



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



The International Treaty
**ON PLANT GENETIC RESOURCES
FOR FOOD AND AGRICULTURE**

E

Item 13 of the Provisional Agenda

EIGHTH SESSION OF THE GOVERNING BODY

Rome, 11–16 November 2019

Report of the Compliance Committee

I. INTRODUCTION

1. The Governing Body, at its Fifth Session, approved the Rules of Procedure of the Compliance Committee,¹ as well as the (voluntary) Standard Reporting Format,² Pursuant to Section V.1 of the Procedures and Operational Mechanisms to Promote Compliance and Address Issues of Non-Compliance. The Procedures and Operational Mechanisms to Promote Compliance and Address Issues of Non-Compliance³ (Compliance Procedures) were approved at the Fourth Session of the Governing Body.

2. The third meeting of the Committee on Compliance of the International Treaty on Plant Genetic Resources for Food and Agriculture was held in Rome from 31 January to 1 February 2019. The Compliance Committee was established by Resolution 3/2006 of the Governing Body, pursuant to Articles 19.3e and 21 of the International Treaty.

3. The meeting was organized in accordance with Section III.5 and Section V of the Compliance Procedures and Rule VI of the Rules of Procedure of the Compliance Committee.

4. The committee elected Angeline Munzara as the Chairperson, and Kim Van Seeters as the Vice-Chairperson.

5. This report describes the work undertaken by the Compliance Committee during the current biennium in exercising its function to assist the Governing Body in monitoring the implementation of the International Treaty by Contracting Parties, on the basis of the reports submitted by Contracting Parties, in accordance with Section V of the Compliance Procedures. Accordingly, the Committee prepared a synthesis based on the reports received, along with an analysis.

¹ Resolution 9/2013 Rev. 1, Annex 1.

² Resolution 9/2013 Rev.1, Annex 2.

³ Resolution 2/2011, Annex.

This document can be accessed using the Quick Response Code on this page; an FAO initiative to minimize its environmental impact and promote greener communications. Other documents can be consulted at <http://www.fao.org/plant-treaty/meetings/meetings-detail/en/c/1111365/>



na412

6. Based on its work, the Committee prepared, for the consideration of the Governing Body, the draft Resolution on Compliance contained in Appendix 4.

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 53 Contracting Parties pursuant to Section V of the Compliance Procedures, as listed in Appendix 1. The synthesis and analysis, contained in Appendix 2, are based on those reports, with a view to assisting the Governing Body in monitoring implementation by Contracting Parties of their obligations under the International Treaty.

8. Pursuant to Section V.2 of the Compliance Procedures, the Committee shall consider reports that it has received, up to 12 months before the next session of the Governing Body, taking into account any guidance given by the Governing Body.

9. The synthesis and analysis provided in this report are based on the 53 reports received. In total, 39 reports were received before 10 December 2018, and 14 additional reports were received by 31 May 2019.

10. The reports included 14 from the Africa Region, 13 from the European Region, 13 from the Latin America and the Caribbean Region, 7 from the Asia Region, two from the North America Region, 2 from the Near East Region and 2 from the South West Pacific Region.

11. The majority of 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 submitted them through the Online Reporting system.

12. The Committee took note of the recommendations made by Contracting Parties in relation to capacity building and the support needed, including through:

- a) the provision of advice, technical options, and experiences for the review of mechanisms and policies for the implementation of the International Treaty;
- b) establishing or strengthening national coordination mechanisms and supporting national focal points and their alternates;
- c) the development of implementations plans for the International Treaty at the national level;
- d) capacity building in national institutions in various technical areas, including the use of the Standard Material Transfer Agreement (SMTA), Easy-SMTA, and the inclusion of material in the Multilateral System, as well as data management;
- e) taking advantage of existing and creating new opportunities for collaboration at the regional level.

13. Based on the recommendations of Contracting Parties, the Committee emphasized the need to continue and sustain the provision of further capacity building activities to implement the International Treaty, in collaboration with relevant organizations, and called on Contracting Parties, donors and other organizations to provide financial and technical support for such activities.

Methodology

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

15. 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 identify regional trends.

III. REVIEWS IN THE MANDATE OF THE COMPLIANCE COMMITTEE

16. The Committee considered the documents, IT/GB8/CC-3/19/4, Review of the Compliance Procedures, and IT/GB8/CC-3/19/5, Review of the Standard Reporting Format.

17. The Committee discussed the “review of the Compliance Procedures within six years of their approval”. Although the Committee identified some preliminary areas and elements for the review foreseen in Section X of the Compliance Procedures, it noted that the information currently available is not sufficient for the Governing Body to carry out an assessment and review of the effectiveness of the Compliance Procedures. Since it would need more information to prepare adequately for the proper review of the Compliance Procedures, the Committee recommended that the Governing Body retain this task on the agenda of the Committee for its fourth meeting.

18. The Committee further recommended that the Governing Body consider the review foreseen in Section X of the Compliance Procedures to its Ninth Session. This would allow for more practical experience with the Compliance Procedures to be accumulated.

19. The Committee reviewed the Standard Reporting Format as contained in Appendix 3.

IV. ORGANIZATIONAL MATTERS

20. At its Seventh Session, the Governing Body elected the members of the Compliance Committee to serve for the 2018-2021 term, in accordance with Section III.4 of the Compliance Procedures. Seven members were elected to serve for a full term (i.e. four years). The term to be served by seven members will expire on 31 December 2019, three of whom will have served for four years. In the course of the biennium, a member from the South West Pacific region formally resigned from her duties and was replaced for the remaining term, according to the Rules of Procedures. The list of members of the Compliance Committee is given in Appendix 5.

21. According to the Compliance Procedures, the Governing Body shall elect, as appropriate, new members for a full term to replace those whose term is about to expire, bearing in mind that no member shall serve for more than two consecutive terms.

22. When electing the members of the Compliance Committee for the new term, the Governing Body may wish to take into account that pursuant to the Compliance Procedures, the Committee shall consist of a maximum of 14 members, with up to two drawn from each of the FAO regions, and not more than one drawn from a Contracting Party. The members shall be elected by the Governing Body on the basis of up to two nominations from each of the seven FAO regions.

23. According to Rule III of the Rules of Procedures of the Committee, each member of the Committee shall perform his or her duties and exercise his or her authority as a member of the Compliance Committee honourably, faithfully, impartially and conscientiously, and will seek to avoid any conflict of interest.

24. The Governing Body may wish to consider that members of the Compliance Committee shall have recognized competence in the field of genetic resources or other fields relevant to the International Treaty, including legal or technical expertise, and that they shall serve objectively and in their individual capacity.

25. 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 Compliance Committee meetings, 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 2020-21 biennium will, accordingly, include the estimated costs of Compliance Committee meetings.

V. FUTURE WORK OF THE COMPLIANCE COMMITTEE

26. The Committee considered the document, IT/GB8/CC-3/19/6, which contains information on possible future work for the next biennium, based on its functions pursuant to Section IV of the Compliance Procedures. It also considered the document, IT/GB8CC-3/19/Inf.3, providing information on capacity-building activities on Treaty implementation undertaken by the Secretariat during the biennium.

27. With regard to the National reports on measures taken to implement obligations under the Treaty, the Committee reiterated the importance of the Compliance Procedures, which provide that the Committee shall consider the reports received up to 12 months before the next session of the Governing Body. Recognising that it is a continuing obligation, the Committee invited those Contracting Parties that have not yet submitted their reports to submit them as soon as possible and, for the next reporting cycle, to submit them by 1 October 2023. 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.

28. The Committee agreed that the Secretariat would consult with the Chairperson and Vice-Chairperson during the next biennium on when and how the Committee would need to meet, taking into consideration the Rules of Procedures of the Compliance Committee.

29. The Committee further agreed that the Secretariat would consider the number of reports received up to 12 months before the Ninth Session of the Governing Body, or as may be specified by the Governing Body, to prepare a summary and facilitate the monitoring of the implementation by the Compliance Committee in early 2021.

APPENDIX 1**Reports received pursuant to Section V of the Compliance Procedures**

Argentina*	Japan	Venezuela (Bolivarian Republic of)
Australia	Lebanon	Zambia
Bangladesh	Libya	
Bhutan	Madagascar	
Bolivia (Plurinational State of)	Malaysia	
Cameroon	Mali	
Canada	Malta	
Chile*	Namibia	
Congo	Netherlands	
Costa Rica*	Niger	
Cuba	Norway	
Denmark	Papua New Guinea*	
Ecuador	Peru	
Egypt	Philippines	
El Salvador*	Poland	
Eritrea*	Slovenia	
Eswatini*	Spain	
Ethiopia*	Sudan	
Finland	Sweden	
Germany	Switzerland	
Guatemala*	Syrian Arab Republic*	
Guyana	Togo	
Honduras*	United Kingdom of Great Britain and Northern Ireland	
India*	United States of America	
Indonesia*	Uruguay	
Italy*		

APPENDIX 2

* Reports received after 10 December 2018. One country updated its report in the first semester of 2019.

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

1. According to Section V.3 of the Compliance Procedures, 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. The Committee noted that no priorities had been set by the Governing Body for this analysis.
2. The Committee considered the reports received from Contracting Parties pursuant to Section V of the Compliance Procedures. The following sections contain a synthesis of the reports received and an analysis based on those reports.
3. The Committee considered the reports from 53 Contracting Parties on the measures they have taken to implement their obligations under the International Treaty, pursuant to Section V of the Compliance Procedures, as listed in Appendix 1 of this report.
4. The reports included 14 from the Africa Region, 13 from the European Region, 13 from the Latin America and the Caribbean Region, 7 from the Asia Region, two from the North America Region, 2 from the Near East Region and 2 from the South West Pacific Region.

I. SYNTHESIS

A. GENERAL OBLIGATIONS (ARTICLE 4)

5. Pursuant to Article 4 of the Treaty each Contracting Party shall ensure the conformity of its laws, regulations and procedures with its obligations as provided in the Treaty.
6. Forty-three Contracting Parties (or 81%) replied that they had laws, regulations, procedures or policies in place that implement the Treaty, whereas ten Contracting Parties, all but one developing countries, do not have any such laws, regulation, procedures or policies in place.

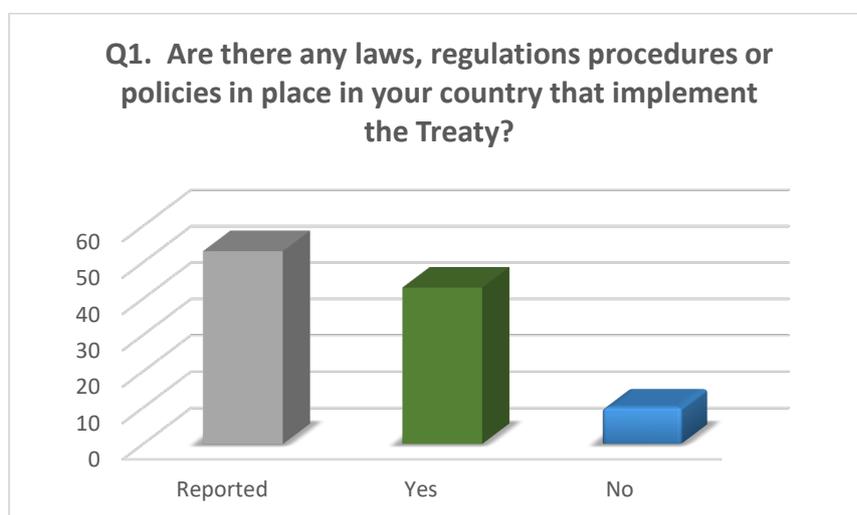


Figure 1. Reporting Contracting Parties with laws, regulations, procedures or policies in place to implement the International Treaty (by number).

7. The further details provided in the reports show that most Contracting Parties either implement the Treaty through laws or through policies, and that the majority of such measures do not deal with the Treaty alone, but in a broader context of biodiversity or agriculture.
8. Forty-nine Contracting Parties (or 92%) 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 they have none. These other measures are mostly in the areas of biodiversity, environment protection, biosafety, plant variety protection and marketing of seeds.

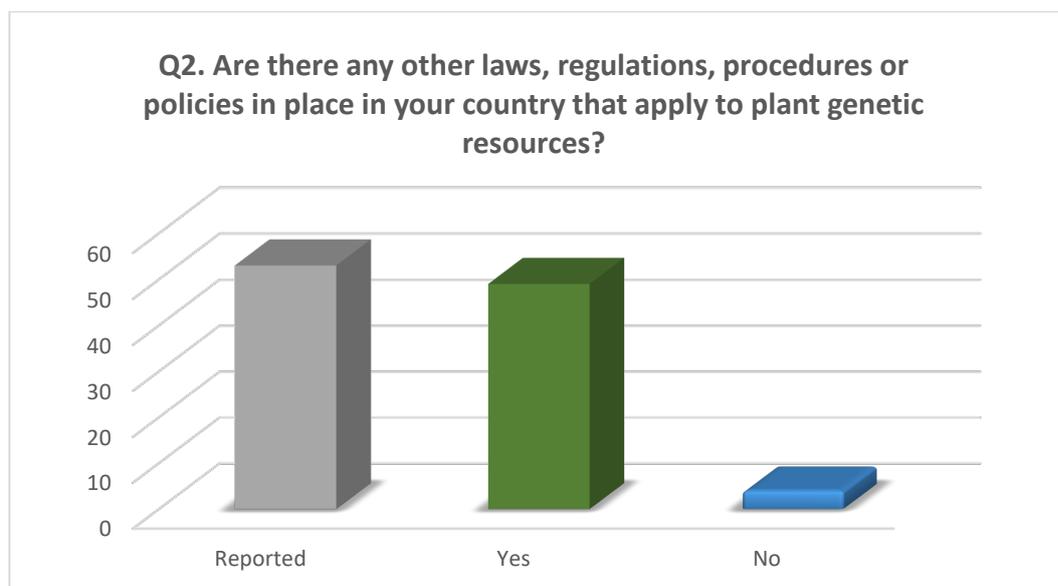


Figure 2. Reporting Contracting Parties with other laws, regulations, procedures or policies in place to that apply to plant genetic resources (by number).

9. Regarding changes to existing laws, regulations, procedures or policies to ensure conformity with the Treaty, twenty-eight Contracting Parties indicated that they would have to make changes (for example the vast majority of reporting Contracting Parties from the Africa and GRULAC Regions), and twenty-five 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 Treaty.

