidiary bodies.¹

10. The Committee considered various questions under the three pillars of the review framework of the document and decided to include some recommendations in its report to the Governing Body and in the draft resolution.

11. The Committee agreed to regularly review the activities that fall under the “support” pillar of the review framework. The Committee noted the need to continue the review of the “structure” and “execution” pillars within the review framework, once information and submissions from 80% of Contracting Parties is available, with the view to making appropriate recommendations to the Governing Body.

12. The Committee provided advice to the Secretary to organize events to assist Contracting Parties in the assessment of the implementation of the International Treaty at the national level, and to provide training and additional technical capacity for reporting, upon request and subject to the availability of financial resources. The Committee advised the Secretary to continue collaboration with partners for the delivery of training and capacity development.

13. The Committee noted the invitation from the Governing Body to further interact with other subsidiary bodies and delegated the Bureau of the Compliance Committee to liaise with them, as needed.

14. Furthermore, the Committee provided advice to the Secretary on the implementation of a range of support measures to increase the visibility of the role and functions of the Committee as well as enhance the submission of national reports by Contracting Parties and raise awareness about the benefits of reporting. The range of activities could include improvements to the website, the organization of online training and assistance to the national respondents, the issuance of additional notification and publication of news related to compliance reporting, as well as interaction with National Focal Points and FAO decentralized offices.

15. The Committee noted that the Online Reporting System (ORS) facilitates the submission of information from one reporting cycle to the following, as well as the updates, and encouraged Contracting Parties to do it as frequently as needed. The Committee also noted that when a Contracting Party provides an update, the ORS provides the last version of the report to work from, which facilitates a simple update process and allows Contracting Parties to only provide updates where circumstances have changed.

16. The Committee noted that it would be helpful to gather more information from Contracting Parties on the factors that limit or inhibit the submission of the national reports. The Committee encouraged its members to engage within their regions to encourage and support compliance reporting, particularly with regard to Contracting Parties who have not yet submitted a report.

Other matters

17. The Committee noted that according to the *Compliance Procedures*, the Governing Body shall elect, as appropriate, new members for a full term to replace those whose terms are about to expire, bearing in mind that no member shall serve for more than two consecutive terms.

Adoption of the records and closure of the meeting

18. The Committee adopted these records, containing the proceedings of the meeting and its report to the Tenth Session of the Governing Body, including a draft Resolution, pending further updates to some figures and charts of the synthesis section, and subsequent adoption by the Committee through

¹ Accordingly, the references to Chair and Vice-Chair will be updated in the Compliance Procedures and in the Rules of Procedures of the Committee, once approved by the Bureau and the Governing Body.

electronic means. The report of the Committee to the Tenth Session and its Annexes is given in *Appendix 4*.

AGENDA

1. Opening of the meeting
2. Organizational matters:
 - 2.1. Election of the Chairperson and the Vice-Chairperson
 - 2.2. Adoption of the Agenda
 - 2.3. Organization of work
3. Monitoring and reporting
4. Reviews under the mandate of the Compliance Committee and future work
5. Other matters
6. Records and closure of the meeting

LIST OF PARTICIPANTS

REGION	MEMBER	Year of first term
AFRICA	Mr Ndawana NOREST Legal Advisor Ministry of Lands, Agriculture, Fisheries, Water and Rural Development Ngungunyana Bld. Borrowdale Road Harare, Zimbabwe Phone: + 263 71 876 8728 Email: ndawanarest@gmail.com	2023
	M. Koffi KOMBATE Point Focal National TIRPAA Institut Togolais de Recherche Agronomique B.P.1163 Lomé Phone: +228 9019 4684 Email: kombate_koffi@yahoo.fr	2016
ASIA	Ms Pratibha BRAHMI Principal Scientist Germplasm Exchange & Policy Unit New Delhi, India Phone: +91 11 25802746 Email: Pratibha.Brahmi@icar.gov.in pratibha1861@gmail.com	2023
	Mr Koukham VILAYHEUANG Genebank Head Rice and Cash Crop Research Center, NAFRI Vientiane Lao PDR Phone: +8562(0)94445665 Email: Koukhamv@gmail.com	2020
EUROPE	Ms Linn Borgen NILSEN Senior Adviser Norwegian Institute of Bioeconomy Research (NIBIO) P.O. box 115 1431 Norway Phone: +47 413 88 502 Email : linn.nilsen@nibio.no	2023
	Ms Kim VAN SEETERS National Focal Point ITPGRFA Senior Policy Officer Ministry of Agriculture, Nature and	2018

	Food Quality Phone: +31 786395103 Email: k.vanseeters@minlnv.nl	
LATIN AMERICA AND THE CARIBBEAN	Mr Mahendra PERSAUD Nacional Focal Point ITPGRFA Plant Breeder - Chief Scientist Guyana Rice Development Board Rice Research Station Burma Georgetown, Guyana Phone: +592 2321301 Email: mahendra21@gmail.com	2018
	Sra. María Mónica MARTÍNEZ MENDUIÑO Subsecretaria de Cooperación, Asistencia Técnica y de Apoyo a los PMDER ALADI – Secretaría General Cebollatí 1461 Montevideo - Uruguay Phone: + 598 24101121 - 2220 Email: mmartinez@aladi.org	2020
NEAR EAST	Mr Ali CHEHADE Research Engineer, Department of Plant Biotechnology Lebanese Agricultural Institute (LARI) P.O.Box: 287- Zahleh Tal Amara- Rayak – Beqaa Lebanon Phone: +961 8 900037 Fax: +961 8 900077 E-mail: alichehade@hotmail.com	2023
	Mr Javad MOZAFARI (remotely) Professor, Plant Biotechnology Former Director General, Academic Relations and International Affairs Agricultural Research, Education and Extension Organization (AREEO) Tehran, Iran Phone: +98 2122402013 / 9123763457 Fax: +98 2612716793 Email: jmozafar@yahoo.com	2020
NORTH AMERICA	Ms Indra THIND (remotely) Counsel, Legal Services Agriculture and Food Inspection Government of Canada 1400 Merivale Road Tower 2, 2nd Floor Ottawa, Canada Ontario K1A 0Y9 Phone: +1 343 541 7701 Email: indra.thind@justice.gc.ca	2018

	Ms Priya L. BHANU Attorney-Adviser Office of the Legal Adviser United States Department of State Phone: +1 (202) 486-2992 Email: BhanuPL@state.gov	2023
SOUTH WEST PACIFIC	Ms Birte NASS-KOMOLONG National Focal Point ITPGRFA National Agricultural Research Institute P.O. Box 4415, Lae, Morobe Province Papua New Guinea Phone: +675 4784000 Fax: +675 4751450 Email: birte.komolong@nari.gov.pg PNGPRGFA@nari.gov.pg	2020
	Ms Emily CARROLL (<i>remotely</i>) Assistant Director Agriculture Policy Division Australian Government Department of Agriculture, Fisheries and Forestry GPO Box 858, Canberra ACT 2601 Phone: +61 2 6272 4408 Email: Emily.Carroll@agriculture.gov.au	2023

*The year indicates the beginning of the first term of the candidate.

The Governing Body shall elect the Members for a period of four years, according to the Rules of Procedures of the Compliance Committee. The full term commences on January 1st of the first year of the financial period of the International Treaty following their election. Members shall not serve for more than two consecutive terms. (Rule III.4)

Secretariat of the International Treaty

Mr Kent NNADOZIE

Secretary, ITPGRFA

Secretariat of the International Treaty on Plant Genetic Resources for Food and Agriculture

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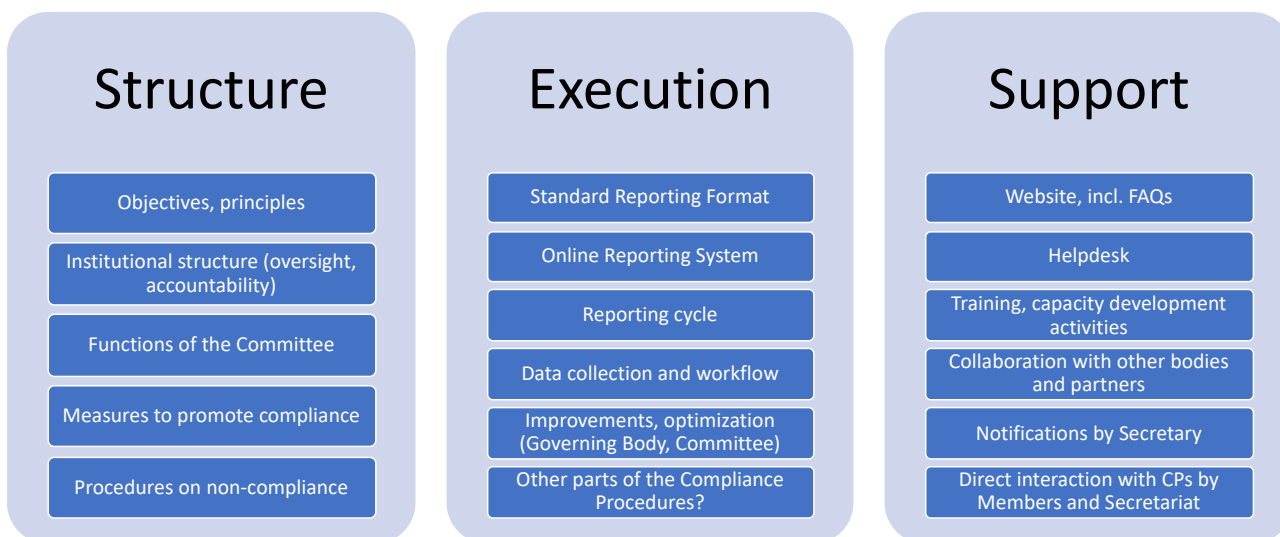
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Appendix 3

Framework for the Review of the Effectiveness of the *Compliance Procedures*

Structure

1. Did the implementation of the compliance mechanism show any problems with the objectives/principles of the Compliance Procedures (Sect. I, II)? Would the Compliance Committee suggest any changes or adaptations?
2. The Compliance Procedures set forth specific roles for the Governing Body, the Compliance Committee, Contracting Parties, and the Secretary in the compliance mechanism. Are these roles defined with enough clarity and detail? Is there any function or role not clearly attributed?
3. The functions of the Committee are listed in Sect. IV. So far, the Committee could only put b), c) and g) into practice. Would the Committee suggest enlarging or reducing its functions? Do the functions relate to the objectives and principles?
4. An overarching function of the Committee is to promote compliance with the International Treaty. What experiences could be relevant for the Committee so far? Would these experiences require any changes to the relevant Sections of the Compliance Procedures or the Rules of Procedures?
5. No cases of non-compliance were referred to the Committee so far. Would the Committee suggest any changes to Section VI? Are there any limiting factors for the lack of submissions/cases?

Execution

1. The reporting cycle is set at five years, with the Committee analyzing reports received up to 12 months before the Governing Body session. The Committee has, on two occasions, recommended to the Governing Body to extend the deadline for submission to facilitate further or additional reporting by Contracting Parties and to align the 5-year cycle with the regular Sessions of the Governing Body.
2. As a standardized questionnaire, the (voluntary) Standard Reporting Format facilitates significantly the synthesis and analysis of reports. Are there any lessons learnt from the use of it that would suggest changes to the Compliance Procedures? What other opportunities could it provide? On a practical side, what other data sources could be used to complement the data collected through
3. Based on the experiences made with the Online Reporting System (developed and maintained by the Secretariat), are any changes to the Compliance procedures required? Would the Committee have any other suggestions so that the ORS continues to support the reporting and monitoring process?
4. The current workflow of data collection and processing based on the national reports is undertaken mainly by the Secretariat, in order to prepare the draft synthesis/analysis report for the Committee. Would the Committee suggest playing a more active role earlier in the process? Would it prefer to receive updates on new reports during the intersessional period? Are changes to the Compliance Procedures required?
5. Most of the experiences made so far concern Part V of the Compliance Procedures (monitoring and reporting). What are the lessons learnt on the other parts that might suggest changes to the Compliance Procedures? Are changes needed so that Contracting Parties more actively draw upon the other functions of the Compliance Committee? Does the Committee have any practical suggestions for improving the compliance mechanism?

Support

1. The Secretariat developed and manages a dedicated website including a “frequently asked questions” section on compliance. Does the Compliance Committee have any practical suggestions for improvement based on the Compliance Procedures? Any changes to the Compliance Procedures?
2. The Secretariat established and maintains a dedicated helpdesk. Does the Compliance Committee have any practical suggestions for improving this service based on the Compliance Procedures? Any changes to the Compliance Procedures?
3. Based on the guidance received from the Committee and the Governing Body, the Secretariat regularly offers training and capacity development activities on national reporting and compliance. Does the Compliance Committee have any practical suggestions for improvement based on the Compliance Procedures? Any changes to the Compliance Procedures?
4. Does the Compliance Committee have any practical suggestions for specific partnerships to support the compliance mechanism, beyond the ones established by the Secretariat (WIEWS, SDG reporting)? Are there any additions that would be needed in the Compliance Procedures?
5. Based on the guidance received from the Committee and the Governing Body, the Secretary regularly informs Contracting Parties of the reporting cycles, invites requests for advice, and offers support. Does the Compliance Committee have any practical suggestions for improvement based on the Compliance Procedures? Any changes to the Compliance Procedures?
6. Both the members of the Committee and the Secretariat interact directly with Contracting Parties to provide support on the compliance mechanism. Does the Compliance Committee have any practical suggestions for improvement based on the Compliance Procedures? Any changes to the Compliance Procedures?

REPORT OF THE COMPLIANCE COMMITTEE TO THE TENTH SESSION OF THE GOVERNING BODY

I. INTRODUCTION

1. The fifth meeting of the Compliance Committee of the International Treaty on Plant Genetic Resources for Food and Agriculture was held from 28 to 29 March 2023 at FAO headquarters, in Rome, Italy. The Compliance Committee was established by Resolution 3/2006 of the Governing Body, pursuant to Articles 19.3e and 21 of the International Treaty.
2. The Governing Body, at its Fifth Session, approved the *Rules of Procedure of the Compliance Committee*,² as well as the (voluntary) *Standard Reporting Format, Pursuant to Section V.1 of the Procedures and Operational Mechanisms to Promote Compliance and Address Issues of Non-Compliance*.³ The *Procedures and Operational Mechanisms to Promote Compliance and Address Issues of Non-Compliance*⁴ (Compliance Procedures) were approved at the Fourth Session of the Governing Body.
3. The meeting was convened 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*.
4. The committee elected Ms Priya L. BHANU as Chairperson, and Mr Mahendra PERSAUD as Vice-Chairperson.
5. This report highlights the work undertaken by the Compliance Committee during the current biennium in the exercise of its functions.
6. Based on its work, the Committee prepared, for the consideration of the Governing Body, the draft Resolution on Compliance, contained in *Annex 3* of this Report.

II. MONITORING THE IMPLEMENTATION BY CONTRACTING PARTIES OF THEIR OBLIGATIONS UNDER THE TREATY

7. In accordance with Section IV of the *Compliance Procedures*, the Committee considered the reports received from 91 Contracting Parties pursuant to Section V of the *Compliance Procedures*, as listed in *Annex 1*. Accordingly, the Committee prepared a synthesis based on the reports received, along with an analysis.
8. The synthesis and analysis, as contained in *Annex 2*, are meant to assist the Governing Body in monitoring the implementation by Contracting Parties of their obligations under the International Treaty. The synthesis and analysis provided in this report are based on the reports received as of 28 March 2023.
9. The reports included 21 from the Africa Region, 11 from the Asia Region, 26 from the European Region, 15 from the Latin America and the Caribbean Region, 12 from the Near East Region, 2 from the North America Region, and 4 from the South West Pacific Region.
10. The reports used the voluntary *Standard Reporting Format Pursuant to Section V.1 of the Procedures and Operational Mechanisms to Promote Compliance and Address Issues of Non-Compliance* and were submitted through the Online Reporting System (ORS). The Committee recognized that the ORS facilitates the review of reports already submitted, including their updates.

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

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

⁴ [Resolution 2/2011](#), Annex.

Methodology

11. The information is presented following the structure of the *Standard Reporting Format*. The synthesis aims to identify progress in and constraints to the implementation of the International Treaty at national level, as well as provide some general observations.

12. Where appropriate and relevant, the Committee agreed to categorize the submissions into economic and regional groupings in certain sections, including the reference to developing and developed country Contracting Parties. Where possible and useful, the Committee sought to highlight regional trends.

III. REVIEWS IN THE MANDATE OF THE COMPLIANCE COMMITTEE

13. The Committee considered the document, IT/GB-10/CC-5/23/4, *Reviews under the Mandate of the Compliance Committee and Future Work*, and welcomed the framework proposed by the Secretariat with three main sections or pillars dealing with the structure, the execution and the support provided to Contracting Parties under the Compliance Procedures. The Committee agreed to use the framework as a basis for further work.

14. The Committee considered various questions under the three pillars of the review framework. The Committee agreed to regularly review the activities that fall under the “support” pillar of the review framework. The Committee noted the need to continue the review of the “structure” and “execution” pillars within the review framework, once information and submissions from 80% of Contracting Parties is available, with the view to making appropriate recommendations to the Governing Body.

15. The Committee agreed to recommend to the Bureau of the Governing Body and the Governing Body the replacement of the titles of Chair and Vice-Chair of the Committee with that of Co-Chairs, to be consistent with the structure and language of other subsidiary bodies.⁵

IV. FUTURE WORK OF THE COMMITTEE

16. The Committee invited those Contracting Parties that have not yet submitted their reports to send them as soon as possible. It also invited those Contracting Parties that have submitted their reports to update them, as necessary. The reports will remain valid until such date as they are updated.

17. Furthermore, the Committee noted that the ORS facilitates the submission of information from one reporting cycle to the following, as well as their updates, and encouraged Contracting Parties to do it as frequently as needed. The Committee noted that when a Contracting Party provides an update, the ORS provides the last version of the report to work from, which facilitates a simple update process and allows Contracting Parties to only provide updates where circumstances have changed.

18. The Committee invited Contracting Parties to provide information on the factors that limit or inhibit the submission of the national reports.

19. Considering that the Eleventh Session of the Governing Body is likely to be scheduled for late 2025, the Committee is planning to hold its sixth meeting in early 2025. In order to give all Contracting Parties sufficient time to submit their reports in the second reporting cycle, while still allowing the Committee to prepare its synthesis and analysis in time for the Eleventh Session of the Governing Body, the Committee recommends extending the deadline to 1 October 2024.

20. Furthermore, the Committee provided advice to the Secretary on the implementation of a range of support measures to increase the visibility of the role and functions of the Committee, to enhance the submission of national reports by Contracting Parties, and to raise awareness about the benefits of reporting.

⁵ Accordingly, if approved, the references to Chair and Vice-Chair will be updated in the *Compliance Procedures* and the *Rules of Procedures* of the Committee.

21. The Committee noted the invitation from the Governing Body to further interact with other subsidiary bodies and delegated the Bureau of the Compliance Committee to liaise with them, as needed.

22. The Committee agreed that the Secretariat would consult with the Chairperson and Vice-Chairperson during the next biennium on whether or not the Committee needs to meet, and if so, when, taking into consideration the *Rules of Procedures of the Compliance Committee*.

