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The International Treaty

ON PLANT GENETIC RESOURCES FOR FOOD AND AGRICULTURE



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FIFTH SESSION OF THE GOVERNING BODY
Muscat, Oman, 24-28 September 2013
RESOLUTION 9/2013
PROCEDURES AND OPERATIONAL MECHANISMS TO PROMOTE COMPLIANCE AND ADDRESS ISSUES OF NON-COMPLIANCE

Note from the Secretariat

The Governing Body, at its Sixth Session, considered certain changes to Question 19 of the *Standard Reporting Format* referred to in Section V.1 of the *Procedures and Operational Mechanisms to Promote Compliance and Address Issues of Non-Compliance* and contained in Annex 2.

It approved the changes in the form they had been presented in document IT/GB-6/15/14 Add.1 as suggested by a Contracting Party Region on the basis of its recollection of the decision of the Governing Body at its Fifth Session (IT/GB-6/15/Report).

Following such approval by the Governing Body, the Secretariat issued this version with the correction in Question 19.

THE GOVERNING BODY,

Recalling Resolution 2/2011 by which it approved the Procedures and Operational Mechanisms to Promote Compliance and Address Issues of Non-Compliance;

Recognizing the important role of the Compliance Committee in promoting compliance and addressing issues of non-compliance with the Treaty, and the need for the smooth and effective functioning of the Committee;

1. **Thanks** the Compliance Committee for developing its Rules of Procedures and the standard format for reporting in accordance with section V.1 of the *Procedures and Operational Mechanisms to Promote Compliance and Address Issues of Non-Compliance*;
2. **Hereby approves** the Rules of Procedure of the Compliance Committee included in *Annex 1* hereto;
3. **Further approves** the standard reporting format included in *Annex 2* hereto;
4. **Elects** the members of the Committee for two or four calendar years in accordance with section III.4 of the Compliance Procedures, as contained in the chart included in *Annex 3* hereto;
5. **Decides** that the members of the Compliance Committee that the Bureau of the Fifth Session of the Governing Body appointed for the interim period up to this Session shall continue to serve until the commencement of the term of the members of the Compliance Committee elected at this Session;
6. **Reiterates** the importance of maintaining sufficient resources for the operation of the *Procedures and Operational Mechanisms to Promote Compliance and Address Issues of Non-Compliance* and the functioning of the Compliance Committee;
7. **Decides** that costs of meetings of the Compliance Committee, including those to facilitate the participation of members of the Committee, shall be included in the Core Administrative Budget as may be adopted by the Governing Body, supplemented by any voluntary contributions made available for that purpose, and **requests** the Secretary to include such costs into the Core Administrative Budget that is presented to the Governing Body for approval at its Regular Sessions;
8. **Reiterates** its recommendation that funds be made available through the *Special Fund to Support the Participation of Developing Countries* to facilitate participation in relevant meetings of the Committee by representatives of developing country Contracting Parties and Contracting Parties with economies in transition regarding whom a submission has been made under the *Procedures and Operational Mechanisms to Promote Compliance and Address Issues of Non-Compliance*.

ANNEX 1

PROCEDURES AND OPERATIONAL MECHANISMS TO PROMOTE COMPLIANCE AND ADDRESS ISSUES OF NON-COMPLIANCE**RULES OF PROCEDURES OF THE COMPLIANCE COMMITTEE****Rule I
SCOPE**

1.1 These Rules of Procedure shall apply to any meeting of the Compliance Committee and shall be read together with and in furtherance of the *Procedures and Operational Mechanisms to Promote Compliance and Address Issues of Non-Compliance*, adopted by the Governing Body and contained in the *Annex* to Resolution 2/2011.

1.2 The Rules of Procedure of the Governing Body shall apply, *mutatis mutandis*, to all matters not specifically dealt with under these Rules of Procedure.