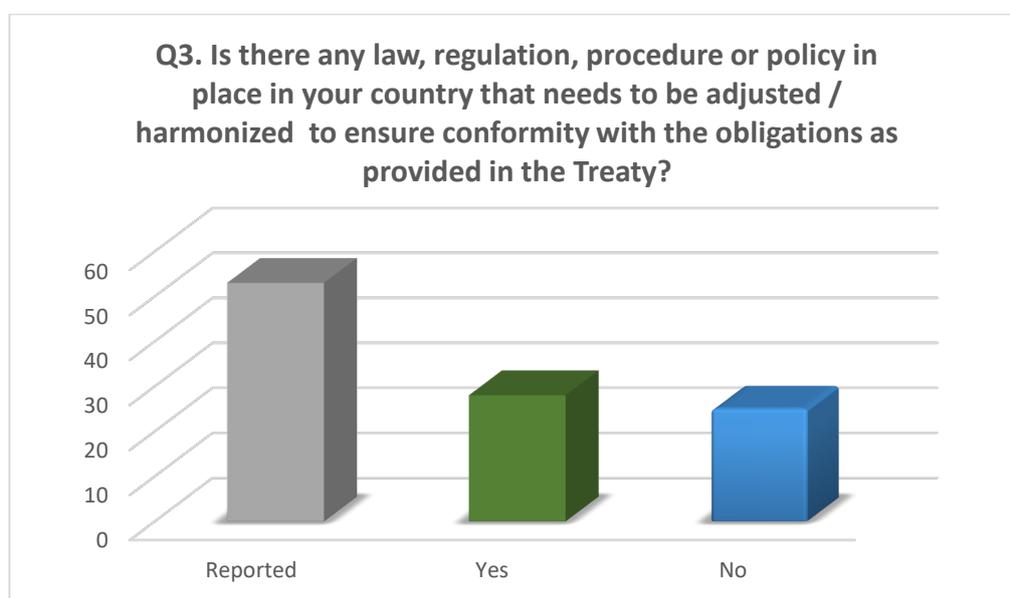


Figure 3. Reporting Contracting Parties with laws, regulations, procedures or policies that need to be adjusted/harmonized to ensure conformity with Treaty obligations (by number).

B. CONSERVATION, EXPLORATION, COLLECTION, CHARACTERIZATION, EVALUATION AND DOCUMENTATION OF PLANT GENETIC RESOURCES FOR FOOD AND AGRICULTURE (ARTICLE 5)

10. Forty-seven reports (or 89%) state that they promoted an integrated approach to the exploration, conservation and sustainable use of plant genetic resources for food and agriculture (PGRFA) and Fifty-one reports state that PGRFA have been surveyed and inventoried in their Contracting Parties and only two reporting (developing countries) 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.

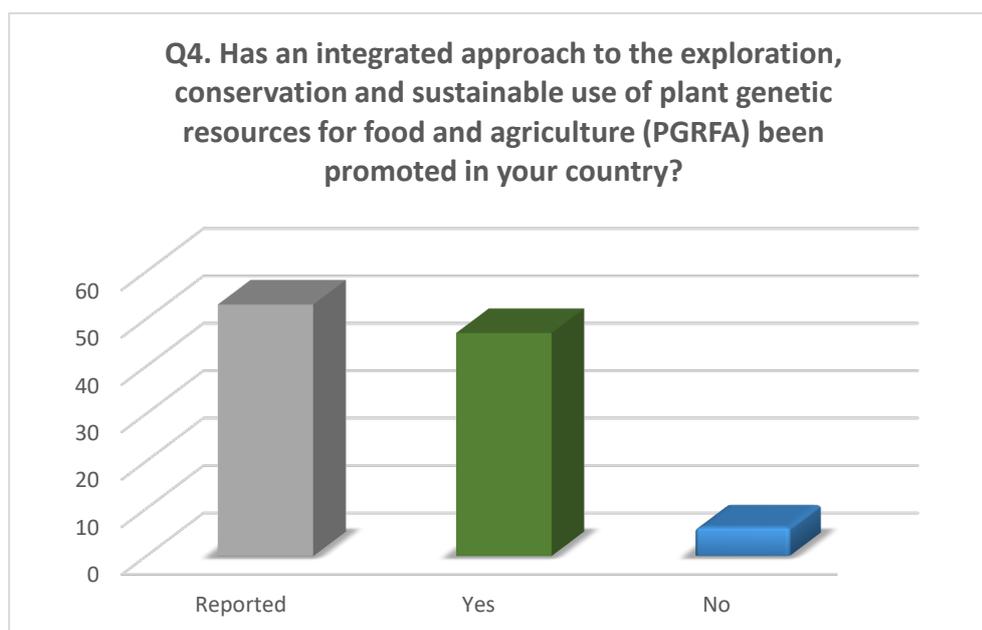


Figure 4. Reporting Contracting Parties with an integrated approach to the exploration, conservation and sustainable use of PGRFA (by number).

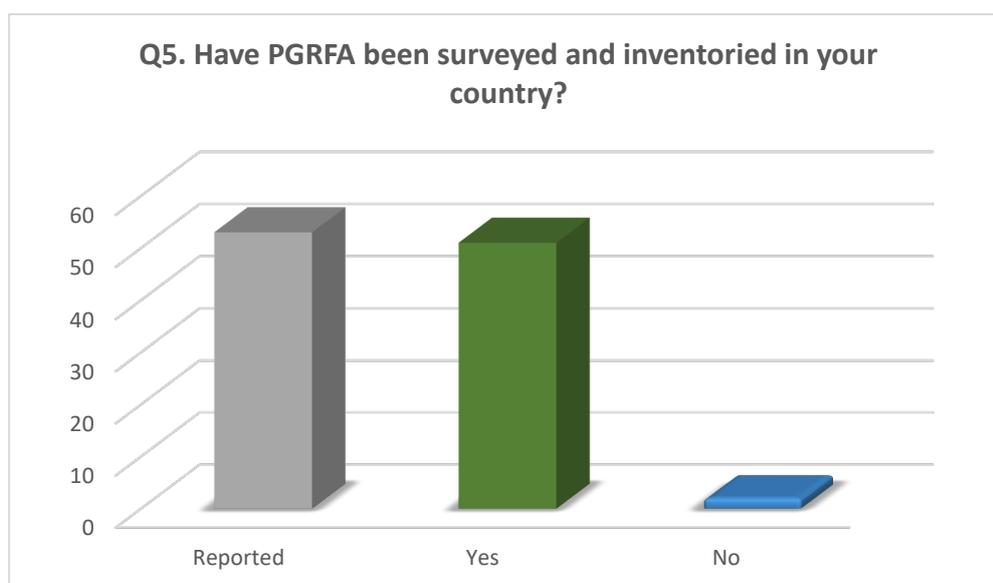


Figure 5. Reporting Contracting Parties that surveyed and inventoried PGRFA (by number).

11. Forty-seven Contracting Parties state that there are threats to PGRFA in their territories and only six Contracting Parties reported that there are none (from both developing and developed countries). The threats repeatedly mentioned include diseases, climate change, drought, lack of use, need for sensitization of decision makers and farmers, changes in land management schemes, funding shortfalls, limited qualified personnel and outdated technical capacity.

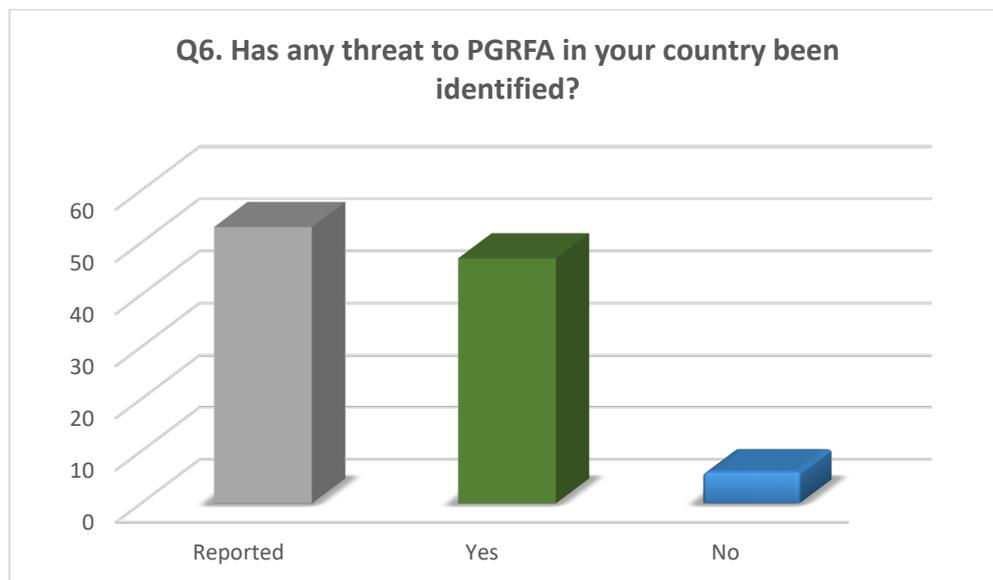


Figure 6. Reporting Contracting Parties that that identified any threat to PGRFA (by number).

12. Forty eight 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.

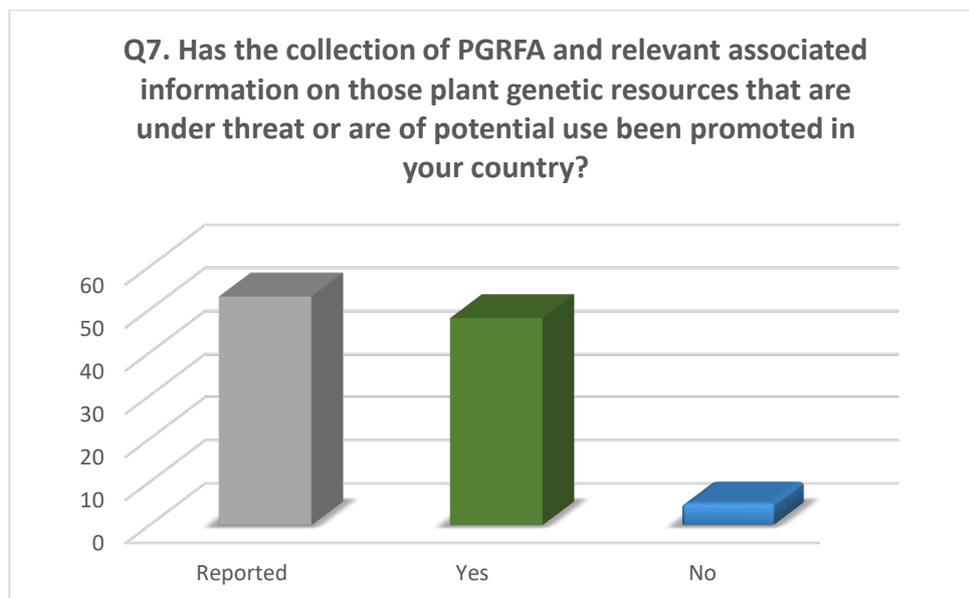


Figure 7. Contracting Parties reporting that the collection of PGRFA under threat has been promoted (by number).

13. Forty-two 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 European Region and of the GRULAC Region state having done so, whereas in most other Regions, no significant trend can be identified.

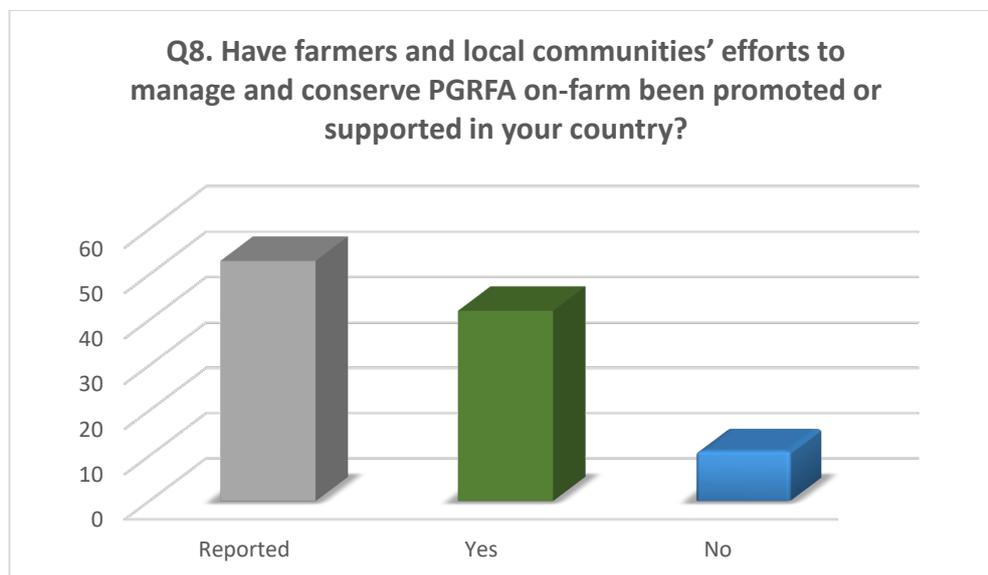


Figure 8. Reporting Contracting Parties promoting or supporting farmers and local communities' efforts to manage and conserve PGRFA on-farm (by number).

14. Thirty-five Contracting Parties report that in situ conservation of wild crop relatives and wild plants for food production has been promoted, with forty-three having taken measures to promote in situ conservation in protected areas and fourteen 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. Eighteen Contracting Parties, comprising both developing and developed countries, report that no such measures have been promoted by them.

