

February 2023



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



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

**Item 2.2 of the Provisional Agenda**

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

**FIFTH MEETING OF THE COMPLIANCE COMMITTEE**

**Rome, Italy, 28–29 March 2023**

**ANNOTATED PROVISIONAL AGENDA AND TIMETABLE**

**INTRODUCTION**

1. The Compliance Committee was established by Resolution 3/2006, pursuant to Articles 19.3e and 21 of the International Treaty. It held its first meeting from 20 to 22 April 2013, its second meeting from 21 to 22 February 2017, its third meeting from 31 January to 1 February 2019 and its fourth meeting from 3 to 4 February 2021.
2. At its Fourth Session, the Governing Body approved the *Procedures and Operational Mechanisms to Promote Compliance and Address Issues of Non-Compliance*<sup>1</sup> (*Compliance Procedures*) and, at its Fifth Session, the *Rules of Procedure of the Compliance Committee*<sup>2</sup> (*Rules of Procedure*), as well as the (voluntary) *Standard Reporting Format*,<sup>3</sup> for reports pursuant to Section V.1 of the *Compliance Procedures*, with its reviewed version approved at the Eighth Session.<sup>4</sup>
3. The present meeting of the Compliance Committee is organized in accordance with Section III.5 of the *Compliance Procedures* and Rule VI of the *Rules of Procedure*.
4. Pursuant to Section IV of the *Compliance Procedures*, the Committee shall, with a view to promoting compliance and addressing issues of non-compliance, and under the overall guidance of the Governing Body, have the following functions:
  - a) Consider information submitted to it regarding matters relating to compliance and issues of non-compliance;
  - b) Offer advice and/or facilitate assistance, as appropriate, to any Contracting Party, on matters relating to compliance with a view to assisting it to comply with its obligations under the International Treaty;
  - c) Assist the Governing Body in its monitoring of the implementation by Contracting Parties of their obligations under the International Treaty on the basis of reports of the Contracting Parties in accordance with Section V of the *Compliance Procedures*;
  - d) Address issues of non-compliance and identify the specific circumstances of the issue referred to it, in accordance with Sections VI to VIII of the *Compliance Procedures*;

<sup>1</sup> [Resolution 2/2011](#), Annex.

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

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

<sup>4</sup> [Resolution 7/2019](#), para. 12, and [IT/GB-8/19/13](#), *Report of the Compliance Committee*, Appendix 3.

- e) Promote compliance by addressing statements and questions concerning the implementation of obligations under the International Treaty, in accordance with Section IX of the *Compliance Procedures*;
- f) Carry out any other functions as may be assigned to it by the Governing Body pursuant to Article 21 of the International Treaty;
- g) Submit a report to each regular session of the Governing Body reflecting:
  - i) the work that the Committee has undertaken;
  - ii) the conclusions and recommendations of the Committee; and
  - iii) the future programme of work of the Committee.

5. Pursuant to the same provision, the Committee shall not consider any questions concerning the interpretation of, implementation of, or compliance with the Standard Material Transfer Agreement by parties or potential parties to it.

6. At its Ninth Session, the Governing Body adopted Resolution 8/2022, *Compliance*,<sup>5</sup> containing requests to the Compliance Committee that were considered in preparing the documentation for this meeting.

### **ITEM 1. OPENING OF THE MEETING**

7. The fifth meeting of the Compliance Committee will be held at FAO headquarters in Rome, Italy, from 28 to 29 March 2023. The meeting will open at 10.00 on Tuesday, 28 March 2023.

8. The working language of the Compliance Committee is English, based on Rule 17.1 of the *Rules of Procedure*.

9. The current membership of the Compliance Committee is contained in Resolution 8/2022.<sup>6</sup>

10. According to Section III.5 of the *Compliance Procedures*, the presence of members representing a two-thirds majority of the membership of the Committee shall be necessary to constitute a quorum at any meeting of the Committee.

11. It is recalled that, according to Rule III of the *Rules of Procedure*, each member of the Committee shall perform his or her duties and exercise his or her authority as a member of the Compliance Committee honourably, faithfully, impartially and conscientiously, and will seek to avoid any conflict of interest. They shall serve objectively and in their individual capacity.

### **ITEM 2. ORGANIZATIONAL MATTERS**

#### **ITEM 2.1 ELECTION OF THE CHAIRPERSON AND THE VICE-CHAIRPERSON**

12. The terms of office of both the previous Chair, Ms Angeline Munzara (elected in 2017), and the previous Vice-Chair, Ms Kim Van Seeters (elected in 2019), have expired.