**Rule II
USE OF TERMS**

For the purpose of these Rules of Procedure:

“Bureau” shall mean the Bureau of the Committee, unless otherwise provided;

“Conflict of interest” shall refer to any current interest which could significantly impair the individual’s impartiality, objectivity or independence in carrying out his or her duties as a member of the Committee;

“Contracting Party concerned” shall mean the Contracting Party referred to in section VI.1 of the Compliance Procedures;

“Committee” shall mean the Compliance Committee established by the Governing Body by Resolution 3/2006;

“Compliance Procedures” shall mean the Procedures and Operational Mechanisms to Promote Compliance and Address Issues of Non-Compliance, contained in the *Annex* to Resolution 2/2011 of the Governing Body, and any amendment thereto as may be adopted by the Governing Body;

“Governing Body” shall mean the Governing Body as referred to in Article 19 of the International Treaty;

“International Treaty” shall mean the International Treaty on Plant Genetic Resources for Food and Agriculture;

“Member of the Committee” shall mean a member of the Committee elected pursuant to section III.4 of the Compliance Procedures;

“Secretary” shall mean the Secretary of the Governing Body, referred to in Article 20 of the International Treaty.

**Rule III
MEMBERS**

3.1 Each member of the Committee shall perform his or her duties and exercise his or her authority as member of the Compliance Committee honourably, faithfully, impartially and conscientiously and seek to avoid any conflict of interest.

3.2 Where a member finds himself or herself faced with a conflict of interest regarding a matter before the Committee, the member concerned shall bring it to the attention of the Secretary, who shall inform the Committee. The member concerned may participate in the discussions, but not in the elaboration and adoption of any decision of the Committee regarding such matter.

3.3 Where the Secretary becomes aware of a situation of conflict of interest in respect of a member regarding a matter before the Committee, the Secretary shall inform the Committee, and the member concerned can express a view on whether there is a conflict of interest or not. If the Committee is unable to agree that the member concerned faces no conflict of interest, or if the issue is not otherwise resolved, the Committee shall inform the Secretary, and the Secretary shall refer the issue to the Bureau of the Governing Body for its consideration. Pending resolution, the Committee may decide whether the member concerned may participate in the discussions of the matter before the Committee. The member concerned may not participate in the elaboration and adoption of any decision of the Committee regarding the matter before the Committee. The views expressed by the member concerned should, however, be reflected in the record of the Committee's meeting on that matter.

3.4 If a member of the Committee wishes to resign, he or she shall inform the Secretary in writing indicating the date when the resignation takes effect.

3.5 If a member of the Committee resigns or is unable to complete his or her term of office, the Secretary shall inform the FAO Region concerned through the member of the Bureau of the Governing Body representing that Region. The FAO Region concerned may nominate a replacement to serve the remainder of the term of that member. The Bureau of the Governing Body, in accordance with section III.4 of the Compliance Procedures, shall consider the nomination, and make an appointment, as appropriate.

Rule IV BUREAU

4.1 The Chair and Vice-Chair of the Committee shall constitute the Bureau.

4.2 The Chair and Vice-Chair serve for up to two years, renewable once. If the Chair resigns or is unable to complete his or her term of office, the Vice-Chair shall assume the chair *ad interim*.

4.3 Pursuant to section III.7 of the Compliance Procedures, the members nominated by one FAO Region shall not serve as Chair or Vice-Chair for more than two consecutive terms.

4.4 The functions of the Bureau are contained in these Rules of Procedure.

Rule V OBSERVERS

5.1 Any person may attend open meetings of the Committee as an observer unless the Committee otherwise decides. A person wishing to do so shall inform the Secretary before the meeting.

5.2 The number of observers may be limited by the Secretary, in consultation with the Bureau, due to logistic or other limitations.

5.3 An observer attending a Committee meeting may express views, upon invitation to do so by the Chair in consultation with the Committee.