V. OTHER MATTERS

23. According to the Compliance Procedures, the Governing Body shall elect, as appropriate, new members for a full term to replace those whose terms are about to expire, bearing in mind that no member shall serve for more than two consecutive terms. The list of members of the Compliance Committee is given in *Annex 4*, with an indication of the positions that will become vacant in the upcoming biennium.

24. In previous Resolutions on Compliance, the Governing Body reiterated the importance of maintaining sufficient resources for the operation of the *Compliance Procedures* and the functioning of the Compliance Committee. It also decided that the costs of the meetings of the Compliance Committee, including those to facilitate the participation of Committee members, shall be included in the Core Administrative Budget, as may be adopted by the Governing Body, supplemented by any voluntary contributions made available for that purpose. The Governing Body requested the Secretary to include such costs in the Core Administrative Budget that is presented to the Governing Body for approval at its regular sessions. The Draft Work Programme and Budget for the 2024-25 biennium will, accordingly, include the estimated costs related to the work of the Compliance Committee.

*Annex I***List of Contracting Parties that submitted a report pursuant to Section V.1 of the Procedures and Operational Mechanisms to Promote Compliance and Address Issues of Non-Compliance⁶**

Albania	12/8/2022	Iraq	31/12/2021
Argentina	21/12/2018	Ireland	12/4/2021
Armenia	4/5/2021	Italy	30/4/2021
Australia	1/5/2019	Japan	28/3/2023
Bangladesh	7/10/2018	Jordan	6/9/2022
Bhutan	22/2/2017	Kuwait	30/4/2021
Bolivia	26/10/2018	Lao PDR	28/5/2021
Brazil	12/7/2019	Latvia	1/5/2021
Burkina Faso	16/6/2021	Lebanon	27/12/2022
Cameroon	15/11/2018	Lesotho	9/11/2022
Canada	5/9/2017	Libya	5/5/2016
Chad	24/3/2021	Lithuania	29/09/2022
Chile	1/5/2019	Madagascar	10/5/2017
Congo	29/10/2018	Malaysia	3/10/2018
Cook Islands	6/7/2021	Mali	24/3/2021
Costa Rica	21/5/2021	Malta	21/9/2018
Croatia	30/4/2021	Mauritius	5/8/2021
Cuba	1/11/2016	Morocco	4/9/2019
Cyprus	3/10/2022	Namibia	31/1/2023
Denmark	16/2/2018	Nepal	8/11/2019
Ecuador	11/1/2023	the Netherlands	5/12/2016
Egypt	24/08/2022	Nicaragua	16/12/2022
El Salvador	30/4/2019	Niger	10/11/2018
Eritrea	13/12/2018	Norway	5/12/2016
Estonia	6/5/2021	Oman	20/5/2021
Eswatini	1/5/2019	Pakistan	21/5/2021
Ethiopia	22/12/2018	Papua New Guinea	8/2/2019
Fiji	4/5/2021	Peru	2/10/2018
Finland	20/9/2017	the Philippines	13/01/2017
France	9/6/2021	Poland	6/3/2023
Germany	5/12/2016	Republic of Moldova	1/1/2021
Guatemala	18/1/2019	Rwanda	3/2/2020
Guyana	18/5/2021	Saudi Arabia	6/5/2021
Honduras	17/5/2019	Serbia	6/7/2021
Hungary	4/10/2022	Seychelles	12/7/2021
India	28/1/2019	Slovenia	24/11/2016
Indonesia	13/3/2019	Spain	28/4/2021

⁶ New or updated reports received since the preparation of the report for the Ninth Session of the Governing Body, including from Contracting Parties who updated their reports under the second reporting cycle, are marked in bold. The date refers to the latest date of submission or update of the report. The actual cut-off date of the first reporting cycle was 31 May 2019 for the synthesis report submitted to the Eighth Session of the Governing Body. Pursuant to the *Compliance Procedures* reports are to be submitted every five years.

Sri Lanka	17/5/2021	United Kingdom	29/4/2021
Sudan	25/9/2017	United States of America	19/10/2018
Sweden	26/10/2016	Uruguay	16/11/2018
Switzerland	5/12/2016	Venezuela (Bolivarian Republic of)	1/10/2018
Syrian Arab Republic	17/5/2019	Yemen	9/1/2023
Tanzania	4/5/2021	Zambia	23/4/2021
Togo	13/8/2018	Zimbabwe	28/3/2023
Türkiye	25/1/2023		
Uganda	18/3/2022		
United Arab Emirates	5/8/2022		

Annex 2

**SYNTHESIS AND ANALYSIS OF REPORTS RECEIVED PURSUANT TO SECTION V OF
THE COMPLIANCE PROCEDURES**

I. INTRODUCTION

1. According to Section V.3 of the *Procedures and Operational Mechanisms to Promote Compliance and Address Issues of Non-Compliance (Compliance Procedures)*,⁷ the Committee shall submit to the Governing Body, for its consideration, a synthesis based on the reports that it has received, together with an analysis that addresses any priorities set by the Governing Body. No priorities have, so far, been set by the Governing Body for this analysis.
2. The draft synthesis and analysis provided in this document follow the structure and format of the similar documents considered by the Committee at its previous meetings.
3. This document contains the analysis of the reports received from 91 Contracting Parties up to 28 March 2023. The detailed list is given in *Appendix 1*. The number of reporting Contracting Parties has increased steadily since the beginning of the reporting process, with 79 Contracting Parties having reported by the Ninth Session of the Governing Body.

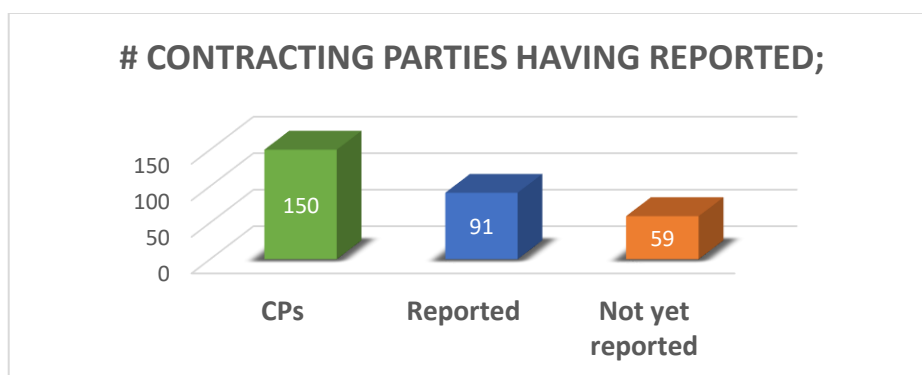
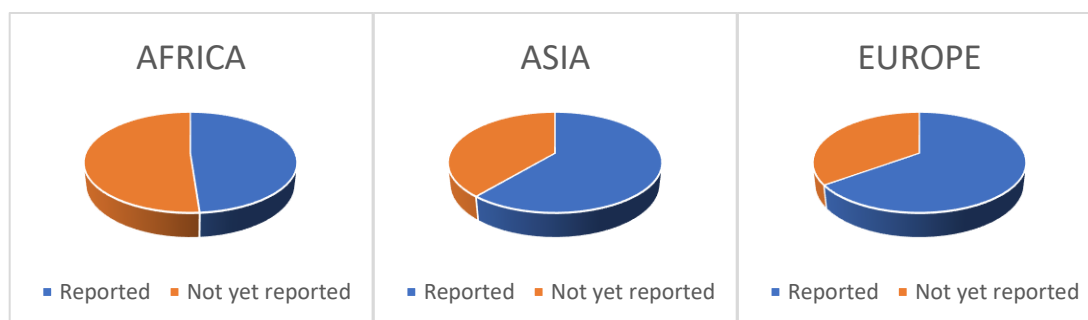


Figure 1. Contracting Parties having submitted a report (by number).

4. Of the reports from 91 Contracting Parties analysed in this document, 21 were received from the Africa Region (equalling 49 percent of Contracting Parties of the Region), 11 from the Asia Region (61 percent), 26 from the European Region (65 percent), 15 from the Latin America and the Caribbean Region (68 percent), 12 from the Near East Region (80 percent), 2 from the North America Region (100 percent) and 4 from the South West Pacific Region (40 percent).



⁷ [Resolution 2/2011](#), Annex.

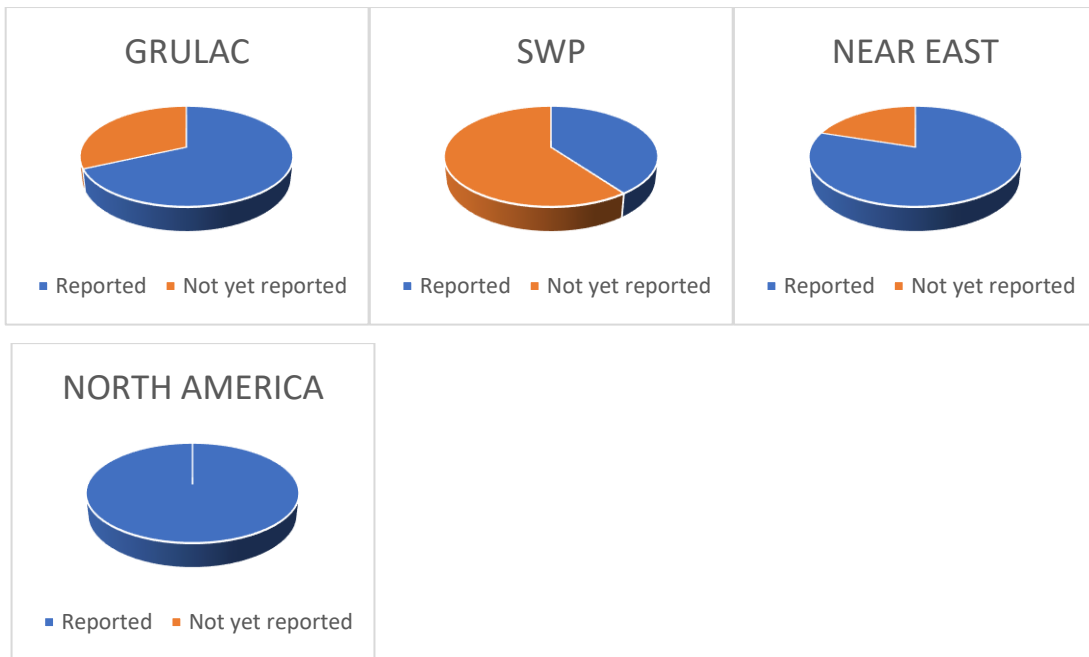
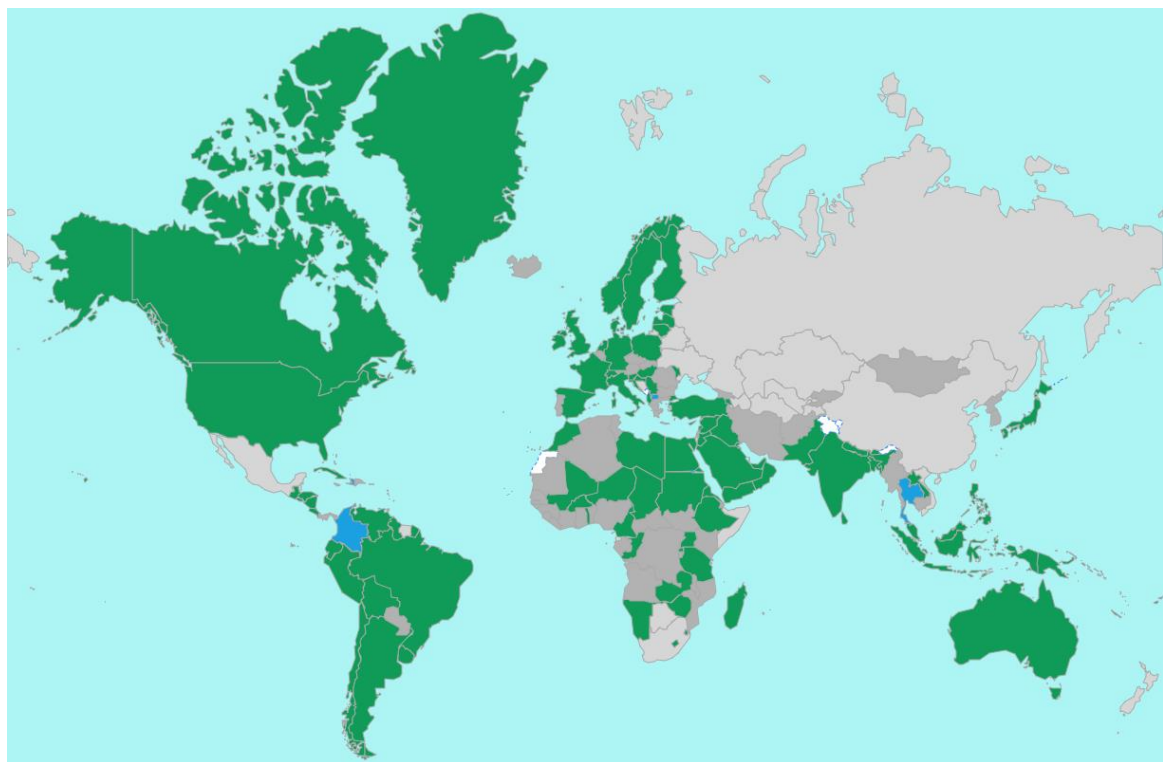


Figure 2. Share of Contracting Parties having submitted a report, per region.



Source: Map from UN Geospatial Service. The boundaries and names shown and the designations used on this map do not imply the expression of any opinion whatsoever on the part of FAO concerning the legal status of any country, territory, city or area or of its authorities, or concerning the delimitation of its frontiers and boundaries. Dotted line represents approximately the Line of Control in Jammu and Kashmir agreed upon by India and Pakistan. The final status of Jammu and Kashmir has not yet been agreed upon by the parties. Final boundary between the Sudan and South Sudan has not yet been determined.

Report submitted **No report** **Signed but not yet ratified** **Non CP**

Figure 3. Map with Contracting Parties having submitted a report washed in green.

5. It is to be noted that most of the national reports received so far were submitted using the version of the *Standard Reporting Format* contained in Resolution 9/2013.⁸ Accordingly, this synthesis report adheres to the structure, language and format of the *Standard Reporting Format* contained in Resolution 9/2013, as only the most recent national reports used the updated Standard Reporting Format.⁹ This will be adapted for the next synthesis report, which is projected to be prepared after the conclusion of the second reporting cycle.

6. The Governing Body may wish to note that several Contracting Parties informed the Secretary that they consider the national reports to be an important self-assessment tool to measure their progress in national implementation of the International Treaty, including by collaborating with other Contracting Parties, Regions or stakeholders.

7. The Committee has considered the contents of the national reports as one of the sources to define and prioritize capacity development activities in different Contracting Parties and Regions. In their reports, several Contracting Parties express needs for further action on national implementation and, directly or indirectly, request support from the Secretary and other partners.

II. SUMMARY OF MAIN DEVELOPMENTS SINCE PREVIOUS REPORT

8. An additional 19 reports were received since 15 August 2021 (cut-off date for the preparation of the Committee's report to the Ninth Session of the Governing Body), as given in *Appendix 1*, from the Africa, Asia, Europe, GRULAC and Near East regions. Of these reports, 12 were from Contracting Parties reporting for the first time. One report was submitted in 2021 (after 15 August), eleven new reports in 2022 and seven so far in 2023.

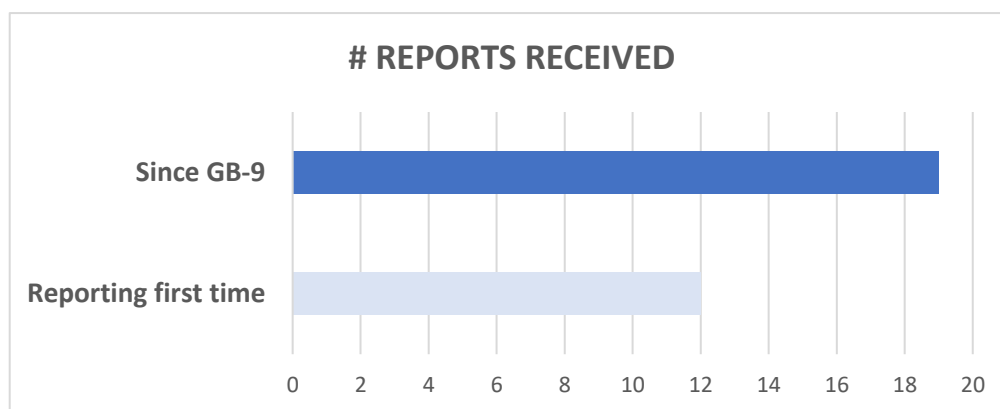


Figure 4. Number of reports received since the Ninth Session of the Governing Body; number of reports received from Contracting Parties reporting for the first time.

9. A significant increase in the number of reports submitted can be perceived in 2021, following the implementation of various capacity development activities by the Secretary, based on the guidance by the Compliance Committee. A comparable increase was seen at the end of 2018, when the Secretary held capacity development workshops in several regions that coincided with the conclusion of the first reporting cycle.

⁸ [Resolution 9/2013 Rev.1](#), Compliance, Annex 2.

⁹ [Resolution 7/2019](#), Compliance.

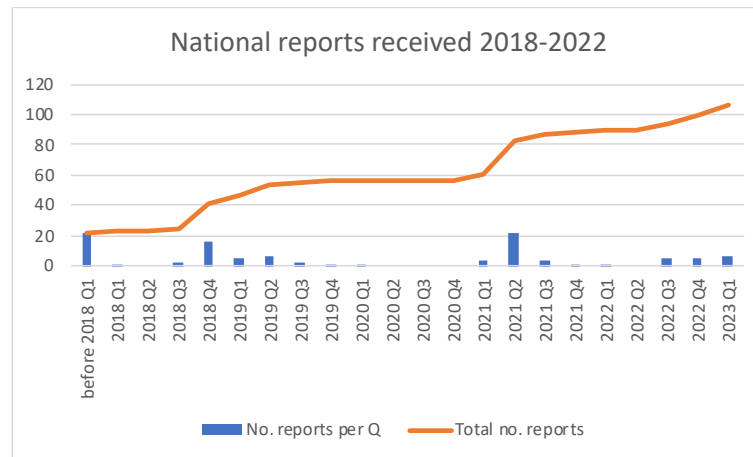


Figure 5. Reports received in the period 2018-2022 (by number); per quarter and total.

10. A relatively stable increase in the number of reports per year can be seen in the period 2016 to 2022, with the exception of the first year of the COVID-19 pandemic in 2020.

