

**CGRFA-MIC-2/04/REP**

***Second Meeting of the  
Commission on Genetic  
Resources for Food and  
Agriculture acting as  
Interim Committee for the  
International Treaty on  
Plant Genetic Resources  
for Food and Agriculture***

**Rome, Italy, 15 – 19 November 2004**



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

**CGRFA/MIC-2/04/REP**

**REPORT OF THE COMMISSION ON GENETIC RESOURCES  
FOR FOOD AND AGRICULTURE  
ACTING AS THE INTERIM COMMITTEE FOR  
THE INTERNATIONAL TREATY  
ON PLANT GENETIC RESOURCES FOR FOOD AND AGRICULTURE**

**Second Meeting  
Rome, 15 – 19 November 2004**

**FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS  
Rome, 2004**

The documents of the Second Session of the  
Commission on Genetic Resources for Food and Agriculture acting as Interim Committee for the  
International Treaty on Plant Genetic Resources for Food and Agriculture  
are to be found on the internet at <http://www.fao.org/ag/cgrfa/docsic2.htm>.

They may also be obtained from:

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## I. INTRODUCTION

1. The Second Meeting of the Commission on Genetic Resources for Food and Agriculture acting as the Interim Committee for the International Treaty on Plant Genetic Resources for Food and Agriculture, was held in Rome from 15 to 19 November 2004. A list of delegates is attached as *Appendix I*.

## II. ELECTION OF THE CHAIR AND VICE-CHAIRS AND OPENING OF THE SESSION

2. Mr. Fernando Gerbasi (Venezuela), Chair of the Interim Committee, opened the meeting, and welcomed delegates and observers. He called for nominations for the Chair and Vice-Chairs of the Second Session of the Interim Committee. Mr Bryan Harvey (Canada) was elected Chair of the Interim Committee. Six Vice-Chairs were elected: Ms Elizabeth Matos (Angola), Ms Kristiane Herrmann (Australia), Mr Anders Christiansen (Denmark), Mr Champak Chatterji (India), Mr Javad Mozafari (Iran) and Mr Carlos Pozzo Bracho (Venezuela). Mr Modesto Fernández Díaz-Silveira (Cuba) was elected *Rapporteur*.

3. Ms Louise O. Fresco, Assistant Director-General, Agriculture Department, welcomed delegates and observers. She stressed the importance of advancing the work of the Interim Committee, now that the International Treaty on Plant Genetic Resources for Food and Agriculture had entered into force. Ms Fresco thanked the European Commission for hosting a meeting of the Expert Group on the Terms of the Standard Material Transfer Agreement, at which significant progress had been made. She noted that the Global Crop Diversity Trust had now been legally established as a new international organization, which would provide an important contribution to *ex situ* conservation of plant genetic resources.

4. Ms Fresco stressed the need for the Interim Committee to provide its views on when the first session of the Governing Body of the International Treaty should be convened. She welcomed the generous offer of the Government of Spain, to host the first session of the Governing Body. There was an urgency for the Interim Committee to advance preparations of those matters that the Governing Body would need to decide upon at its first session. Ms Fresco thanked the Governments of Canada, Finland, Germany, Ireland, Japan, Norway, Spain, the Netherlands, the United Kingdom, and the United States of America, for providing resources in support of the work of the Interim Committee, stressing that additional extra-budgetary financial resources would need to be mobilized, to undertake all of the preparatory work that would be required.

5. The Interim Committee expressed its sincere gratitude, and recorded a vote of thanks to Ambassador Gerbasi (Venezuela), for his outstanding contribution, over many years, to the process that had led to the adoption of the International Treaty. The speed with which countries had ratified it was a tribute to his skills as Chairman. The Interim Committee expressed the hope that he would continue to be available, so that his enormous experience and wisdom might be drawn upon, to guide the implementation of the International Treaty. It also wished to acknowledge his key role in establishing the Global Crop Diversity Trust, as Chair of the Interim Panel of Eminent Experts, which would be a valuable contribution to creating the International Treaty's Funding Strategy.

6. The Interim Committee adopted the Agenda, as given in *Appendix A*.

### III. PROGRESS ON ACTIVITIES SINCE THE FIRST MEETING OF THE INTERIM COMMITTEE, INCLUDING ENTRY INTO FORCE OF THE INTERNATIONAL TREATY

7. Mr Esquinas, Secretary of the Commission, presented the document, *Report on Progress and Activities since the First Meeting of the Interim Committee, including Cooperation with Relevant International Bodies*.<sup>1</sup> He reported that the International Treaty had come into force on June 29, 2004, after the fortieth ratification had been deposited, stressing that the rapid entry into force of the International Treaty was nearly unprecedented, which was an indication of the enormous international support for the International Treaty. The Secretary indicated that, as of November 15 2004, 61 countries and the European Community had ratified the International Treaty.<sup>2</sup> The status of signature and ratification of the Treaty, as at 25 November 2004, is in *Appendix B*.

8. The Secretary provided an overview of the efforts to advance the work recommended by the Interim Committee during its first meeting, specifically the establishment of two subsidiary working groups. He reported that the Expert Group on the Terms of the Standard Material Transfer Agreement had met in October 2004, hosted by the European Commission. The Secretary informed the Interim Committee that only one-tenth of the required financial resources necessary to undertake all of the recommended work had been made available by August 2004, preventing the convening of the Open-Ended Expert Working Group on the Rules of Procedure of the Governing Body, the Financial Rules of the Governing Body, and Compliance. He noted, however, that additional resources had recently been received from Governments. The Interim Committee thanked countries that had supported the participation of developing countries.

9. The Secretary stressed the importance of the work of the Interim Committee, in ensuring the successful preparation for the first session of the Governing Body of the International Treaty, noting that the Governing Body would need to take a number of important decisions during its first session. He emphasized the need for the timely mobilization of financial and human resources, in order to undertake the required activities.

### IV. REPORT ON THE OUTCOME OF THE EXPERT GROUP ON THE TERMS ON THE STANDARD MATERIAL TRANSFER AGREEMENT

10. The Interim Committee considered the document, *Report on the Outcome of the Expert Group on the Terms of the Standard Transfer Agreement*,<sup>3</sup> and thanked the Expert Group and its Chair for its very valuable work. It thanked the European Commission for having hosted this important meeting, and for having supported the participation of developing countries.

11. The Interim Committee agreed that a Contact Group for the Drafting of the Standard Material Transfer Agreement should be established, to develop a draft Standard Material Transfer Agreement, for consideration by the Governing Body. The Interim Committee adopted the Terms of Reference for the Contact Group, which are given in *Appendix C*. In the Work Programme of the Interim Committee, priority should be given to convening the Contact Group, subject to the availability of extra-budgetary resources.

12. The Interim Committee welcomed the generous offer by the Government of the United States of America, to arrange and provide support for a meeting of this Contact Group, in 2005.

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<sup>1</sup> CGRFA/MIC-2/04/Inf. 2.

<sup>2</sup> Up-to-date information on the status of signature and ratification at any time is available on the Internet at <http://www.fao.org/legal/TREATIES/033s-e.htm>.

<sup>3</sup> CGRFA/IC/MTA-1/04/Rep.

## V. PREPARATION OF THE DRAFT RULES OF PROCEDURE FOR THE GOVERNING BODY

13. The Interim Committee considered the document, *Draft Rules of Procedure for the Governing Body of the International Treaty on Plant Genetic Resources*.<sup>4</sup> Members provided comments on the proposed *Draft Rules of Procedure*, and suggested amendments to its provisions. The revised proposed *Draft Rules of Procedure*, incorporating the amendments, is attached as *Appendix D*. The Interim Committee decided that the revised proposed *Draft Rules of Procedure* should be forwarded to an Open-ended Working Group, to be convened subject to the availability of extra-budgetary funds, as recorded under Item X below, prior to being submitted to the Governing Body, for consideration at its first session.

## VI. PREPARATION OF DRAFT FINANCIAL RULES FOR THE GOVERNING BODY

14. The Interim Committee considered the document, *Draft Financial Rules for the Governing Body of the International Treaty on Plant Genetic Resources*.<sup>5</sup> Members proposed a number of amendments. The revised proposed *Draft Financial Rules*, incorporating the amendments, is attached as *Appendix E*. The Interim Committee decided that the revised proposed *Draft Financial Rules* should be forwarded to an Open-ended Working Group, to be convened subject to the availability of extra-budgetary funds, as recorded under item X below, prior to being submitted to the Governing Body for consideration at its first session.

## VII. PREPARATION OF DRAFT PROCEDURES AND MECHANISMS TO PROMOTE COMPLIANCE AND TO ADDRESS ISSUES OF NON-COMPLIANCE

15. The Interim Committee considered the document, *Compilation and Analysis of Governments' Views on Compliance with the International Treaty on Plant Genetic Resources for Food and Agriculture*,<sup>6</sup> noting that the issue of compliance was both complex and important. It stressed that mechanisms and procedures established to promote compliance, and to address issues of non-compliance, should be positive, transparent, cooperative and non-adversarial.

16. Several members of the Interim Committee requested that the Open-ended Working Group on the Rules of Procedure of the Governing Body and Financial Rules of the Governing Body, and on Compliance, established by the First Meeting of the Interim Committee, be convened before the first session of the Governing Body. Other members agreed with the need for this meeting, but suggested that it should address only the issue of compliance. Some members were of the view that, because there was not yet experience on compliance issues under the International Treaty, compliance should be a standing agenda item on the agenda of the Governing Body. This would enable Contracting Parties to exchange views and experience, and then consider appropriate mechanisms and procedures to address compliance. It was agreed that countries could submit further views on compliance to the Secretariat for compilation and for placing on the Commission's web-site. It was also noted that compliance mechanisms and procedures are needed, to ensure that the scope of the International Treaty is respected. The Interim Committee decided that the issue of compliance should be forwarded to an Open-ended Working Group, to be convened subject to the availability of extra-budgetary funds, as recorded under Item X below, prior to being submitted to the Governing Body, for consideration at its first session.

