



Item 2 of the Draft Provisional Agenda

COMMISSION ON GENETIC RESOURCES FOR FOOD AND AGRICULTURE

First 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

Rome, 9 – 11 October 2002

PROVISIONAL ANNOTATED AGENDA AND TIME-TABLE

1. Election of the Chair and Vice-Chairs for the first meeting of the Commission on Genetic Resources for Food and Agriculture, acting as Interim Committee

The Chair of the Commission will open the meeting, which will then elect the Chair and Vice-Chairs of the Interim Committee for the Treaty.

2. Adoption of the Agenda and Time-table

The present document contains the *Draft Provisional Annotated Agenda* and the *Provisional Time-table*, for the consideration of the Interim Committee for the Treaty.

3. Report on the status of signatures and ratification of the Treaty

The Secretariat has provided the Interim Committee for the Treaty with up-to-date information on the status of signature and ratification in document CGRFA/MIC-1/02/10. It may wish to discuss ways in which ratification may be promoted. Arrangements will be made for Governments, wishing to do so, to sign and/or deposit instruments of ratification during the meeting.

4. Adoption of Rules of Procedure for the Commission on Genetic Resources for Food and Agriculture acting as Interim Committee

The Thirty-first Session of the Conference, in adopting the International Treaty on Plant Genetic Resources for Food and Agriculture, by Resolution 3/2001,¹ requested the Commission to act as Interim Committee for the Treaty, and to adopt its Rules of Procedure at its first session. Document CGRFA/MIC-1/02/3 provides, for the consideration of the Interim Committee for the Treaty, *Draft Rules of Procedure for the Commission Acting as Interim Committee for the International Treaty on Plant Genetic Resources for Food and Agriculture*. These are based on those currently in force for the Interim Commission on Phytosanitary Measures, itself an interim body set up under Article VI of the FAO Constitution, pending the entry into force of the revised International Plant Protection Convention, which, like the Treaty, was adopted within the framework of the FAO, under Article XIV of its Constitution. Like the Interim Committee for the Treaty, the Interim Commission on Phytosanitary Measures is also open to membership by non-FAO Member States.

¹. Available as document CGRFA/MIC-1/02/Inf.1.

5. Establishment of the Work Programme and Budget for the Commission on Genetic Resources for Food and Agriculture, acting as Interim Committee

The Conference, in Resolution 3/2001, requested the Interim Committee for the Treaty to undertake a series of actions, and the Treaty itself foresees various decisions that will need to be taken at the first meeting of the Governing Body, which may therefore need to be prepared by the Interim Committee for the Treaty. These elements are listed under Agenda Item 5.1, below. The Interim Committee for the Treaty may wish to discuss them, and decide how to proceed in each case. Document CGRFA/MIC-1/02/9, *Work Programme and Budget, 2003-2004*, provides further information, including regarding the budgetary implications of each specific item.

5.1. Consideration of the possible elements of the Work Programme

a. *Draft Rules of Procedure and Financial Rules, for the consideration of the Governing Body*

The Conference requested the Interim Committee for the Treaty to prepare draft Rules of Procedure and draft Financial rules, for consideration at the first session of the Governing Body.

Document CGRFA/MIC-1/02/4 contains *Draft Rules of Procedure*, which are based upon those currently in force for the Interim Commission on Phytosanitary Measures.

Document CGRFA/MIC-1/02/5 contains *Draft Financial Rules*, which are based upon those of the European Commission for the Control of Foot and Mouth Disease (a body established under Article XIV of the FAO Constitution with its own autonomous budget, unlike the Interim Commission on Phytosanitary Measures) and take into account the provisions of the Treaty and elements of the financial rules adopted by the Conference of Parties of multilateral environmental agreements. The practice of other international agreements regarding financing of the budget is also reviewed.