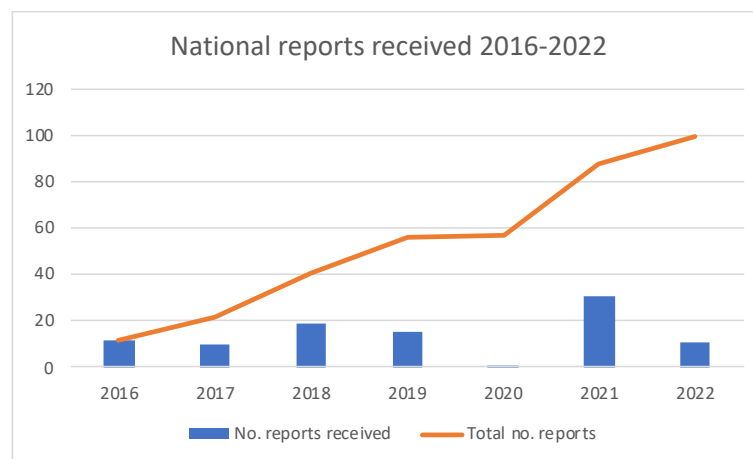


Figure 6. Reports received in the period 2016-2022 (by number), per year and total.

11. In terms of content, the responses in the additional 19 reports received did not significantly change the ratios or percentages of replies to the questions, nor their regional distribution. This means, the additional reports follow the general trends identified in earlier versions of this synthesis and analysis, or their limited number did not lead to a change in results.

12. One result worth highlighting is that within the group of the 12 Contracting Parties reporting for the first time, five have not notified any material available in the Multilateral System, whereas three notified all material and four did so partially (Question 20).

13. Another deviation in the pattern, considering only the reports from the 12 Contracting Parties reporting for the first time, is the facilitated access to Annex I PGRFA provided in the country to CGIAR Centers or other Art. 15 institutions (Question 32). Only four out of the 12 Contracting Parties replied positively, whereas 8 replied negatively.

III. SYNTHESIS

A. General Obligations (Article 4)

14. Pursuant to Article 4 of the International Treaty each Contracting Party shall ensure the conformity of its laws, regulations and procedures with its obligations as provided in the International Treaty.

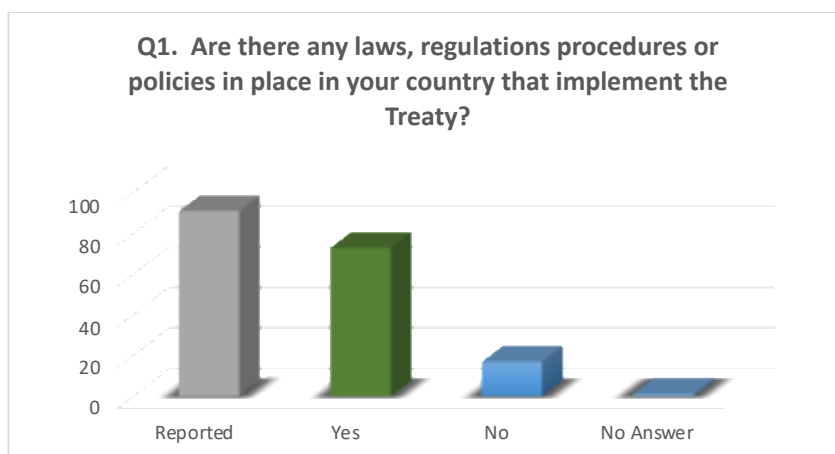


Figure Q1. Reporting Contracting Parties with laws, regulations, procedures or policies in place to implement the International Treaty (by number).

15. Seventy-three Contracting Parties (or 80%) replied that they had laws, regulations, procedures or policies in place that implement the International Treaty, whereas 17 Contracting Parties do not have any such laws, regulations, procedures or policies in place.¹⁰

16. The further details provided in the reports show that most Contracting Parties either implement the International Treaty through laws or other legislative measures or through policies, and that the majority of such measures do not deal exclusively with the International Treaty, but rather consider the International Treaty in a broader context of biodiversity or agriculture.

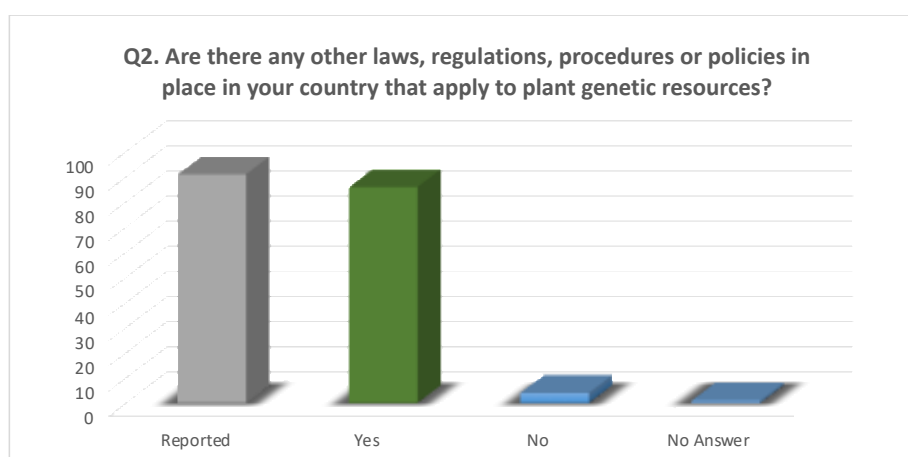


Figure Q2. Reporting Contracting Parties with other laws, regulations, procedures or policies in place to that apply to plant genetic resources (by number).

¹⁰ One Contracting Party did not answer this question.

17. Eighty-six Contracting Parties (or 94%) stated that they have other laws, regulations, procedures or policies in place that apply to plant genetic resources and only four Contracting Parties indicated that it has none.¹¹ These other measures are mostly in the areas of biodiversity, environment protection, biosafety, plant variety protection and marketing of seeds.

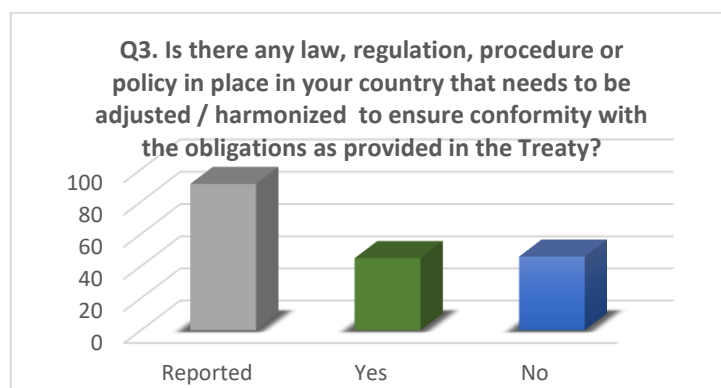


Figure Q3. Reporting Contracting Parties with laws, regulations, procedures or policies that need to be adjusted/harmonized to ensure conformity with International Treaty obligations (by number).

18. Regarding changes to existing laws, regulations, procedures or policies to ensure conformity with the International Treaty, 45 Contracting Parties indicated that they had to make changes (for example, the vast majority of reporting Contracting Parties from the Africa and GRULAC Regions), and 46 Contracting Parties indicated they would not (for example, the vast majority of reporting Contracting Parties from the European Region). The changes mostly relate to Farmers' Rights, including Article 9.3 of the International Treaty.

B. Conservation, Exploration, Collection, Characterization, Evaluation and Documentation of Plant Genetic Resources for Food and Agriculture (Article 5)

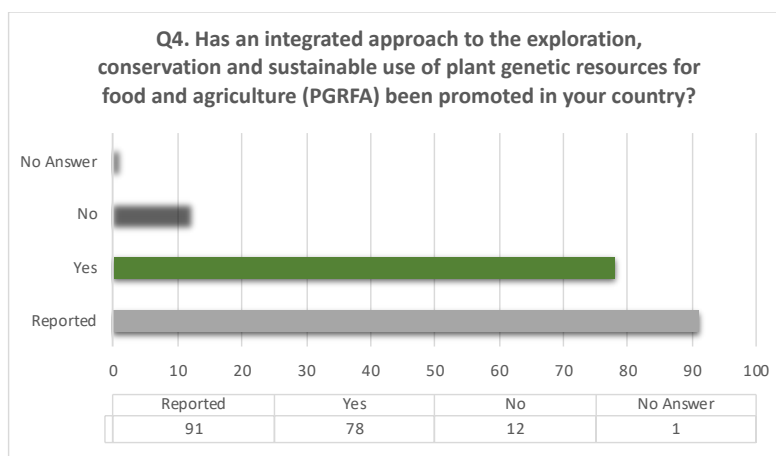


Figure Q4. Reporting Contracting Parties with an integrated approach to the exploration, conservation and sustainable use of PGRFA (by number).

¹¹ One Contracting Party did not answer this question.

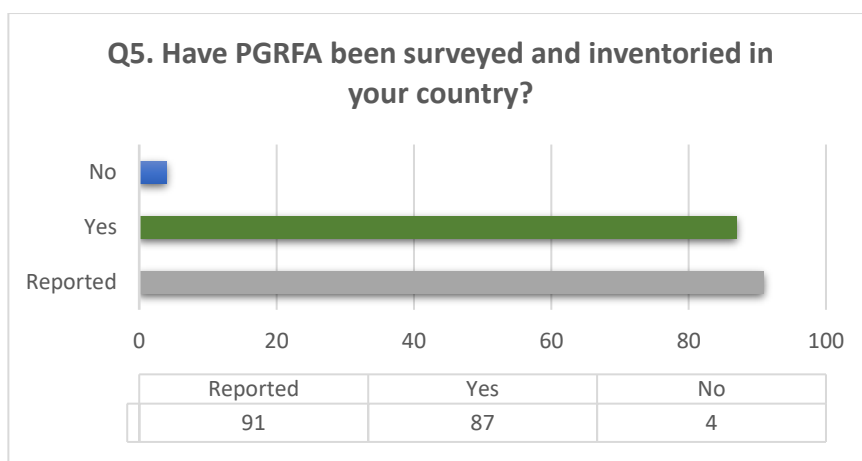


Figure Q5. Reporting Contracting Parties that surveyed and inventoried PGRFA (by number).

19. Seventy-eight reports (or 86 percent) state that they promoted an integrated approach to the exploration, conservation and sustainable use of plant genetic resources for food and agriculture (PGRFA). Eighty-seven reports state that PGRFA have been surveyed and inventoried in their Contracting Parties and only four reporting (developing country) Contracting Party reported not having done so. The range of crops and species is broad, including both *in situ* and *ex situ* conservation, with most Contracting Parties providing detailed and comprehensive lists in their reports and several reports referring to the information provided in the reporting on the implementation of the Second Global Plan of Action.

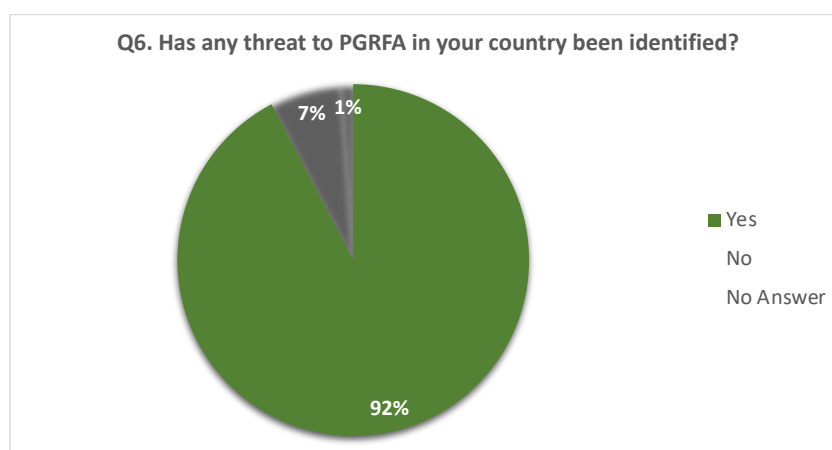


Figure Q6. Reporting Contracting Parties that identified any threat to PGRFA.

20. Eighty-four Contracting Parties state that threats have been identified to PGRFA in their territories and only six Contracting Parties report that no threats have been identified (from both developing and developed countries).¹²

21. The threats repeatedly mentioned include diseases, climate change, droughts, floods, lack of use, lack of market, need for sensitization of decision makers and farmers, changes in land management schemes, unsustainable farming practices including intensification of agriculture, habitat destruction or fragmentation, funding shortfalls, limited qualified personnel and outdated technical capacity. This leads to genetic erosion, as evidenced by the continued loss of local

¹² One Contracting Party did not answer this question.

varieties from farmers' fields. Some of the reports provide a considerable number of details about these threats as well as the threatened crops or species.

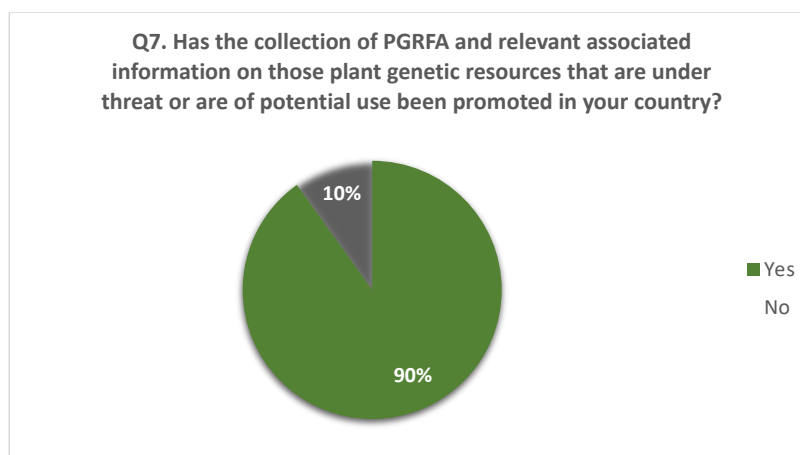


Figure Q7. Contracting Parties reporting that the collection of PGRFA under threat and relevant associated information have been promoted.

22. Eighty-two Contracting Parties (from all Regions) report that the collection of PGRFA and relevant associated information that are under threat or are of potential use have been promoted. Most reports mention research, *ex situ* collections, with particular emphasis on traditional varieties, or development projects.

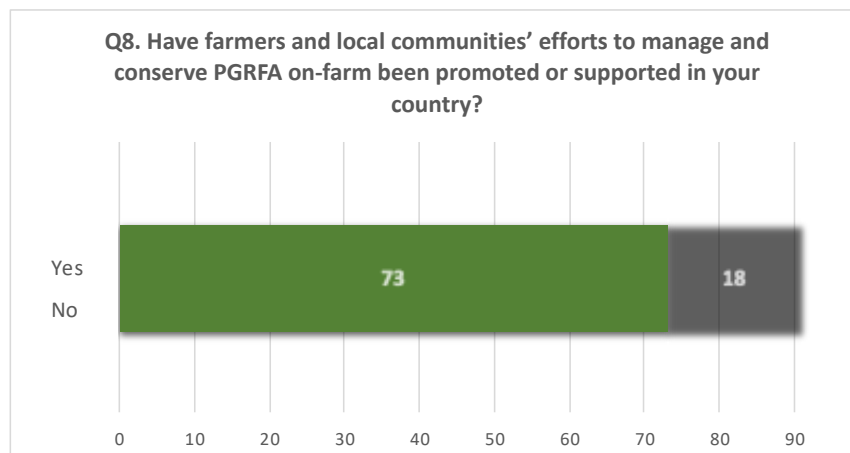


Figure Q8. Reporting Contracting Parties promoting or supporting farmers and local communities' efforts to manage and conserve PGRFA on-farm (by number).

23. Seventy-three reporting Contracting Parties indicate that they have promoted or supported farmers and local communities' efforts to manage and conserve PGRFA on-farm, including through rural development programmes, training activities such as capacity-building workshops, financial support, and support for the registration of varieties in the plant variety registers. All reporting Contracting Parties of the GRULAC and North America Regions, as well as the vast majority of reporting Contracting Parties of all other regions, state having done so.

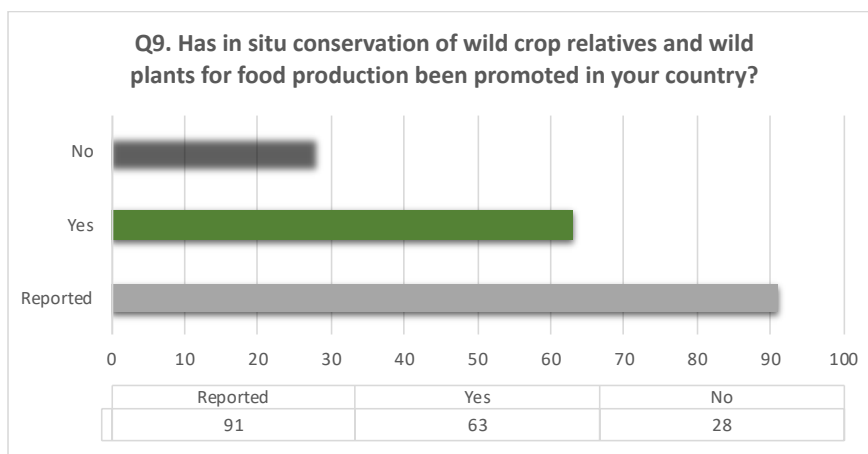


Figure Q9. Reporting Contracting Parties promoting in situ conservation of CWR and wild plants for food production (by number).

24. Sixty-three Contracting Parties report that *in situ* conservation of wild crop relatives and wild plants for food production has been promoted, with 57 having taken measures to promote *in situ* conservation in protected areas and 25 having taken measures to support the efforts of indigenous and local communities, in particular awareness raising and sensitization about the importance of crop wild relatives. Twenty-eight Contracting Parties, comprising both developing and developed countries, report that no such measures have been promoted by them. Whereas all or the vast majority of reporting Contracting Parties from the European, GRULAC, North America and SWP Regions replied positively to this question, no clear trend can be identified for the Africa, Asia, and Near East Regions.

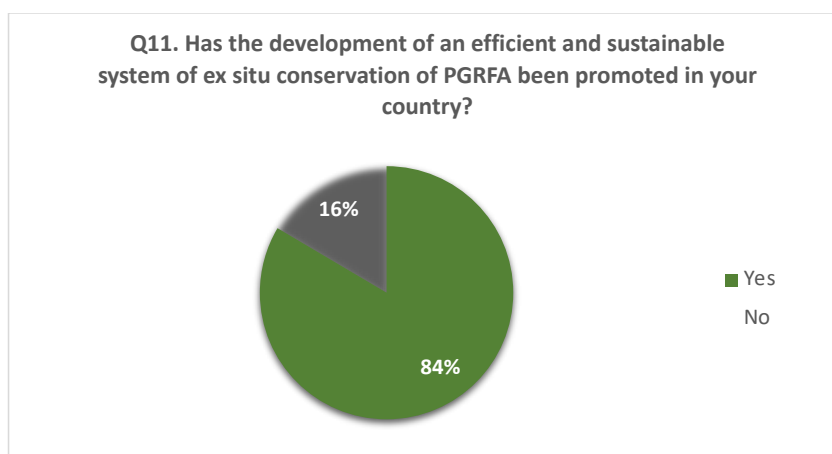
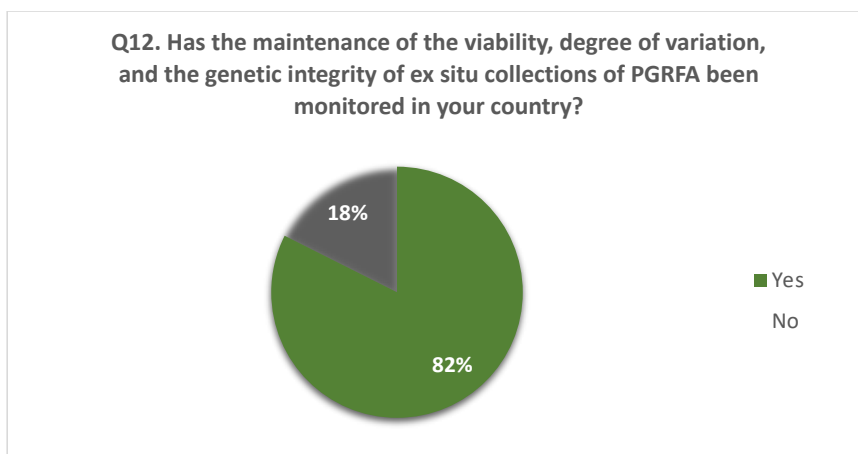


Figure Q11. Reporting Contracting Parties promoting in situ conservation of CWR and wild plants for food production.