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<sup>4</sup> CGRFA/MIC-1/02/4.

<sup>5</sup> CGRFA/MIC-2/04/8.

<sup>6</sup> CGRFA/MIC-2/04/3.

## VIII. PREPARATION OF A DRAFT FUNDING STRATEGY FOR THE TREATY

17. The Interim Committee considered the documents, *Preparation for Consideration by the Governing Body of the Funding Strategy for the Treaty*,<sup>7</sup> and *Report on the Status of the Global Crop Diversity Trust*.<sup>8</sup> It noted the need for further analysis of the issues relating to the Funding Strategy, and requested the Secretariat to conduct a study on the nature, criteria and possible contents of the Funding Strategy for the International Treaty. The Interim Committee further requested that, in the process of conducting the analysis, the Secretariat consult Members, receive and compile written comments from Members on their views on all issues related to the Funding Strategy, and place these on the Commission's web-site.

18. A range of views were expressed by Members about the issues and priorities to be considered in the Funding Strategy, including modalities for the mobilisation and utilisation of resources. Some were of the view that the Funding Strategy should include a proposal to establish a Trust Account under the FAO Financial Regulations, as well as support the implementation of the *Global Plan of Action*. Others noted the need for clarification on a number of issues, including in regard to Article 18.4 of the International Treaty and the financial resources available to the Treaty; the status and volume of national, bilateral, regional and multilateral resources; the availability of predictable and agreed resources; and the predictability of monetary benefits resulting from Article 13.2d of the International Treaty; the availability of predictable and agreed resources and the estimation of target funds achievable in the medium and long-term, and strategies to mobilize them; and estimates of the target funding required to cover the activities proposed in the International Treaty, as well as the operational costs. Others considered work that should be undertaken, as reflected in the paragraph 25, below. The Interim Committee decided that the draft Funding Strategy should be forwarded to an Open-ended Working Group, to be convened subject to the availability of extra-budgetary funds, as recorded under Item X below, prior to being submitted to the Governing Body, for consideration at its first session.

### Report on the status of the Global Crop Diversity Trust

19. The Chairman of the Interim Panel of Experts of the Trust, Ambassador Fernando Gerbasi, reported to the Interim Committee on the progress made with the establishment and operation of the Global Crop Diversity Trust.<sup>9</sup> He reported that fourteen countries from five regions had already signed the Establishment Agreement, and that the Trust had accordingly become a full new international organization, as of October 21, 2004.<sup>10</sup> The Trust had so far received US\$ 51 million in pledges with an additional US\$ 60 million being negotiated. He looked forward to the Trust playing a role as an element in the Funding Strategy of the International Treaty, under the guidance of the Governing Body.

20. The Interim Committee unanimously welcomed the progress that the Trust had made in so short a time, and noted with pleasure the amount of funds so far mobilised. The Interim Committee commended the efforts and commitment of the Chairman of the Interim Panel of Eminent Experts, Ambassador Fernando Gerbasi, and of the Interim Executive Secretary, Mr. Geoffrey Hawtin. The Interim Committee requested the Interim Panel of Eminent Experts, as currently constituted, to continue to oversee the affairs of the Trust, until the Executive Board of the Trust had been constituted, in accordance with the Trust's Constitution, following the nomination by the Governing Body of its members on the Executive Board, at its first meeting. It further recommended that the Governing Body of the International Treaty should, at its first

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<sup>7</sup> CGRFA/MIC-2/04/4.

<sup>8</sup> CGRFA/MIC-2/04/5.

<sup>9</sup> CGRFA/MIC-2/04/5.

<sup>10</sup> As at 30 November 2004, signatories were Cape Verde, Colombia, Ecuador, Egypt, Ethiopia, Jordan, Mali, Mauritius, Morocco, Peru, Samoa, Serbia and Montenegro, Sweden, Syria, Tonga, and Togo; Peru and Colombia had also signed the Establishment Agreement, on 23 August and 21 October 2004 respectively, but with a requirement for parliamentary approval before the signatures become effective.

meeting, formalise its relationship with the Trust, so that the Trust operates as an element of the Funding Strategy of the International Treaty.

## **IX. PREPARATION OF A DRAFT WORK PROGRAMME AND BUDGET FOR ADOPTION BY THE GOVERNING BODY**

21. The Interim Committee considered the document, *Elements of Work Programme and Indicative Budget for Adoption by the Governing Body*,<sup>11</sup> and recommended that a draft budget should be established for the period 2006/2007, avoiding overlap with the budget for the Interim Committee, and that there should be two five-day sessions of the Governing Body, in its first biennium.

22. The view was expressed that compliance should be a standing item on the agenda of the Governing Body. It was agreed that no *ad hoc* subsidiary bodies should be established, until the Governing Body had identified the most important elements in the implementation of the Treaty. In this context, it was noted that the Inter-governmental Technical Working Group on Plant Genetic Resources for Food and Agriculture of the Commission on Genetic Resources for Food and Agriculture should play a role in support of the Governing Body, and that cooperative arrangements between the Commission and the Governing Body would be required. It was considered that the Governing Body should focus on the core tasks of implementation of the Treaty, before considering additional approved activities.

23. The Interim Committee considered that the staffing requirements and consultancy provision proposed in paragraph 25 of the document were necessary for the effective implementation of the International Treaty, and that the funds from the FAO Regular Programme for the Treaty Secretariat would need to be fully taken into account, in establishing the budget and work programme. The Interim Committee requested that options be prepared, regarding the Secretary and the Secretariat, including on the level and placing of the Secretariat within the FAO, for consideration by the Governing Body.

24. It was agreed that a Trust Fund should be established immediately, to receive voluntary contributions in support of developing country participation. Adequate resources would be required to allow the full participation of developing countries.

25. The Interim Committee requested the Secretariat to prepare a paper on the sources and amounts of financial resources available to support the activities of the Governing Body. It also requested the FAO Secretariat to carry out the following work which, while not related to the core budget of the Secretariat, was considered important for the work of the Governing Body:

- To assemble information on existing funding sources, in support of projects on the conservation and sustainable use of plant genetic resources for food and agriculture, and on the implementation of the *Global Plan of Action*. It was noted that the Facilitating Mechanism for the implementation of the *Global Plan of Action* would be a major tool in assembling this information.
- To prepare an analysis of FAO's overall work on plant genetic resources for food and agriculture and the work of other relevant institutions, including on the implementation of the International Treaty, the *Global Plan of Action*, the Facilitating Mechanism, the CGIAR System, and on the Global Crop Diversity Trust, in order to identify the financial and human resources involved, so as to enable the Governing Body to take decisions on human and financial needs.

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<sup>11</sup> CGRFA/MIC-2/04/6.

## **X. ADOPTION OF THE WORK PROGRAMME AND BUDGET FOR THE COMMISSION ON GENETIC RESOURCES FOR FOOD AND AGRICULTURE, ACTING AS INTERIM COMMITTEE**

26. The Interim Committee reviewed the document, *Draft Work Programme and Budget for the Interim Committee*.<sup>12</sup> It heard a detailed presentation of the costing elements for the establishment of the Work Programme and Budget of the Interim Committee, in the period up to and including the First Session of the Governing Body. It recognized the priority of ensuring that the Secretariat of the Interim Committee have adequate staff resources to carry out the work programme. In addition to staffing, it agreed that the following meetings should be convened:

- The first, five-day, Session of the Governing Body should be convened as soon as possible, in 2005 or 2006.
  - The draft agenda for the first meeting of the Governing Body in *Appendix II* of the document, *Elements of Work Programme and Indicative Budget for Adoption by the Governing Body*, was considered appropriate.
  - The priority issues for consideration by the first session of the Governing Body should be: the Rules of Procedure; the Financial Rules; the work programme and budget of the Governing Body; the Standard Material Transfer Agreement; mechanisms and procedures for compliance; the Funding Strategy, including its relationship with the Global Crop Diversity Trust; the appointment of the Secretary; and the implementation of Article 6 of the International Treaty, on the sustainable use of plant genetic resources.
- An Open-ended Working Group will meet, depending on the availability of financial resources, to address, in the following order, the Rules of Procedure of the Governing Body; the Financial Rules of the Governing Body; Compliance; and the Funding Strategy. It will consist of two sections: a first day of regional meetings, and four days of negotiations. A maximum of one day will be devoted to the first two issues (the Rules of Procedure of the Governing Body, and the Financial Rules of the Governing Body) and three days will be allocated for discussion on Compliance and the Funding Strategy. The discussions on Compliance and the Funding Strategy will be based on documents prepared by the Secretariat. The possibility of holding the Open-ended Working Group in the week proceeding the first session of the Governing Body should be considered.
- The Contact Group will meet for the drafting of the Standard MTA, with the Terms of Reference given in *Appendix C*.

27. The Secretariat was requested to establish the budget, in accordance with this guidance, and this is attached in *Appendix G*.