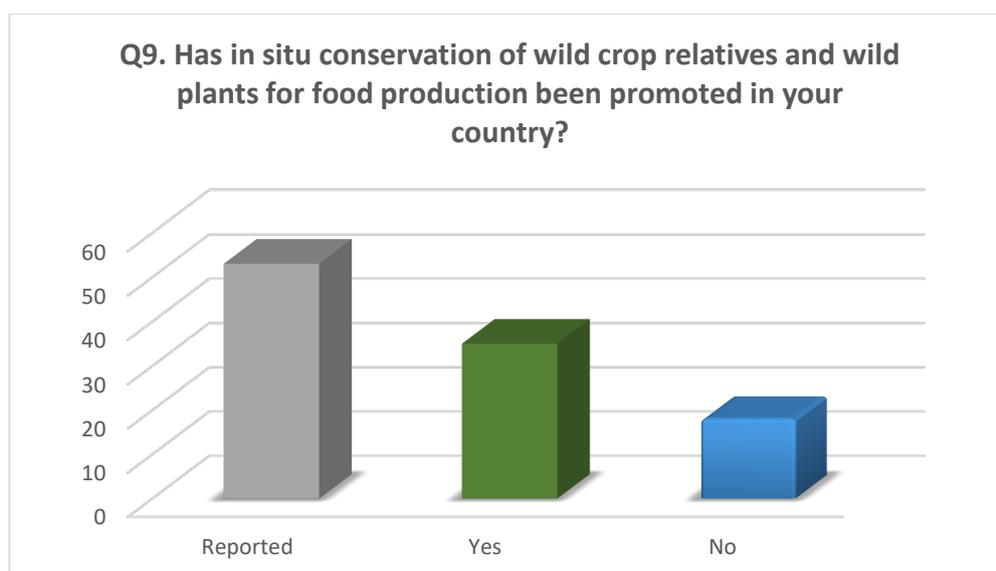


Figure 9. Reporting Contracting Parties promoting in situ conservation of CWR and wild plants for food production (by number).

15. Almost all reporting Contracting Parties (fifty-one or 96%) state that there are ex situ collections in their territories and the vast majority of the reports contain detailed lists of ex situ collections and most reports include the numbers of accessions. Forty-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 that the maintenance of the viability, degree of variation, and the genetic integrity of ex situ collections of PGRFA have been monitored.

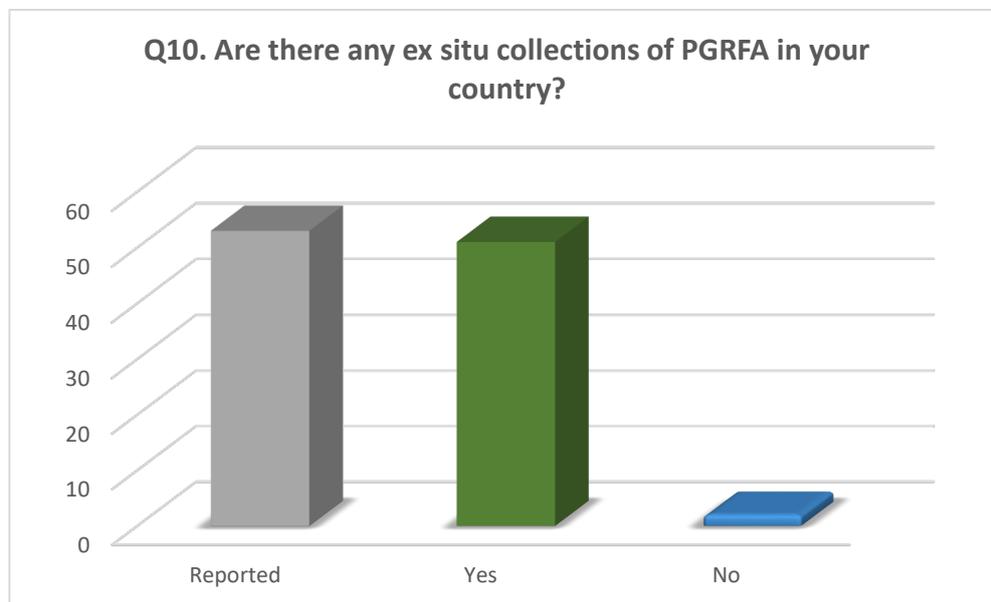


Figure 10. Reporting Contracting Parties with an ex situ collection of PGRFA (by number).

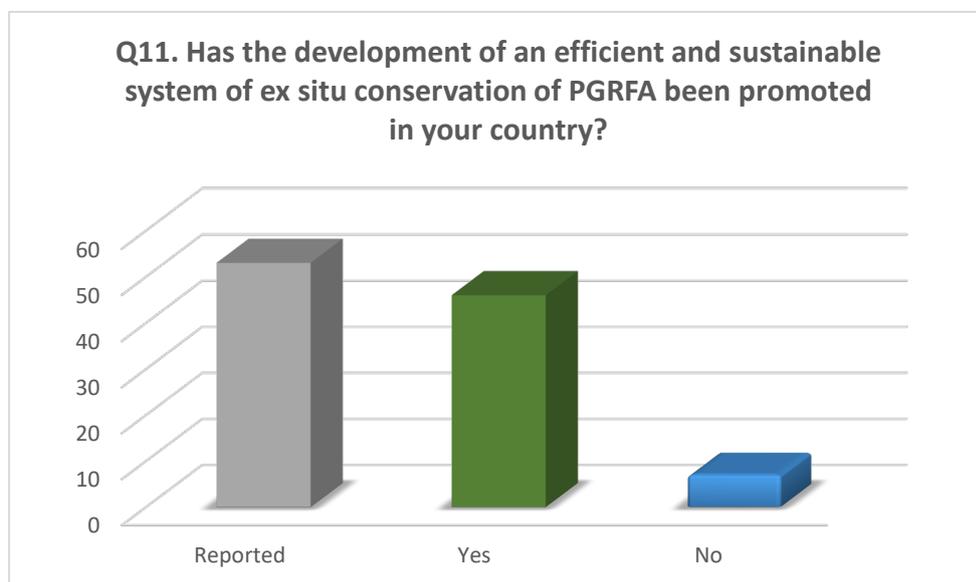


Figure 11. Reporting Contracting Parties promoting ex situ conservation of PGRFA.

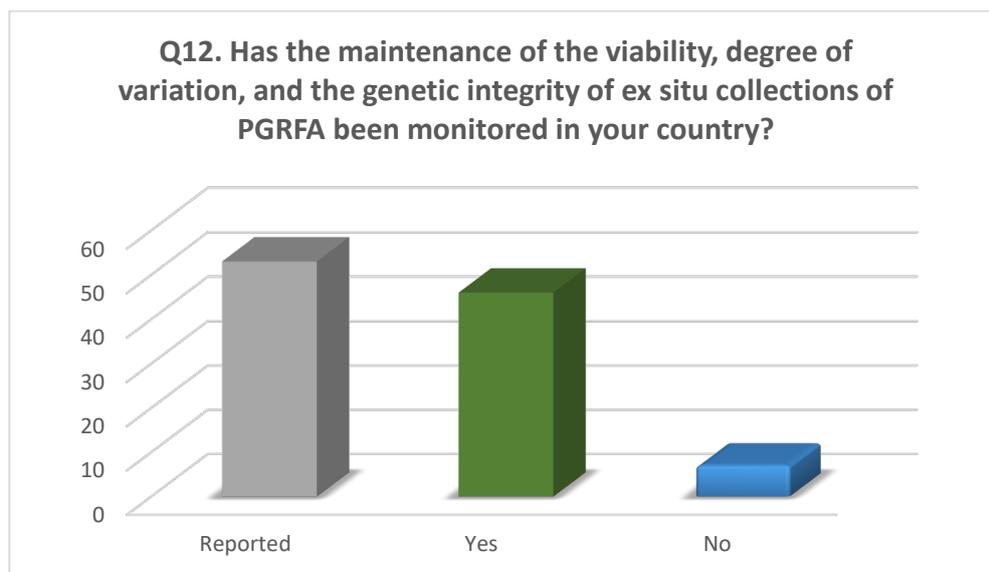


Figure 12. Reporting Contracting Parties monitoring the viability and genetic integrity of their ex situ collections of PGRFA (by number).

16. Finally, forty-six reporting Contracting Parties indicate that they have cooperated with other Contracting Parties in the conservation, exploration, collection, characterization, evaluation or documentation of PGRFA. In terms of regional trends, all the Near East Region reporting Contracting Parties, both North America Region Contracting Parties and the vast majority of reporting Contracting Parties of the African Region and of the European Region indicated having done so.

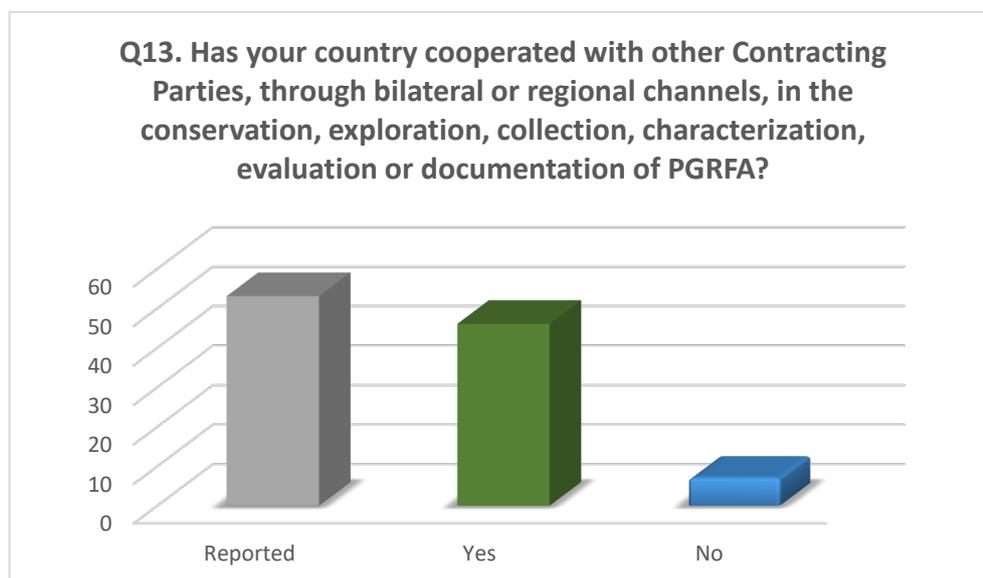


Figure 13. Reporting Contracting Parties cooperating bilaterally or regionally with other Contracting Parties on Articles 5 and 6 (by number).

C. SUSTAINABLE USE OF PLANT GENETIC RESOURCES FOR FOOD AND AGRICULTURE (ARTICLE 6)

17. Forty-five reports indicate that policy or legal measures that promote the sustainable use of PGRFA are in place in the Contracting Parties. Regarding such policy and legal measures, thirty-six 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; forty that they strengthen research that enhances and conserves biological diversity by maximizing intra- and inter-specific variation for the benefit of farmers; thirty-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.

18. Additionally, thirty-eight Contracting Parties report that they have broadened the genetic base of crops and increased the range of genetic diversity available to farmers; thirty-six, that they promote the expanded use of local and locally adapted crops, varieties and underutilized species; twenty-eight, 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 thirty-three, that they review and adjust breeding strategies and regulations concerning variety release and seed distribution.

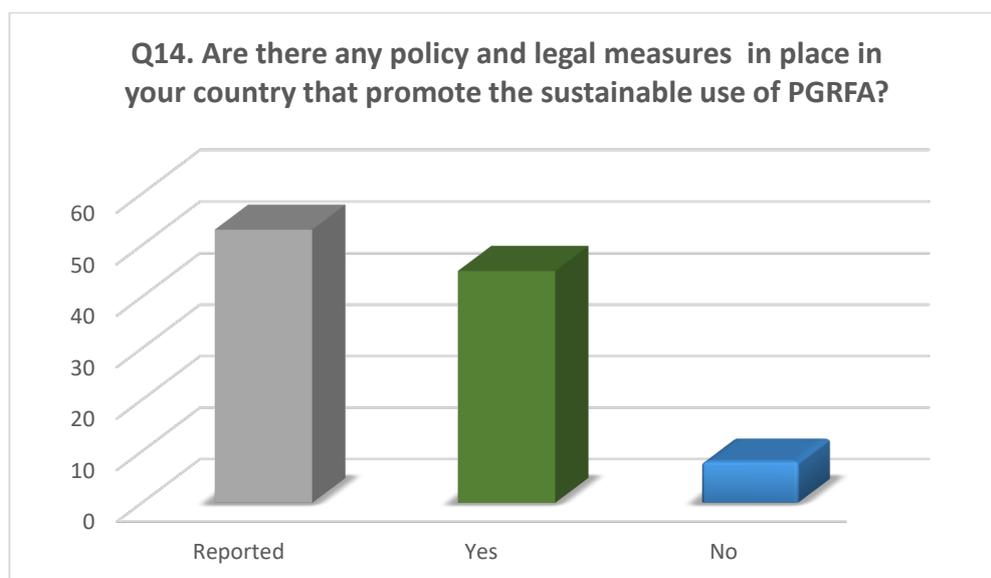


Figure 14. Reporting Contracting Parties with policy and legal measures promoting the sustainable use of PGRFA (by number).

D. NATIONAL COMMITMENTS AND INTERNATIONAL COOPERATION (ARTICLE 7)

19. Forty-three 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. Ten Contracting Parties report not having done so.

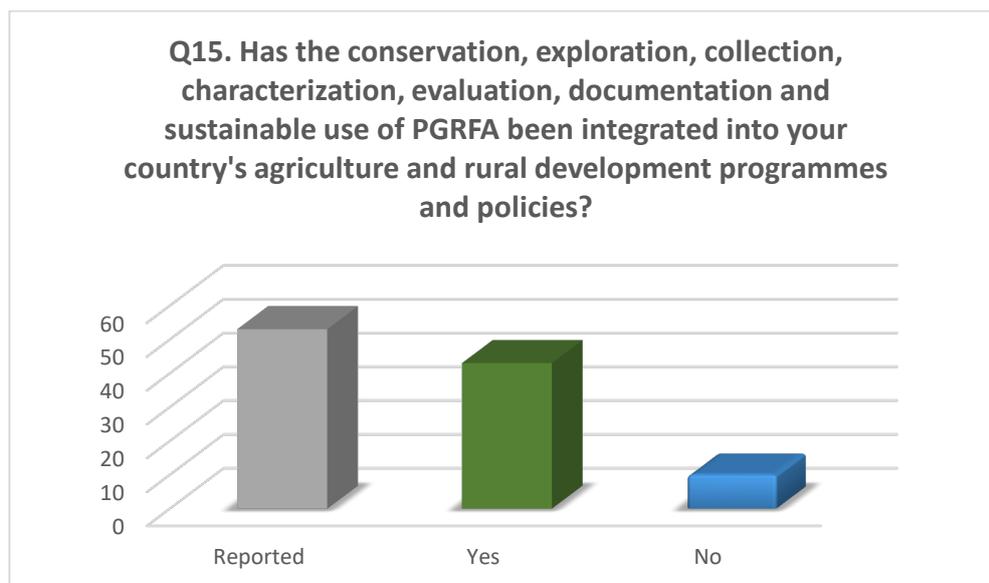


Figure 15. Reporting Contracting Parties with conservation, exploration, collection activities integrated into their agriculture and rural development programmes and policies (by number).