*Figure Q12. Reporting Contracting Parties monitoring the viability and genetic integrity of their *ex situ* collections of PGRFA.*

25. All 91 reporting Contracting Parties state that there are *ex situ* collections in their territories and the vast majority of the reports contain detailed lists of *ex situ* collections, with most reports listing the number of accessions. Seventy-six of the reports state that the Contracting Parties have promoted the development of an efficient and sustainable system of *ex situ* conservation of PGRFA, mainly through national or regional programmes, and 75 report that the maintenance of the viability, degree of variation, and the genetic integrity of *ex situ* collections of PGRFA have been monitored.

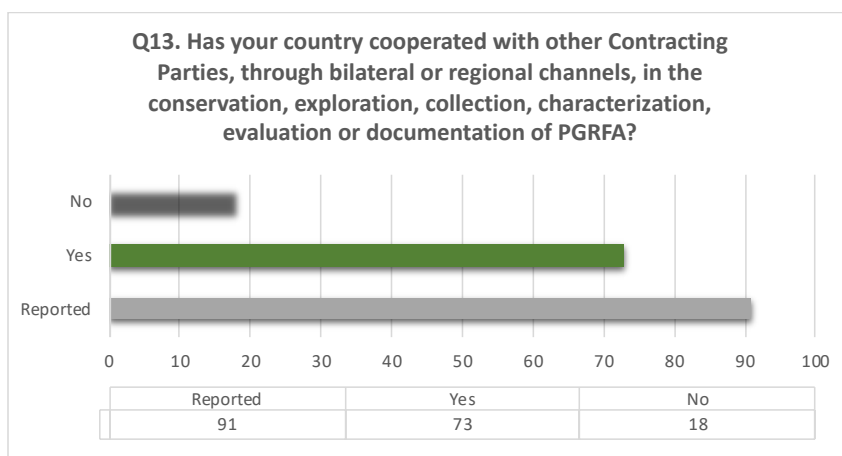


Figure Q13. Reporting Contracting Parties cooperating bilaterally or regionally with other Contracting Parties on Articles 5 and 6 (by number).

26. Finally, 73 reporting Contracting Parties indicate that they have cooperated with other Contracting Parties in the conservation, exploration, collection, characterization, evaluation or documentation of PGRFA.

C. Sustainable Use of Plant Genetic Resources for Food and Agriculture (Article 6)

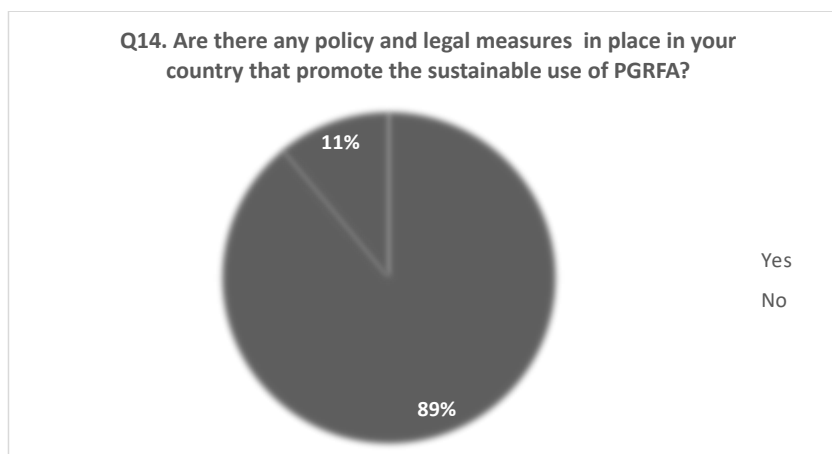


Figure Q14-a. Reporting Contracting Parties with policy and legal measures promoting the sustainable use of PGRFA (by percentage).

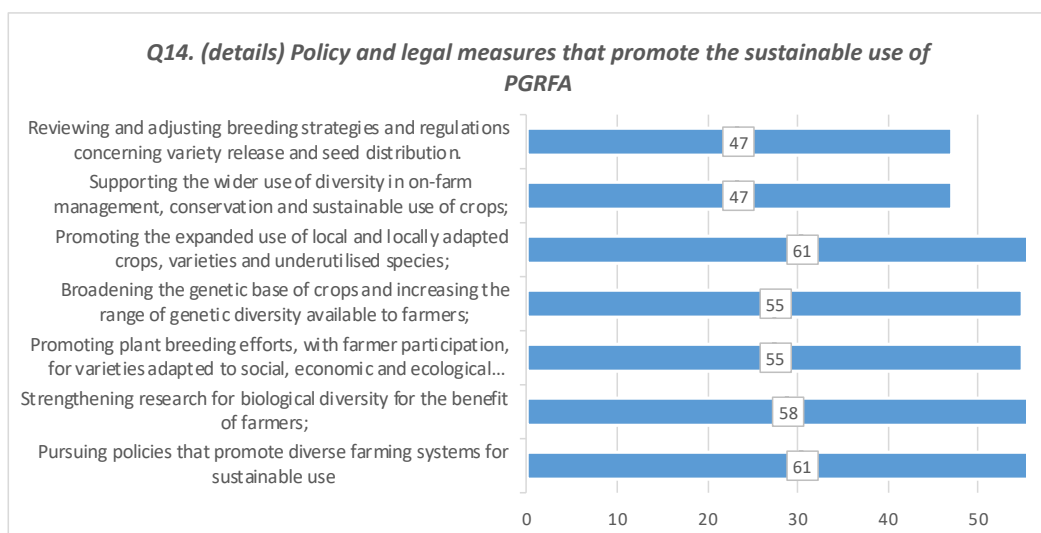


Figure Q14-b. Details for positive replies to Question 14 on policy and legal measures promoting the sustainable use of PGRFA (total positive replies n = 80).

27. Eighty-one reports indicate that policy or legal measures that promote the sustainable use of PGRFA are in place in the Contracting Parties, whereas only ten Contracting Parties report not having any such measures in place.

28. Regarding such policy and legal measures,

- sixty-one Contracting Parties report that they pursue fair agricultural policies that promote the development and maintenance of diverse farming systems that enhance the sustainable use of agricultural biological diversity and other natural resources;
- fifty-eight that they strengthen research that enhances and conserves biological diversity by maximizing intra- and inter-specific variation for the benefit of farmers;

- fifty-five that they promote plant breeding efforts, with the participation of farmers, that strengthen the capacity to develop varieties particularly adapted to social, economic and ecological conditions, including in marginal areas.
- Additionally, 55 Contracting Parties report that they have broadened the genetic base of crops and increased the range of genetic diversity available to farmers;
- sixty-one, that they promote the expanded use of local and locally adapted crops, varieties and underutilized species;
- forty-seven, that they support the wider use of diversity of varieties and species in on-farm management, conservation and sustainable use of crops and creating strong links to plant breeding and agricultural development; and
- forty-seven, that they review and adjust breeding strategies and regulations concerning variety release and seed distribution.¹³

D. National Commitments and International Cooperation (Article 7)

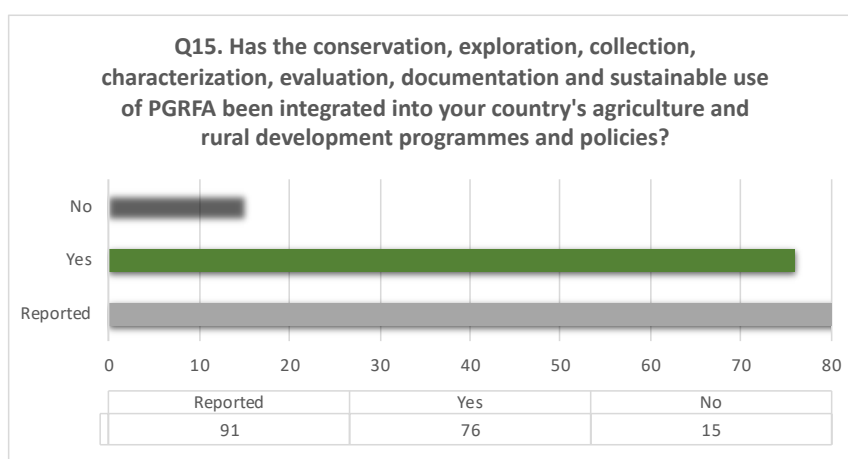


Figure Q15. Reporting Contracting Parties with conservation, exploration, collection activities integrated into their agriculture and rural development programmes and policies (by number).

29. Seventy-six reporting Contracting Parties note that the conservation, exploration, collection, characterization, evaluation, documentation and sustainable use of PGRFA have been integrated into their agriculture and rural development programmes and policies. Fifteen Contracting Parties report not having done so.

¹³ The Secretariat commissioned a Background study on the bottlenecks and challenges to the implementation of Articles 5 and 6 of the International Treaty, which was presented to the Governing Body as document [IT/GB-9/22/12/Inf.2](#). The primary source of information for the data analysis in the study were the reports submitted pursuant to Part V of the *Compliance Procedures*.

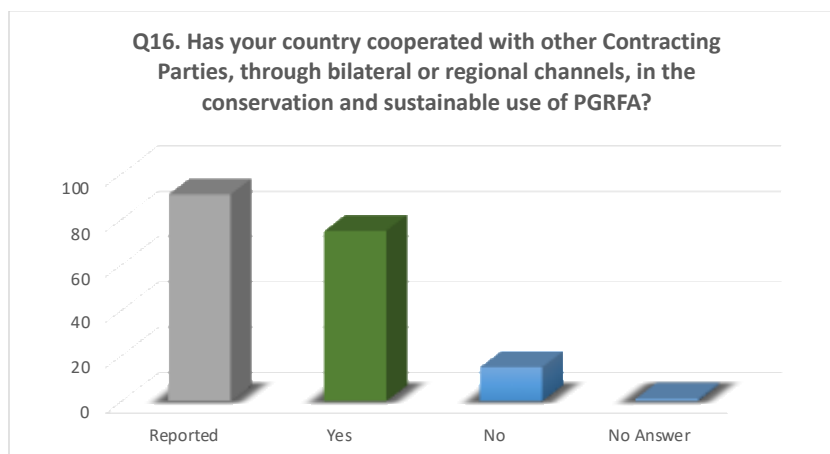


Figure Q16. Reporting Contracting Parties cooperating with other Contracting Parties regionally or bilaterally in the conservation and sustainable use of PGRFA (by number).

30. Seventy-five Contracting Parties report that they have cooperated with other Contracting Parties, through bilateral or regional channels, in the conservation and sustainable use of PGRFA.

31. Twenty Contracting Parties report that the aim of such cooperation was to strengthen the capability of developing countries and countries with economies in transition with respect to conservation and sustainable use of PGRFA. Thirty Contracting Parties report that the aim was to enhance international activities to promote conservation, evaluation, documentation, genetic enhancement, plant breeding, seed multiplication, and sharing, providing access to and exchanging PGRFA and appropriate information and technology, in conformity with the Multilateral System of Access and Benefit-Sharing under the International Treaty. Not all reporting Contracting Parties provide details on their cooperation with other Contracting Parties.

E. Technical Assistance (Article 8)

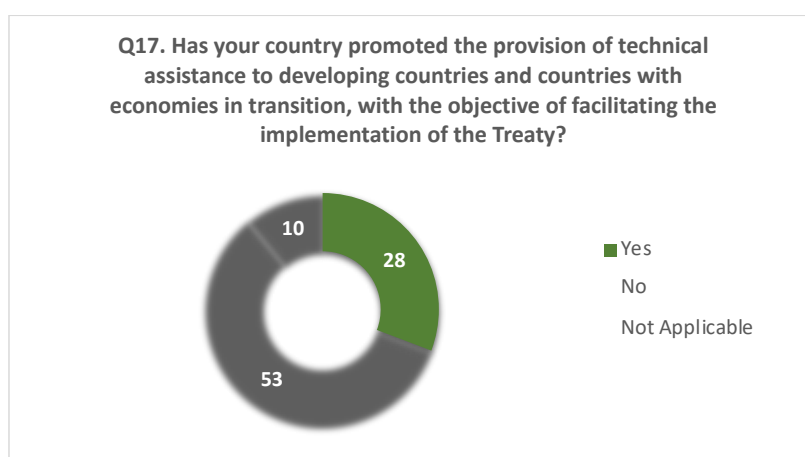


Figure Q17. Reporting Contracting Parties promoting the provision of technical assistance, facilitating International Treaty implementation (by number).

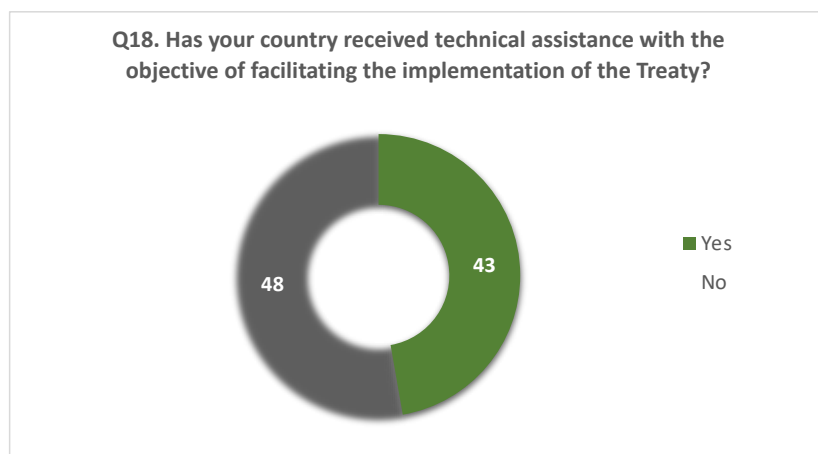


Figure Q18. Reporting Contracting Parties having received technical assistance for International Treaty implementation (by number).

32. Twenty-eight Contracting Parties (almost two thirds of them developed country Contracting Parties) report to have promoted the provision of technical assistance to developing countries and countries with economies in transition, with the objective of facilitating the implementation of the International Treaty. Fifty-three Contracting Parties (the vast majority of reporting developing country Contracting Parties) report not having promoted the provision of such technical assistance to (other) developing countries or to countries with economies in transition. Many developed country Contracting Parties referred to their replies under Question 13 (relating to Article 5 of the International Treaty) or Question 16 (relating to Article 7 of the International Treaty).

33. Accordingly, 43 Contracting Parties (the vast majority of them developing country Contracting Parties) report having received technical assistance with the objective of facilitating the implementation of the International Treaty and 48 (almost all reporting developed country Contracting Parties) report they have not.

F. Farmers' Rights (Article 9)

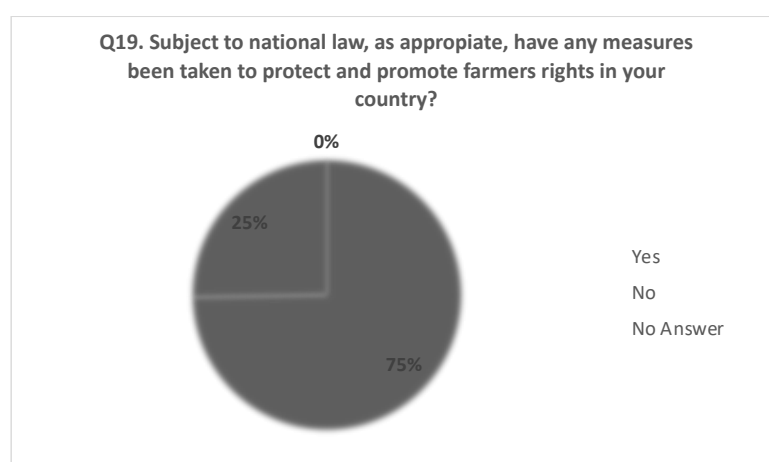


Figure Q19-a. Reporting Contracting Parties having taken measures to protect and promote Farmers' Rights (by percentage).

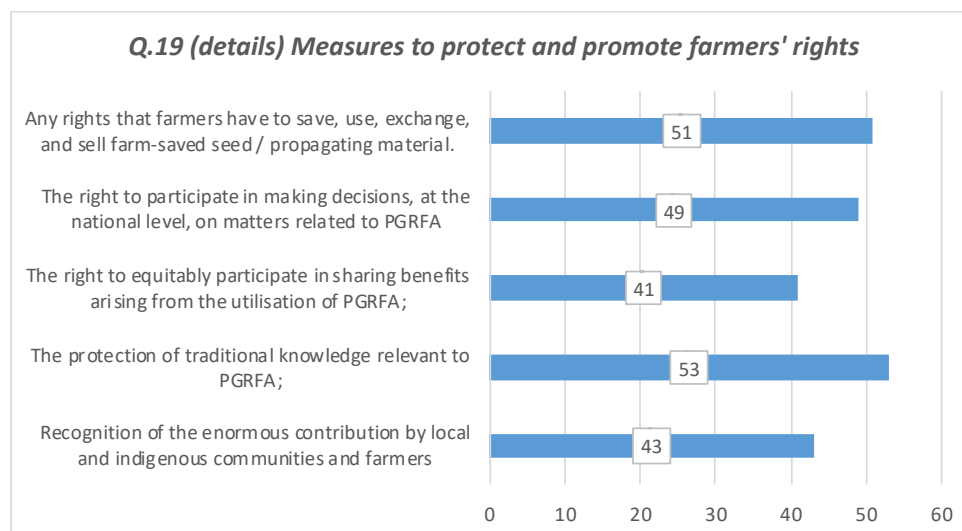


Figure Q19-b. Details for positive replies to Question 19 on measures to protect and promote farmers' rights (total positive replies n = 67).

34. Sixty-eight Contracting Parties, both developing and developed countries, report that they have taken measures to protect and promote farmers' rights, namely,

- forty-three measures relating to the recognition of the enormous contribution that local and indigenous communities and farmers of all regions of the world have made and will continue to make for the conservation and development of plant genetic resources;
- fifty-three measures relating to the protection of traditional knowledge relevant to PGRFA;
- forty-one measures relating to the right to equitably participate in sharing benefits arising from the utilization of PGRFA;
- forty-nine measures relating to the right to participate in making decisions, at the national level, on matters related to the conservation and sustainable use of PGRFA; and
- fifty-one measures relating to any rights that farmers have to save, use, exchange, and sell farm-saved seed / propagating material.

35. Most reports provide further details (with some providing extensive and comprehensive information) on the measures taken, in particular on participation of farmers in decision-making, as well as on seed legislation and plant variety protection laws.