## **XI. PREPARATION OF DRAFT AGREEMENTS BETWEEN THE GOVERNING BODY AND THE INTERNATIONAL AGRICULTURAL RESEARCH CENTRES OF THE CONSULTATIVE GROUP ON INTERNATIONAL AGRICULTURAL RESEARCH, AND OTHER RELEVANT INTERNATIONAL INSTITUTIONS**

28. The Interim Committee considered the document, *Consultations with the International Agricultural Research Centres of the CGIAR and other relevant International Institutions on the Agreement to be Signed with the Governing Body of the International Treaty on Plant Genetic Resources for Food and Agriculture*.<sup>13</sup> It decided that the draft model agreement, as amended and contained in *Appendix F*, should be submitted to the Governing Body at its first session.

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<sup>12</sup> CGRFA/MIC-2/04/7.

<sup>13</sup> CGRFA/MIC-1/02/8.

## XII. REPORT ON COOPERATION WITH RELEVANT INTERNATIONAL BODIES

### Convention on Biological Diversity

29. The representative of the Convention on Biological Diversity (CBD) welcomed the entry into force of the International Treaty. He informed the Interim Committee that the Conference of Parties to the Convention had established, as a global target to be achieved by 2010, a significant reduction in the current rate of biodiversity loss. This would contribute to poverty alleviation, to the benefit of all life on earth. It had recognised the important role that the International Treaty would play in contributing to this target, and had appealed to Governments to give priority consideration to the ratification of the International Treaty. The Conference of Parties had indicated their willingness to work closely with the Governing Body, in mutual respect of their mandates.

### World Intellectual Property Organisation (WIPO)

30. The representative of WIPO outlined the important collaboration between WIPO and FAO, in regard to genetic resources. WIPO had been present throughout the negotiating process of the International Treaty, and remained willing to provide its technical expertise, when requested. WIPO was especially pleased to see the entry into force of the International Treaty, and the progress made by the Expert Group on the Standard Material Transfer Agreement. WIPO had recently undertaken a number of activities of interest to the Interim Committee, including through its Intergovernmental Committee on Genetic Resources, Traditional Knowledge and Folklore. In this context, the Interim Committee Secretariat had informed the Intergovernmental Committee in detail of the provisions of the Treaty.

31. WIPO then introduced the information document “*Preliminary report on work towards the assessment of patent data relevant to availability and use of material from the International Network of Ex Situ Collections under the Auspices of FAO and the International Treaty on Plant Genetic for Food and Agriculture*”,<sup>14</sup> reporting on the research undertaken at the request of the Ninth Session of the FAO Commission. The Interim Committee welcomed this preliminary report, which was of significant value to the agricultural community, and the continuing co-operation with WIPO. It looked forward to receiving the report of the next stage of this work, in line with the follow-up activities identified in the preliminary report.

## XIII. OTHER BUSINESS

32. The Interim Committee expressed its deep appreciation of the contribution that Mr. Esquinas-Alcázar had made over many years, as Secretary of the Commission on Genetic Resources for Food and Agriculture, in the field of genetic resources for food and agriculture, in particular for his vision, commitment and guidance. It also paid tribute to the tireless dedication of Mr. Clive Stannard, and the vital role he had played throughout the negotiations on the International Treaty, particularly for the advice and assistance he provided to members of the Interim Committee. The Interim Committee also acknowledged with thanks the posting of Mr. Martin Smith, on loan from the Government of the United Kingdom, to the Treaty Secretariat, who had been essential in supporting and planning the meeting.

## XIV. DATE AND PLACE OF THE FIRST SESSION OF THE GOVERNING BODY

33. The Interim Committee unanimously welcomed the generous offer by the Government of Spain to host the first session of the Governing Body of the International Treaty on Plant Genetic Resources for Food and Agriculture, at a suitable time in 2005 or 2006.

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<sup>14</sup> CGRFA/MIC-2/04/Inf.5.



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**APPENDIX A**

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**AGENDA OF THE SECOND MEETING OF THE  
COMMISSION ON GENETIC RESOURCES FOR FOOD AND AGRICULTURE,  
ACTING AS INTERIM COMMITTEE**

1. Election of the Chair and Vice-Chairs for the Second Meeting of the Commission on Genetic Resources for Food and Agriculture, acting as Interim Committee.
2. Adoption of the Agenda and Timetable.
3. Report on progress and activities since the First Meeting of the Interim Committee, including on entry into force of the Treaty.
4. Report on the outcome of the Expert Group on the Terms of the Standard Material Transfer Agreement.
5. Preparation of draft Rules of Procedure for the Governing Body.
6. Preparation of draft Financial Rules for the Governing Body.
7. Preparation of draft procedures and mechanisms to promote compliance and to address issues of non-compliance.
8. Preparation of a draft Funding Strategy for the Treaty.
9. Preparation of draft Work Programme and Budget for adoption by the Governing Body.
10. Adoption of the Work Programme and Budget for the Commission on Genetic Resources for Food and Agriculture, acting as Interim Committee.
11. Preparation of draft agreements between the Governing Body and the International Agricultural Research Centres of the Consultative Group on International Agricultural Research, and other relevant international institutions.
12. Report on cooperation with relevant international bodies.
13. Other business.
14. Date and place of the First Session of the Governing Body.
15. Adoption of the Report.



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**APPENDIX B**


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

**Status of signature/ratification,  
as at 25 November 2004**

*Note:* Up-to-date information on the status of signature and ratification at any time is available on the internet at <http://www.fao.org/Legal/TREATIES/033s-e.htm>.

	<b>Signature</b>	<b>Ratification or equivalent</b>
Angola	10 October 2002	
Argentina	10 June 2002	
Australia	10 June 2002	
Austria	6 June 2002	
Bangladesh	17 October 2002	14 November 2003
Belgium	6 June 2002	
Bhutan	10 June 2002	2 September 2003
Brazil	10 June 2002	
Burkina Faso	9 November 2001	
Burundi	10 June 2002	
Cambodia	11 June 2002	11 June 2002
Cameroon	3 September 2002	
Canada	10 June 2002	10 June 2002
Cape Verde	16 October 2002	
Central African Republic	9 November 2001	4 August 2001
Chad	11 June 2002	
Chile	4 November 2002	
Colombia	30 October 2002	
Costa Rica	10 June 2002	
Côte d'Ivoire	9 November 2001	25 June 2003
Cuba	11 October 2002	16 September 2004
Cyprus	12 June 2002	15 September 2003
Denmark	6 June 2002	31 March 2004
Dominican Republic	11 June 2002	
Egypt	29 August 2002	31 March 2004
El Salvador	10 June 2002	9 July 2003
Eritrea	10 June 2002	10 June 2002
Ethiopia	12 June 2002	18 June 2003
European Community	6 June 2002	31 March 2004
Finland	6 June 2002	31 March 2004
France	6 June 2002	
Gabon	10 June 2002	
Germany	6 June 2002	31 March 2004
Ghana	28 October 2002	28 October 2002
Greece	6 June 2002	31 March 2004
Guatemala	13 June 2002	
Guinea	11 June 2002	11 June 2002
Haiti	9 November 2001	
India	10 June 2002	10 June 2002
Iran, Islamic Republic of	4 November 2002	
Ireland	6 June 2002	31 March 2004

Italy	6 June 2002	18 May 2004
Jordan	9 November 2001	30 May 2002
Lebanon	4 November 2002	6 May 2004
Luxembourg	6 June 2002	31 March 2004
Madagascar	30 October 2002	
Malawi	10 June 2002	4 July 2002
Mali	9 November 2001	
Malta	10 June 2002	
Marshall Islands	13 June 2002	
Morocco	27 March 2002	
Namibia	9 November 2001	7 October 2004
Netherlands	6 June 2002	
Niger	11 June 2002	27 October 2004
Nigeria	10 June 2002	
Norway	12 June 2002	3 August 2004
Paraguay	24 October 2002	3 January 2003
Peru	8 October 2002	
Portugal	6 June 2002	
Senegal	9 November 2001	
Serbia e Montenegro	1 October 2002	
Spain	6 June 2002	31 March 2004
Sudan	10 June 2002	10 June 2002
Swaziland	10 June 2002	
Sweden	6 June 2002	31 March 2004
Switzerland	28 October 2002	22 November 2004
Syrian Arab Republic	13 June 2002	26 August 2003
Thailand	4 November 2002	
The Former Yugoslav Republic of Macedonia	10 June 2002	
Togo	4 November 2002	
Tunisia	10 June 2002	8 June 2004
Turkey	4 November 2002	
United Kingdom	6 June 2002	31 March 2004
Uruguay	10 June 2002	
Venezuela	11 February 2002	
Zambia	4 November 2002	
Zimbabwe	30 October 2002	

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**APPENDIX C**

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**TERMS OF REFERENCE FOR THE CONTACT GROUP  
FOR THE DRAFTING OF  
THE STANDARD MATERIAL TRANSFER AGREEMENT****Terms of Reference for the Contact Group****Scope of the work**

- To develop a draft of the Standard Material Transfer Agreement (MTA) referred to in Article 12.4 of the International Treaty, on the basis of the first draft prepared as described below, for submission to the first session of the Governing Body, for its consideration with a view to adoption, taking into account the report of the Expert Group on the Terms of the Standard MTA, with the guidance given in the report of the Second Meeting of the Interim Committee, as well as inputs from regional groups.
- The whole process and the draft will be consistent with the International Treaty.

**Composition of the Contact Group**

- Twelve countries per region or twelve representatives per region, depending on regional decisions, except for the North America and the South West Pacific regions, which will have six representatives each. A maximum of three advisers per country may be present in the meeting room, at any one time. Advisers will have no speaking rights. There should be a video link to make it possible for those advisers outside the room to follow the meeting of the Contact Group.