The Interim Committee for the Treaty may feel it appropriate, after an initial discussion on this matter, to establish an open-ended working group of legal experts, with appropriate technical support, to consider the wording of the draft Rules of Procedure as well as the Financial Rules for the Governing Body. Such a working group could be convened during the current meeting of the Interim Committee for the Treaty or immediately preceding its next meeting.

b. *Terms of Reference for the Expert Group on the Terms of the Standard Material Transfer Agreement*

The Conference decided to establish an Expert Group to develop and propose recommendations, to be considered by the Interim Committee, on the terms of the Standard Material Transfer Agreement to be adopted by the Governing Body at its first session. It stated that the terms of reference for the Expert Group should be agreed at the first meeting of the Interim Committee. To assist the Interim Committee, draft *Terms of Reference for the Expert Group on the Terms of the Standard Material Transfer Agreement* are provided in document CGRFA/MIC-1/02/6.

c. *Draft Procedures to Promote Compliance, for the consideration of the Governing Body*

The Conference requested the Commission acting as the Interim Committee for the Treaty, to prepare for consideration at the first session of the Governing Body, proposed procedures to promote compliance with the Treaty in light of Article 21. To assist the Interim Committee, document CGRFA/MIC-1/02/7, *Procedures to Promote Compliance with the International Treaty for Plant Genetic Resources for Food and Agriculture*, provides information on practice regarding compliance in other forums and outlines a possible process for the development of such procedures.

d. *Consultations with the International Agricultural Research Centres and other relevant international institutions*

The Conference requested the Interim Committee for the Treaty to consult with the International Agricultural Research Centres and other relevant international institutions on the agreements to be signed with the Governing Body, in accordance with 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*, and to prepare draft agreements for consideration by the Governing Body at its first session. Document CGRFA/MIC-1/02/8, *Consultations with the International Agricultural Research Centres of the CGIAR and other Relevant International Institutions on the Agreements to be Signed with the Governing Body*, contains a draft model Agreement that has been reviewed by the International Agricultural Research Centres. The Interim Committee for the Treaty is invited to review, and comment upon, the attached draft model Agreement, with a view to recommending its consideration by the Governing Body at its first session.

e. *Cooperation with relevant international bodies*

The Treaty foresees cooperation with a wide range of international organisations and bodies, in particular the Convention on Biological Diversity, and Conference Resolution 3/2001 foresees that the Interim Committee will initiate such cooperation, in particular in relation to the provisions of Article 18.4a of the Treaty. (Article 18.4a relates to the Funding Strategy of the Treaty, and is therefore also considered under the next agenda item.) The Interim Committee for the Treaty is therefore invited to provide guidance as to what action should be taken and any role it would wish to assign to the Secretary in this regard.

f. *Funding Strategy for the implementation of the Treaty, for the consideration of the Governing Body*

Article 18 of the Treaty establishes a Funding Strategy, and foresees a number of actions that may need to be implemented in an integrated manner, some of which must be initiated or completed by the first meeting of the Governing Body, where the Governing Body will adopt its Funding Strategy, and where it will consider relevant policy and criteria for specific assistance under the Funding Strategy. The Governing Body will periodically establish a target for funding for priority activities, plans and programmes, in particular in developing countries and countries with economies in transition, taking into account the rolling Global Plan of Action. Article 18.4a provides for Governments to take measures within the Governing Bodies of relevant international mechanisms, funds and bodies to ensure due priority and attention to the effective allocation of predictable and agreed resources for the implementation of plans and programmes under the Treaty, and, as noted above, Conference Resolution 3/2001 foresees the initiation of cooperation with relevant international organizations and treaty bodies in this regard. The Treaty also foresees possible voluntary contributions from Food Processing Industries, the private

sector, non-governmental organisations and other sources. Document CGRFA/MIC-1/02/9 reviews the actions that may need to be taken, on which guidance from the Interim Committee for the Treaty is sought.