20. Forty-three Contracting Parties report that they have cooperated with other Contracting Parties, through bilateral or regional channels, in the conservation and sustainable use of PGRFA. Thirty 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-three 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 Treaty.

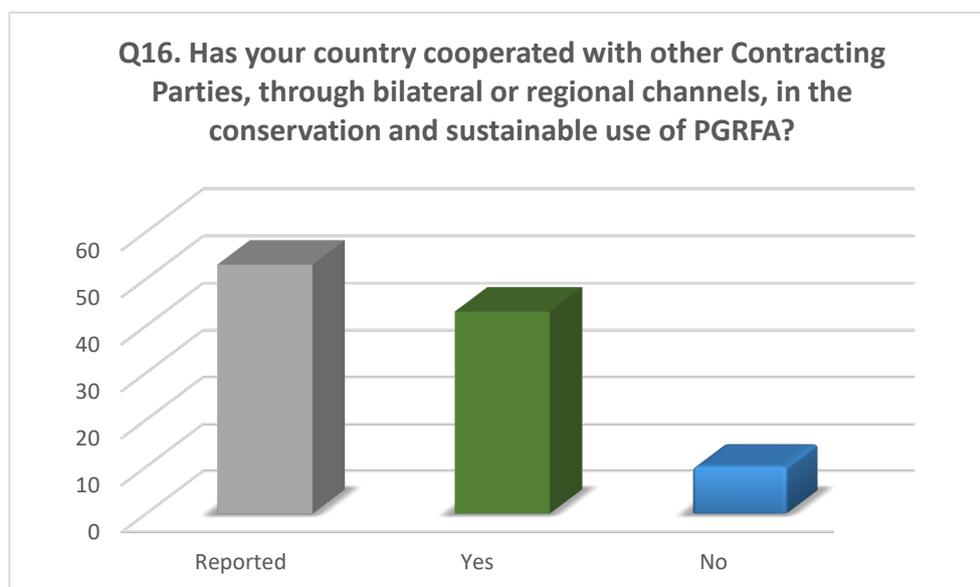


Figure 16. Reporting Contracting Parties cooperating with other Contracting Parties regionally or bilaterally in the conservation and sustainable use of PGRFA (by number).

E. TECHNICAL ASSISTANCE (ARTICLE 8)

21. Nineteen Contracting Parties (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 Treaty. Thirty-four Contracting Parties (practically all 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. The majority of developed country Contracting Parties referred to their replies under Questions 13 (relating to Article 5 of the Treaty) or Question 16 (relating to Article 7 of the Treaty).

22. Accordingly, twenty-three Contracting Parties (the majority of reporting developing country Contracting Parties) report having received technical assistance with the objective of facilitating the implementation of the Treaty and thirty (including all reporting developed country Contracting Parties) report they have not.

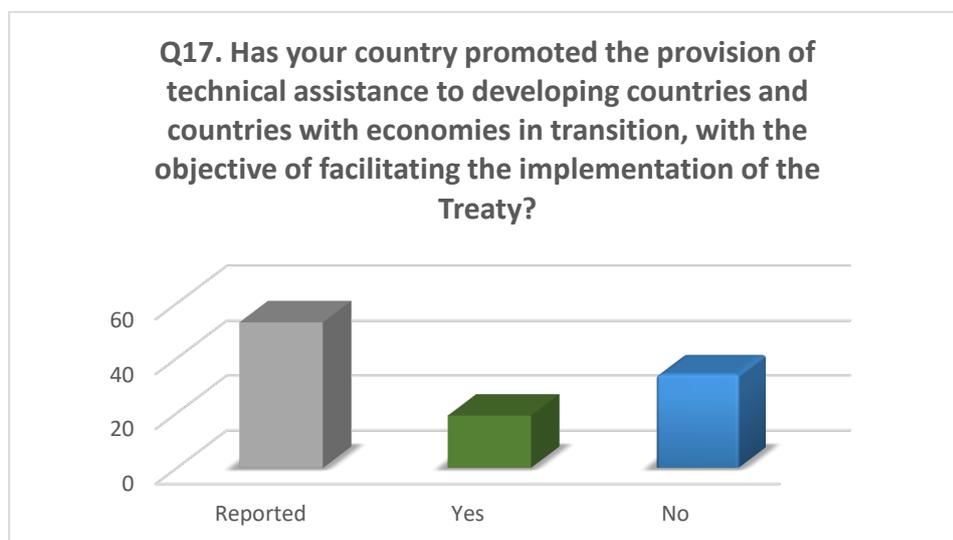


Figure 17. Reporting Contracting Parties promoting the provision of technical assistance, facilitating Treaty implementation (by number).

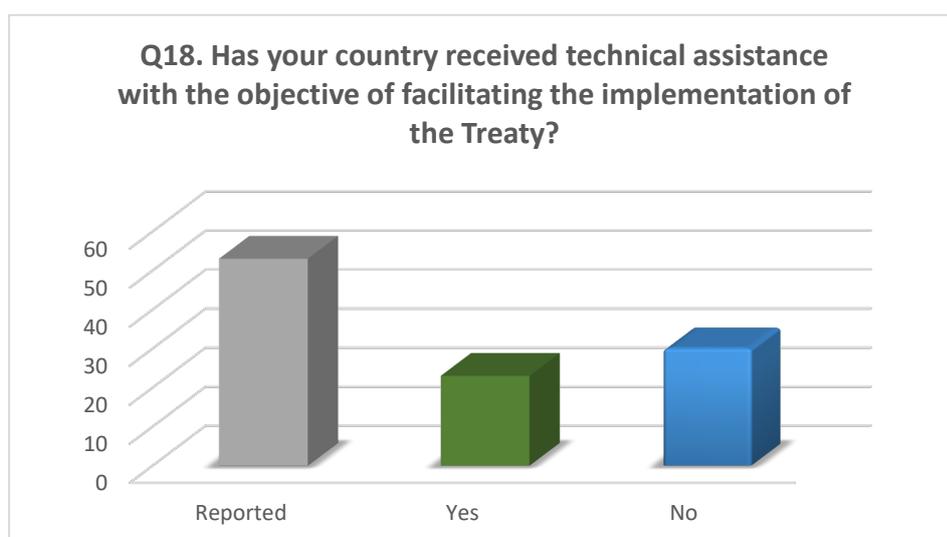


Figure 18. Reporting Contracting Parties having received technical assistance for Treaty implementation (by number).

F. FARMERS' RIGHTS (ARTICLE 9)

23. Thirty-eight Contracting Parties, both developing and developed countries, report that they have taken measures to protect and promote farmers' rights, namely, twenty-seven 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; thirty-one measures relating to the protection of traditional knowledge relevant to PGRFA; twenty-seven measures relating to the right to equitably participate in sharing benefits arising from the utilization of PGRFA; twenty-seven 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 thirty measures relating to any rights that farmers have to save, use, exchange, and sell farm-saved seed / propagating material.

24. 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.

25. Fifteen Contracting Parties report not having taken any such measures, both developing and developed countries.

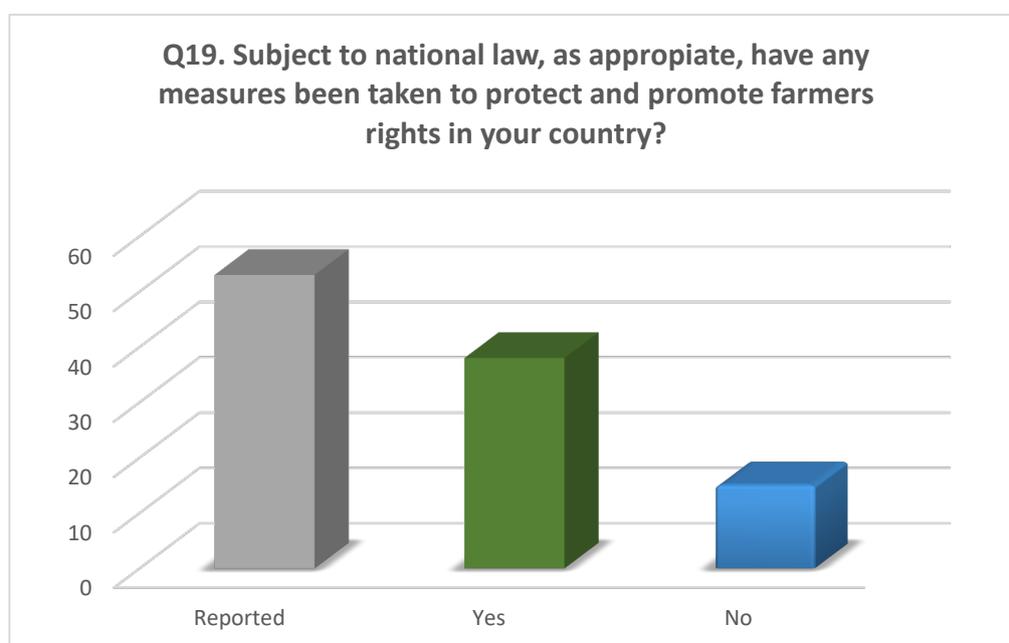


Figure 19. Reporting Contracting Parties having taken measures to protect and promote Farmers' Rights (by number).

G. MULTILATERAL SYSTEM OF ACCESS AND BENEFIT-SHARING (ARTICLES 10 TO 13)

a) Coverage

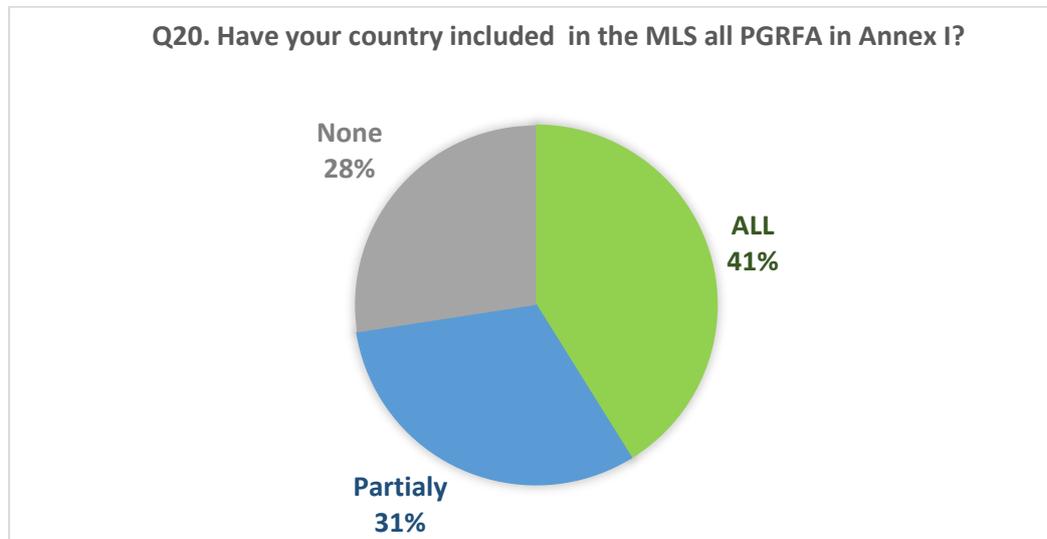


Figure 20. Showing, in the form of percentages, the replies to question 20 related to the notification of material in the Multilateral System by the Contracting Parties.

26. From the replies analysed, up to 21 Contracting Parties indicate that they have included 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. Sixteen Contracting Parties indicate that the inclusion has been partial, while fourteen indicate that they have not included material in the MLS. In total, up to 72 percent of the Contracting Parties have notified partial or total inclusion of the material listed in Annex I of the International Treaty.

27. In the comments to the partial inclusion, we find a wide range of replies from both developed and developing countries. As requested, some Contracting Parties provide information on the extent of the inclusion and most of them have enumerated the reasons the inclusion of all Annex I materials has not been completed:

- 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;
- c) Limited financial resources;
- d) More consultation is needed with stakeholders;

28. All the Contracting Parties that indicate they have not notified any material included are developing countries. One of these countries joined the International Treaty less than three years ago and indicates that it is working to get more familiar with the MLS and the notification process and requests support from the Secretariat through the Report. Other causes identified in the reports are:

- a) The need of a reviewed legal framework or a new law to implement the International Treaty is needed to allow the notification of inclusion;
- b) The lack of adequate legal guidelines for the identification and inclusion of material;

- c) There is no genebank or catalogue of PGRFA in the country and lack of specialised human resources to develop it;
- d) Limited economic resources and the need for capacity building;

29. 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 economic difficulties and the need for additional capacity building and support regarding the functioning of the Multilateral System at the national level.