**Chair of Contact Group**

- The chair of the Expert Group shall be the chair of the Contact Group. There will be Vice-Chairs representing the regions. The Chair and the Vice-Chairs will constitute the Bureau.

**Relevant Organizations to be invited**

- The CGIAR is invited to nominate one representative to participate in his or her technical capacity in the work of the Contact Group.
- The CBD, WIPO and UPOV will be invited to send one representative each, to provide technical assistance at the request of the Contact Group.

**Preparing the first draft of the standard MTA for consideration by the first meeting of the contact group.**

- The Secretariat of the Commission, with the support of the Legal Office, under the guidance and supervision of the chair of the Contact Group in consultation with the chairs of the regional groups and the chair of the Second Meeting of the Interim Committee, shall prepare the first draft of the Standard MTA, for consideration by the first meeting of the Contact Group.
- The draft text for the Standard MTA will be made available to members of the Contact Group, at least eight weeks before it meets.

**Schedule for completion by the Contact Group of its functions**

- The regional groups are requested to nominate their representatives on the Contact Group before the end of February 2005, so that the meeting(s) of the Contact Group may be held if possible, within the first half of 2005, subject to availability of adequate extra-budgetary resources, especially to finance the participation of representatives of the Contact Group from developing countries.
- The Contact Group will report to the Governing Body at its first session.

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**APPENDIX D**

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**[GOVERNING BODY FOR THE INTERNATIONAL TREATY ON PLANT  
GENETIC RESOURCES FOR FOOD AND AGRICULTURE****DRAFT RULES OF PROCEDURE****Rule I  
Membership**

1.1 In accordance with Article 19.1 of the Treaty, membership in the Governing Body is composed of all Contracting Parties to the Treaty.

**Rule II  
Officers**

2.1 The Governing Body shall elect a Chairperson and [one Vice-Chairperson per FAO Region]/[not more than 6 Vice-Chairpersons, based on the FAO Regions, (hereinafter collectively referred to as “the Bureau”), and in addition a *Rapporteur*]/[not more than 7 Vice-Chairpersons (hereinafter collectively referred to as “the Bureau”), and one of whom shall act as *rapporteur*]/[5 Vice-Chairpersons, the *rapporteur* not being a member of the Bureau] from among the representatives, alternates, experts and advisers (hereinafter referred to as “delegates”) of the Contracting Parties[; it being understood that no delegate shall be eligible without the concurrence of the head of the delegate’s delegation]. In electing the Bureau, the Governing Body shall have due regard to the principle of equitable geographical representation. No officer may be re-elected for a third consecutive term.

[2.2 [The term of office of the Chairperson shall commence with immediate effect, and the terms of office of the Vice-Chairpersons shall commence upon the closure]/[The terms of office of the Chairperson and Vice-Chairpersons shall commence with immediate effect upon the closure] of the meeting at which they are elected. [The Chairperson shall remain in office until a new Chairperson is elected at the commencement of the next Regular Session of the Governing Body and the Vice-Chairpersons shall remain in office until the closure of the next Regular Session.] They shall serve as the Bureau of any Special Session held during their terms of office, and provide guidance to the Secretary with regard to the preparations for, and conduct of, sessions of the Governing Body.]

or

[2.1 The Bureau shall be elected at the beginning of a Regular Session and shall hold office until the beginning of the following Regular Session.]

2.2 The Chairperson, or in the absence of the Chairperson another member of the Bureau, shall preside at all meetings of the Governing Body and shall exercise such other functions as may be required to facilitate the work of the Governing Body. A Vice-Chairperson acting as Chairperson shall have the same powers and duties as the Chairperson.

### **Rule III Secretary**

[3.1 [In accordance with Article 20.1,][the Director General of the FAO shall appoint, with the approval of the Governing Body, a Secretary of the Governing Body, who shall perform such duties as the work of the Governing Body may require. The Secretary shall be assisted by such staff as may be required.]]

or

[3.1 The Secretary of the Governing Body shall be appointed by the Director-General of FAO, with the approval of the Governing Body. The Secretary shall be assisted by such staff as may be required.

3.2 The Secretary shall perform the following functions:

- (a) arrange for and provide administrative support for sessions of the Governing Body and for any subsidiary bodies as may be established;
- (b) assist the Governing Body in carrying out its functions, including the performance of specific tasks that the Governing Body may decide to assign to it;
- (c) report on its activities to the Governing Body.

3.3 The Secretary shall communicate to all Contracting Parties and to the Director-General:

- (a) decisions of the Governing Body within sixty days of adoption;
- (b) information received from Contracting Parties in accordance with the provisions of this Treaty.

3.4 The Secretary shall provide documentation in the six languages of the United Nations for sessions of the Governing Body.

3.5 The Secretary shall cooperate with other organizations and treaty bodies, including in particular the Secretariat of the Convention on Biological Diversity, in achieving the objectives of this Treaty.]

3.6 The Secretary shall be responsible for implementing the activities assigned to the Secretary in accordance with the policies of the Governing Body. The Secretary shall report to the Governing Body on the activities assigned to the Secretary.

### **Rule IV Sessions**

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

4.2 In accordance with Article 19.10 of the Treaty, special Sessions of the Governing Body shall be held at such other times as may be deemed necessary by the Governing Body, or at the written request of any Contracting Party, provided that this request is supported by at least one third of the Contracting Parties.

[4.3 Sessions of the Governing Body shall be convened by the Chairperson of the Governing Body, after consultation with the [Director-General of the FAO [and the Bureau]]/[Secretary].]

4.4 Notice of the date and place of each Session of the Governing Body shall be communicated to all Contracting Parties at least two months before the Session.

4.5 In accordance with Article 19.4 of the Treaty, each Contracting Party [shall have one vote and] may be represented at sessions of the Governing Body by a single delegate who may be accompanied by alternate, and one or more experts and advisers. Alternates, experts and advisers may take part in the proceedings of the Governing Body [but may not vote, except in the case of their being duly authorized to substitute for the delegate].

4.6 Each Contracting Party shall communicate to the Secretary of the Treaty the name of its representative on the Governing Body, and, where possible, that of other members of its delegation, before the opening of each Session of the Governing Body.

4.7 Meetings of the Governing Body shall be held in public unless the Governing Body decides otherwise [, and provides reasons for it].

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

### **Rule V Agenda and documents**

5.1 [The Secretary, in [agreement][consultation] with the Chairperson of the Governing Body[ and the Bureau], shall prepare a provisional agenda.] [The Secretary shall prepare the provisional agenda on the request and under the guidance of the Bureau of the Governing Body.] [The Chair, in consultation with the Vice-Chairs, and with the support of the Secretary, shall prepare a provisional agenda.]

5.2 Any Contracting Party may request the Secretary to include specific items in the Provisional Agenda [before it is dispatched. If there is any item of an urgent nature, it may be put in a supplementary agenda, to be circulated]/[ up to one month before the conclusion and circulation of the Provisional Agenda]/[before it is circulated by the Secretary in accordance with paragraph 3 below]/[at least four weeks before the Session].

5.3 The Provisional Agenda shall normally be circulated by the Secretary at least two months in advance of the Session to all Contracting Parties and to the other Members and Associate Members of the FAO and any States that are not Members of the FAO but are Members of the United Nations, or any of its specialized agencies or of the International Atomic Energy Agency, and to all international organizations invited to attend the Session.

5.4 Any Contracting Party may, after the despatch of the Provisional Agenda, propose the inclusion of specific items on the Agenda with respect to matters of an urgent nature. These items [should be placed on a supplementary list, which, if time permits before the opening of the Session, shall be despatched by the Secretary to all Contracting Parties, failing which the supplementary list shall be communicated to the Chairperson for submission to the Governing Body]/[could be taken under Any Other Business]. Any Contracting Party may propose to include, during the adoption of the Provisional Agenda, any other item that it considers to be of relevance.

5.5 [After]/[Before] the Agenda has been adopted, the Governing Body may, by consensus amend the Agenda by the deletion, addition or modification of any item.

5.6 Documents to be submitted to the Governing Body at any Session shall be furnished by the [Director-General of the FAO]/[Secretary] to the Contracting Parties, the other Members and Associate Members of the FAO attending the Session, to any States that are not Members of the FAO but are Members of the United Nations, or any of its specialized agencies or of the International Atomic Energy Agency, and to international organizations invited to the Session, at

the time the Agenda is despatched or as soon as possible thereafter[[], but always][[], as far as possible,] at least six weeks prior to the beginning of the session].

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

### **Rule VI Decision-making and voting procedures**

[6.1 Subject to the provisions of Article Article 19.4 and Article 19.6 of the Treaty, each Contracting Party shall have one vote.]

or

[6.1 Subject to the provisions of Article Article 19.4 and Article 19.6 of the Treaty as well as Article II.10 of the FAO Constitution, each Contracting Party shall have one vote.]

[6.2 Decisions of the Governing Body on matters of procedure shall be taken by a majority of the Contracting Parties present and voting.

6.2 bis Without prejudice to Article 19.2 of the Treaty, decisions on matters of substance shall be taken by consensus. If all efforts to reach consensus have been exhausted and no agreement has been reached, the decision shall only be taken as a last resort by a two-thirds majority of the Contracting Parties present and voting on the matters dealt in Articles 12.3h, 15.1b(i), 15.5, 18.4f, 19.3a, 19.3b, 19.3f, 19.3g, 19.3j, 19.3l, 19.3m, 19.10, 19.11 and 20.1.