36. Twenty-three Contracting Parties report not having taken any such measures, both developing and developed countries.¹⁴

37. All reporting Contracting Parties from the Asia and Near East Regions and both Contracting Parties from the North America Region replied positively to this question. Eighty percent of reporting Contracting Parties from the GRULAC Region and two thirds from the Africa Region also replied positively. In all Regions, a majority of Contracting Parties replied positively, with the notable exception of the SWP Region, where three out of four reporting Contracting Parties replied not having taken any measures to protect or promote farmers' rights.

¹⁴ One Contracting Party did not answer this question.

G. Multilateral System of Access and Benefit-Sharing (Articles 10 to 13)

i. Coverage

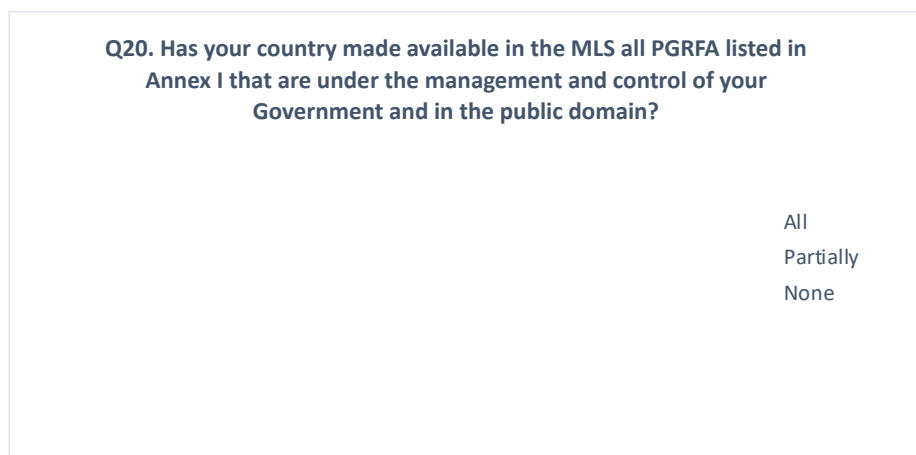


Figure Q20-a. Showing, in the form of percentages, the replies to Question 20 related to the notification of material in the Multilateral System by the Contracting Parties.

38. From the replies analysed, 33 Contracting Parties indicate that they have made available in the Multilateral System (MLS) all PGRFA listed in Annex I to the International Treaty that are under their management and control, and in the public domain. Thirty-one Contracting Parties indicate that they have done so partially, while 27 indicate that they have not notified any material available in the MLS.

39. In total, 70 percent of reporting Contracting Parties have notified partial or total availability of the material listed in Annex I of the International Treaty and 30 percent have not yet notified any material. In the GRULAC, Africa and Near East Regions, the share of Contracting Parties not having notified any material is higher than 30 percent, with 4 to 9 Contracting Parties reporting they have not yet notified any material.

40. In the comments of those that have made available their collections partially, we find a wide range of replies from both developed and developing countries. As requested, many Contracting Parties provide information on the crops that have been made available, on the number of materials by crop or the total number. Most Contracting Parties provide information on the extent of the availability and enumerate the limitations to extend the availability to all Annex I materials:

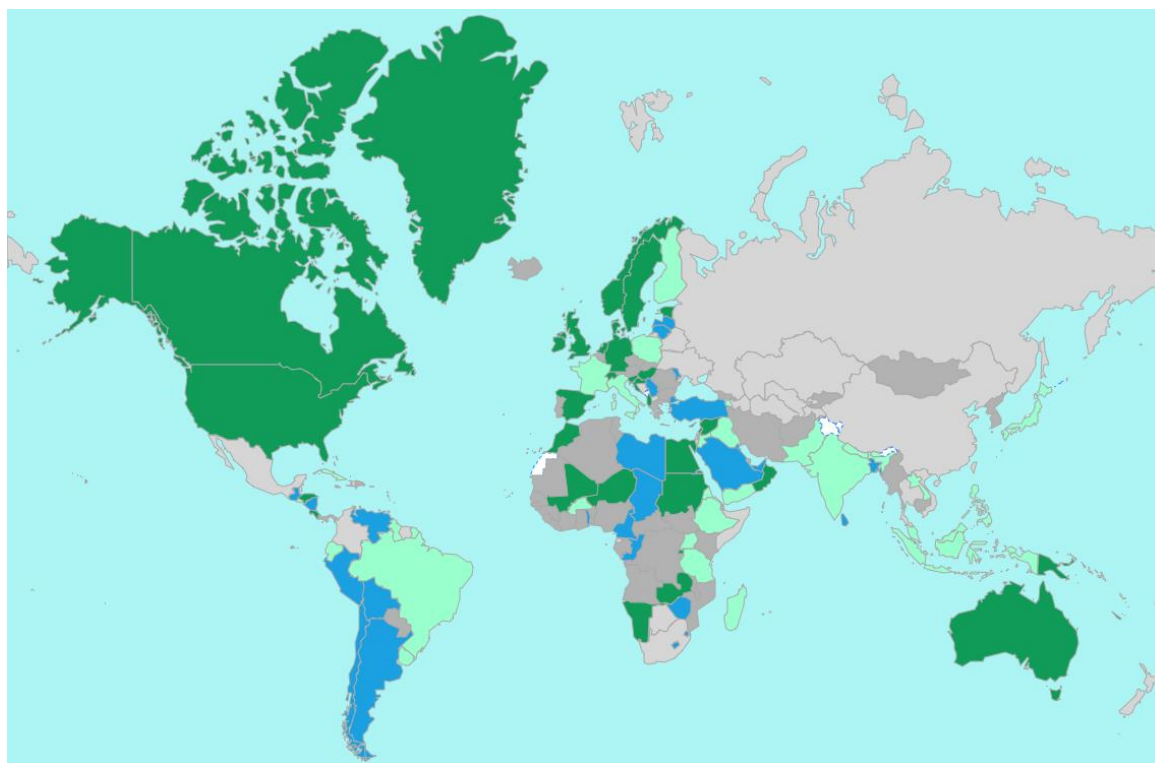
- a. Legal and regulatory measures are still needed at national level, e.g., new laws or decrees are under development, or a new regulation on the International Treaty has not been implemented yet, or the confirmation of the legal status of certain collections or material is pending.
- b. Lack of a registry or passport information on the material. The country is still collecting and documenting information on PGRFA diversity;
- c. Limited financial resources and facilities;
- d. More consultation is needed with stakeholders, including on criteria, for the identification of the material available in the Multilateral System;
- e. The implementation of the International Treaty is relatively recent;
- f. Information technology support for the management of genetic resources is needed or requires time to be planned and executed in collaboration with the curators;

- g.* Only crops in Annex I that have their origin in the Contracting Party have been notified as included;
- h.* No country has expressed interest or reported issues in accessing the national PGRFA belonging to Annex I.

41. Most of the Contracting Parties that indicate they have not made available material available are developing countries. The main reasons identified in the reports are:

- a.* The need of a reviewed legal framework or a new law to implement the International Treaty, including to allow for the notification of material;
- b.* The lack of adequate national guidelines for the identification and notification of material available (e.g., for the inclusion of wild relatives of Annex I species that are threatened by extinction);
- c.* There is no gene bank or catalogue of PGRFA in the country,
- d.* Lack of specialised human resources, for example to develop a PGRFA catalogue or build and maintain a national gene bank;
- e.* Limited economic resources and the need for capacity development;
- f.* The decision to determine whether the material is in the public domains resides in sub-national authorities in provinces, regions or federated states and this consideration requires further information, consultation, and consideration at various levels of government;
- g.* There is a low perception of the benefits from the International Treaty in public institutions that hold the material (e.g., the monetary benefits, when they return to the country, go to other stakeholders) and low interest to collaborate.

42. In some cases, the Contracting Parties indicate that the development of new legislation and guidelines are underway, or that some initial efforts have been made, but there were still financial difficulties and the need for additional activities related to awareness raising, capacity development and direct training and support regarding the functioning of the Multilateral System at the national level.



Source: Map from UN Geospatial Service. The boundaries and names shown and the designations used on this map do not imply the expression of any opinion whatsoever on the part of FAO concerning the legal status of any country, territory, city or area or of its authorities, or concerning the delimitation of its frontiers and boundaries. Dotted line represents approximately the Line of Control in Jammu and Kashmir agreed upon by India and Pakistan. The final status of Jammu and Kashmir has not yet been agreed upon by the parties. Final boundary between the Sudan and South Sudan has not yet been determined.



Figure Q20-b. Showing the geographic distribution of the replies to question 20 regarding the notification of material available in the Multilateral System.

Q21. Has your country taken measures to encourage natural and legal persons within your jurisdiction who hold Annex I PGRFA to include those resources in the MLS?

Yes

No

Figure Q21. Reporting Contracting Parties having taken measures to encourage natural and legal persons to include PGRFA in the MLS (percentage).

43. Only 24 Contracting Parties, representing 26 percent of the total number of reporting Contracting Parties, report measures to encourage natural and legal persons within their jurisdictions, who hold Annex I PGRFA, to include those resources in the MLS. The only region,

where a (slight) majority of reporting Contracting Parties replied positively, is the European Region (with 14 positive replies out of 26).

44. The measures include the development of awareness raising materials and the organization of workshops with stakeholder groups, mainly universities, plant breeders' associations and groups. One Contracting Party indicates the support of a national initiative of plant breeders with the specific aim to include material in the MLS. Another one notes that the national gene bank is encouraging private companies to include material and that it is maintaining material which will be made available once the plant variety protection (PVP) expires. A third country reports that NGOs and natural persons are making the material available through donations to the national gene bank and that there are ongoing discussions to make available an entire private collection. By proceeding in this way, the donation feeds both the MLS and the national gene bank with material which has previously not been under the management or control of the government.

45. In some cases, the Contracting Parties provide the list of institutions, including private companies that have already agreed to make their material available under the terms and conditions of the MLS. Several Contracting Parties indicate that the support of national initiatives or activities with plant breeders with the specific aim to include material in the MLS have resulted in more material being available in the MLS. In most Contracting Parties of this group, the existence and the role of the national genebank is central in the implementation of the measures.

46. A few Contracting Parties report that despite the information provided, stakeholders – mainly private seed companies – did not show interest in making their material available because they do not see direct benefits, or they do not wish to disclose what PGRFA they hold. Other Contracting Parties report that although some efforts have been made so far, no stakeholders have yet made material available in the MLS.

47. For this question, there is information on why the Contracting Parties have not taken action in this regard:

- a. The legal framework has not yet been put in place to guide the different stakeholders;
- b. Only the national genebank is operating with PGRFA, and there are no other *ex situ* collections in the country;
- c. Private holders of PGRFA already include their collections in the national genebank for further distribution under the MLS;
- d. There is no inventory of private PGRFA holders, which makes it difficult to obtain the necessary information;
- e. The commitment related to the distribution of material “may exceed” the capacity of the natural and legal persons to handle the incoming requests of the PGRFA from their collections;
- f. Low awareness about the importance of sharing PGRFA with the MLS and about the objectives and goals of the International Treaty and the MLS;
- g. Lack of financial resources for this activity.

b) Facilitated access: measures taken and SMTA use

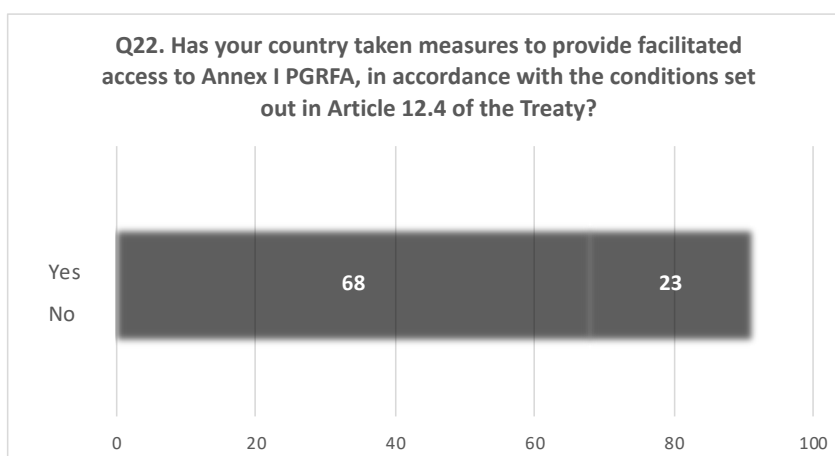


Figure Q22. Showing the replies to Question 22 (by number).

48. In total, 68 Contracting Parties report having taken measures to provide facilitated access to PGRFA listed in Annex I, in accordance with the conditions set out in Article 12.4 of the International Treaty. This figure represents 75 percent of the responses. The measures reported comprise the provision of information or guidance to relevant stakeholders, the dissemination of information on the use of the SMTA, notification to the International Treaty Secretariat of the material available in the MLS, the increased visibility of PGRFA in the gene bank catalogues, communication of the material available to several websites – at accession level – and the setting up of a national committee to review the incoming requests of material.

49. On the other side, 23 Contracting Parties (18 of them developing countries) indicate that no measures have been taken, 18 of them from the GRULAC, Near East and Africa regions. Several Contracting Parties indicate that no requests have been received so far for these materials.

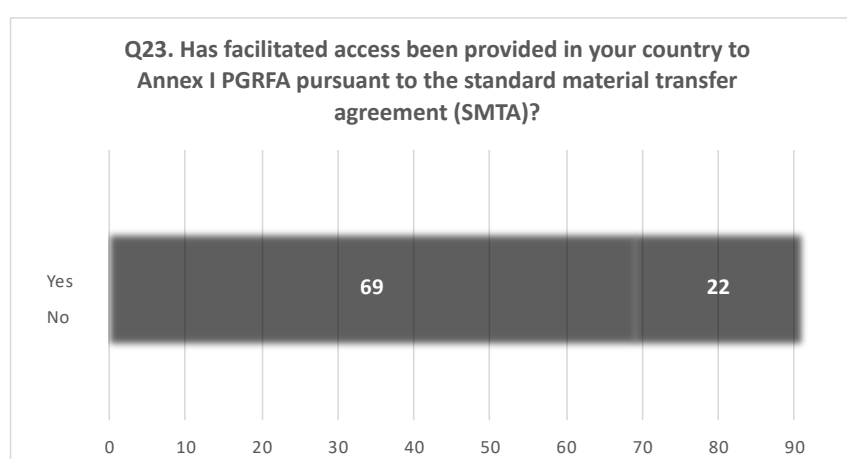


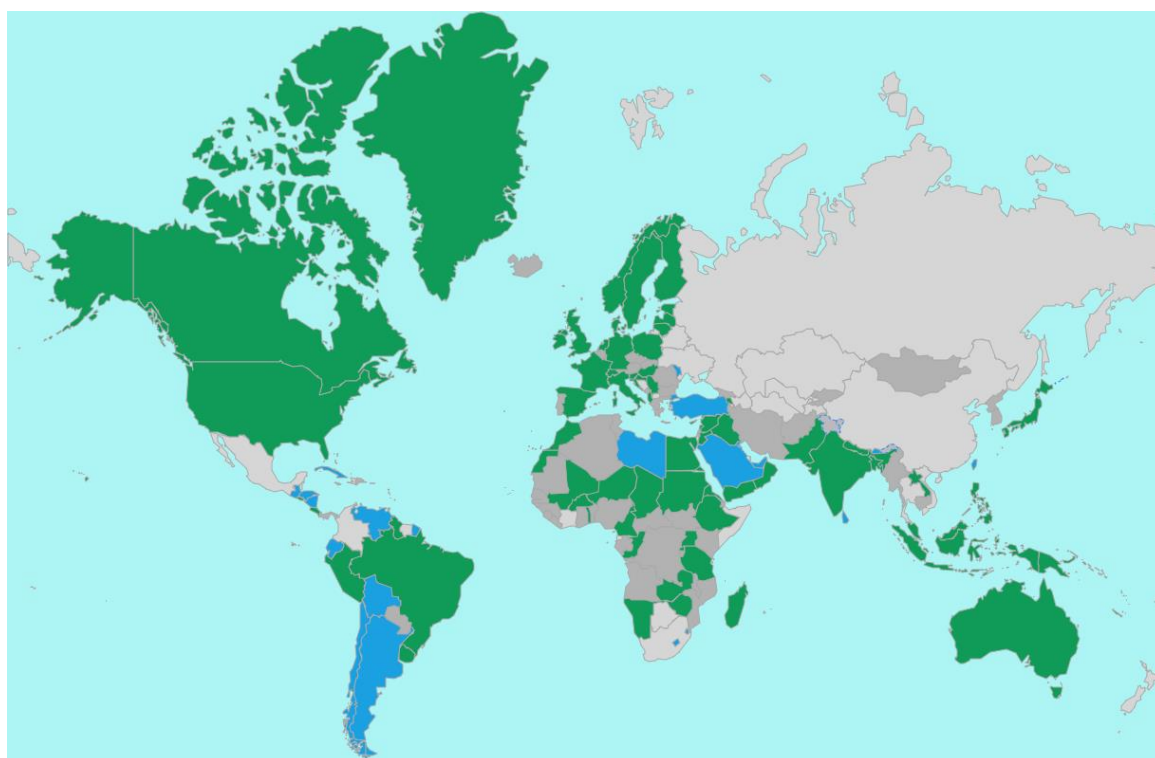
Figure Q23a. Replies to Question 23 (by number).

50. Furthermore, 69 Contracting Parties report that facilitated access has been provided to Annex I PGRFA using the Standard Material Transfer Agreement (SMTA), which represents 76 percent of the submissions. In all regions, a majority of reporting Contracting Parties state they have provided facilitated access pursuant to the SMTA, with the exception of the GRULAC region.

51. Some reports provide the total figures of the agreements concluded – one Party reported more than 7 000 SMTAs transferring almost 140 000 samples, another one 409 shipments transferring 4 287 samples, while others indicate that they have difficulties in getting the numbers because the distribution of material is decentralized. Many of these Contracting Parties state that the national providers are reporting to the Governing Body through EASY-SMTA,¹⁵ and that the figures can be easily generated from that System by the Secretariat.¹⁶

52. According to the figures extracted from the Data Store, the material distributed through the MLS has been sent from 58 countries with more than 91 000 SMTAs.¹⁷

53. In total, 22 Contracting Parties report that they have not used the SMTA during the reporting period, 13 of them being from Africa and GRULAC. As regards the reasons, they report that no requests were received so far, that they have no gene bank or an enabling national regulation, or that awareness among policy makers needs to be increased.



Source: Map from UN Geospatial Service. The boundaries and names shown and the designations used on this map do not imply the expression of any opinion whatsoever on the part of FAO concerning the legal status of any country, territory, city or area or of its authorities, or concerning the delimitation of its frontiers and boundaries. Dotted line represents approximately the Line of Control in Jammu and Kashmir agreed upon by India and Pakistan. The final status of Jammu and Kashmir has not yet been agreed upon by the parties. Final boundary between the Sudan and South Sudan has not yet been determined.



Figure Q23-b Showing the replies to question 23 in the form for a world map –whether or not facilitated access to Annex I PGRFA has been provided using the SMTA.