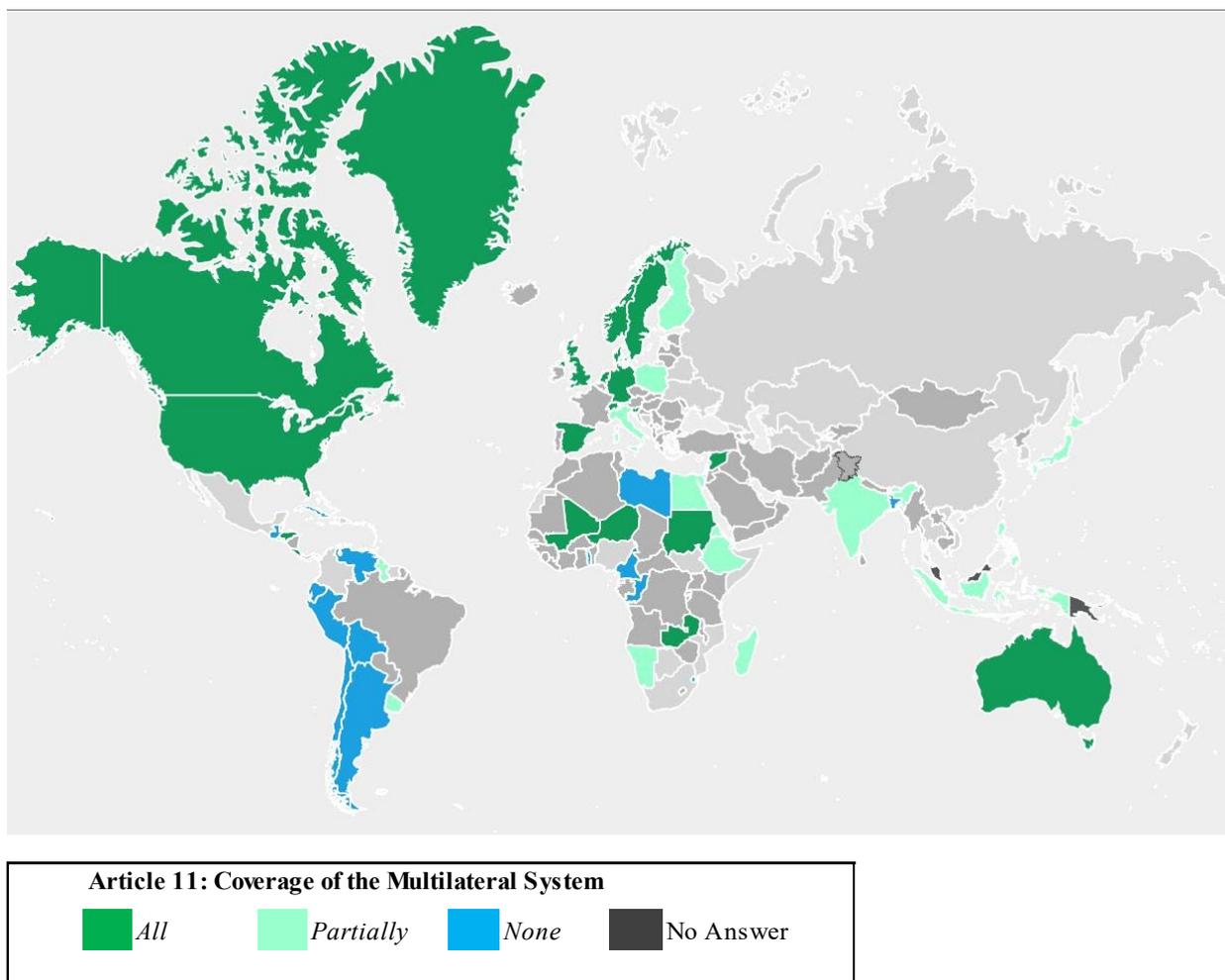


Figure 21. Showing the geographic distribution of the replies to question 20 regarding the notification of material available in the Multilateral System.

30. Fifteen 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 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 that the support of a national initiative of plant breeders with the specific aim to include material in the MLS. Another notes that the national genebank 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 including the material through donations to the national genebank and that there are ongoing discussions for the inclusion of an entire private collection. By proceeding in this way, the donation feeds both the MLS and the

national genebank with material which has previously not been under the management or control of the government.

31. 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.

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

33. 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 collections outside the public domain;
- c) There is no inventory of private PGRFA holders, which makes obtaining the necessary information difficult;
- d) The obligations of entering PGRFA in the MLS “may exceed” the capacity of the natural and legal persons to handle the incoming requests of the PGRFA from their collections;
- e) Lack of financial resources for this activity.

b) Facilitated access: measures taken and SMTA use

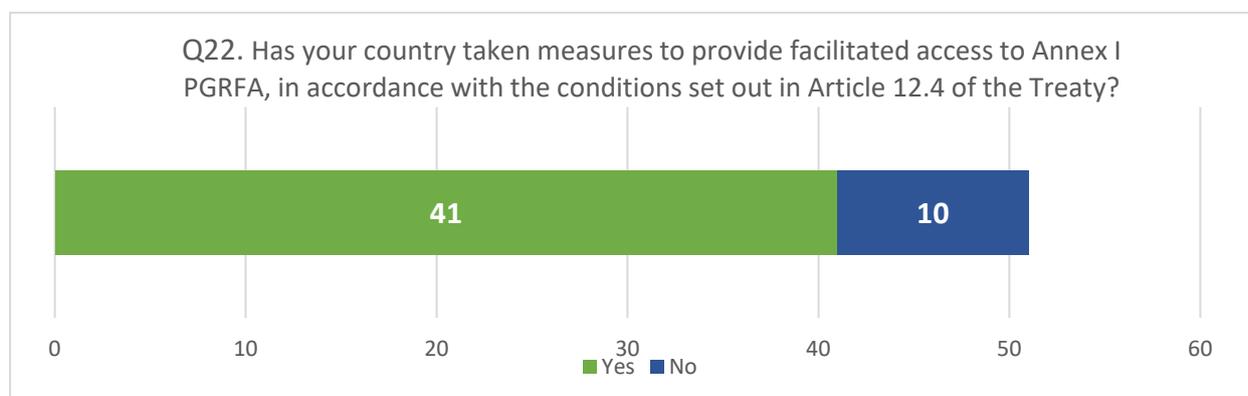


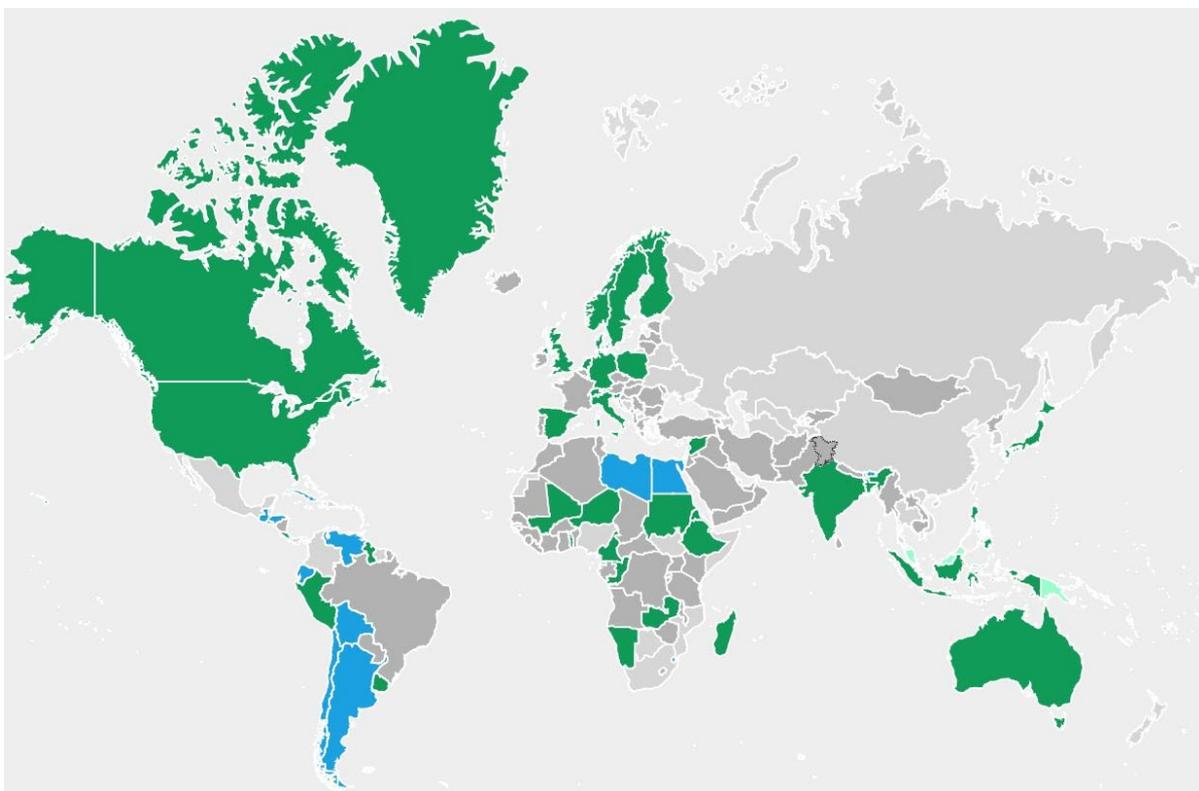
Figure 22. Showing the replies to question 22 in the form of a stacked chart bar.

34. In total, 41 Contracting Parties report having taken measures to provide facilitated access to PGRFA included in Annex I, in accordance with the conditions set out in Article 12.4 of the International Treaty. The measures reported include the provision of information or guidance to relevant stakeholders, the inclusion 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 genebank 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.

35. On the other side, ten developing country Contracting Parties that indicate that no measures have been taken – but three of them have facilitated access with the SMTA and information on their collections. The main barriers are the lack of a genebank, the limited capacity of the operations of the genebank, or the lack of an enabling regulatory framework. In detail, three of them indicate that are working on the development of the legal framework, a another it is considering the establishment of an inter-ministerial coordination mechanism, two more that there is no genebank and no resources to do it directly in the country – although national materials have been made available through international genebanks, one that the material is not characterized, and another one that no requests have been received.

36. Furthermore, up to 41 Contracting Parties report that facilitated access has been provided to Annex I PGRFA using the Standard Material Transfer Agreement (SMTA). Some of these provide the total figures of the agreements concluded – one Party reported more than 7,000 SMTAs transferring almost 140,000 materials, another 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,⁴ and that the figures can be easily generated from that System by the Secretariat.

37. In total, twelve Contracting Parties report that they have not used the SMTA during the reporting period. In detail, four Contracting Parties report that no requests were received so far. Three of them refer to the lack of an enabling national regulation. One Contracting Party report that there is the need to increase awareness among policy makers. One that no requests have been received so far. Another Contracting Party without a national genebank indicates the lack of financial resources as the main reason for not using the SMTA.



⁴ Easy-SMTA is available at <https://mls.planttreaty.org/itt/>

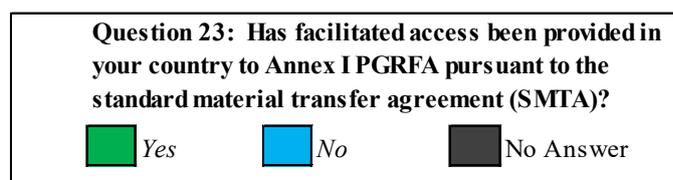


Figure 23 Showing the replies to question 23 in the form for a world map –whether or not facilitated access to Annex I PGRFA have been done using the SMTA.

38. Twenty-one Contracting Parties have used the SMTA voluntarily to provide access to non-Annex I PGRFA. Some of the reports contain the number of agreements concluded or the number of samples sent. Several Contracting Parties refer to a regional political commitment in the context of their ongoing cooperation to facilitate PGRFA exchange regardless of their inclusion in Annex I when used for research, training and breeding – excluding for private hobby or similar use. Other countries have already integrated this approach in the national policy, as a way to reduce transactions and handling costs by using the same approach for both Annex I and non-Annex I material. Overall, one-third of those reports indicate that Contracting Parties that have used the SMTA for Annex I have also used it for non-Annex I material on a voluntary basis.

39. Regarding the possibility for parties to the material transfer agreements to seek recourse in case of contractual disputes arising under such agreements, twenty-seven Contracting Parties report that this is possible under their civil codes and the regulation of private contracts, and that a civil litigation process may be brought before a court. On the other side, twenty Contracting Parties report that the recourse is not possible.

40. In response to question 26, up to 26 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, the same twenty Contracting Parties report that the enforcement is not possible. The figure shows the relation between the replies to questions 25 and 26. It is to be noted that six countries did not respond to question 25 and seven did not to question 26. Some reporting officers have indicated to the Secretariat that they have difficulties in understanding these questions or in getting the necessary legal expertise to respond.

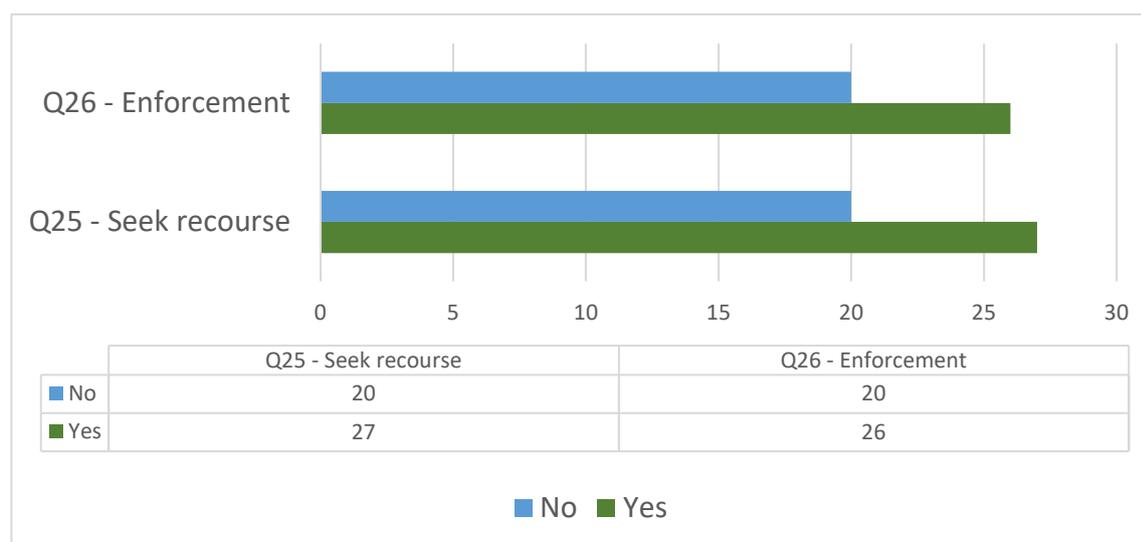


Figure 24. Showing the replies to question 25 and 26 regarding the possibility to seek recourse in the legal system of the Contracting Party in case of contractual disputes arising under the SMTA and the possibility to get enforced the arbitral decisions related to the SMTA.