6.2 ter If the question arises whether a matter is one of procedural or substantive nature, the Chairperson, in consultation with the Secretary's legal counsel, shall rule on the question. [If the ruling is that the issue is procedural, then any Contracting Party is entitled to oppose the ruling. Upon the voicing of the concern, the issue shall be deemed substantive and thereafter treated as such. ][An appeal against this ruling shall be put to the vote immediately and the Chairperson's ruling shall stand unless overruled by a two-thirds majority of the Parties present and voting.]]

or

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

or

[6.2 Decisions of the Governing Body shall be taken on all matters by consensus[, with the exception of procedural matters, on which decisions may, when all efforts to reach consensus have been exhausted and no agreement has been reached, as the last resort be taken by a two-thirds majority of the Contracting Parties present and voting]].

[6.3 For the purpose of these Rules, the phrase, "Contracting Parties present and voting", means Members casting an affirmative or negative vote. [Contracting Parties who abstain from voting or cast a defective ballot are considered as not voting.]]

[6.4 Upon the request of any Contracting Party, voting shall be by roll-call vote, in which case the vote of each Contracting Party shall be recorded.]

[6.5 When the Governing Body so decides, voting shall be by secret ballot.]

[6.6 The provisions of Rule XII of the General Rules of the FAO shall apply *mutatis mutandis* to all matters not specifically dealt with under this Rule.]

**[ALTERNATIVE TEXT FOR ALL OF RULE VI**

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

6.2 Subject to Article 19.6, each Contracting Party shall have one vote and may be represented at sessions of the Governing Body by a single delegate who may be accompanied by an alternate, and by experts and advisers. Alternates, experts and advisers may take part in the proceedings of the Governing Body but may not vote, except in the case of their being duly authorized to substitute for the delegate.]

**Rule VII  
Observers**

[7.1 Any Member or Associate Member of the FAO, that is not a Contracting Party but which has a special interest in the work of the Governing Body, may, upon request communicated to the Director-General of the FAO, attend Sessions of the Governing Body and its subsidiary bodies, as an observer. It may submit memoranda and participate in discussions without a vote.]

[7.2 States that are not Contracting Parties or Members or Associate Members of the FAO, but which are Members of the United Nations, any of its Specialized Agencies or the International Atomic Energy Agency, may, upon their request and subject to the provisions relating to the granting of observer status to nations adopted by the Conference of the FAO, be invited to attend, in an observer capacity, Sessions of the Governing Body or of its subsidiary bodies. The status of nations invited to such Sessions shall be governed by the relevant provisions adopted by the Conference of the FAO.]

[TO REPLACE RULE 7.1 AND 7.2] [7.1 The United Nations, its specialized agencies and the International Atomic Energy Agency, as well as any State not a Contracting Party to this Treaty, may be represented as observers at sessions of the Governing Body. Any other body or agency, whether governmental or non-governmental, qualified in fields relating to conservation and sustainable use of plant genetic resources for food and agriculture, which has informed the Secretary of its wish to be represented as an observer at a session of the Governing Body, may be admitted unless at least one third of the Contracting Parties present object. Observers may submit memoranda, as part of documentation of the Session.]

[7.3 Subject to the provisions of paragraph 4 of this Rule, the Director-General of the FAO, taking into account guidance given by the Governing Body, may invite international organizations to attend Sessions of the Governing Body in an observer capacity. International organizations that have signed agreements with the Governing Body under Article 15 of the Treaty shall be invited to attend all Sessions of the Governing Body as observers.]

[7.4 Participation of international organizations in the work of the Governing Body and the relations between the Governing Body and such organizations shall be governed by the relevant provisions of the Constitution of the FAO and the General Rules of the FAO, as well as by other provisions of the Basic Texts of the FAO dealing with relations with international organizations.]

**[ALTERNATIVE TEXT FOR ALL OF RULE VII**

[7.1 The Secretary shall notify the United Nations, its specialized agencies and the International Atomic Energy Agency as well as any State not Contracting Party to the Treaty of sessions of the Governing Body so that they may be represented as observers.]

[7.2 Such observers may, upon invitation of the Chairperson, participate without the right to vote in the proceedings of any meeting unless at least one third of the Contracting Parties present at the session object.]

[7.3 The Secretary shall notify any body or agency, whether governmental or non-governmental, qualified in fields relating to the subject-matter of the Treaty, which has informed the Secretary of its wish to be represented, of the sessions of the Governing Body so that they may be represented as observers, unless at least one third of the Contracting Parties present at the session object.]

[7.4 Such observers may, upon invitation of the Chairperson, participate without the right to vote of any meeting in matters of direct concern to the body or agency they represent unless at least one third of the Contracting Parties present at the session object.]]

### **Rule VIII Records and Reports**

8.1 At each Session, the Governing Body shall approve a report embodying its decisions, views, recommendations and conclusions [, including, when requested, [observations by Contracting Parties]/[a statement of minority views]/[individual Contracting Party statements]]. Such other records, for its own use, as the Governing Body may on occasion decide, shall also be maintained.

8.2 The report of the Governing Body shall be circulated by the Secretary to all Contracting Parties, to other nations and international organizations that were represented at the Session, for their information, and, upon request, to other Members and Associate Members of the FAO. It shall also be transmitted at the close of each Session, by the Secretary, to the Director-General of the FAO.

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

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

### **Rule IX Subsidiary Bodies**

9.1 The Governing Body may establish such subsidiary bodies as it deems necessary for the accomplishment of its functions.

[9.2 Membership in these subsidiary bodies shall comprise such Contracting Parties [and observers] as have notified the Secretary of their desire to be considered as members of the subsidiary bodies, or shall consist of selected Contracting Parties [and observers], as determined by the Governing Body itself, or of individuals appointed [by the Contracting Parties] in their personal capacity [by the Governing Body]].

9.3 The representatives of subsidiary bodies shall, insofar as possible, serve in a continuing capacity and be specialists in the fields of activity of the respective subsidiary bodies.

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

9.5 The establishment of subsidiary bodies shall be subject to the availability of the necessary funds in the relevant chapter of the approved budget of the Treaty. Before taking any decision

involving expenditure in connection with the establishment of subsidiary bodies, the Governing Body shall have before it a report from the Secretary on the administrative and financial implications thereof.

9.6 Each subsidiary body shall elect its own officers, unless appointed by the Governing Body.

#### **Rule X Expenses**

10.1 Expenses incurred by representatives of Contracting Parties and by their alternates and their advisers, when attending Sessions of the Governing Body or subsidiary bodies, as well as the expenses incurred by observers at Sessions, shall be borne by their respective governments or organizations. [The expenses of Contracting Parties who are developing countries, and their advisers, alternates and observers, invited to attend sessions of the Governing Body and its subsidiary bodies, shall be met by the core budget of the Treaty.] Should experts be invited by the Secretary to attend Sessions of the Governing Body and its subsidiary bodies in their individual capacity, their expenses, unless otherwise determined by the Governing Body, shall be borne by the budget of the Treaty or by extra-budgetary funds.

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

#### **Rule XI Languages**

11.1 The languages of the Governing Body shall be the official languages of the Treaty.

11.2 Any representative using a language other than one of the languages of the Treaty shall provide for interpretation into one of the languages of the Treaty.

#### **[Rule XII Amendment and Suspension of the Rules**

12.1 Amendment of or additions to these Rules may be adopted by consensus [, provided that not less than 24 hours' notice of the proposal for the amendment or the addition has been given]. [Consideration of proposals of amendments of, or additions to, these rules shall be subject to Rule V and documents on the proposals shall be circulated in accordance with Rule V, 7.]

[12.2 Any of these Rules, other than [Rule I.1, Rule III.1, Rule IV.2 and 6, Rule V.6, Rule VI.1 and 2, Rule VII, Rule VIII.3 and 4, Rule IX.4 and 5, Rule XI, Rule XII.1 and Rule XIII]/[rules specifically mandated by the Treaty] may be suspended by consensus, provided that not less than 24 hours' notice of the proposal for suspension has been given. Such notice may be waived if no representative of the Contracting Parties objects.]

#### **[Rule XIII**

### **APPLICATION OF THE GENERAL RULES OF FAO**

13.1 The provisions of the General Rules of the FAO shall apply *mutatis mutandis* to all matters not specifically dealt with under the present rules.]

#### **Rule XIV**

### **OVER-RIDING AUTHORITY OF THE TREATY**

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

**Rule XV****Entry into Force**

15.1 These Rules and any amendments or additions thereto shall come into force upon their approval by consensus by the Governing Body. ]

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**APPENDIX E**

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**[ GOVERNING BODY FOR THE INTERNATIONAL TREATY ON PLANT  
GENETIC RESOURCES FOR FOOD AND AGRICULTURE****DRAFT FINANCIAL RULES****Rule I  
Applicability**

- 1.1 These rules shall govern the financial administration of the Treaty.
- 1.2 The financial rules and procedures of the FAO shall apply *mutatis mutandis* to [all matters not specifically dealt with under the present rules]/[the activities of the Treaty unless otherwise provided].

**Rule II  
The Financial Period**

- 2.1 The financial period shall be [two]/[one] calendar year[s], coinciding with the financial period of FAO.