13. Under this agenda item, the Compliance Committee is therefore invited to elect its Chair and Vice-Chair to serve as its Bureau.

14. Pursuant to Section III.7 of the *Compliance Procedures*, the Compliance Committee shall elect its Chair and Vice-Chair, who will rotate among the FAO regions. The members nominated by one FAO Region shall not serve as Chair or Vice-chair for more than two consecutive terms. The Chair and Vice-Chair serve for up to two years, renewable once (Rule 4.2 of the *Rules of Procedure*).

15. As is the usual practice, the Bureau of the Committee is expected to be composed of one member from a developed and one member from a developing country.

#### **ITEM 2.2 ADOPTION OF THE AGENDA**

16. The present document annotates the *Provisional Agenda* for the consideration of the Compliance Committee, so that it could adopt its Agenda and organize its work.

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<sup>5</sup> [Resolution 8/2022](#).

<sup>6</sup> [Resolution 8/2022](#).

### ITEM 2.3 ORGANIZATION OF WORK

17. The list of documents for this meeting is contained in document IT/GB-10/CC-5/23/2/Inf.1, *List of Documents*. The documents are available on the website of the International Treaty at [www.fao.org/plant-treaty/meetings/meetings-detail/en/c/1628018/](http://www.fao.org/plant-treaty/meetings/meetings-detail/en/c/1628018/).
18. The main focus of this meeting will be the updating of the synthesis and analysis of reports received under Section V of the *Compliance Procedures*, the possible review of the effectiveness of the *Compliance Procedures* and the consideration of any future work by the Committee.
19. The Committee is invited to consider the draft provisional timetable contained in the *Appendix* and organize its work for this meeting.

### ITEM 3. MONITORING AND REPORTING

20. One of the functions of the Committee is to assist the Governing Body in its monitoring of the implementation by Contracting Parties of their obligations under the International Treaty, on the basis of reports received in accordance with Section V of the *Compliance Procedures*.
21. Section V of the *Compliance Procedures* provides that the Committee shall consider the reports received up to 12 months before the next session of the Governing Body and submit to the Governing Body, for its consideration, a synthesis on the basis of the reports that it has considered, in order to assist the Governing Body in its monitoring of the implementation by Contracting Parties of their obligations under the Treaty.
22. At its Ninth Session in September 2022, the Governing Body “invite[d] all Contracting Parties, including Contracting Party Organizations, to continue submitting and updating their reports, pursuant to Section V of the Compliance Procedures, and urge[d] those Contracting Parties which have not yet done so to submit their own reports, and reiterate[d] that the second reports shall be submitted by 1 October 2023.”
23. Thirteen additional national reports were received since the Committee submitted its report to the Ninth Session of the Governing Body.
24. The Committee is invited to consider the analysis of reports provided in the document, IT/GB-10/CC-5/23/3, *Synthesis of reports received from Contracting Parties on measures taken to implement the provisions of the International Treaty*, which contains an updated version of the synthesis and analysis provided by the Committee to the Ninth Session of the Governing Body.
25. The document is intended to assist the Committee in identifying progress in and constraints to the implementation of the International Treaty at the national level and prepare a synthesis report for the consideration of the Governing Body at its Tenth Session, scheduled for 20 to 25 November 2023. In addition, the Committee may wish to use the document to guide the Secretary on the future preparation of the draft synthesis and analysis.
26. The Committee may wish to note that the second reporting cycle is currently scheduled to end on 1 October 2023. A meeting of the Compliance Committee may be held in early 2025, since the Eleventh Session of the Governing Body is scheduled for late 2025, without prejudice to the discretion of the Committee to hold any other meetings prior to that period, should the need arise. In order to give all Contracting Parties enough time to submit their reports in the second reporting cycle, while still allowing the Committee to prepare its synthesis and analysis in time for the Eleventh Session of the Governing Body, the Committee may wish to consider extending the deadline to 1 October 2024.

### ITEM 4. REVIEWS IN THE MANDATE OF THE COMPLIANCE COMMITTEE AND FUTURE WORK

27. Pursuant to Section X of the *Compliance Procedures*, the Governing Body shall review the effectiveness of the *Compliance Procedures* and take appropriate action, within six years of their approval and periodically thereafter.