¹⁵ Easy-SMTA is available at mls.planttreaty.org/itt/

¹⁶ The Compliance Committee proposed the elimination of this question from the Standard Reporting Format, which was adopted by the Governing Body in 2019.

¹⁷ As of 1 February 2023. Source: Easy-SMTA, statistics on germplasm flow.

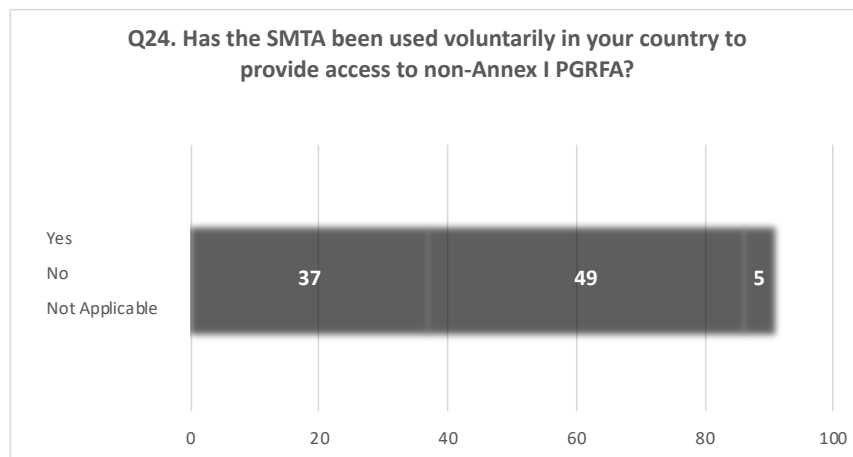


Figure Q24. Contracting Parties reporting the voluntary use of the SMTA to provide access to non-Annex I PGRFA (by number).

54. Thirty-seven Contracting Parties have used the SMTA voluntarily to provide access to non-Annex I PGRFA, which represents 41 percent of the submissions and more than half of the Contracting Parties that have reported the use of the SMTA for Annex I. Fifty percent of reporting Contracting Parties from the North America Region, two thirds of the South West Pacific Region, and 92 percent of the European Region report the voluntary use of the SMTA for non-Annex I PGRFA. In all other regions, the vast majority of Contracting Parties replied negatively.

55. Some of the reports contain the number of agreements concluded or the number of samples sent. Several Contracting Parties refer to regional political commitments in the context of their ongoing cooperation to facilitate PGRFA reciprocal exchange regardless of their presence in Annex I when used for research, training and breeding – excluding for private hobby or similar use. One example is the Nordic countries who collaborate through NordGen (also with Baltic countries). Other countries have already integrated this approach in the national policy, as a way to reduce transaction and handling costs by using the same approach for both Annex I and non-Annex I material.

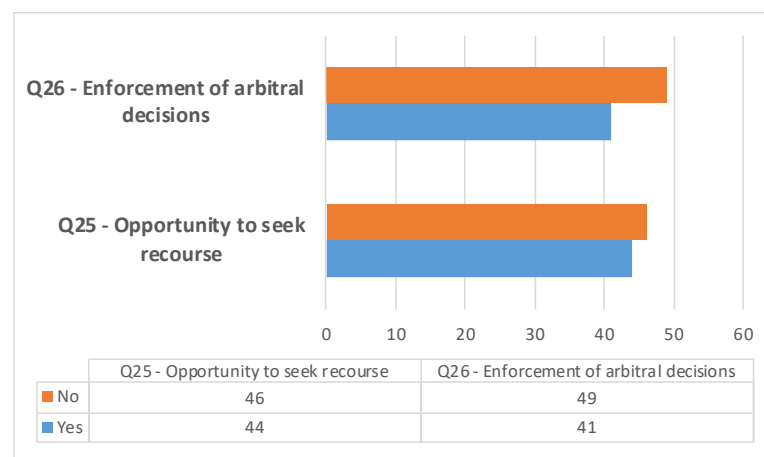


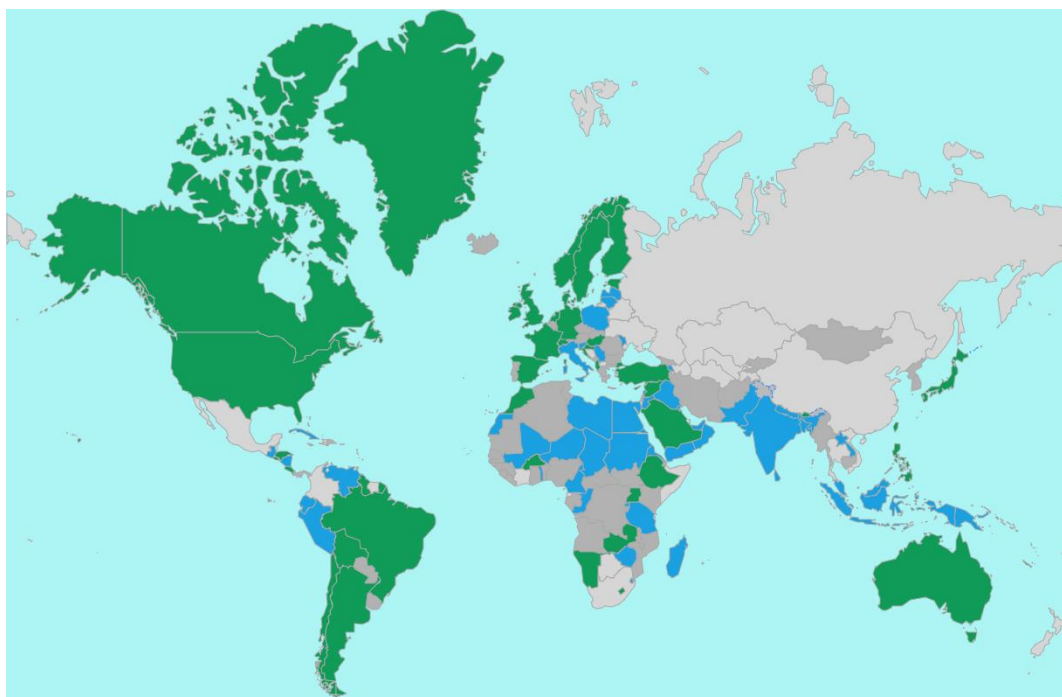
Figure Q25. Showing the replies to questions 25 and 26 regarding the possibility to seek, in the legal system of the Contracting Party, recourse in case of contractual disputes arising under the SMTA (Q25) and the enforcement of arbitral decisions related to the SMTA (Q26).

56. Regarding the possibility for parties to the material transfer agreements to seek recourse in case of contractual disputes arising under such agreements (Question 25), 44 Contracting Parties respond positively; 46 Contracting Parties report that recourse is not possible.¹⁸

57. In response to Question 26, 41 Contracting Parties state that their national legal systems provide for the enforcement of arbitral decisions related to disputes arising from the SMTA. On the other side, 49 Contracting Parties report that the enforcement would not be possible.¹⁹

58. Figure Q25 shows the relation between the replies to Questions 25 and 26. It is to be noted that two countries did not respond to Question 25 or Question 26. Only in the European and North America regions, a majority of reporting Contracting Parties replied positively to both questions.

59. Some reporting officers have indicated to the Secretariat that they have difficulties in understanding these two questions or in getting the necessary legal expertise to respond. This might explain why some of the Contracting Parties replied negatively to Question 26, although they are contracting states of the New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards, without providing further clarifications. Also, this might be the reason why a slight majority of Contracting Parties report that no recourse is possible in their jurisdictions in case of contractual disputes under a material transfer agreement.



Source: Map from UN Geospatial Service. The boundaries and names shown and the designations used on this map do not imply the expression of any opinion whatsoever on the part of FAO concerning the legal status of any country, territory, city or area or of its authorities, or concerning the delimitation of its frontiers and boundaries. Dotted line represents approximately the Line of Control in Jammu and Kashmir agreed upon by India and Pakistan. The final status of Jammu and Kashmir has not yet been agreed upon by the parties. Final boundary between the Sudan and South Sudan has not yet been determined.



Figure Q26. Geographic distribution of replies to Question 26 in the form for a world map – Does the legal system of your country provide for the enforcement of arbitral decisions related to disputes arising under the SMTA?

¹⁸ One Contracting Party did not answer this question.

¹⁹ One Contracting Party did not answer this question.

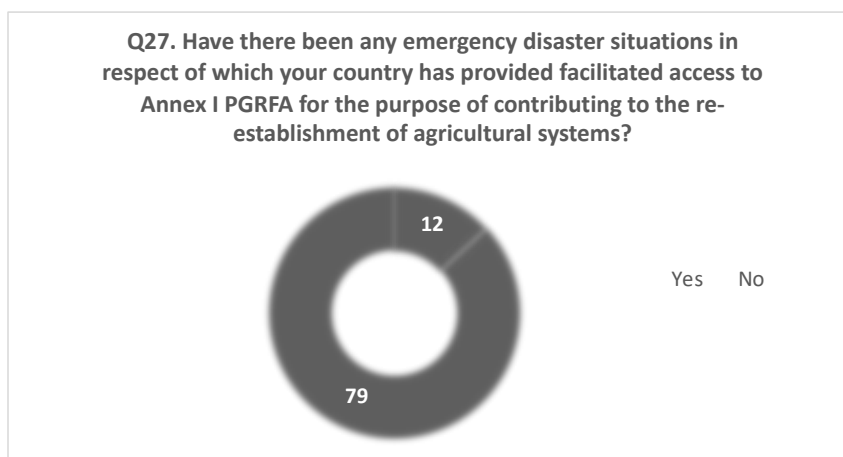


Figure Q27. Showing the replies to Question 27 on facilitated access in emergency disaster situation (by number).

60. Twelve Contracting Parties report that they have provided facilitated access to Annex I PGRFA for the purpose of contributing to the re-establishment of agricultural systems in the context of a national emergency disaster situation. In detail, three Contracting Parties indicate that the access has been facilitated in these types of situations at the national level; three indicate that national gene banks and projects have distributed seeds to national farmers severely affected by hurricanes. One Contracting Party provides details about the legislation and national plans and programmes to deal with emergencies and reports about a project implemented by its National Seed Office during the COVID-19 pandemic with the title “Donate seeds” that benefitted 30 vulnerable groups. The project managed to distribute 5 million PGRFA of rice, beans, maize, vegetables and grasses to farmers. The other Contracting Parties do not provide further details.

c) Benefit-sharing in the Multilateral System

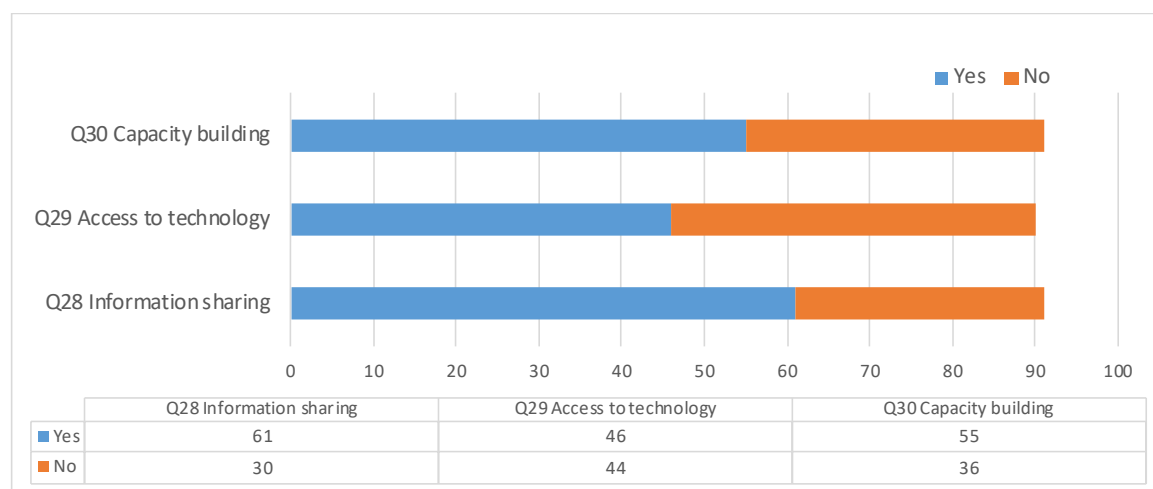
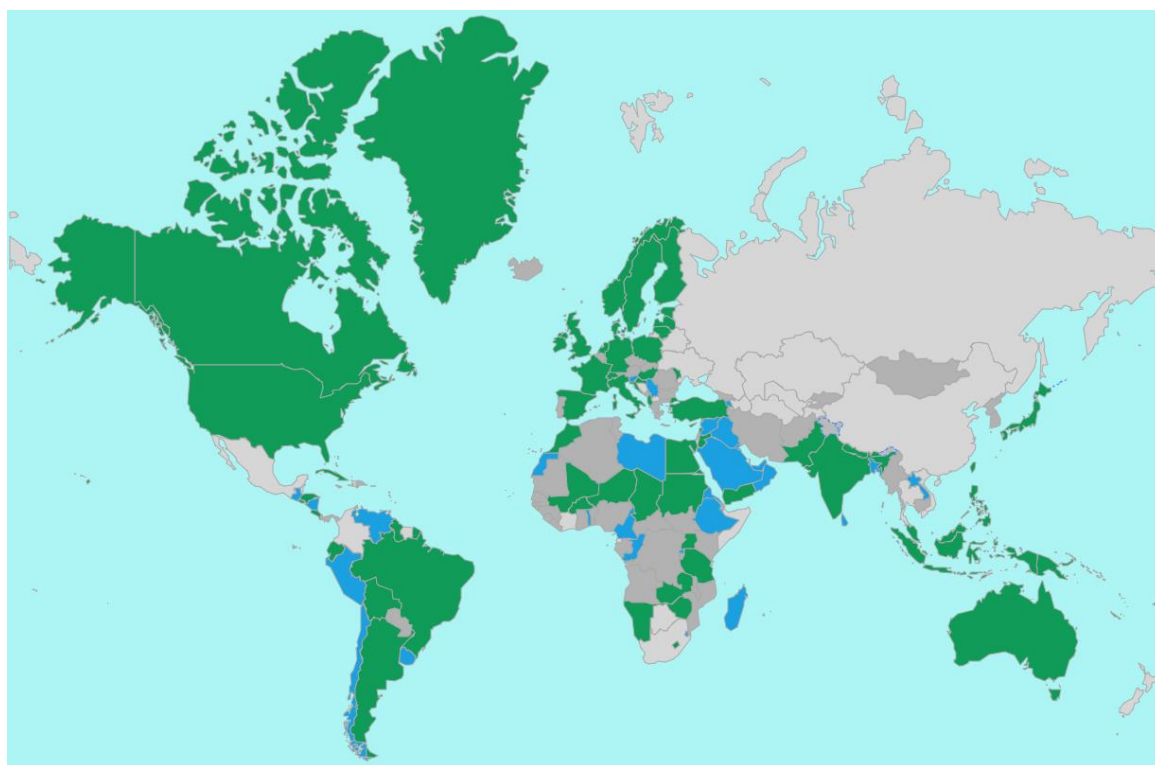


Figure Q28. Showing the number of replies to Questions 28, 29 and 30 regarding information sharing, access to technology and capacity building related to Annex I PGRFA, respectively.²⁰

²⁰ Note that one Contracting Party did not answer Question 29, so that the total number of replies is 90 instead of 91.

61. In total, 61 Contracting Parties, representing 67% of the respondents, report having made information available regarding Annex I PGRFA through several channels and resources:

- a) national online inventories of PGRFA;
- b) regional and global data repositories;
- c) reports sent to FAO for the monitoring of the Second GPA and catalogues;
- d) doctoral theses on characterization, evaluation and use of PGRFA;
- e) scientific and academic articles and papers;
- f) leaflets, magazines, posters and websites;
- g) media (radio, TV, internet) and educational events.



Source: Map from UN Geospatial Service. The boundaries and names shown and the designations used on this map do not imply the expression of any opinion whatsoever on the part of FAO concerning the legal status of any country, territory, city or area or of its authorities, or concerning the delimitation of its frontiers and boundaries. Dotted line represents approximately the Line of Control in Jammu and Kashmir agreed upon by India and Pakistan. The final status of Jammu and Kashmir has not yet been agreed upon by the parties. Final boundary between the Sudan and South Sudan has not yet been determined.

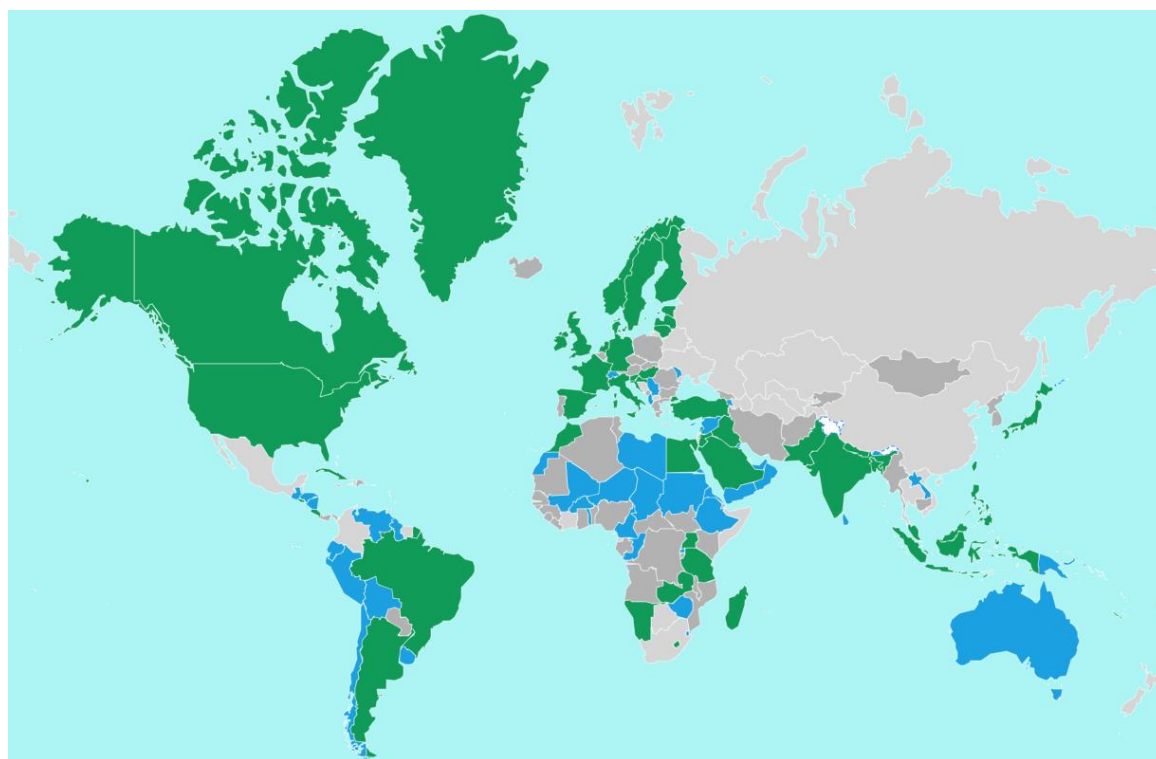


Figure Q28-a. Showing the geographic distribution of the replies to Question 28 indicating whether the Contracting Party has made any available information on Annex I PGRFA.