41. Seven Contracting Parties report that have provided facilitated access to Annex I PGRFA for the purpose of contributing to the re-establishment of agricultural systems in cases of national emergency disaster situation. Four Contracting Party do not provide further details. Two Contracting Parties indicate that the access has been facilitated in these types of situations at the national level. Three of them further indicates that national genebanks and projects have distributed seeds to national farmers severely affected by hurricanes. The distribution of seed after the emergency situation included both material previously collected in those regions and new varieties of *phaseolus vulgaris*, *phaseolus lunatus*, *zea mays*, *oryza sativa*, *ipomea batata*, *brassica rapa*, and *raphanus sativus*. In one case, the national programme on urban and suburban family agriculture had recommended the distribution of short-cycle crops. Nevertheless, two reporting officers recognize that there was no detailed information on the amount of material distributed. Additionally, one Contracting Party provides details of the distribution of maize and beans materials by the Government in 2015 and 2018 for both natural disasters and pest diseases. Another Contracting Party reports the distribution of seeds by a local association of farmers with community genebanks.

c) Benefit-sharing in the Multilateral System

42. In total, up to 32 Contracting Parties report having made information available regarding Annex I PGRFA through several channels and resources:

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

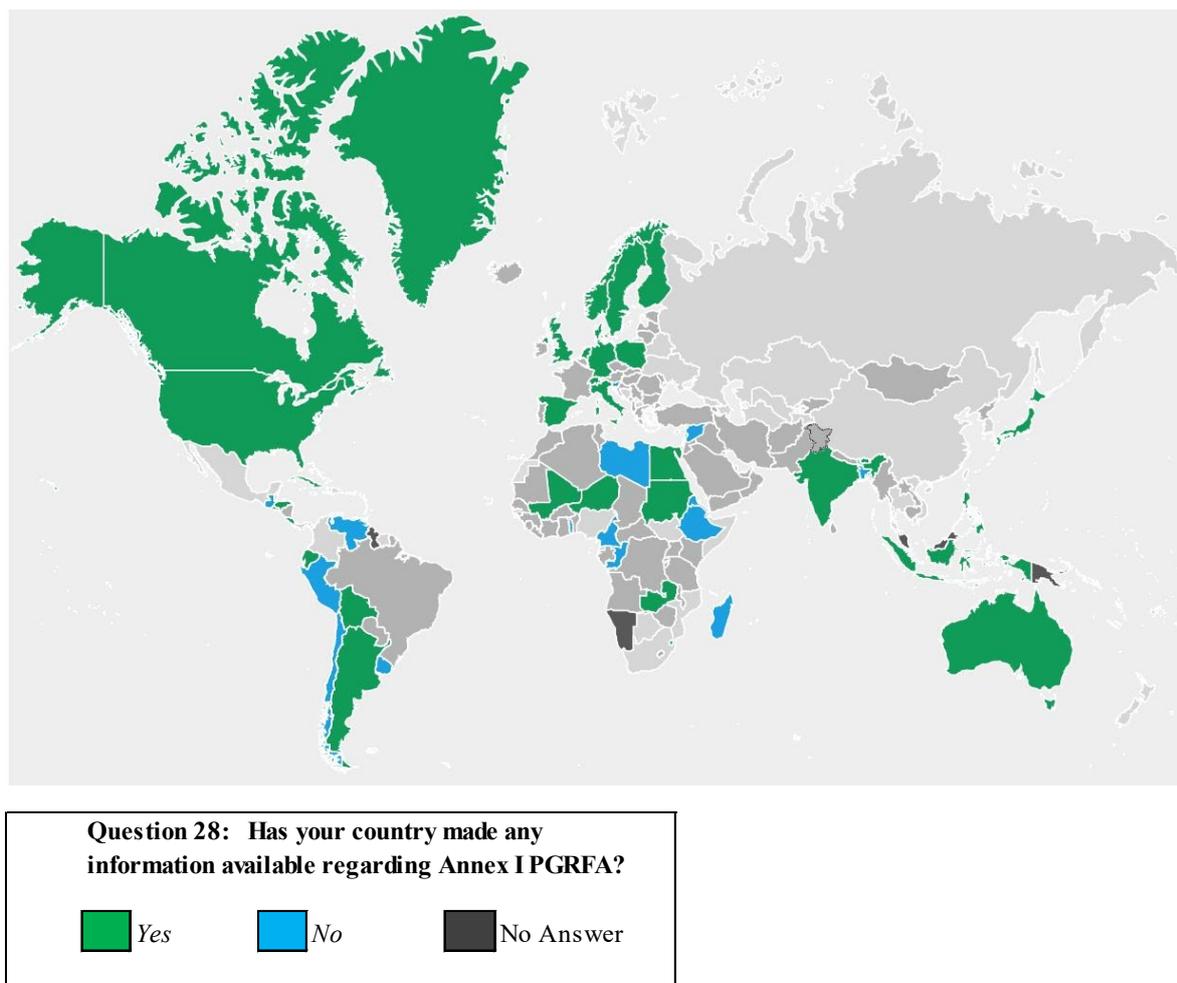
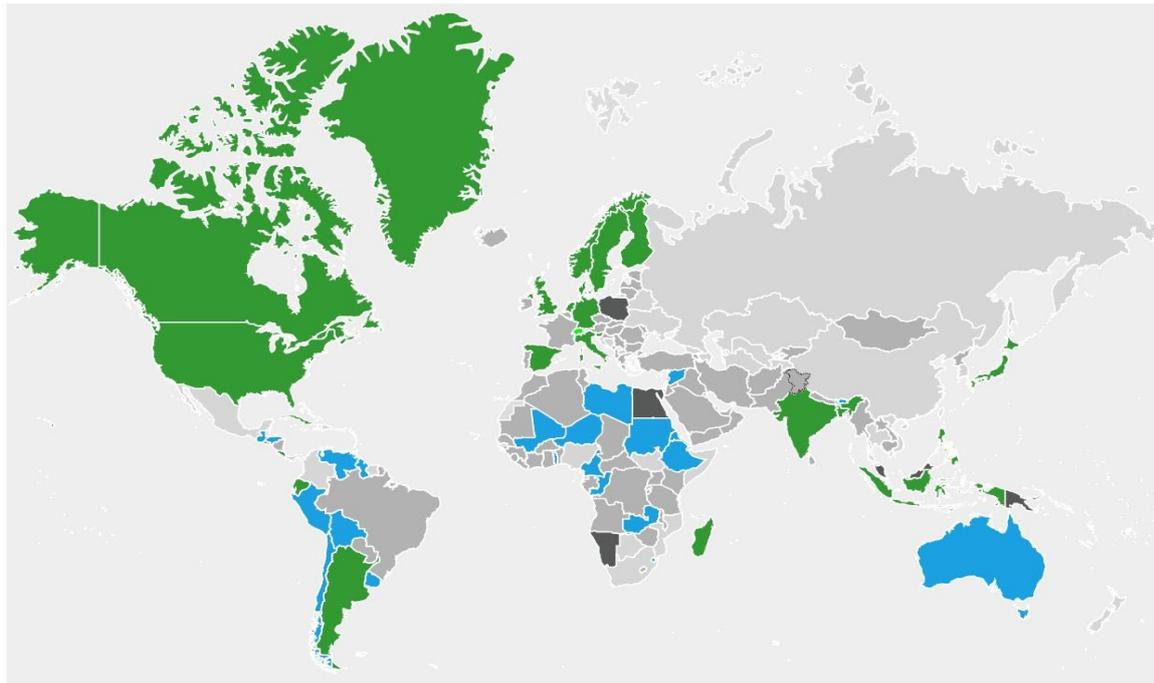


Figure 25. Showing the geographic distribution of the replies to question 28 indicating whether the Contracting Party has made any available information on Annex I PGRFA.

43. Twenty-four Contracting Parties inform through their national reports about the facilitated access they provide to technologies for the conservation, characterization, evaluation and use of Annex I PGRFA. Some Contracting Parties have established or participated in crop-based working groups on the utilization of PGRFA – through ECPGR and its crop-based working groups and the 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. Finally, Contracting Parties in other regions refer to their support or participation in regional and crop-based networks with technology transfer and capacity building activities.

44. Through several reports, the reporting officers indicate being aware of partnerships in their countries on research and development in commercial joint ventures related to the material received through the MLS. 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.



Question 29: Has your country provided or facilitated access to technologies for the conservation, characterisation, evaluation and use of Annex I PGRFA?

Yes No No Answer

Figure 26. 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.

45. In total, up to 34 Contracting Parties report that they have provided or benefitted from capacity building measures. Eight Contracting Parties from various regions declare that they are carrying out scientific research and collaborating with other Parties, in particular, for the development of capacity through various programmes for scientific and technical education and training in conservation and sustainable use of PGRFA. There are different levels of details in the description of those initiatives and some of them are funding mechanisms on research, capacity building, and technology transfer.

46. Several Contracting Parties report that they have supported the development and strengthening of facilities for conservation and sustainable use of PGRFA and have also linked back to their replies under questions 13, 16 or 17 of their reports.

47. 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

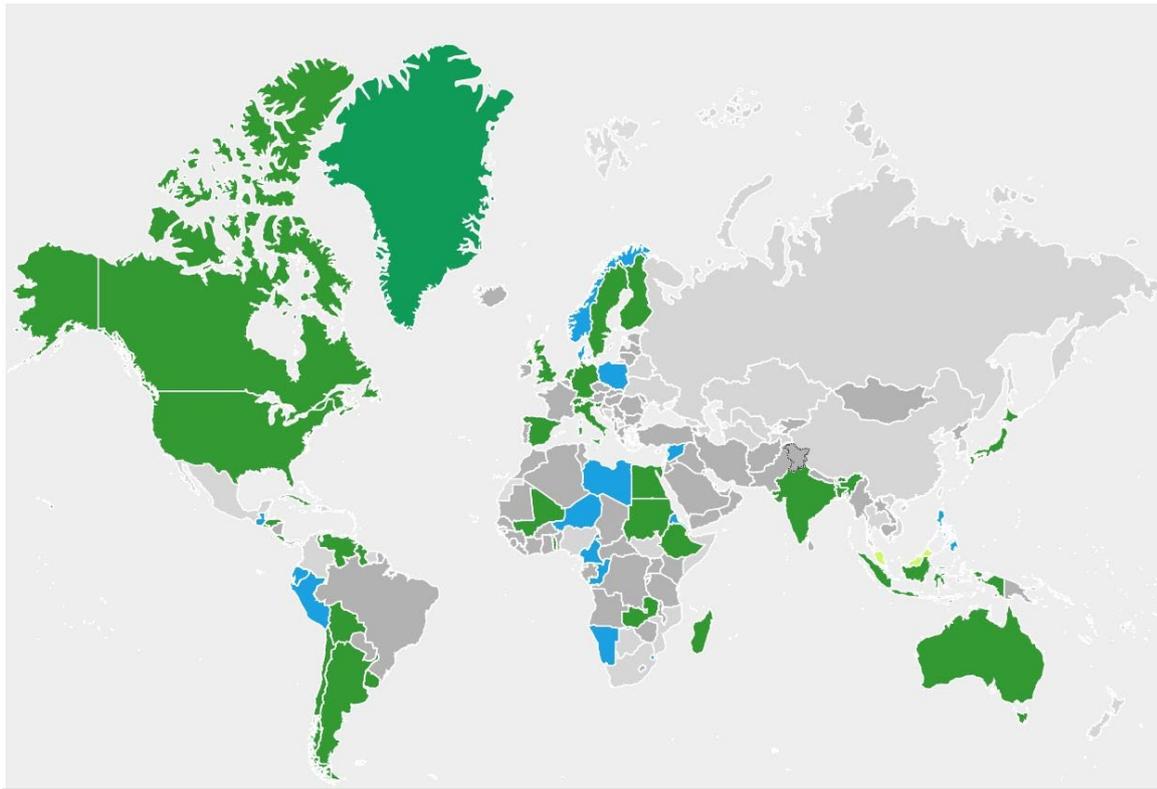
Trees (CePaCT) and the Pacific Agricultural Plant Genetic Resources Network (PAPGREN), among others.⁵

48. In Europe, most Contracting Parties refer to their participation in the working groups of the European Cooperative Programme for Genetic Resources (ECPGR). 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 genebank facilities in the Baltic countries. Several Contracting Parties also refer to recent and ongoing collaboration through projects funded by the European Union.

49. It is worth mentioning, for example, three initiatives of different nature highlighted by Contracting Parties of Europe: a) One Contracting Party indicates that a national research centre organizes a 3-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.

50. Several Contracting Parties report on various technical activities with FAO, the Commission on Genetic Resources for Food and Agriculture (CGRFA), the Consultative Group for International Agricultural Research (CGIAR), the International Fund for Agricultural Development (IFAD), the Global Crop Diversity Trust (GCDT), and the Secretariat of the International Treaty. 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. Also, several Contracting Parties refer to their collaborations with the Centers of the CGIAR through research projects on conservation and use of PGRFA with capacity building components.

⁵ This information is also relevant in relation to Article 16, question 34, see below.



Question 30: Has your country provided for and/or benefitted from capacity building measures in respect of Annex I PGRFA?

■ Yes
 ■ No
 ■ No Answer

Figure 27. Showing the geographic distribution of the replies to question 30 indicating whether the Contracting Party has provided or benefitted from capacity building measures in respect of Annex I PGRFA.

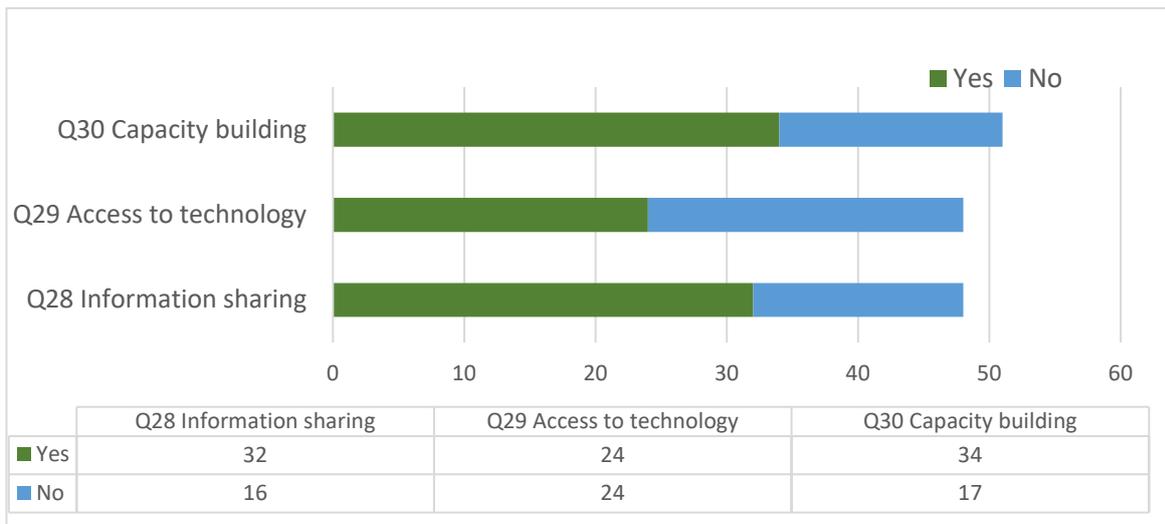


Figure 28. Showing the replies to question 28, 29 and 30 regarding information sharing, access to technology and capacity building related to Annex I PGRFA, respectively.