**Rule III  
The Budget**

- 3.1 The Budget shall cover income and expenditures for the financial period to which it relates, and shall be presented in United States dollars.
- 3.2 The Budget shall include the programme of work for the financial period, and such information, annexes or explanatory statements as may be requested by the Governing Body.
- 3.3 The Budget shall comprise:
- a) [The Administrative Budget, relating to the contributions of Contracting Parties under Rule V.1(a) and other contributions made to the Administrative Budget under Rule V.1 (b) and (c), as well as contributions from FAO under Rule V.1 (f)];

OR

- [The Administrative Budget, relating to the amount reserved for the Treaty under Rule V.1(a) and contributions made to the Administrative Budget under Rule V.1 (b) and (c)];
  - b) The Special [Budget]/[Fund], relating to other funds made available during the financial period from contributions paid under Rule V.1 (b) and (c).
- 3.4 The draft Budget shall be prepared by the Secretary and shall be circulated to Contracting Parties not less than [sixty days]/[six weeks] before a regular session of the Governing Body.
- 3.5 The Administrative Budget for the financial period shall consist of:

- a) Provisions for Administrative Expenditures under the Treaty including expenses of the Secretariat; and
- b) Contingencies.

3.6 The Secretary may make transfers within each of the main appropriation lines of the approved Administrative Budget. The Secretary may also make transfers between such appropriation lines up to limits that the Governing Body may set as appropriate.

3.7 The Special [Budget]/[Fund] shall be disbursed for the purposes specified in the contributions made under Rule V.1 (b) and (c);

#### **Rule IV Appropriations**

4.1 After the Administrative Budget has been adopted, the appropriations therein will be the authority for the [Secretary]/[Governing Body] to incur obligations and make payments for the purposes for which the appropriations were voted and up to the amounts so voted, provided that commitments shall be covered by related income.

4.2 Any unliquidated prior year obligation shall at the end of the financial period be cancelled or where an obligation remains a valid charge, [retained for future disbursement]/[transferred against current appropriations].

#### **Rule V Provision of Funds**

- [ 5.1 The resources of the Treaty shall comprise:
- a) Voluntary contributions from Contracting Parties based on such indicative scale of contributions as shall be adopted by the Governing Body by consensus, based on the scale of contributions adopted from time to time by the Conference of FAO adjusted so as to ensure that no Contracting Party contributes less than 0.01 per cent of the total, that no one contribution exceeds 25 per cent of the total and that no contribution from a least developed country Contracting Party exceeds 0.01 per cent of the total;
  - b) Voluntary contributions made by the Contracting Parties in addition to those under (a) above for the purposes specified by agreement between the contributor and the Secretary;
  - c) Other voluntary contributions made by non-Contracting Parties, non-governmental organizations or other entities for the purposes specified by agreement between the contributor and the Secretary, including contributions to support the participation of representatives of developing country Contracting Parties and of Contracting Parties with economies in transition in the Governing Body and its subsidiary bodies;
  - d) The uncommitted balance of appropriations from previous financial periods carried forward;
  - e) Miscellaneous income attributed to the fund concerned; and
  - f) The amount effectively contributed by FAO in respect of the expenses to be borne
- by it. ]

***THE FOLLOWING SUB-PARAGRAPHS ARE ALTERNATIVES, OR ADDITIONS TO THE ABOVE TEXT***

- a) Voluntary contributions from Contracting Parties ;
- a) Voluntary contributions from Contracting Parties based on such indicative scale of contributions as shall be adopted by the Governing Body by [consensus]/[majority decision];
- b) Voluntary contributions made by the Contracting Parties;
- c) Other voluntary contributions made by non-Contracting Parties, non-governmental organizations or other entities, to support the participation of representatives of developing country;
- new) The income deriving from the implementation of Article 13.2d of the Treaty;
- new) Mandatory and voluntary contributions pursuant to Article 13.2d;
- new) Predictable and agreed contributions from relevant international mechanisms, funds and bodies for the implementation of the plans and programmes of the Treaty, pursuant to Article 18.4.

***THE FOLLOWING ARE ALTERNATIVES TO THE WHOLE OF RULE 5.1***

- [ 5.1 The resources of the Treaty shall comprise:
- a) Voluntary contributions from Contracting Parties for the purposes of administration and implementation of the Treaty in general;
  - b) Voluntary contributions made by the Contracting Parties in addition to those under (a) above for the purposes specified by agreement between the contributor and the Secretary;
  - c) Other voluntary contributions made by international organizations or other entities for the purposes of administration and implementation of the Treaty in general, or subject to approval by the Governing Body, the purposes specified by agreement between the contributor and the Secretary;
  - d) The uncommitted balance of appropriations from previous financial periods carried forward;
  - e) Miscellaneous income attributed to the fund concerned; and
  - f) The amount effectively contributed by FAO, including the expenses to be borne by it.]

OR

- [ 5.1 The resources of the Treaty shall comprise:
- a) The amount reserved for the Treaty in the budget of the FAO;
  - b) Voluntary contributions made by the Contracting Parties, the purposes of which may be specified by agreement between the contributor and the Secretary;
  - c) Other voluntary contributions made by non-Contracting Parties, non-governmental organizations or other entities, the purposes of which may be specified by agreement between the contributor and the Secretary, including contributions to support the

participation of representatives of developing country Contracting Parties and of Contracting Parties with economies in transition in the Governing Body and its subsidiary bodies;

- d) The uncommitted balance of appropriations from previous financial periods carried forward; and
- e) Miscellaneous income attributed to the fund concerned. ]

OR

[5.1 The resources of the Treaty shall comprise:

- a) Voluntary contributions from Contracting Parties based on such indicative scale of contributions as shall be adopted by the Governing Body by consensus, based on the scale of contributions adopted from time to time by the Conference of FAO adjusted so as to ensure that no developing country Contracting Party shall be required to pay more than any developed country Contracting Party;
- b) Voluntary contributions made by the Contracting Parties in addition to those under (a) above;
- c) Other voluntary contributions made by non-Contracting Parties, non-governmental organizations or other entities, including contributions to support the participation of representatives of developing country Contracting Parties and of Contracting Parties with economies in transition in the Governing Body and its subsidiary bodies;
- d) The uncommitted balance of appropriations from previous financial periods carried forward;
- e) Miscellaneous income attributed to the fund concerned; and
- f) The amount effectively contributed by FAO in respect of the expenses to be borne by it.]

[5.1 bis An agreement may be signed by the Contributor and the FAO to determine the purposes for which the funds or contributions mentioned in rule 5.1b [and c] shall be used.]

[5.2 The Governing Body shall, in adopting the indicative scale of contributions referred to in paragraph 1, make adjustments to take into account the difference of membership in the Treaty and in FAO.]

OR

[5.2 When the promotion of the full implementation of the Treaty so requires, the Governing Body may decide, by consensus, to acquire other resources, including [other voluntary] contributions from Contracting Parties.]

[5.3 In respect of contributions made pursuant to Rule V.1 (a):

- a) Contributions for each calendar year are expected on or before 1 January of that year;
- b) Each Party shall, as far in advance as possible of the date due for the contribution, inform the Secretary of the contribution it intends to make and of the projected timing of that contribution;
- c) Any new contracting Party shall pay a contribution to the administrative budget for the financial period in which the membership becomes effective, such contribution beginning with the quarter in which the membership is acquired. ]

OR

- [ 5.3 In respect of contributions made pursuant to Rule V.1 (a):
- a) Contributions for each calendar year are expected on or before 1 January of that year;
  - b) Each Party shall, as far in advance as possible of the date due for the contribution, inform the Secretary of the contribution it intends to make and of the projected timing of that contribution. ]

[5.4 Expenses borne by FAO shall be determined within the limits of the relevant item of the budget of FAO as approved by the Conference.]

[5.5 Contracting Parties that are not Members of FAO shall contribute towards the expenses borne by FAO in a proportionate amount to be determined by the Director-General.]

OR

[5.5 Contracting Parties that are not Members of FAO shall contribute towards the amount reserved for the Treaty in the budget FAO in a proportionate amount to be determined by the Governing Body.]

5.6 Pending receipt of annual contributions, the Secretary is authorized to finance budgeted expenditure from the uncommitted balance of the General Fund.

[5.7 For determining the indicative annual contributions of each Contracting Party, the assessed contribution for such Contracting Party for the financial period pursuant to paragraph 1(a) above, shall be divided into two equal instalments, one of which is payable in the first calendar year and the other in the second calendar year of the financial period.]

[5.8 At the beginning of each calendar year the Secretary shall inform Contracting Parties of their indicative annual contributions to the budget.]

OR

[5.8 At the beginning of each calendar year the Director-General shall inform Contracting Parties of their indicative annual contributions to the budget.]

[5.9 All contributions to the Administrative Budget shall be paid in United States dollars or its equivalent in a convertible currency. Where a contribution is paid in a convertible currency other than United States dollars, the applicable rate shall be the bank currency conversion rate in effect on the day the payment is made.]

OR

[5.9 All contributions to the Administrative Budget shall be paid in two currencies, in accordance with the distribution key for the collection of contributions of the Government in question, as agreed at the Conference in 2003.]

5.10 Contributions not immediately required shall be invested at the discretion of the Director-General of FAO, in consultation with the Secretary. The resulting income shall be credited to the relevant fund or funds referred to in Rule 6.2.

**Rule VI  
Funds**

6.1 All contributions and other receipts shall be placed in a Trust Fund administered by FAO.

[ 6.2 With respect to the Trust Fund referred to in paragraph 6.1, FAO shall maintain the following Funds:

- a) A General Fund to which shall be credited receipts of all contributions paid under Rule V.1 (a), along with any additional contributions to offset administrative budget expenditures that are made by Contracting Parties, non-Contracting Parties, non-governmental organizations and other entities pursuant to Rule V.1 (b) and (c), and other moneys accruing in respect of the General Fund under Rule V.1 (d) and (e), from which shall be met all expenditure chargeable against the annual Administrative Budget;
- b) A Special Fund to which shall be credited other contributions paid under Rule V.1 (b) and (c) and other moneys accruing in respect of the Special Fund under Rule V.1 (d) and (e);
- c) The Governing Body shall reimburse FAO for the administrative and operational support services provided to the Governing Body, its subsidiary bodies and the Treaty secretariat from the funds referred to in paragraphs (a) and (b), under such terms as may from time to time be established by the Governing Bodies of the  
FAO.]