Rule VI MEETINGS

- 6.1 Meetings of the Committee shall be convened by the Secretary in consultation with the Bureau.
- 6.2 Notice of the date and place of each meeting of the Committee shall be communicated by the Secretary to all members at least twelve weeks before the opening of the meeting.
- 6.3 Meetings of the Committee shall be open unless it decides otherwise or this Rule provides otherwise. The Committee may decide that all or part of any meeting will be closed. It shall meet in closed session at the request of the Party concerned and when considering information that is confidential in accordance with Rule VII below.
- 6.4 For the purposes of section VI.8 of the Compliance Procedures, the Committee shall, through the Secretary, inform the Contracting Party concerned through official channels, with a copy to the National Focal Point, of a meeting of the Committee where a submission related to that Contracting Party will be considered, and may invite that Contracting Party to attend such meeting.
- 6.5 The Committee may, subject to the availability of financial resources and where the circumstances so require, invite to its meetings any expert or person with valuable knowledge to provide technical opinion, advice or information that may assist it in the consideration of a matter before it. 6.6 Only members of the Committee and Secretariat officials may be present during elaboration and adoption of a decision by the Committee, unless otherwise decided by the Committee.

**Rule VII
CONFIDENTIALITY**

- 7.1 Save as otherwise provided for in this Rule, no information held by the Committee shall be kept confidential.
- 7.2 The Committee and any person involved in its work shall seek to ensure the confidentiality of information that has been provided to it in confidence by a Contracting Party in respect of its own compliance.
- 7.3 Information relating to the identity of a person who provides information to the Committee shall be kept confidential if that person asks that it be kept confidential because of a substantiated concern in relation to penalization, persecution or harassment.
- 7.4 Information that is in the public domain shall in no circumstance be deemed to be confidential.
- 7.5 Records and reports of the Committee shall not contain any information that the Committee must keep confidential. In the case of closed meetings, the discussions and information must be kept confidential unless otherwise decided by the Committee.

**Rule VIII
DECISION-MAKING**

- 8.1 The Committee shall make every effort to adopt its decisions by consensus, unless by consensus another method of arriving at a decisions is reached.
- 8.2 The Committee shall, through the Secretary, communicate the decision to the Contracting Party concerned through official channels, with a copy to the National Focal Point. The Secretary shall make decisions available to other Contracting Parties and to the public.

**Rule IX
USE OF ELECTRONIC MEANS**

- 9.1 Electronic means of communication may be used by the members of the Committee for the purpose of conducting its business, to the extent agreed by the Committee. This includes:

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

9.2 The Committee may establish further rules on electronic means of communication under paragraph 1.b of this Rule, taking into account the provisions of Rule VII above, including on the verification of the receipt of a draft decision by all members and the adoption of a decision on a no-objection basis.

9.3 Any decision taken in accordance with paragraph 1.b above shall be deemed to be taken at the headquarters of the Secretariat of the International Treaty.

Rule X PUBLICATION OF DOCUMENTS

Subject to Rule VII above, the Secretary shall make all documents of the Committee available to the public.

Rule XI FORMAT OF SUBMISSIONS BY A CONTRACTING PARTY WITH RESPECT TO ITSELF

11.1 Any submission pursuant to section VI.1.a of the Compliance Procedures shall be received through official channels of the Contracting Party concerned or from its National Focal Point, and be delivered to the Secretariat in hard copy and/or by electronic means. Any relevant document in support of the submission shall be annexed thereto.

11.2 Any such submission shall, in addition to the requirements of section VI.2 of the Compliance Procedures, include:

- (a) Additional information substantiating the matter of concern;
- (b) A list of all documents annexed to the submission;
- (c) Any measures requested from the Committee pursuant to section VII of the Compliance Procedures.

Rule XII FORMAT OF SUBMISSIONS BY A CONTRACTING PARTY WITH RESPECT TO ANOTHER CONTRACTING PARTY

12.1 Any submission pursuant to section VI.1.b of the Compliance Procedures shall be received through official channels of the Contracting Party making the submission, and be delivered to the Secretariat in hard copy and/or by electronic means. Any relevant document in support of the submission shall be annexed thereto.