H. THE GLOBAL PLAN OF ACTION (ARTICLE 14)

51. In their reports, up to 42 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, and most of them report doing so through national and international cooperation. At the country level, many Contracting Parties report, under this section, the existence of national conservation and biodiversity strategies, policies and plans and ongoing activities on sustainable use. Only eight Contracting Parties replied in the negative.

52. Some Contracting Parties remark that the information required for Question 11 of the Standard Reporting Format 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 (ARTICLE 15)

53. Thirty-eight Contracting Parties report that they have facilitated access to Annex I PGRFA to the International Agricultural Research Centres of the Consultative Group on International Agricultural Research (IARCs) 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 Easy-SMTA. Other Contracting Parties reply positively to the question but note that no requests had been received so far. Finally, twelve Contracting Parties state that they have not provided any material. In the comments, these Contracting Parties indicated that they do not have a genebank or that they have not received any request.

54. Fifteen 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 below represents the replies to both questions 32 and 33 of the reporting format.

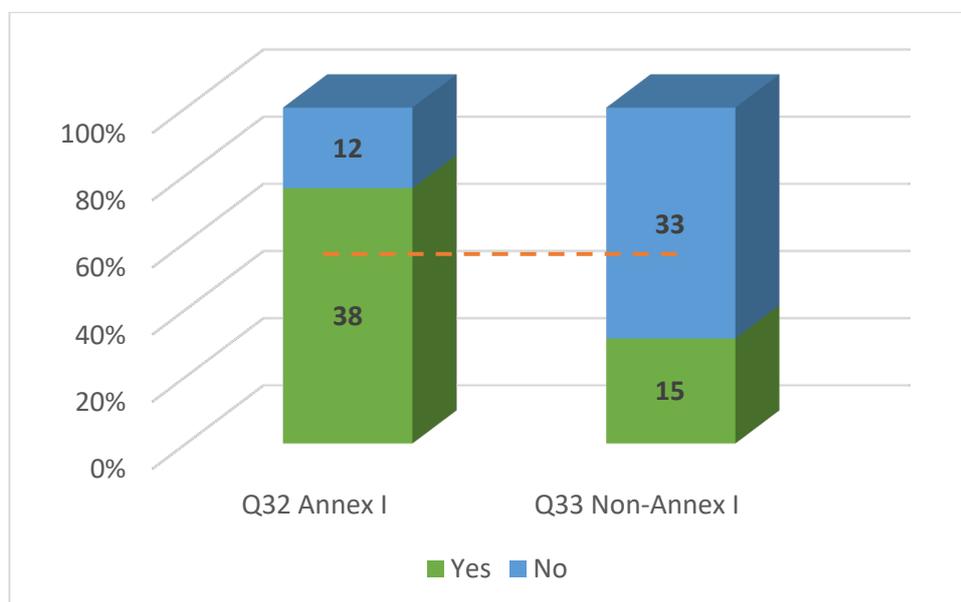


Figure 29. Showing the replies to questions 32 regarding facilitated access to Annex I PGRFA provided in the country to IARCs and other Art. 15 institutions, and 33 regarding facilitated access to non-Annex I PGRFA to IARCs or other international institutions that have signed Agreements pursuant to Art. 15.

J. INTERNATIONAL PLANT GENETIC RESOURCES NETWORKS (ARTICLE 16)

55. Three-quarters of the Contracting Parties report activities to encourage government, private, non-governmental, research, breeding and other institutions to participate in the international plant genetic resources networks. In their replies to this question, the Contracting Parties 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 workshops or bilateral projects on the documentation of PGRFA or plant breeding. Not much information is provided in the comments to the negative replies. It is to be noted that at least two Contracting Parties that reply negatively to this question are members of one or more regional research networks, as indicated in other sections of their reports.

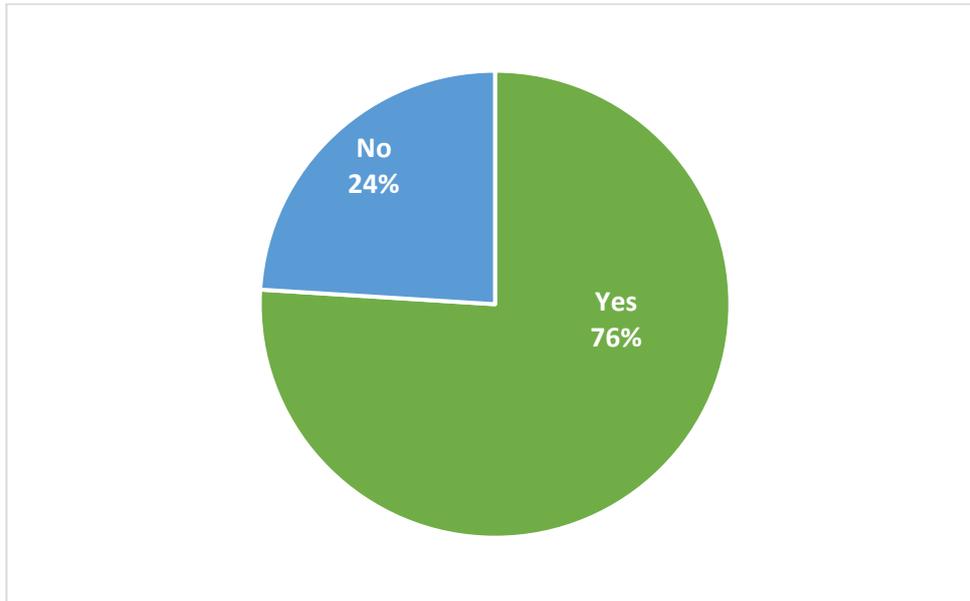


Figure 30. Showing the replies to question 34 and displays, in green, the percentage of countries that have undertaken activities to encourage government, private, non-governmental, research, breeding and other institutions to participate in the international plant genetic resources networks.

K. FINANCIAL RESOURCES (ARTICLE 18)

56. Twenty-two Contracting Parties do not reply positively to the question of whether they have provided or received financial resources for the implementation of the International Treaty through bilateral, regional or multilateral channels, six of them are developed countries. Several developing country Contracting Parties report direct financial support from the Benefit-sharing Fund (BSF) of the International Treaty. They also report support 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).

57. 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.

58. 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 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 Treaty's meetings. Furthermore, one Contracting Party reports direct financial and technical support to the Global Seed Vault since 2008 as the facility provides backup storage for all ex situ collections worldwide.

59. Several developed and developing country Contracting Parties report the funding of national activities related to the conservation and sustainable use of PGRFA, in particular, the national genebanks and research and breeding of PGRFA. Some of the reports provide information on the funding of several projects and initiatives on genomics.

L. GENERAL REMARKS ON THE IMPLEMENTATION OF THE ITPGRFA

60. Several Contracting Parties indicate that the application of the International Treaty requires time, financial resources, policy and legal measures, more capacity building actions, the development or strengthening of one or various national coordinating mechanisms and networks, and the involvement of farmers, breeders and the civil society. In particular, attention is drawn to the need to develop and sustain capacity building activities at various levels and topics, possibly in collaboration with the IARCs. Several Contracting Parties suggest the development of more guidelines by the Governing Body on specific issues in order to assist countries with their implementation.

61. Concerning the Multilateral System, several Contracting Parties comment that the SMTA is not self-explanatory, especially for users not speaking one of the six official languages of the United Nations, 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 improve its adoption. Furthermore, they suggest the provision of courtesy translations into other national languages, the development of explanatory notes and the elaboration of frequently asked questions. It also proposes the development of guidelines on how to include material in the Multilateral System.

62. 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.

63. Several Contracting Parties indicate that for the implementation at the national level, and in addition to the legal framework, there is the 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 nature) or authority is remarked in various reports.

64. Increasing awareness raising on the International Treaty, access to additional funding opportunities and broadening the opportunities for capacity building are key recommendations of most 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 list of crops listed in Annex I.

65. 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 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.

66. Some Contracting Parties indicate what kind 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.

II. ANALYSIS

67. Based on the synthesis report, this analysis is provided according to Section V.3 of the Compliance Procedures:

- a) The information provided by Contracting Parties during the extended reporting period agreed by the Governing Body has enabled a notable increase in the number of reports received. The training activities undertaken by the Secretariat in 2018 with the funding of the Government of Germany have contributed to these results.
- b) The use of the Standard Reporting Format and 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 the end of 2018;
- c) The vast majority of reporting Contracting Parties have established measures for the conservation and sustainable use of PGRFA, with most reports containing detailed information on such measures, and are cooperating with other Contracting Parties in this area;
- d) The majority of reporting Contracting Parties has taken measures to promote Farmers' Rights, with a slight tendency to focus on measures related to the participation in decision-making and less on those related to sharing benefits arising from the utilization of PGRFA;
- e) Up to 76 percent of the respondents have notified of material that is in the Multilateral System through notifications or through the Global Information System. Half of them have already notified all their Annex I material as included.
- f) The Committee noted that some Contracting Parties have not notified any material that is in the Multilateral System and identified this as one additional area for support and capacity building.
- g) Eighty percent of the 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. Most of those that have not yet taken 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 transfer of Annex I PGRFA so far or indicate that they have no genebanks.
- h) A majority of reporting Contracting Parties has provided or received non-monetary benefits from the utilization of PGRFA in the MLS. More than 65 percent of the respondents have provided or benefited from capacity building measures in respect of Annex I PGRFA. Some Contracting Parties joined the International Treaty recently and have requested information and technical support to better understand the operations of the Multilateral System and their options for implementation at the national level.
- i) Up to 84 percent of the Contracting Parties are promoting the implementation of the Global Plan of Action. In total, 76 percent have facilitated access to Annex I PGRFA to International Agricultural Research Centers of the CGIAR or other international institutions that have signed agreements with the Governing Body of the International Treaty, and 50 percent have also provided access to Non-Annex I PGRFA.

j) Most reports offer valuable details on the funding provided or received for the implementation of the International Treaty. While many developing countries (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, 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. In general terms, the information provided is helpful, and could benefit of further refinements and updates in the context of the ongoing review of the Funding Strategy.

APPENDIX 3**STANDARD REPORTING FORMAT
COUNTRY REPORT ON COMPLIANCE – ITPGRFA**

Name and contact details of the reporting officer:

Institution:

Country:

Date of submission:

Article 4: General Obligations

1. Are there any laws, regulations procedures or policies in place in your country that implement the Treaty?

Yes

No

If your answer is 'yes', please provide details of such laws, regulations, procedures or policies:

2. Are there any other laws, regulations, procedures or policies in place in your country that apply to plant genetic resources?

Yes

No

If your answer is 'yes', please provide details of such laws, regulations, procedures or policies:

3. Is there any law, regulation, procedure or policy in place in your country that needs to be adjusted / harmonized⁶ to ensure conformity with the obligations as provided in the Treaty?

Yes

No

If your answer is 'yes', please provide details of such adjustments and any plans to make those adjustments:

⁶ For the purpose of this report, a Contracting Party may choose whichever term (adjusted or harmonized) is appropriate in relation to their legal systems.

Article 5: Conservation, Exploration, Collection, Characterisation, Evaluation and Documentation of Plant Genetic Resources for Food and Agriculture

4. Has an integrated approach to the exploration, conservation and sustainable use of plant genetic resources for food and agriculture (PGRFA) been promoted in your country?

Yes

No

5. Have PGRFA been surveyed and inventoried in your country?

Yes

No

If your answer is 'yes', please provide details of your findings, specifying species, sub-species and/or varieties, including those that are of potential use:

If your answer is 'no', please indicate:

Any difficulties encountered in surveying or inventorying PGRFA;

Any action plans to survey and inventory PGRFA;

The most important PGRFA that should be surveyed and inventoried:

6. Has any threat to PGRFA in your country been identified?

Yes

No

If your answer is 'yes', please indicate:

The species, subspecies and/or varieties subject to such threats;

The sources (causes) of these threats;

Any steps taken to minimise or eliminate these threats;

Any difficulties encountered in implementing such steps:

7. Has the collection of PGRFA and relevant associated information on those plant genetic resources that are under threat or are of potential use been promoted in your country?

Yes

No

If your answer is 'yes', please provide details of the measures taken:

8. Have farmers and local communities' efforts to manage and conserve PGRFA on-farm been promoted or supported in your country?

Yes

No

If your answer is 'yes', please provide details of the measures taken:

9. Has in situ conservation of wild crop relatives and wild plants for food production been promoted in your country?

Yes

No

If your answer is 'yes', please indicate whether any measures have been taken to:

Promote in situ conservation in protected areas;

Support the efforts of indigenous and local communities.

If such measures have been taken, please provide details of the measures taken:

10. Are there any ex situ collections of PGRFA in your country?

Yes

No

If your answer is 'yes', please provide information on the holder and content of such collections:

11. Has the development of an efficient and sustainable system of ex situ conservation of PGRFA been promoted in your country?

Yes

No

If your answer is 'yes', please indicate the measures taken to promote ex situ conservation, in particular any measures to promote the development and transfer of technologies for this purpose:

12. Has the maintenance of the viability, degree of variation, and the genetic integrity of ex situ collections of PGRFA been monitored in your country?

Yes

No

If your answer is 'yes', please provide details of the main conclusions of these monitoring activities:

13. Has your country cooperated with other Contracting Parties, through bilateral or regional channels, in the conservation, exploration, collection, characterization, evaluation or documentation of PGRFA?

Yes

No

If your answer is 'yes', please indicate the other Contracting Parties with whom the cooperation was undertaken (where additional to cooperation through the Governing Body or other Treaty mechanisms) and, where possible, details of any relevant projects:

Article 6: Sustainable Use of Plant Genetic Resources for Food and Agriculture

14. Are there any policy and legal measures⁷ in place in your country that promote the sustainable use of PGRFA?

Yes

No

If your answer is 'yes', please indicate whether such policy and legal measures include:

Pursuing 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;

Strengthening research that enhances and conserves biological diversity by maximizing intra- and inter-specific variation for the benefit of farmers;

Promoting 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;

Broadening the genetic base of crops and increasing the range of genetic diversity available to farmers;

Promoting the expanded use of local and locally adapted crops, varieties and underutilised species;

Supporting 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;

Reviewing and adjusting breeding strategies and regulations concerning variety release and seed distribution.