OR

[ 6.2 With respect to the Trust Fund referred to in paragraph 6.1, FAO shall maintain the following Funds:

- a) A General Fund to which shall be credited receipts of the amount reserved for the Treaty under Rule V.1 (a), along with any additional contributions to offset administrative budget expenditures that are made by Contracting Parties, non-Contracting Parties, non-governmental organizations and other entities pursuant to Rule V.1 (b) and (c), and Rule V.5, and other moneys accruing in respect of the General Fund under Rule V.1 (d) and (e), from which shall be met all expenditure chargeable against the annual Administrative Budget;
- b) A Special Fund to which shall be credited other contributions paid under Rule V.1 (b) and (c) and other moneys accruing in respect of the Special Fund under Rule V.1 (d) and (e).]

6.3 Within the General Fund there shall be maintained a working capital reserve at a level to be determined from time to time by the Governing Body by consensus. The purpose of the working capital reserve shall be to ensure continuity of operations in the event of a temporary shortfall of cash. Drawdowns from the working capital reserve shall be restored from contributions as soon as possible.

**[Rule VII  
Reimbursement**

7.1 The Governing Body shall reimburse FAO for the administrative and operational support services provided to the Governing Body, its subsidiary bodies, and the Treaty Secretariat, from the funds referred to in Rule VI.2, under such terms as may, from time to time, be established by the Governing Bodies of the FAO. ]

**Rule VIII  
Accounts and Audit**

8.1 The accounts and financial management of all funds governed by the present rules shall be subject to the internal and external audit process of FAO.

8.2 During the second year of the financial period FAO shall provide the Contracting Parties with an interim statement of accounts for the first year of the financial period. FAO shall also, as soon as practicable, provide to the Contracting Parties a final certified statement of accounts for the full financial period.

**Rule IX  
Amendments**

9.1 These Rules may be amended by the Governing Body [by consensus] [in accordance of Rule XII of the Rules of Procedure].

**[Rule X  
Entry into force**

10.1 These rules and any amendments thereto shall come into force upon their approval by the Governing Body. ]

**[Rule XI  
OVER-RIDING AUTHORITY OF THE TREATY**

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



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**APPENDIX F**

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**DRAFT AGREEMENTS BETWEEN GOVERNING BODY AND THE IARCS AND  
OTHER RELEVANT INTERNATIONAL INSTITUTIONS****AGREEMENT BETWEEN [name of Centre] AND THE FOOD AND AGRICULTURE  
ORGANIZATION OF THE UNITED NATIONS (FAO), ACTING ON BEHALF OF THE  
GOVERNING BODY OF THE INTERNATIONAL TREATY ON PLANT GENETIC  
RESOURCES FOR FOOD AND AGRICULTURE****PREAMBLE**

1. The [Name of Centre] (hereinafter referred to as the “Centre”), supported by the Consultative Group on International Agricultural Research (hereinafter referred to as “CGIAR”), and the Food and Agriculture Organization of the United Nations (hereinafter referred to as “FAO”) acting on behalf of the Governing Body for the International Treaty on Plant Genetic Resources for Food and Agriculture (hereinafter referred to as the “Governing Body”);
2. *Considering* the importance to humanity of protecting and conserving plant genetic resources for food and agriculture for future generations;
3. *Recalling* the Agreement between [name of centre] and the Food and Agriculture Organization of the United Nations (FAO) placing collections of plant germplasm under the auspices of the FAO signed on 26 October 1994;
4. *Considering* the International Treaty on Plant Genetic Resources for Food and Agriculture adopted by the FAO Conference at its Thirty-first Session in 2001, which entered into force on \*\*\*\*\* (hereinafter referred to as the “Treaty”);
5. *Noting* that in Article 15 of the Treaty, the Contracting Parties to the Treaty recognize the importance to the Treaty of the *ex situ* collections of plant genetic resources for food and agriculture held in trust by the International Agricultural Research Centres of the Consultative Group on International Agricultural Research (CGIAR) and call upon the Centres to sign agreements with the Governing Body with regard to such *ex situ* collections;
6. *Reaffirming* the commitment of the Parties to this Agreement to the conservation, sustainable use and equitable sharing of benefits arising from the utilization of plant genetic resources for food and agriculture;
7. *Noting* that both the Centre, in its decision no... of ....., and the Governing Body, in its decision no. .. of ....., have approved the terms of the present Agreement;

Have agreed as follows:

**Article 1  
Application and interpretation of this Agreement**

- 1.1 This Agreement shall be construed and applied in a manner consistent with the provisions of the Treaty.
- 1.2 The terms used in this Agreement that are also used in the Treaty shall have the same meanings assigned to them as in the Treaty.
- 1.3 Any reference in this Agreement to the Centre shall include its successors in title.

## Article 2 Basic Undertaking

The Centre hereby agrees to place the *ex situ* collection held by it in trust within the purview of the Treaty in accordance with the following terms and conditions:

- (a) Plant genetic resources for food and agriculture listed in Annex I of the Treaty and held by the Centre shall be made available in accordance with the provisions set out in Part IV of the Treaty.
- (b) Plant genetic resources for food and agriculture other than those listed in Annex I of the Treaty and collected before its entry into force that are held by the Centre shall be made available in accordance with the provisions of the Material Transfer Agreement (hereinafter referred to as the MTA) currently in use pursuant to agreements between the Centre and the FAO. This MTA shall be amended by the Governing Body no later than its second regular session, in consultation with the Centre, in accordance with the relevant provisions of the Treaty, especially Articles 12 and 13, and under the following conditions:
  - (i) The Centre shall periodically inform the Governing Body about the MTAs entered into, according to a schedule to be established by the Governing Body;
  - (ii) The Contracting Parties in whose territory the plant genetic resources for food and agriculture were collected from *in situ* conditions shall be provided with samples of such plant genetic resources for food and agriculture on demand, without any MTA;
  - (iii) Benefits arising under the above MTA that accrue to the mechanism mentioned in Article 19.3f of the Treaty shall be applied, in particular, to the conservation and sustainable use of the plant genetic resources for food and agriculture in question, particularly in national and regional programmes in developing countries and countries with economies in transition, especially in centres of diversity and the least developed countries; and
  - (iv) The Centre shall take appropriate measures, in accordance with its capacity, to maintain effective compliance with the conditions of the MTAs, and shall promptly inform the Governing Body of cases of non-compliance.
- (c) The Centre recognizes the authority of the Governing Body to provide policy guidance relating to *ex situ* collections held by it and subject to the provisions of the Treaty.
- (d) The scientific and technical facilities in which such *ex situ* collections are conserved shall remain under the authority of the Centre, which undertake to manage and administer these *ex situ* collections in accordance with internationally accepted standards, in particular the Genebank Standards as endorsed by the FAO Commission on Genetic Resources for Food and Agriculture.
- (e) Upon request by the Centre, the Secretary of the Governing Body of the Treaty (hereinafter referred to as the “Secretary”) shall endeavour to provide appropriate technical support.
- (f) The Secretary shall have, at any time, right of access to the facilities, as well as right to inspect all activities performed therein directly related to the conservation and exchange of the material covered by this Article.
- (g) If the orderly maintenance of these *ex situ* collections held by the Centre is impeded or threatened by whatever event, including force majeure, the Secretary, with the approval of the host country, shall assist in its evacuation or transfer, to the extent possible.

**Article 3**  
**Plant genetic resources for food and agriculture received**  
**after the coming into force of the Treaty**

Plant genetic resources for food and agriculture other than that listed in Annex I of the Treaty, which are received and conserved by the Centre after the coming into force of the Treaty, shall be available for access on terms consistent with those mutually agreed between the Centre that receives the material and the country of origin of such resources or the country that has acquired those resources in accordance with the Convention on Biological Diversity or other applicable law[s].

**Article 4**  
**[Rights of the Centre]**

OR

**[Obligations of the Governing Body]**

[1. The Governing Body agrees that the Centre shall be included in the list of International Agricultural Research Centres to which the Contracting Parties have agreed to provide facilitated access to plant genetic resources for food and agriculture in Annex I under the Multilateral System.]

OR

[1. The Centre shall be included in the list of International Agricultural Research Centres of the CGIAR to be held by the Secretary, and will have facilitated access to plant genetic resources for food and agriculture listed in Annex I under the Multilateral System, in accordance with Article 15.2 of the Treaty.]

[2. The Governing Body shall encourage Contracting Parties to provide the Centre with access, on mutually agreed terms, to plant genetic resources for food and agriculture not listed in Annex I that are important to the programmes and activities of the Centre.]

3. [The Governing Body agrees to invite the Centre to attend sessions of the Governing Body as an observer.]

OR

[The Centre shall be invited to attend sessions of the Governing Body as an observer.]

**PROPOSAL: Transfer paragraphs 4.1 and 4.3 to Article 2, that Article to be retitled “Rights and obligations of the Parties to this Agreement”, and delete Article 4.**

**Article 5**  
**Consultations regarding implementation**

The Centre shall consult periodically with the Secretary or such other person or entity as the Governing Body may designate regarding the effective implementation of this Agreement. The results of such consultations shall be reported to the Governing Body.