12.2 Any such submission shall, in addition to the requirements of section VI.2 of the Compliance Procedures, identify the Contracting Party concerned, and include:

- (a) Any additional information substantiating the matter of concern;
- (b) A list of all documents annexed to the submission.

12.3 Pursuant to section VI.4 of the Compliance Procedures, the submission shall be forwarded through official channels to the Contracting Party concerned and copied to its National Focal Point.

Rule XIII FORMAT OF SUBMISSIONS BY THE GOVERNING BODY

13.1 A decision by the Governing Body to make a submission pursuant to section VI.1.c of the Compliance Procedures shall be in the form of a Resolution adopted by it. Any such submission shall, in addition to the requirements of section VI.2 of the Compliance Procedures, identify any Contracting Party concerned.

13.2 Pursuant to section VI.4 of the Compliance Procedures, the submission shall be forwarded through official channels to any Contracting Party concerned and copied to its National Focal Point.

Rule XIV
FORMAT FOR CONSIDERATION OF STATEMENTS AND QUESTIONS
CONCERNING THE IMPLEMENTATION OF A CONTRACTING PARTY'S
OBLIGATIONS UNDER THE INTERNATIONAL TREATY

Any statement or question pursuant to section IX.2 of the Compliance Procedures shall be received through official channels of that Contracting Party or from its National Focal Point, and be delivered to the Secretariat in hard copy and by electronic means. Any relevant document in support of the statement or question shall be annexed to the letter.

Rule XV
DECISIONS OF THE COMMITTEE

15.1 A decision of the Committee, pursuant to section VII of the Compliance Procedures, shall contain:

- (a) The name of the Contracting Party concerned;
- (b) A statement identifying the matter of concern;
- (c) The provisions of the International Treaty and any Resolutions of the Governing Body as well as relevant sections of the reports of the Governing Body and its subsidiary bodies, that are applicable to the matter of concern;
- (d) The substantive decision on the matter of concern, including the measures taken, if any;
- (e) Reasons for the decision.

15.2 A recommendation of the Committee, pursuant to section IX.6 of the Compliance Procedures, shall contain:

- (a) The name of the Contracting Party that addressed to the Committee statements and questions concerning the implementation of its own obligations under the International Treaty, or the Governing Body, as the case may be;
- (b) A statement identifying the matter raised;
- (c) The relevant provisions of the International Treaty and Resolutions of the Governing Body as well as relevant sections of the reports of the Governing Body and its subsidiary bodies;
- (d) The recommendation;
- (e) Reasons for the recommendation.

Rule XVI
RECORDS AND REPORTS

16.1 Following each meeting, the Bureau shall record the main outcomes and submit such records, through the Secretariat, to the members of the Committee for approval.

16.2 In submitting its report in accordance with section IV.1.g of the Compliance Procedures, the Committee shall take those records into account.

**Rule XVII
LANGUAGES**

17.1 The working language of the Committee shall be English or any other official United Nations language agreed by the Committee.

17.2 The submissions from the Contracting Party concerned, the response and the information, pursuant to in section VI.5 of the Compliance Procedures, shall be made in any one of the six official languages of the United Nations. The Secretariat shall make arrangements to translate them into English if they are submitted in one of the languages of the United Nations other than English. This Rule shall also apply in respect of questions or statements pursuant to section IX.2 of the Compliance Procedures.

17.3 A representative of the Contracting Party concerned taking part in the proceedings of the Committee in accordance with section VI.8 of the Compliance Procedures may speak in a language other than the working language of the Committee, if the Contracting Party provides for interpretation.

**Rule XVIII
EXPENSES**

Expenses incurred by members of the Committee, when attending sessions of the Committee, shall be covered by the budget of the International Treaty. Any member may choose for his or her costs not to be so covered.

**Rule XIX
AMENDMENTS TO THE RULES OF PROCEDURE**

19.1 Any amendment to these Rules of Procedure shall be adopted by consensus by the Committee and submitted to the Bureau of the Governing Body and to the Governing Body for consideration and approval.