62. Forty-six Contracting Parties inform through their national reports about the access they provided or facilitated to technologies for the conservation, characterization, evaluation and use of Annex I PGRFA. Of those, 35 have established or participated in crop-based thematic groups on utilisation of PGRFA, while 21 are aware of partnerships the country on research and development and on commercial joint ventures in the country relating to material received through the MLS, to human resource development or to the effective access to research facilities. In more detail, some Contracting Parties have established or participated in crop-based working

groups on the utilization of PGRFA – e.g., through the European Cooperative Programme for Plant Genetic Resources (ECPGR) and its crop-based working groups, and the Nordic Genetic Resource Center (NordGen), in Europe. In Asia, one Contracting Party indicates that it provides support through technologies related to the exploration, characterization, evaluation and pre-breeding of *solanaceae*, *cucurbitaceae* species, and other crops through collaborative research projects. In the South West Pacific, one Contracting Party indicates that it provides support to several networks that combine both technology transfer and capacity building activities. Six Contracting Parties from Latin America have reported the development of new cultivars through participative programmes, access to cryo-conservation technology, collaboration with universities and the academic sector, and the existence of frameworks for collaboration with the private sector. One Contracting Party from the Near East Region reports that there is full access to available technologies relevant to conservation, characterization and evaluation of PGRFA in general, many of them for Annex I species and dissemination is done on a regular basis in local research institutes. Finally, three Contracting Parties refer to their support to or participation in regional and crop-based networks with technology transfer and capacity building activities.

63. In the reports, there is information on a number of relevant national initiatives on documentation of PGRFA, including the development of databases on banana, barley, coconut, maize, wheat, but also on grains and other crops. Some Contracting Parties report they have established or participated in crop discussion groups on the use of PGRFA.



Source: Map from UN Geospatial Service. The boundaries and names shown and the designations used on this map do not imply the expression of any opinion whatsoever on the part of FAO concerning the legal status of any country, territory, city or area or of its authorities, or concerning the delimitation of its frontiers and boundaries. Dotted line represents approximately the Line of Control in Jammu and Kashmir agreed upon by India and Pakistan. The final status of Jammu and Kashmir has not yet been agreed upon by the parties. Final boundary between the Sudan and South Sudan has not yet been determined.



Figure Q29. Showing the geographic distribution of the replies to Question 29 indicating whether the Contracting Party has provided access to technologies for the conservation, characterization, evaluation and use of Annex I PGRFA.

64. In total, 55 Contracting Parties report that they have provided or benefitted from capacity-building measures.²¹ Of these, 43 Contracting Parties have been involved in establishing or strengthening programmes for scientific and technical education and training in conservation and sustainable use of PGRFA. At the same time, 40 Contracting Parties from various regions declare that they are carrying out scientific research and developing capacity for such research, in most cases in collaborating with other Parties. There are different levels of details in the description of those initiatives and some of them are funding mechanisms for research, capacity building, and technology transfer.

65. In total, 45 Contracting Parties report that they have supported the development and strengthening of facilities for the conservation and sustainable use of PGRFA and some of them have also linked back to their replies under questions related to Article 7 (National Commitments and International Cooperation), Articles 8 (Technical Assistance) 13, 16 or 17 of their reports.

66. Without being exhaustive, the reports refer to capacity development opportunities in the Southern African Development Community (SADC) through its Plant Genetic Resource Centre (SPGRC) and the East Africa Plant Genetic Resources (EAPGREN) for both infrastructure development and technical support. In Central Asia and Southeast Europe, the reports refer to several collaborative projects. In the South West Pacific, the reports refer to the Centre for Pacific Crops and Trees (CePaCT) and the Pacific Agricultural Plant Genetic Resources Network (PAPGREN), among others. Most reports from the GRULAC Region refer to the collaboration with the Tropical Agricultural Research and Higher Education Center (CATIE), the International Center for Tropical Agriculture (CIAT), the International Maize and Wheat Improvement Center (CIMMYT), the International Potato Center (CIP) and the International Rice Research Institute (IRRI) on research and capacity-building activities.

67. Many Contracting Parties provide detailed information on the available technologies for the conservation, characterization and evaluation of PGRFA they provide access to in national and local research institutes, or which they transfer to community seed banks or CSOs.

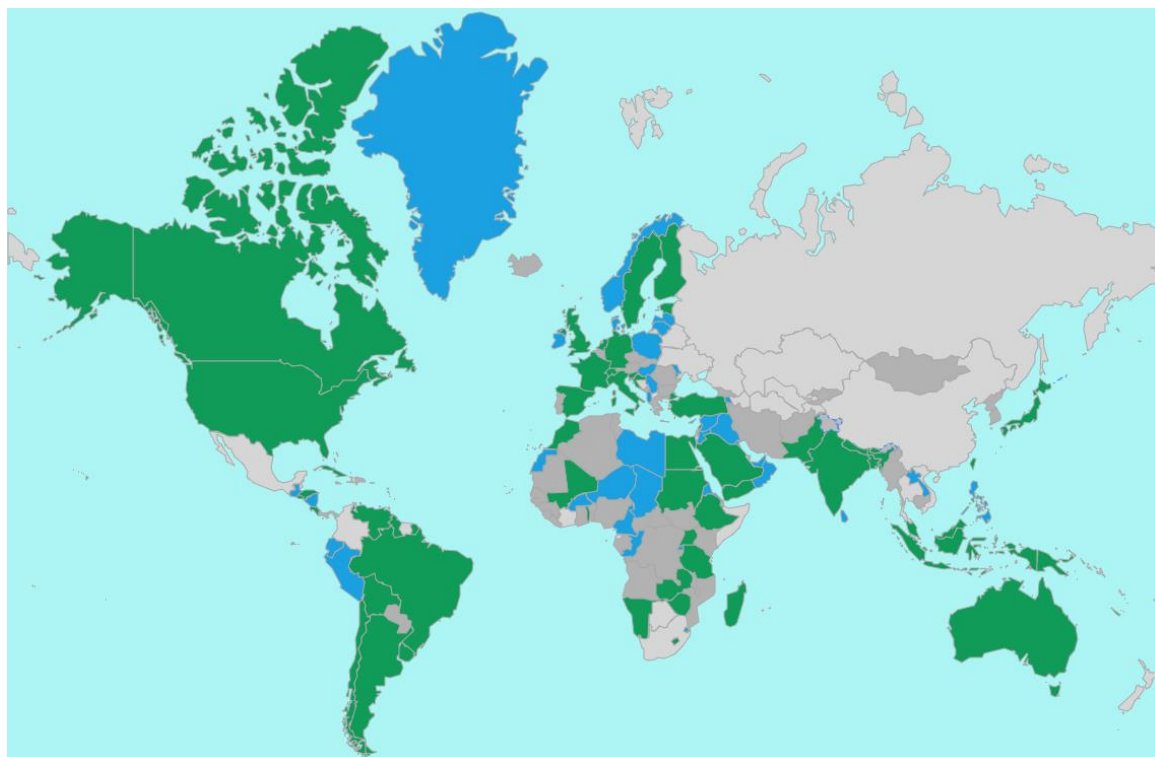
68. In Europe, most Contracting Parties refer to their participation in the working groups of the ECPGR, including Eurisco, the European Genebank Integrated System (AEGIS) and the project European Evaluation Network (EVA). In this region, four reports also refer to the work on capacity building of NordGen through projects involving Nordic universities and plant breeding companies for the establishment of gene bank facilities in the Baltic countries. Several Contracting Parties also refer to collaboration through projects funded by the European Union.

69. It is worth mentioning, for example, three initiatives of a different nature highlighted by Contracting Parties of Europe: a) One Contracting Party indicates that a national research centre organizes a three-week post-graduate course dealing with plant genetic resources management and policies, including access and benefit-sharing under the International Treaty and it encourages the participation of researchers from developing countries; b) another Contracting Party refers to the impact of the Programme for the Strengthening of Capabilities in National Plant Genetic Resources Programmes (CAPFITOGEN) and its analysis tools which have allowed for the training of researchers from Albania, Argentina, Ecuador, Jordan, Mexico, Norway, Portugal, Spain, South Africa and Brazil, among many others; and c) another Contracting Party refers to the Darwin Initiative as a grant scheme helping to protect biodiversity and the natural environment through locally based projects, many of which are on capacity building.

70. Several Contracting Parties report on various technical activities with FAO, the Commission on Genetic Resources for Food and Agriculture (CGRFA), the CGIAR Research Centers, the International Fund for Agricultural Development (IFAD), the Global Crop Diversity

²¹ The Compliance Committee proposed changes to this question in the Standard Reporting Format, which was adopted by the Governing Body in 2019. The format adopted in 2019 specifies the role of the Contracting Party as either provider or beneficiary of the intervention.

Trust (GCDT), and the Secretariat of the International Treaty, mainly related to the exchange of information or to the management of PGRFA information systems. Furthermore, several Contracting Parties report that they have benefited from projects of the Benefit-sharing Fund of the International Treaty under different cycles in support of capacity on a wide range of crops and forages. Some Contracting Parties also refer to the support received for the documentation and publication of PGRFA in the context of the Global Information System. Also, several Contracting Parties refer to their collaborations with the International Agricultural Research Centers of the CGIAR through research projects on conservation and use of PGRFA with capacity building components.



Source Map from UN Geospatial Service. The boundaries and names shown and the designations used on this map do not imply the expression of any opinion whatsoever on the part of FAO concerning the legal status of any country, territory, city or area or of its authorities, or concerning the delimitation of its frontiers and boundaries. Dotted line represents approximately the Line of Control in Jammu and Kashmir agreed upon by India and Pakistan. The final status of Jammu and Kashmir has not yet been agreed upon by the parties. Final boundary between the Sudan and South Sudan has not yet been determined.



Figure Q30. Showing the geographic distribution of the replies to Question 30 indicating whether the Contracting Party has provided or benefited from capacity building measures in respect of Annex I PGRFA.

H. The Global Plan of Action (Article 14)

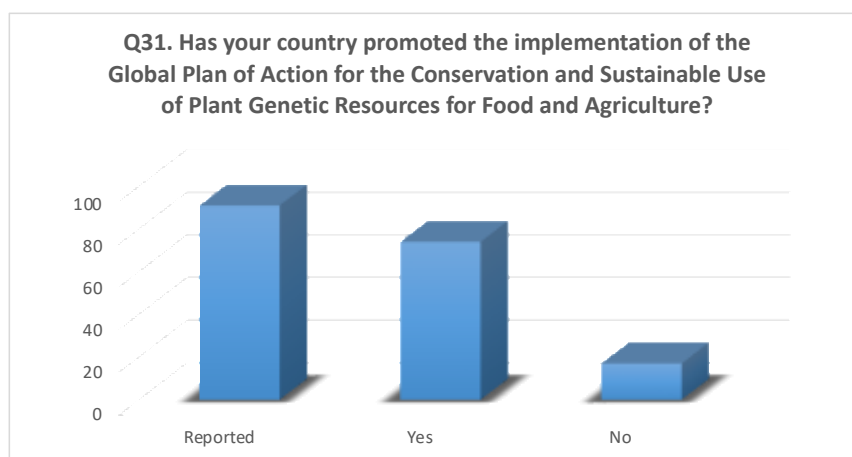


Figure Q31. Showing the distribution of the replies to Question 31 indicating whether the Contracting Party has promoted the implementation of the Global Plan of Action for PGRFA.

71. In their reports, 74 Contracting Parties declare that they are promoting the implementation of the *Global Plan of Action for the Conservation and Sustainable Use of Plant Genetic Resources for Food and Agriculture* (GPA). That figure represents 81 percent of the submissions. In total, 67 Contracting Parties have promoted it through national actions while 49 indicate that they have also promoted it through international actions. At the country level, many Contracting Parties report, under this section, about the existence of national conservation and biodiversity strategies, policies and plans and ongoing activities on sustainable use. Fourteen Contracting Parties replied negatively to this question.

72. Some Contracting Parties remark that the information required for Question 11 of the Standard Reporting Format is related to priority activities 6 (sustaining and expanding *ex situ* conservation of germplasm) and 7 (regenerating and multiplying *ex situ* accessions) of the GPA.

I. *Ex Situ* Collections held by the IARCs of the CGIAR and other International Institutions (Article 15)

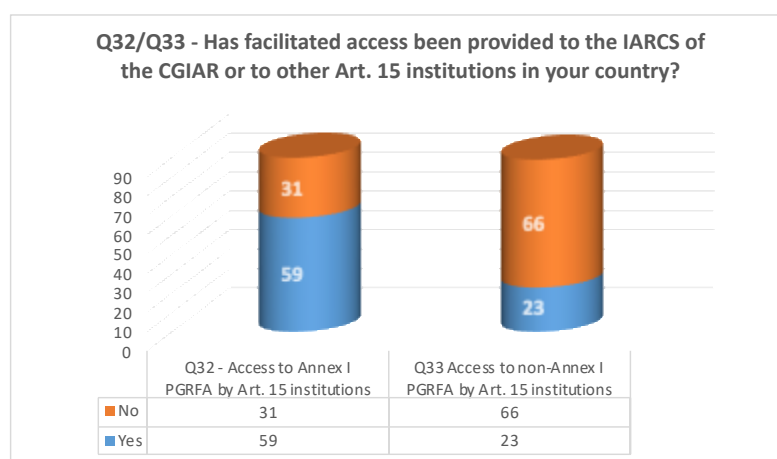


Figure Q32. Showing the replies to Question 32 regarding facilitated access to Annex I PGRFA provided in the country to IARCs or other Art. 15 institutions, and Question 33 regarding facilitated access to non-Annex I PGRFA provided in the country to IARCs or other Art. 15 institutions (by number).²²

73. Fifty-nine Contracting Parties report that they have facilitated access to Annex I PGRFA to the CGIAR Research Centers or other international institutions that have signed agreements with the Governing Body of the International Treaty. In this context, several Contracting Parties provide the number of STMAs and the crops or indicate that the information is contained in the Easy-SMTA. Other Contracting Parties reply positively to the question but note that no requests had been received so far. Finally, 31 Contracting Parties state that they have not provided any material. In the comments, these Contracting Parties indicate that they do not have a gene bank or that they have not received any request. One Contracting Party did not reply to this question.

74. Twenty-three Contracting Parties report that they have provided access to non-Annex I PGRFA to IARCs or other international institutions that have signed agreements with the Governing Body of the International Treaty and that the information is available in Easy-SMTA. The figure above shows the replies to both Questions 32 and 33.

J. International Plant Genetic Resources Networks (Article 16)

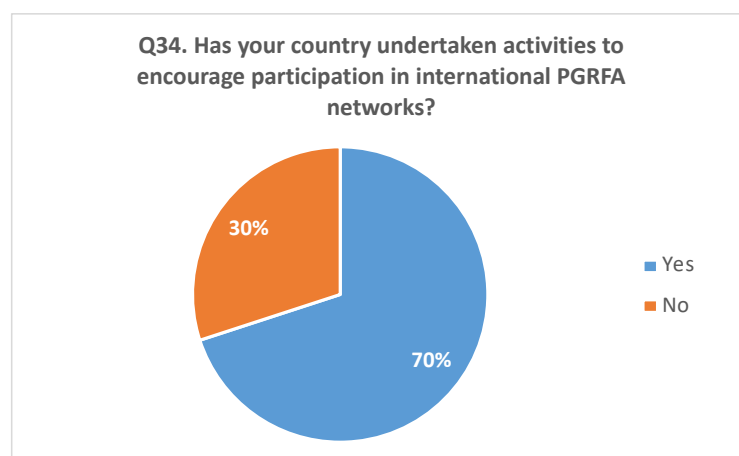


Figure Q34. Showing the replies to Question 34 and displays, in blue, the percentage of countries that have undertaken activities to encourage government, private, non-governmental, research, breeding and other institutions to participate in the international plant genetic resources networks.

75. More than two thirds of reporting Contracting Parties state they have undertaken activities to encourage government, private, non-governmental organizations, research, breeding and other institutions to participate in international plant genetic resources networks. In their replies to this question, the Contracting Parties mainly list two types of networks: a) regional or subregional, and b) crop or multi-crop specific. Some Contracting Parties also inform of their participation in

²² Note that not all Contracting Parties answered these questions, so that the total number of replies is 90 (Question 32) and 89 (Question 33), respectively, instead of 91.

workshops or bilateral projects on the documentation of PGRFA or plant breeding. Twenty-two Contracting Parties reply negatively to this question.²³

76. A more detail analysis of the replies to this question could be useful for future promotion of collaboration through networks. The Secretariat plans to add all the networks and relevant programmes to a dedicated section on the Global Information System (GLIS), as recommended by the Scientific Advisory Committee on Article 17.

K. Financial Resources (Article 18)²⁴

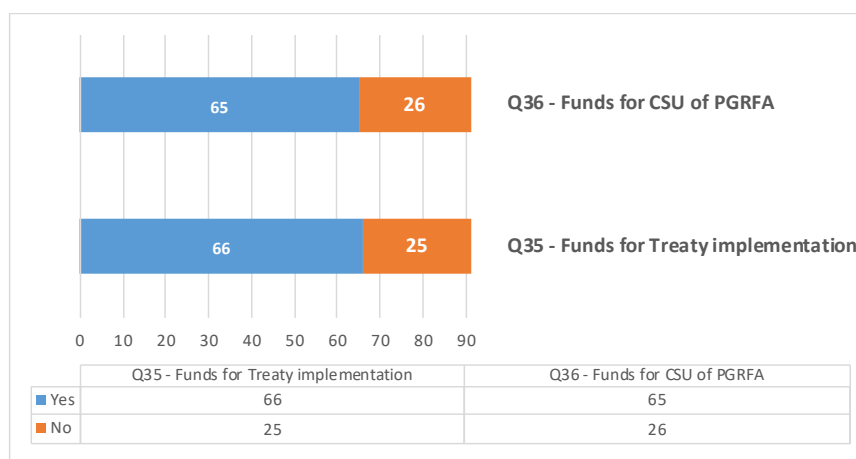


Figure Q35. Showing the number of replies to Questions 35 and 36 regarding financial resources provided/received for the implementation of the International Treaty (Question 35) and financial resources provided for national activities for the conservation and sustainable use of PGRFA (Question 36), respectively.

77. Twenty-five Contracting Parties indicate that they have not provided or received financial resources for the implementation of the International Treaty through bilateral, regional or multilateral channels (Question 35). Six of them are developed countries. It is to be noted that several developing country Contracting Parties replied negatively to this question although they had received direct financial support from the Benefit-sharing Fund (BSF) of the International Treaty at some point.

78. In total, 66 Contracting Parties declare in the report to have received support for the implementation of the International Treaty. The BSF is one of the sources of the financial support reported. Financial support is also reported from the CGIAR Centers, from FAO through technical cooperation projects, from the Secretariat through projects or trust funds, from research institutions through bilateral funding, from the Global Crop Diversity Trust, and the Global Environment Facility (GEF).

79. There are also references to the International Union for Conservation of Nature (IUCN), the Darwin Initiative of the United Kingdom and the United States Agency for International Development (USAID), among other national development agencies that have provided resources.

²³ One Contracting Party did not answer this question.