**Article 6**  
**Amendment**

1. The Governing Body or the Centre may propose that this Agreement be amended by giving notice thereof.

2. Should the Treaty be amended in such a way as to significantly change the rights or obligations of the Parties to this Agreement, the Parties to this Agreement hereto shall consult regarding any amendments to the provisions of this Agreement that may be required or such other measures as may be required.

3. If there is a mutual agreement in respect of the amendment, the amendment shall enter into force on whatever date is set.

#### **Article 7** **Duration of the Agreement**

1. It is the intention of the Parties that this Agreement should remain in force in perpetuity. However, should circumstances beyond its control make it impossible for either Party to fulfil its obligations under this Agreement or fulfil them in a manner compatible with its mandate, either Party may, after a period of two years from the entry into force of this Agreement, give notice to the other Party of its withdrawal from this Agreement. Such withdrawal shall take effect one year from the date of receipt of such notice. In the event of such a withdrawal, the Parties to this Agreement hereto shall consult with a view to ensuring that the in-trust collections are maintained consistently with the Treaty through other arrangements, where possible by other Centres of the CGIAR.

2. This Agreement may be terminated by mutual agreement between the Parties to this Agreement hereto.

#### **Article 8** **Settlement of disputes**

[Any dispute concerning the implementation of this Agreement, which cannot be settled by negotiations between the Parties to this Agreement, shall be settled by arbitration in accordance with the procedures set out in Part I of Annex II to the Treaty.]

#### **Article 9** **Depositary**

The Director-General of the FAO shall be the Depositary of this Agreement. The Depositary shall:

- (a) send certified copies of this Agreement to the Contracting Parties to the Treaty, to all the Members of the FAO and to any other Government which so requests;
- (b) arrange for the registration of this Agreement, upon its entry into force, with the Secretariat of the United Nations in accordance with Article 102 of the Charter of the United Nations;
- (c) inform the Contracting Parties to the Treaty, and FAO Members of:
  - (i) the signature of this Agreement in accordance with Article 10; and
  - (ii) the adoption of amendments to this Agreement in accordance with Article 6.

#### **Article 10** **Coming into Force**

This Agreement shall come into force on the ninetieth day after its signature by the authorized representative of the FAO acting on behalf of the Governing Body and by the authorized representative of the Centre.

**Food and Agriculture Organization of the United Nations, acting on behalf of the Governing Body of the International Treaty on Plant Genetic Resources for Food and Agriculture**

**Name of Centre]**

by: \_\_\_\_\_  
(signature)

by: \_\_\_\_\_  
(signature)

Date: \_\_\_\_\_

Date: \_\_\_\_\_



## INTERIM COMMITTEE FOR THE INTERNATIONAL TREATY ON PLANT GENETIC RESOURCES FOR FOOD AND AGRICULTURE

BUDGET 2005/2006					
	Secretariat, meeting and Other Costs		Developing country participation <sup>1</sup>	Total Budget	
	Number	Cost \$ 2005		Cost \$ 2006	Participants supported
<b><u>A. SECRETARIAT</u></b> <sup>2</sup>					
Senior Policy Coordinator (P5)	1	180,000	91,000		
Treaty Support Officer (P3)	1	145,000	73,500		
Administrator (G4)	1	68,000	35,500		
Secretary (G3)	1	59,000	30,500		
Consultancy	1	156,000	78,000		
Sub-total		608,000	308,500		
Project Servicing Costs (6%)		36,480	18,510		
<b>Total Secretariat Costs</b>		<b>644,480</b>	<b>327,010</b>		<b>971,490</b>
<b><u>B. MEETINGS</u></b> <sup>3</sup>					
Governing Body	1		652,300 <sup>4</sup>	130 <sup>5</sup>	520,000
Governing Body:2-day pre-meeting <sup>6</sup>	1		26,400	130	77,220
Contact Group: MTA	1	198,900		66	215,160
Contact Group: MTA:2-day pre-meeting <sup>7</sup>	1	21,120		66	21,120
Open-ended Working Group <sup>8</sup>	1	214,260		130 <sup>9</sup>	483,600
Open-ended Working Group: 1 additional day pre-meeting <sup>10</sup>	1	21,120		130	74,100
Sub-total		455,400	678,700		1,391,200
Project Servicing costs (6%)		27,324	40,722		
<b>Total Meeting Costs</b>		<b>482,724</b>	<b>719,422</b>		<b>1,391,200</b>
<b><u>C. OTHER COSTS</u></b>					
Travel and Publications		60,000	30,000		
Project Servicing Costs (6%)		3,600	1,800		
<b>Total Other Costs</b>		<b>63,600</b>	<b>31,800</b>		<b>95,400</b>
<b><u>D. GRAND TOTAL (A+B+C)</u></b>					
					<b>3,660,236</b>

*Footnotes to the Budget:*

- <sup>1</sup> Support for developing country participation can only be provided to the extent that adequate extra-budgetary resources are available. Preference will be given to least developed countries.
- <sup>2</sup> Incremental Secretariat requirements are additional to the P5 officer on secondment from the United Kingdom.
- <sup>3</sup> This table does not reflect the offer from Spain to host the Governing Body, or of the United States to provide for the meeting of the Contact Group. Depending on the exact nature of this support, there will still be costs to be borne by the Interim Committee budget.
- <sup>4</sup> The date of the First Session of the Governing Body has not yet been determined.
- <sup>5</sup> Support can only be provided to developing countries that are Contracting Parties to the Treaty. The number assumes that up to two developing country participants may be supported, to enable parallel sessions to be run during the Governing Body, should the Governing Body so decide.
- <sup>6</sup> Provision is made for a two day pre-meeting of developing countries, for regional coordination.
- <sup>7</sup> Provision is made for a two day pre-meeting of developing countries, for regional coordination.
- <sup>8</sup> The Open-ended Working Group will last four days.
- <sup>9</sup> The number assumes that up to two developing country participants may be supported, to enable parallel sessions to be run during the Open-ended Working Group, should the Open-ended Working Group so decide.
- <sup>10</sup> Provision is made for a two day pre-meeting of developing countries, for regional coordination.

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**APPENDIX H**

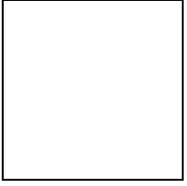

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**LIST OF DOCUMENTS**
**Working Documents**

CGRFA/MIC-2/04/1	Draft Provisional Agenda
CGRFA/MIC-2/04/2	Provisional Annotated Agenda and Time-table
CGRFA/IC/MTA-1/04/REP	Report on the Outcome of the Expert Group on the Terms of the Standard Material Transfer Agreement
CGRFA/MIC-1/02/4	Draft Rules of Procedure for the Governing Body of the International Treaty on Plant Genetic Resources for Food and Agriculture
CGRFA/MIC-1/02/4 Corr.	Corrigendum to document CGRFA/MIC-1/02/4
CGRFA/MIC-2/04/3	Compilation and analysis of Governments' views on Compliance with the International Treaty on Plant Genetic Resources for Food and Agriculture
CGRFA/MIC-2/04/4	Preparation for consideration by the Governing Body of the Funding Strategy for the International Treaty on Plant Genetic Resources for Food and Agriculture
CGRFA/MIC-2/04/5	Report on the Status of the Global Crop Diversity Trust
CGRFA/MIC-2/04/6	Work Programme and Budget for adoption by the Governing Body
CGRFA/MIC-2/04/7	Draft Work Programme and Budget for the Interim Committee
CGRFA/MIC-2/04/8	Draft Financial Rules for the Governing Body of the International Treaty on Plant Genetic Resources for Food and Agriculture
CGRFA/MIC-1/02/8	Consultations with the International Agricultural Research Centres of the CGIAR and other relevant institutions on the agreements to be signed with the Governing Body

**Information Documents**

CGRFA/MIC-2/04/Inf.1	List of Documents
CGRFA/MIC-2/04/Inf.2	Report on progress and activities since the First Meeting of the Interim Committee, including cooperation with relevant international bodies
CGRFA/IC/Inf.1	Vienna Convention on the Law of Treaties Section 3: Interpretation of Treaties
CGRFA/MIC-2/04/Inf.3 (English, French and Spanish only)	Statement of competence and voting rights submitted by the European Community (EC) and its Member States
CGRFA/MIC-2/04/Inf.4	List of delegates and observers
CGRFA/MIC-2/04/Inf.5	Preliminary report on work towards the assessment of patent data relevant to availability and use of material from the International Network of <i>Ex-Situ</i> Collections under the Auspices of FAO and the International Treaty on Plant Genetic for Food and Agriculture (ITPGR).



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المرفق طاء  
附录 I - APPENDIX I – ANNEXE I – ANEXO I

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代表和观察员名单  
**LIST OF DELEGATES AND OBSERVERS**  
**LIST DES DÉLEGUÉS ET OBSERVATEURS**  
**LISTA DE DELEGADOS Y OBSERVADORES**

الرئيس	:	
主席	:	
Chairman	:	Mr Bryan HARVEY
Président	:	(Canada)
Presidente	:	
نواب الرئيس	:	
副主席	:	
Vice-Chairmen	:	Ms. Elizabeth MATOS
Vice-présidents	:	(Angola)
Vicepresidentes	:	
	:	Ms. Kristiane HERRMANN
	:	(Australia)
	:	Mr Anders CHRISTIANSEN
	:	(Denmark)
	:	Mr Carlos POZZO BRACHO
	:	(Venezuela)
	:	Mr Champak CHATTERJI
	:	(India)
	:	Mr Javad MOZAFARI
	:	(Iran)

أعضاء الهيئة

与会者

**PARTICIPANTS**  
**PARTICIPANTS**  
**PARTICIPANTES**

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