If such policy and legal measures are in place, please provide details of the measures taken and any difficulties encountered in implementing them:

Article 7: National Commitments and International Cooperation

⁷ For the purpose of this report, legal measures may include regulations.

15. Has the conservation, exploration, collection, characterization, evaluation, documentation and sustainable use of PGRFA been integrated into your country's programmes and policies?

Yes

No

If your answer is 'yes', please provide details of the integration of such activities:

Conservation

Exploration

Collection

Characterization

Evaluation

Documentation

Sustainable use

Please indicate into which type of programmes and policies:

Agriculture and rural development

Food security

Biodiversity conservation

Climate change

Other

Additional details:

16. Has your country cooperated with other Contracting Parties, through bilateral or regional channels, in the conservation and sustainable use of PGRFA?

Yes

No

If your answer is 'yes', please indicate whether the aim of such cooperation is to:

- Strengthen the capability of developing countries and countries with economies in transition with respect to conservation and sustainable use of PGRFA;
- 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 Treaty.

If, in addition to cooperation through the Governing Body or other Treaty mechanisms, your country has cooperated with other Contracting Parties directly or through FAO and other relevant international organizations, please indicate such other Contracting Parties and, where possible, details of any relevant projects:

Article 8: Technical Assistance

17. Has your country promoted the provision of technical assistance to developing countries and countries with economies in transition, with the objective of facilitating the implementation of the Treaty?

- Yes
- No
- Not applicable

If your answer is 'yes', please provide details of the measures taken:

- Exchange of information
- Access to and transfer of technology
- Capacity building

Please explain:

18. Has your country received technical assistance with the objective of facilitating the implementation of the Treaty?

- Yes
- No

Not applicable

If your answer is 'yes', please provide details of such technical assistance:

- Exchange of information
- Access to and transfer of technology
- Capacity building

Please explain:

Article 9: Farmers' Rights

19. Subject to national law, as appropriate, have any measures been taken to protect and promote farmers rights in your country?

Yes

No

If your answer is 'yes', please indicate whether such measures were related to:

- 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;
- The protection of traditional knowledge relevant to PGRFA;
- The right to equitably participate in sharing benefits arising from the utilisation of PGRFA;
- The right to participate in making decisions, at the national level, on matters related to the conservation and sustainable use of PGRFA;
- Any rights that farmers have to save, use, exchange, and sell farm-saved seed / propagating material.

If such measures were taken, please provide details of the measures taken and any difficulties encountered in implementing them:

Article 11: Coverage of the Multilateral System

20. Has your country notified all PGRFA listed in Annex I to the Treaty that are under the management and control of your Government and in the public domain as included in the Multilateral System of Access and Benefit-Sharing (MLS)?

All

Partially

None

If your answer is 'all', please provide details of any difficulties encountered in including Annex I PGRFA in the MLS:

If your answer is 'partially', please provide details of:

The extent to which Annex I PGRFA have been included in the MLS;

The crops that have been included in the MLS; and

The difficulties encountered in including Annex I PGRFA in the MLS:

If your answer is 'none', please indicate the difficulties encountered in including Annex I PGRFA in the MLS:

Lack of guidelines for the identification and inclusion of material;

There is no national genebank;

Lack of catalogue of PGRFA in the country

Lack of specialised human resources;

Limited economic resources and the need for capacity building;

Other, please explain

21. 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

If your answer is 'yes', please provide details of:

- The natural or legal persons within your jurisdiction that included Annex I PGRFA in the MLS;
- The crops that have been included in the MLS by these persons; and
- Any difficulties these persons encountered in including Annex I PGRFA in the MLS:

If your answer is 'no' please provide details, in particular details of any difficulties encountered in encouraging these persons to include Annex I PGRFA in the MLS:

Article 12: Facilitated access to plant genetic resources for food and agriculture within the Multilateral System

22. Has your country taken measures to provide facilitated access to Annex I PGRFA, in accordance with the conditions set out in Article 12.4 of the Treaty?

Yes

No

If your answer is 'yes', please provide details of such measures:

If your answer is 'no', please provide details of any difficulties encountered in providing facilitated access to Annex I PGRFA:

23. Has facilitated access been provided in your country to Annex I PGRFA using the Standard Material Transfer Agreement (SMTA)?

Yes

No

If your answer is 'no', please provide details of any difficulties encountered in providing facilitated access to Annex I PGRFA using the SMTA:

24. Has the SMTA been used voluntarily in your country to provide access to non-Annex I PGRFA?

Yes

No

No, but the issue is under consideration

25. Does the legal system of your country provide an opportunity for parties to the material transfer agreements (MTAs) to seek recourse in case of contractual disputes arising under such agreements?

Yes

No

If your answer is 'yes', please provide details of the relevant laws, regulations or procedures:

26. Does the legal system of your country provide for the enforcement of arbitral decisions related to disputes arising under the SMTA?⁸

Yes

No

If your answer is 'yes', please provide details of the relevant laws, regulations or procedures:

⁸ A footnote will be developed in the future.

27. Have there been any emergency disaster situations in respect of which your country has provided facilitated access to Annex I PGRFA for the purpose of contributing to the re-establishment of agricultural systems?

Yes

No

If your answer is 'yes', please provide details of such emergency disaster situations and the Annex I PGRFA to which access was provided:

Article 13: Benefit-sharing in the Multilateral System

28. Has your country made any information available regarding Annex I PGRFA?

Yes

No

If your answer is 'yes', please provide details of any information made available regarding Annex I PGRFA:

- Catalogues and inventories
- Information on technologies
- Results of scientific and socio-economic research, including characterisation, evaluation and utilisation
- Other

29. Has your country provided or facilitated access to technologies for the conservation, characterisation, evaluation and use of Annex I PGRFA?

Yes

No

If your answer is 'yes', please indicate whether your country:

- Has established or participated in crop-based thematic groups on utilisation of PGRFA;
- Is aware of any partnerships in your country in research and development and in commercial joint ventures relating to the material received through the MLS, human resource development and effective access to research facilities.

Please provide details:

30. Has your country provided for and/or benefitted from capacity building measures in respect of Annex I PGRFA?⁹

Yes

No

If your answer is 'yes', please indicate whether such measures were related to:

- Establishing and/or strengthening programmes for scientific and technical education and training in conservation and sustainable use of PGRFA;
- Developing and strengthening facilities for conservation and sustainable use of PGRFA;
- Carrying out scientific research and developing capacity for such research.

If your country provided for and/or benefitted from such measures, please provide details:

Article 14: Global Plan of Action

31. Has your country promoted the implementation of the Global Plan of Action for the Conservation and Sustainable Use of Plant Genetic Resources for Food and Agriculture?

Yes

No

If your answer is 'yes', please indicate whether the implementation of the plan was done through:

- National actions;
- International cooperation;
- Other actions

Please provide details:

⁹ Please note that this question differs from question 15 as it only concerns Annex I PGRFA and is more specific.

Article 15: Ex Situ Collections of Plant Genetic Resources for Food and Agriculture held by the International Agricultural Research Centres of the Consultative Group on International Agricultural Research and other International Institutions

32. Has facilitated access to Annex I PGRFA been provided in your country to the International Agricultural Research Centres of the Consultative Group on International Agricultural Research (IARCs) or other international institutions that have signed agreements with the Governing Body of the Treaty?

Yes

No

If your answer is 'yes', please indicate:

To which IARCs or other international institutions facilitated access was provided;

The number of SMTAs entered into with each IARC or other international institution:

If your answer is 'no', please provide details of any difficulties encountered in providing facilitated access to Annex I PGRFA to IARCs and other international institutions that have signed agreements with the Governing Body of the Treaty:

33. Has access to non-Annex I PGRFA been provided in your country to IARCs or other international institutions that have signed agreements with the Governing Body of the Treaty?

Yes

No

If your answer is 'yes', please indicate:

To which IARCs or other international institutions access was provided;

The number of MTAs entered into with each IARC or other international institution:

If your answer is 'no', please provide details of any difficulties encountered in providing access to non-Annex I PGRFA to IARCs and other international institutions that have signed agreements with the Governing Body of the Treaty:

Article 16: International Plant Genetic Resources Networks

34. Has your country undertaken any activities to encourage government, private, non-governmental, research, breeding and other institutions to participate in the international plant genetic resources networks?

Yes

No

If your answer is 'yes', please provide details of such activities:

Article 18: Financial Resources

35. Has your country provided financial resources for national activities for the conservation and sustainable use of PGRFA?

Yes

No

If your answer is 'yes', please provide the estimated amount of funds provided during the last five years, including government resources:

Please indicate if your country has developed a strategy or other measures to enhance the availability, transparency, efficiency and effectiveness of the provision of financial resources to implement the International Treaty:

36. Has your country provided financial resources for the implementation of the International Treaty?

Yes

No

If your answer is 'yes', where possible, please provide details of such channels and the amount of the financial resources involved during the last 5 years:

Total amount:

Channel:

Bilateral

Regional

Multilateral

Please provide details:

37. Has your country received financial resources for the implementation of the International Treaty?

Yes

No

If your answer is 'yes', where possible, please provide details of such channels and the amount of the financial resources involved during the last 5 years:

Total amount:

Channel:

Bilateral

Regional

Multilateral

Please provide details:

General remarks on the implementation of the ITPGRFA

38. You may use this box to share any advice you may have arising from your country's experience with implementation of the Treaty:

39. You may use this box to share any additional information that may be useful to provide a broader perspective of difficulties in implementation of the Treaty:

40. You may use this box to share any additional information that may be useful to provide a broader perspective of measures that could help to promote compliance:

[--- Question to be administered separately ---]

About this reporting

41. Have you encountered any difficulties in completing this reporting format?

Yes

No

If your answer is 'yes', please provide details on such difficulties:

If you have suggestions for improvement of this reporting format, please share them:

APPENDIX 4

*DRAFT RESOLUTION **/2019*

COMPLIANCE

The Governing Body,

Recalling its previous decisions on compliance,

- (i) *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;
- (ii) *Thanks* the Government of Germany for the generous financial support provided for the capacity building activities for the preparation and submission of the national reports and invites other donors to provide similar support and resources;
- (iii) *Thanks* other organizations and institutions that are providing technical and financial support for the implementation of the International Treaty, including the conservation and use of PGRFA;
- (iv) *Takes* note of the recommendations made by Contracting Parties in relation to capacity building and the support needed, including through:
 - a. the provision of advice, technical options, and experiences for the review of mechanisms and policies for the implementation of the International Treaty;
 - b. establishing or strengthening national coordination mechanisms and supporting national focal points;
 - c. the development of implementation plans for the International Treaty at the national level;
 - d. capacity building in national institutions in various technical areas, including the use of the Standard Material Transfer Agreement (SMTA), Easy-SMTA, the notification of material that is available in the Multilateral System, and the Global Information System; and
 - e. taking advantage of existing and creating new opportunities for collaboration at the regional level.
- (v) *Encourages* the integration of the following capacity-building options in the future activities and programmes, subject to the availability of financial resources:
 - a. The organization of capacity building workshop at regional and sub-regional levels for national focal points and other relevant stakeholders;
 - b. The development of training resources on various topics, including through appropriate multimedia;

- c. The inclusion of a section on the International Treaty's website with frequently asked questions and answers;
 - d. Leveraging the activities and operations of existing regional and sub-regional plant genetic resources centres and networks;
 - e. Exploring opportunities in the regions for the organization of training meetings and other events back-to-back in collaboration with FAO and other relevant organizations; and
 - f. The publication of information notes on the reporting options for national focal points and reporting officers.
- (vi) **Further encourages** Contracting Parties to:
- a. Promote the integration of ITPGRFA issues into higher education curricula; and
 - b. Increase the awareness of the International Treaty among national decision-makers.
- (vii) **Invites** the Secretary, subject to the availability of financial and human resources, to consider the organization of capacity-building workshops for the monitoring and reporting of the implementation of the International Treaty and, to the extent feasible, in collaboration with the FAO units tasked with the monitoring of the Global Plan of Action on PGRFA;
- (viii) **Encourages** Contracting Parties to submit, pursuant to section IX of the Compliance Procedures, additional technical questions related to the implementation of the International Treaty to the Committee for their consideration and response;
- (ix) **Invites** Contracting Parties to continue submitting and updating their reports, pursuant to Section V of the Compliance Procedures, and emphasizes, in this context, that such reports be submitted by 1 October 2023 and requests the Secretary to send regular reminders to Contracting Parties;
- (x) **Thanks** the Compliance Committee for the analysis provided in the document IT/GB-8/19/13, Report of the Compliance Committee;
- (xi) **Approves** the reviewed Standard Reporting Format, as given in Annex [X], and requests the Secretary to update the Online Reporting System accordingly, and to continue assisting Contracting Parties during the next reporting cycle;
- (xii) **Requests** the Secretary to maintain and keep updated the Online Reporting System and to continue providing assistance to Contracting Parties during the reporting process;
- (xiii) **Invites** Contracting Parties to provide or update the contact details of their National Focal Points and, possibly, nominate an alternate reporting officer;
- (xiv) **Requests** the Compliance Committee to review the Compliance Procedures at its subsequent meetings for consideration by the Governing Body at the Ninth Session; and
- (xv) **Elects** the members of the Compliance Committee for the 2020-2023 term in accordance with Section III.4 of the Compliance Procedures, as contained in the Annex [X] to this Resolution.

APPENDIX 5**MEMBERS OF THE COMPLIANCE COMMITTEE**

Region	Expiring on 31 December 2019	Expiring on 31 December 2021
AFRICA	Mr Koffi KOMBATE	Ms Angeline MUNZARA
ASIA	Mr Sadar Uddin SIDDIQUI	Mr Anil Kumar ACHARYA
EUROPE	Ms Kim VAN SEETERS	Ms Susanna PAAKKOLA
LATIN AMERICA AND THE CARIBBEAN	Ms Elizabeth SANTACREO	Mr Mahendra PERSAND
NEAR EAST	Mr Hojjat KHADEMI	Ms Nasab Qasim ALRAWASHDEH
NORTH AMERICA	Ms Indra THIND	Ms Neha Sheth LUGO
SOUTH WEST PACIFIC	Ms Logotonu Meleisea WAQAINABETE	Ms Anna WILLOCK