²⁴ Some of the questions under this section were modified in the revised standard reporting format 2019. The synthesis in this section follows the previous format, since the majority of reporting Contracting Parties used that version.

80. Under this question, some reports refer to technical interventions rather than to direct financial contributions. Several developing country Contracting Parties report on the support provided to institutions and projects with activities at the regional level. Some of the reports contain detailed information from donor countries on the channels, amounts and objectives of the funding.

81. Analysing the replies in detail, several Contracting Parties report contributions to the Benefit-sharing Fund of the International Treaty of several million US dollars. In particular, one Contracting Party reports on a mechanism to provide predictable and sustainable income to the Benefit-sharing Fund on an annual basis. Some Contracting Parties also report on their support to the Core Administrative Budget (CAB) of the International Treaty. Several Contracting Parties refer to their contributions to the Special Fund to Support the Participation of Developing Countries in International Treaty's meetings. Furthermore, one Contracting Party reports direct financial and technical support to the Svalbard Global Seed Vault since 2008 as the facility provides backup storage for all *ex situ* collections worldwide.

82. Around two thirds of reporting Contracting Parties (both developing and developed countries) report that they provided financial resources for national activities related to the conservation and sustainable use of PGRFA, in particular, national gene banks and research and breeding of PGRFA (Question 36). Some of the reports provide information on the funding of several projects and initiatives on genomics.

L. General remarks on the implementation of the International Treaty

83. Several Contracting Parties report on positive developments since they had joined the International Treaty. One Contracting Party refers to strengthened international cooperation, networking and information exchange, as well as to enhanced research capacity on PGRFA conservation, documentation, use and management. Several Contracting Parties report that progress has been made regarding the implementation of the rights of farmers based on Article 9 of the International Treaty. One Contracting Party emphasizes the important role of the International Treaty as a reference point for civil society organizations to play a pivotal role on capacitation of farmers to conserve and sustainably use PGRFA, with interventions that had improved resilience to various environmental and socioeconomic challenges faced by marginalized smallholder farmers.

84. Several Contracting Parties indicate that the implementation of the International Treaty requires time, financial resources, policy and legal measures, more capacity building activities, the development or strengthening of one or various national coordinating mechanisms and networks, and the involvement of all relevant stakeholders, including farmers, breeders and the civil society. This would also help to connect relevant actors at national level who are involved in the implementation of the International Treaty and enhance an understanding of the benefits of the International Treaty for the livelihoods of people. Some Contracting Parties also mention the need for technical guidance on the implementation. Several Contracting Parties indicate that it takes time to mainstream the objectives of the International Treaty into national strategies and plans. One Contracting Party indicates that the International Treaty would benefit from an impact assessment from grassroot to the national level. In particular, attention is drawn to the need to develop and sustain capacity development activities at various levels and topics, possibly in collaboration with the IARCs.

85. Several Contracting Parties suggest the development of more guidelines by the Governing Body on specific issues in order to assist countries with their implementation.

86. Several Contracting Parties, particularly those where the coordination is with the national seed office, emphasize that discussions are needed on the implementation of the International Treaty considering obligations that Contracting Parties have under other relevant instruments, especially the Convention on Biological Diversity and the UPOV Convention.

87. Concerning the Multilateral System, raising awareness about its objectives, operations and mechanics is pointed out as an important measure supporting its functioning. Several Contracting Parties point out that this will help to overcome hesitance among some stakeholders at the national level about the Multilateral System. Several Contracting Parties comment that the SMTA is not self-explanatory, especially for users that do not speak any of the six FAO official languages, and that some of the terms are complex and difficult to explain to users. These Contracting Parties indicate that the improvement and simplification of the SMTA would enhance its use. Furthermore, they suggest the provision of courtesy translations into other national languages, the development of explanatory notes and the elaboration of frequently asked questions. They also propose the development of guidelines on how to include material in the Multilateral System.

88. Another Contracting Party remarks that the interests of Contracting Parties are very different and, while developed countries put the emphasis on access to germplasm, developing countries put more emphasis on the implementation of Farmers' Rights, conservation and sustainable use and fair and equitable distribution of benefits. This Contracting Party suggests that compliance has to go hand-in-hand with the provision of international support to developing countries that are centres of origin of crops.

89. Many developing country Contracting Parties emphasize the need for adequate financial resources to implement the International Treaty and mention the Benefit-sharing Fund of the International Treaty as a potential funding source for support.

90. Several Contracting Parties indicate that for implementation at the national level, and in addition to the legal framework, there is a need to get a compromise or strategy, maybe an agricultural biodiversity strategy or plan, that may facilitate the sharing of the objectives of the International Treaty with the national reality and help to sustain the allocation of resources for the related activities. The existence of a national coordinating committee (of very diverse natures) or authority is highlighted in various reports.

91. Raising awareness about the International Treaty and increasing its visibility, access to solid funding opportunities and broadening the opportunities for capacity building are key recommendations of many respondents. One of the recommendations for the successful implementation of the International Treaty is the early organization of workshops and information events regarding the International Treaty, the SMTA, and the crops listed in Annex I. Another concrete suggestion is for stronger advocacy by civil society organizations to foster implementation of the International Treaty.

92. One Contracting Party emphasizes the need for raising awareness at different levels regarding the International Treaty and its provisions, its effect on local livelihoods and the sustainability of PGRFA, as well as for explaining the different benefits, including monetary and non-monetary, for the country and for food security at the global level.

93. One Contracting Party indicated that it would be good if the International Treaty could support more on-farm conservation activities in countries that are rich in PGRFA. Without such support, continues the same Party, more and more farmers are opting for cash crops, and this could result in the loss or disappearance of PGRFA, especially under-utilized cereals. Another Contracting Party indicates that the International Treaty should intensify efforts to recognise and capture the traditional and ancestral knowledge related to the conservation and use of PGRFA as a supporting component for the implementation of Farmer's Rights.

94. Several Contracting Parties indicate the need for capacity development on documentation technologies and tools, as well as data management for genetic resources.

95. Some Contracting Parties specify the kinds of advanced technical training they need for the application of the International Treaty as a tool to adapt PGRFA to climate change (e.g., the use of marker-assisted selection and bioinformatics). They indicate that such training could be organized at the regional level through in-person meetings and a few Contracting Parties indicate the convenience to continue organising virtual meetings to provide updates on specific topics and

facilitate the exchange of views and experiences among national focal points and interested stakeholders.

IV. ANALYSIS

96. The analysis below is provided according to Section V.3 of the *Compliance Procedures*. It is based on the above synthesis and includes major changes to the report presented by the Committee to the Ninth Session of the Governing Body.

- a) At its Ninth Session, the Governing Body recalled the contribution of the International Treaty towards the achievement of SDG 2, SDG 15, and SDG 17, and other global goals and frameworks. It also welcomed the production of indicators that re-use data previously submitted by Contracting Parties to show their contribution, through the International Treaty, towards the implementation of the global development agenda and frameworks, and the achievement of related targets and goals.²⁵
- b) The Seventh Session of the Governing Body had reaffirmed the important role of the International Treaty in providing an effective governance framework for the management and exchange of plant genetic resources for food and agriculture. It also emphasised that the effective implementation of the International Treaty contributes to the implementation of the 2030 Agenda for Sustainable Development and to achieving the Sustainable Development Goals (SDGs), in particular, Targets 2.5 and 15.6, relating to conservation, and access and benefit-sharing of genetic resources, while also contributing indirectly to SDGs 1, 12, 13 and 17.
- c) Several Contracting Parties consider the national reports to be an important self-assessment tool to measure their progress in national implementation of the International Treaty, including by collaborating with other Contracting Parties, Regions or stakeholders.
- d) The contents of the national reports are being used as one of the sources to define and prioritize capacity development activities in different Contracting Parties and Regions.
- e) The number of Contracting Parties that have submitted their national reports has reached 91, compared to 79 at the Ninth Session of the Governing Body. Fifteen Contracting Parties reported in both reporting cycles.
- f) All Contracting Parties have used the *Standard Reporting Format* and the voluntary Online Reporting System in the second reporting cycle and all reports are available in the Online Reporting System for further updates. The analysis provided in the summary report is very valuable to provide an overview of the state of implementation of the International Treaty as of March 2023.
- g) Eighty percent of reporting Contracting Parties are implementing the International Treaty through laws, regulations, procedures or policies that are specific to the International Treaty. Practically all reports indicate that PGRFA are managed through other measures, mostly in the areas of biodiversity, environment protection, biosafety, plant variety protection and marketing of seeds.
- h) A remarkable 92 percent of reporting Contracting Parties state that there are threats to PGRFA in their country. The threats repeatedly mentioned include diseases, climate change, droughts, floods, lack of use, lack of market, need for sensitization of decision makers and farmers, changes in land management schemes, unsustainable

²⁵ Resolution 8/2022.

farming practices including intensification of agriculture, habitat destruction or fragmentation, funding shortfalls, limited qualified personnel and outdated technical capacity, leading to genetic erosion. The Committee encourages Contracting Parties to provide evidence and data on these threats in their reports, if available.

- i) Almost all reporting Contracting Parties have established measures for the conservation and sustainable use of PGRFA, with most reports containing very elaborate and detailed information on such measures.
- j) Moreover, it is encouraging to note that 80 percent of reporting Contracting Parties have cooperated with other Contracting Parties in the conservation, exploration, collection, characterization, evaluation or documentation of PGRFA, and 82 percent in the conservation and sustainable use of PGRFA.
- k) All reporting Contracting Parties have *ex situ* collections of PGRFA in their territories, although not all of them are public collections. Most reports state that PGRFA have been surveyed and inventoried in the respective Contracting Parties. Furthermore, more than 80 percent report that the maintenance of the viability, degree of variation, and the genetic integrity of *ex situ* collections of PGRFA have been monitored. At the same time, a large number of Contracting Parties indicate that further support is needed to continue to survey PGRFA conserved *in situ* and their inclusion in the national inventories, catalogues and databases.
- l) Seventy-five percent of reporting Contracting Parties have taken measures to promote Farmers' Rights. In so doing, many Contracting Parties report measures for the protection of traditional knowledge related to PGRFA and those regarding rights that farmers have to save, use, exchange and sell farm-saved seeds and propagating material.
- m) Seventy percent of reporting Contracting Parties have made available PGRFA material in the Multilateral System and communicated it through notifications to the Secretary or through the Global Information System.
- n) The Committee notes that 30 percent of reporting Contracting Parties have not notified any material available in the Multilateral System and identified this as one area where additional support and capacity building is needed. This value is the same as in the previous analysis, whereas there had been a slight increase in the percentage (two percentage points) compared to the analysis before. The respective national reports enumerate the main reasons which are of legal, policy, technical or financial nature. Some Contracting Parties also indicate that the implementation of the International Treaty started relatively recently. Further legal, administrative and technical support and guidance is requested by many Contracting Parties to make progress towards the notification of all PGRFA available in the Multilateral System.
- o) Only 26 percent of reporting Contracting Parties, report measures to encourage natural and legal persons within their jurisdictions, who hold Annex I PGRFA, to include those resources in the MLS. The only region, where a (slight) majority of reporting Contracting Parties replied positively, remains the European Region (with 14 positive replies out of 26).
- p) Seventy-five percent of reporting Contracting Parties have taken measures to provide facilitated access to Annex I PGRFA and have used the SMTA to provide access to Annex I PGRFA. At the same time, a majority of the Contracting Parties that have not yet taken any measures have indicated that they are in the process of improving the national legislation, regulations or procedures. Other Contracting Parties have either not received any requests for the provision of Annex I PGRFA, so far, or indicate that they have no national public genebanks.

- q) According to the Data Store of the International Treaty, more than 94 000 SMTAs have been issued and reported already from 59 countries, since the start of operation of the Multilateral System. In total, 41 percent of the submissions indicate that Contracting Parties have also used the SMTA voluntarily to provide access to non-Annex I PGRFA material.
- r) Sixty percent of the respondents have provided or benefited from capacity building measures in respect of Annex I PGRFA, including scientific and technical education and training in conservation and sustainable use of PGRFA.
- s) More than 80 percent of reporting Contracting Parties are promoting the implementation of the Global Plan of Action. Sixty-five percent have facilitated access to Annex I PGRFA to CGIAR Centers or other international institutions that have signed agreements with the Governing Body of the International Treaty, and 25 percent have also provided them access to non-Annex I PGRFA.
- t) Most reports offer valuable details on the funding provided or received for the implementation of the International Treaty. While many developing country Contracting Parties have reported support from the BSF and other mechanisms of the International Treaty, the reports also refer to an extensive list of funding and technical organizations that are supporting the conservation and use of PGRFA, among them, the GEF, the GCDT, FAO programmes, IFAD, CGIAR Centers and NGOs. The reports also provide useful information on various bilateral mechanisms and programmes that are very relevant to the implementation of the International Treaty.
- u) Several Contracting Parties report on positive developments since they had joined the International Treaty, for example on strengthened international cooperation on PGRFA, enhanced capacity on PGRFA conservation, documentation and use, on strengthening the rights of farmers, and on improving small holder farmers' livelihoods.
- v) Many concrete recommendations on how to enhance the implementation of the International Treaty by Contracting Parties are made in the national reports. These relate to national coordination among all relevant actors and stakeholders, development of national implementation plans, consideration of other relevant instruments related to PGRFA policy and legal measures, raising awareness, and increasing the visibility of the International Treaty, especially its Multilateral System, and to financial and human resources needs for its full implementation.
- w) Several Contracting Parties suggest the development of guidelines by the Governing Body on specific issues in order to assist countries with their implementation. Many Contracting Parties point to the need for support to fully operate the Multilateral System at national level. Some Contracting Parties recommend more on-farm PGRFA conservation and management activities as well as measures to promote traditional knowledge related to the conservation and sustainable use of PGRFA.
- x) Many Contracting Parties express needs for further action on national implementation and, directly or indirectly, request support from the Secretary or other partners.

DRAFT RESOLUTION **/2023**COMPLIANCE****The Governing Body,**

Recalling its previous decisions on compliance, particularly regarding capacity development and the support available to Contracting Parties from the Compliance Committee;

Monitoring and reporting

- a) *Thanks* the Compliance Committee for the synthesis and analysis provided in the document, IT/GB-10/23/xx, *Report of the Compliance Committee*;
- b) *Thanks* those Contracting Parties that have submitted their reports pursuant to Section V of the *Compliance Procedures* on time as well as those that submitted or updated their reports subsequently;
- c) *Decides* to extend the deadline for the second reporting cycle to 1 October 2024;
- d) *Urges* those Contracting Parties that have not yet submitted their reports to submit them by 1 October 2024;
- e) *Invites* the Compliance Committee to use its report to the Eighth Session as the baseline for identifying progress in and constraints with the implementation of the International Treaty when comparing results from the first and the second reporting cycles;
- f) *Invites* all Contracting Parties, including Contracting Party Organizations, to continue submitting or updating their reports, pursuant to Section V of the *Compliance Procedures*, regardless of the deadline of the reporting cycles;
- g) *Notes* that the national reports are an important self-assessment tool to measure progress in the implementation of the International Treaty and *emphasizes* the value of the information provided so far to make informed decisions.
- h) *Appreciates* the efforts and *thanks* the Secretary for the support and assistance provided to Contracting Parties during the reporting process, and *requests* the Secretary to continue doing so;

Support and Capacity Development

- i) *Welcomes* the capacity development activities undertaken by the Secretary and *requests* the Secretary to continue supporting Contracting Parties to actively participate in the compliance mechanism;
- j) *Requests* the Secretary to support Contracting Parties in the use of the Online Reporting System and to continue the collaboration with the World Conservation Monitoring Centre of the United Nations Environment Programme (WCMC) to further adapt and upgrade it;
- k) *Encourages* Contracting Parties to avail themselves of the opportunities that the functions of the Compliance Committee provide, including by submitting to the Committee, through the Secretary, statements and questions concerning their implementation of the International Treaty;
- l) *Encourages* Contracting Parties and other donors to consider providing support and financial resources for capacity development activities as important and effective means to enhance compliance with and the implementation of the International Treaty;

Reviews under the Mandate of the Compliance Committee and Future Work

- m) *Thanks* the Compliance Committee for its assessment and recommendations provided in the document IT/GB-10/23/xx, *Report of the Compliance Committee*, and *notes* that the Compliance Committee will continue the assessment to make recommendations to the Governing Body on the effectiveness of the *Compliance Procedures* in the future, based on the draft framework provided in the document, IT/GB-10/CC-5/23/4;
- n) *Approves* the recommendation of the Compliance Committee to replace, in the *Rules of Procedure of the Compliance Committee* and in the *Procedures and Operational Mechanisms to Promote Compliance and Address Issues of Non-Compliance*, the words “Chair” and “Vice-Chair” with the word “Co-Chair” or “Co-chairs” and to make the related editorial changes;

Other Matters

- o) *Invites* Contracting Parties to avail themselves of the information contained in the national reports submitted to the International Treaty to update their National Biodiversity Strategies and Action Plans (NBSAPs), as may be most appropriate, in the context of the Global Biodiversity Framework;
- p) *Recognizes* that the GPA is a supporting component of the International Treaty and invites Contracting Parties to use such information, as appropriate, for the purpose of compliance reporting under the International Treaty;
- q) *Invites* Contracting Parties to provide or update the contact details of their national focal points and, possibly, nominate an alternate reporting officer;
- r) *Elects* the members of the Compliance Committee in accordance with Section III.4 of the Compliance Procedures, as contained in the Annex to this Resolution.

Annex 4

MEMBERS OF THE COMPLIANCE COMMITTEE*

AFRICA	Mr Koffi KOMBATE (2016)	Mr Ndawana NOREST (2023)
	<i>GB-10 to elect new member</i>	<i>No action required by GB-10</i>
ASIA	Mr Koukham VILAYHEUANG (2020)	Ms Pratibha BRAHMI (2023)
	<i>Can be re-elected by GB-10 for a second term</i>	<i>No action required by GB-10</i>
EUROPE	Ms Kim VAN SEETERS (2018)	Ms Linn Borgen NILSEN (2023)
	<i>No action required by GB-10</i>	<i>No action required by GB-10</i>
LATIN AMERICA AND THE CARIBBEAN	Mr Mahendra PERSAUD (2018)	Ms Mónica MARTÍNEZ (2020)
	<i>No action required by GB-10</i>	<i>Can be re-elected by GB-10 for a second term</i>
NEAR EAST	Mr Javad MOZAFARI (2020)	Mr Ali CHEHADE (2023)
	<i>Can be re-elected by GB-10 for a second term</i>	<i>No action required by GB-10</i>
NORTH AMERICA	Ms Indra THIND (2018)	Ms Priya BHANU (2023)
	<i>No action required by GB-10</i>	<i>No action required by GB-10</i>
SOUTH WEST PACIFIC	Ms Birte NASS-KOMOLONG (2020)	Ms Emily CARROLL (2023)
	<i>Can be re-elected by GB-10 for a second term</i>	<i>No action required by GB-10</i>

*The year in parenthesis indicates the beginning of the first term of the candidate. According to the Rules of Procedures of the Compliance Committee, members shall be elected by the Governing Body for a period of four years, this being a full term, commencing on January 1st of the first year of the financial period of the International Treaty following their election. Members shall not serve for more than two consecutive terms (Rule III.4).