28. The *Compliance Procedures* were adopted at the Fourth Session of the Governing Body in 2011, and the first review of their was, therefore, due in 2017. The Governing Body postponed the review at its Seventh Session in 2017 and at its Eighth Session in 2019.
29. At its Ninth Session in 2022, the Governing Body “decide[d] to postpone the review of the effectiveness of the Compliance Procedures to the Tenth Session of the Governing Body and request[ed] the Compliance Committee, with inputs from Contracting Parties, to prepare an assessment and recommendations as a basis for the Governing Body to undertake the review”.<sup>7</sup>
30. The Secretary prepared an indicative framework and preliminary elements, to facilitate the discussions by the Committee, in the document, IT/GB-10/CC-5/23/4, *Reviews Under the Mandate of the Compliance Committee and Future Work*. The document considers the inputs received from Contracting Parties.
31. The document also gives an update on work undertaken by the Secretariat in the area of compliance, since the Committee last met.
32. Finally, the document provides information to assist the Committee in considering the work it may wish to undertake in the next biennium and the support it may wish to receive from the Secretary.
33. The Committee may wish to prepare the assessment and recommendations so that the Governing Body could review the effectiveness of the Compliance Procedures at its Tenth Session. Furthermore, it may wish to discuss its future work, including liaising with the Ad Hoc Open-ended Working Group to Enhance the Functioning of the Multilateral System and other subsidiary bodies, and guide the Secretary on possible support needed.

#### **ITEM 5. OTHER MATTERS**

34. Under this agenda item, the Committee may wish to discuss any other relevant matters that may be raised by its members.
35. No advice or assistance has been requested by any Contracting Party on issues related to compliance for the consideration of the Committee at this meeting.
36. The Committee may want to discuss the finalization of its report to the Tenth Session of the Governing Body, should additional work need to be undertaken during the biennium.

#### **ITEM 6. RECORDS AND CLOSURE OF THE MEETING**

37. According to rule XVI of the *Rules of Procedure*, following each meeting, the Bureau of the Committee shall record the main outcomes and submit such records, through the Secretariat, to the members of the Committee for approval. The Committee shall take those records into account when preparing its report to the Governing Body.
38. Under this agenda item, the Committee is invited to consider and approve the records of its meeting, and to finalize its report to the Tenth Session of the Governing Body, which shall reflect (i) the work the Committee has undertaken, (ii) the conclusions and recommendations of the Committee, (iii) and the future programme of work of the Committee.<sup>8</sup>
39. The meeting is expected to end at 5 p.m. on 29 March 2023.

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<sup>7</sup> [Resolution 8/2022](#), para. 11.

<sup>8</sup> Section IV.1g of the *Compliance Procedures*.

*Appendix***PROVISIONAL INDICATIVE TIMETABLE**

<b>Time</b>	<b>Agenda Item</b>	<b>Title</b>	<b>Documents</b>
<b>Tuesday, 28 March 2023</b>			
<b>Morning</b>			
<b>10.00-13.00</b>	1	Opening of the meeting	
	2	Organizational matters: 2.1. Election of the Chairperson and Vice-Chairperson 2.2. Adoption of the agenda 2.3. Organization of work	<a href="#">Resolution 8/2022</a> <a href="#">Resolution 9/2013 Rev. 1</a> , Annex 1 <a href="#">Resolution 2/2011</a> , Annex IT/GB-10/CC-5/23/2 IT/GB-10/CC-5/23/2.2 IT/GB-10/CC-5/23/2/Inf.1
	3	Monitoring and reporting	IT/GB-10/CC-5/23/3
<b>Tuesday, 28 March 2023</b>			
<b>Afternoon</b>			
<b>14.00-17.00</b>	3	<i>Monitoring and reporting (continued)</i>	
	4	Reviews in the mandate of the Compliance Committee and future work	IT/GB-10/CC-5/23/4 <a href="#">Resolution 2/2011</a> , Annex
<b>Wednesday, 29 March 2023</b>			
<b>Morning</b>			
<b>10.00-13.00</b>	4	<i>Reviews and future work (continued)</i>	
	5	Other matters	<a href="#">Resolution 8/2022</a> <a href="#">Resolution 9/2013 Rev. 1</a> , Annex 1 <a href="#">Resolution 2/2011</a> , Annex
<b>Wednesday, 29 March 2023</b>			
<b>Afternoon</b>			
<b>14.00-17.00</b>	6	Records of the meeting and closure	