5.2 Consolidation of the Work Programme and Budget

Following its review of the individual elements of its possible Work Programme, and its decisions as to how to carry them out, the Interim Committee for the Treaty is requested to consolidate its budget for the period, 2003-2004, on the basis of document CGRFA/MIC-1/02/9. (For the preparation of the draft work programme and budget given in Table 1, it is assumed that the Treaty will enter into force in two years' time: the needs identified are therefore allocated over a two-year time span, 2003 and 2004.) Three types of financial need are identified: for preparing and running meetings of various kinds (and the final budget will need to take into account the decisions of the Interim Committee in this regard); to support the participation of developing countries in the interim process; and to strengthen the Secretariat of the Commission, in line with Resolution 3/2001 of the FAO Conference, to undertake the incremental tasks given to it. Many of the Interim Committee's tasks fall within the remit of the Commission Secretariat, but to fulfil this role the currently very small staff capacity of the Secretariat will need to be strengthened. The Interim Committee for the Treaty is therefore invited, in considering this item, to put adequate priority on this key budget element, on which many other activities will depend, within its overall programme of work and budget.

The Interim Committee for the Treaty is invited to provide guidance on how the resources necessary to implement the work programme and budget it decides upon should be mobilized, and on priorities for its work programme, in the event that the necessary financial resources are not immediately available.

6. Status of extra-budgetary resources for the work of the Commission on Genetic Resources for Food and Agriculture, acting as Interim Committee

The Secretariat will provide the Interim Committee with up-to-date information on the status of mobilization of extra-budgetary resources to support its work.

7. Other business

8. Date and place of the Second Meeting of the Commission on Genetic Resources for Food and Agriculture, acting as Interim Committee

9. Adoption of the Report

PROVISIONAL TIME-TABLE

<i>Time</i>	<i>Agenda Item</i>	<i>Title</i>	<i>Working Documents</i>
Wednesday, 9 October morning			
10:00-11:00	1	Election of the Chair and Vice-Chairs	
11:00-12:00	2	Adoption of the Agenda and Time-table	CGRFA/MIC-1/02/2
12:00-13:00	3	Report on the status of signatures and ratification of the Treaty	
Wednesday, 9 October afternoon			
15:00-17:00	4	Adoption of Rules of Procedure for the Commission on Genetic Resources for Food and Agriculture acting as Interim Committee	CGRFA/MIC-1/02/3 CGRFA/MIC-1/02/Inf.1
17:00-18:00	5	Establishment of the Work Programme and Budget for the Commission on Genetic Resources for Food and Agriculture, acting as Interim Committee	CGRFA/MIC-1/02/9 CGRFA/MIC-1/02/Inf.1
Thursday, 10 October morning			
09:30-12:30	5.1	Consideration of the possible elements of the Work Programme	CGRFA/MIC-1/02/Inf.1
- continues -	<i>a</i>	<i>Draft Rules of Procedure and Financial Rules, for the consideration of the Governing Body</i>	CGRFA/MIC-1/02/4 CGRFA/MIC-1/02/5 CGRFA/MIC-1/02/9
- continues -	<i>b</i>	<i>Terms of Reference for the Expert Group on the Terms of the Standard Material Transfer Agreement</i>	CGRFA/MIC-1/02/6 CGRFA/MIC-1/02/9
- continues -	<i>c</i>	<i>Draft Procedures to Promote Compliance, for the consideration of the Governing Body</i>	CGRFA/MIC-1/02/7 CGRFA/MIC-1/02/9
- continues-	<i>d</i>	<i>Consultations with the International Agricultural Research Centres and other relevant international institutions</i>	CGRFA/MIC-1/02/8
- continues-	<i>e</i>	<i>Cooperation with relevant international bodies</i>	
- continues-	<i>f</i>	<i>Funding Strategy for the implementation of the Treaty, for the consideration of the Governing Body</i>	CGRFA/MIC-1/02/9

<i>Time</i>	<i>Agenda Item</i>	<i>Title</i>	<i>Working Documents</i>
Thursday, 10 October afternoon			
15:00-16:30	5.2	Consolidation of the Work Programme and Budget	CGRFA/MIC-1/02/9
16:30-17:00	6	Status of extra-budgetary resources for the work of the Commission on Genetic Resources for Food and Agriculture, acting as Interim Committee	
17:00-17:45	7	Other business	
17:45-18:00	8	Date and place of the Second Meeting of the Commission on Genetic Resources for Food and Agriculture, acting as Interim Committee	
Friday, 11 October afternoon			
15:00-18:00	9	Adoption of the Report	