19.2 Notwithstanding Rule XXI below, any amendment of these Rules of Procedures adopted by the Committee and approved by the Bureau of the Governing Body shall be provisionally applied pending their approval by the Governing Body.

**Rule XX
OVERRIDING AUTHORITY OF THE COMPLIANCE PROCEDURES**

In the event of a conflict between any provision of these Rules of Procedure and any provision of the Compliance Procedures, the provisions of the Compliance Procedures shall prevail.

**Rule XXI
ENTRY INTO FORCE**

These Rules of Procedure and any amendments thereto shall come into force upon their approval by the Governing Body.

ANNEX 2

***STANDARD REPORTING FORMAT PURSUANT TO SECTION V.1 OF THE
PROCEDURES AND OPERATIONAL MECHANISMS TO PROMOTE COMPLIANCE AND
ADDRESS ISSUES OF NON-COMPLIANCE*****International Treaty on Plant Genetic Resources for Food and Agriculture****Draft****Standard Voluntary Reporting Format****Introduction**

1. Pursuant to Article 21 of the Treaty, the Governing Body has adopted a resolution that includes, amongst others, provisions on monitoring and reporting (Resolution 2/2011). Pursuant to this Resolution, each Contracting Party is to submit to the Compliance Committee, through the Secretary, a report on the measures it has taken to implement its obligations under the Treaty in one of the six languages of the United Nations (Section V.1).
2. The first report is to be submitted within three years from the approval of this standard format. The Governing Body approved this standard format at its Fifth Session.
3. This standard format has been developed to facilitate reporting and monitoring of the implementation of the Treaty. The use of this standard format is voluntary. A Contracting Party may use another reporting format if it so wishes.

Article 4: General Obligations

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

Yes No

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

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

Yes

No

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

3. Is there any law, regulation, procedure or policy in place in your country that needs to be adjusted / harmonized¹ to ensure conformity with the obligations as provided in the Treaty?

Yes

No

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

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

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

Yes

No

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

¹ For the purpose of this report, a Contracting Party may choose whichever term (adjusted or harmonized) is appropriate in relation to their legal systems.

Yes

No

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

If your answer is 'no', please indicate:

- Any difficulties encountered in surveying or inventorying PGRFA;
- Any action plans to survey and inventory PGRFA;
- The most important PGRFA that should be surveyed and inventoried:

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

Yes

No

If your answer is 'yes', please indicate:

- The species, subspecies and/or varieties subject to such threats;
- The sources (causes) of these threats;
- Any steps taken to minimise or eliminate these threats;
- Any difficulties encountered in implementing such steps:

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

Yes

No

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

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

Yes

No

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

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

Yes

No

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

Promote *in situ* conservation in protected areas;

Support the efforts of indigenous and local communities.

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

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

Yes

No

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

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

Yes

No

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

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

Yes

No

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

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

Yes

No

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

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

14. Are there any policy and legal measures² in place in your country that promote the sustainable use of PGRFA?

Yes

No

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

- Pursuing fair agricultural policies that promote the development and maintenance of diverse farming systems that enhance the sustainable use of agricultural biological diversity and other natural resources;
- Strengthening research that enhances and conserves biological diversity by maximizing intra- and inter-specific variation for the benefit of farmers;

² For the purpose of this report, legal measures may include regulations.

- Promoting plant breeding efforts, with the participation of farmers, that strengthen the capacity to develop varieties particularly adapted to social, economic and ecological conditions, including in marginal areas;
- Broadening the genetic base of crops and increasing the range of genetic diversity available to farmers;
- Promoting the expanded use of local and locally adapted crops, varieties and underutilised species;
- Supporting the wider use of diversity of varieties and species in on-farm management, conservation and sustainable use of crops and creating strong links to plant breeding and agricultural development;
- Reviewing and adjusting breeding strategies and regulations concerning variety release and seed distribution.

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

Article 7: National Commitments and International Cooperation

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

Yes

No

If your answer is 'yes', please provide details of the integration of such activities into the agriculture and rural development programmes and policies:

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

Yes

No

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

- Strengthen the capability of developing countries and countries with economies in transition with respect to conservation and sustainable use of PGRFA;
- Enhance international activities to promote conservation, evaluation, documentation, genetic enhancement, plant breeding, seed multiplication, and sharing, providing access to and exchanging PGRFA and appropriate information and technology, in conformity with the Multilateral System of Access and Benefit-Sharing under the Treaty.

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

Article 8: Technical Assistance

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

Yes

No

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

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

Yes

No

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

Article 9: Farmers' Rights

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

Yes

No

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

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

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

Article 11: Coverage of the Multilateral System

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

All

Partially

None

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

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

- The extent to which Annex I PGRFA have been included in the MLS;
- The crops that have been included in the MLS; and
- The difficulties encountered in including Annex I PGRFA in the MLS:

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

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

Yes

No

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

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

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

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

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

Yes

No

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

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

23. Has facilitated access been provided in your country to Annex I PGRFA pursuant to the standard material transfer agreement (SMTA)?

Yes

No

If your answer is 'yes', please provide the number of SMTAs entered into:

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

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

Yes

No

If your answer is 'yes', please indicate the number of such SMTAs entered into:

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

Yes

No

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

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

Yes

No

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

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

Yes

No

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

Article 13: Benefit-sharing in the Multilateral System

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

Yes

No

If your answer is 'yes', please provide details of any information made available regarding Annex I PGRFA (e.g. catalogues and inventories, information on technologies, results of scientific and socio-economic research, including characterisation, evaluation and utilisation):

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

Yes

No

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

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

If access to technologies was provided, please provide details of the access provided:

30. Has your country provided for and/or benefitted from capacity building measures in respect of Annex I PGRFA?³

Yes

No

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

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

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

Article 14: Global Plan of Action

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

Yes

No

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

- National actions;
- International cooperation;

³ Please note that this question differs from question 15 as it only concerns Annex I PGRFA and is more specific.

If the implementation of the plan was promoted, please provide details:

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

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

Yes

No

If your answer is 'yes', please indicate:

- To which IARCs or other international institutions facilitated access was provided;
- The number of SMTAs entered into with each IARC or other international institution:

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

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

Yes

No

If your answer is 'yes', please indicate:

- To which IARCs or other international institutions access was provided;
- The number of MTAs entered into with each IARC or other international institution:

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

Article 16: International Plant Genetic Resources Networks

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

Yes

No

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

Article 18: Financial Resources

35. Has your country provided and/or received financial resources for the implementation of the Treaty through bilateral, regional or multilateral channels?

Yes

No

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

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

Yes

No

If your answer is 'yes', please provide details of such national activities and the amount of the financial resources involved:

About this reporting format

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

Yes

No

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

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

General remarks on the implementation of the ITPGRFA

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

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

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

ANNEX 3

MEMBERS OF THE COMPLIANCE COMMITTEE

The chart below is to be filled by the Governing Body with the names of the elected members.

AFRICA	Ms Maria Antonieta COELHO	2 years
	Ms Angeline MUNZARA	4 years
ASIA	Ms Tashi DORJI	2 years
	Ms Amparo AMPIL	4 years
EUROPE	Mrs Clare HAMILTON	2 years
	Mr René LEFEBER	4 years
LATIN AMERICA AND THE CARIBBEAN	Mr Armando Bustillo CASTELLANOS	2 years
	Ms Lianne Fernandez GRANDA	4 years
NEAR EAST	Mr Mustapha Ali ELAGEL	2 years
	Mr Ali CHEHADE	4 years
NORTH AMERICA	Ms Felicitas KATEPA-MUPONDWA	4 years
SOUTH WEST PACIFIC	Mr Douveri Mavaru HENAO	2 years
	Mr Geoff BUDD	4 years