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COUNCIL

Hundred and Sixty-fifth Session

30 November-4 December 2020

Arrangements for the 42nd Session of the Conference (12-16 July 2021)

Executive Summary

This document gives an overview of arrangements for the 42nd Session of the FAO Conference (12-16 July 2021). The document also contains proposals regarding: invitations, the Provisional Agenda for the Conference, the scheduling of items and elections.

In addition, the companion document CL 165/18 *Working Methods of the Conference* contains four additional proposals developed by Members in informal consultations led by the Independent Chairperson of the Council from 2019 to date. These additional four proposals are submitted for consideration by the Council in conjunction with the arrangements and proposals contained in this document. The arrangements and proposals presented in this document presume that the 42nd Session of the FAO Conference shall be held as a physical meeting. However, it is important to note that adjustments may be needed according to the evolution of the Covid-19 pandemic and its impact on the practicability of arrangements closer to the Session.

Suggested action by the Council

The Council is requested to make decisions on:

- a) The Provisional Agenda for the 42nd Session of the FAO Conference (*Appendix A*);
- b) Deadlines for the receipt of nominations for:
 - Office of Independent Chairperson of Council (July 2021 to June 2023);
 - Council Membership for:
 - i) July 2021 to June 2023; and
 - ii) July 2022 to June 2024.
- c) The establishment of two Commissions:
 - i) on Substantive and Policy Matters (Commission I)
 - ii) on Programme and Budgetary Matters (Commission II).
- d) Inviting Palestine to participate in the Session as an observer.
- e) Review the four additional proposals contained in companion document CL 165/18, *Working Methods of the Conference*.

Queries on the substantive content of this document may be addressed to:

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A. Introduction

1. In accordance with the decision¹ of the 41st Session of the Conference (22-29 June 2019), the 42nd Session of the Conference will be held in Rome² from Monday, 12 to Friday, 16 July 2021.
2. The Conference is the ultimate decision-making body of the Organization, determining its overall policy and strategy and taking the final decisions on objectives, strategy and budget.³ The Conference focuses on ensuring coherence in global policy issues and regulatory frameworks, acting normally on the recommendations of the FAO Technical Committees and Regional Conferences and, where appropriate, the FAO Council. More specifically, the Conference approves the Organization's priorities, strategy and budget, having considered the recommendations of the Council.

B. Agenda, Commissions and Voting

3. A Provisional Agenda for the Conference is given in *Appendix A*.
4. Two Commissions will be established:
 - Commission I on Substantive and Policy Matters; and
 - Commission II on Programme and Budgetary Matters.
5. A Tentative Timetable for the Conference session, including details of side events, will be submitted to the 166th Session of the Council (26-30 April 2021).
6. The Council may also wish to recommend that Thursday, 15 July 2021, be set aside for the: (i) election of the Independent Chairperson of the Council (by secret ballot); (ii) election of Members of the Council (by acclamation when there are no more candidates than seats to be filled); and (iii) vote on the budget level for 2022-23 (by an electronic roll call vote).
7. In order to streamline procedures and debate during the session, pre-session documents will include an executive summary and highlight matters for decision by the Conference. Where feasible, this will be done primarily by presenting draft decisions for the Conference in a form ready for approval and inclusion in the final report of the session.

C. Composition of Delegations

8. Delegations are normally headed by Ministers. In accordance with Article III of the Constitution (*Appendix B*), each Member of the Organization may be represented by one delegate who may be accompanied by alternates, associates and advisers. Online registration is accessible through the password-protected FAO Members Gateway at <http://www.fao.org/members-gateway/en/>. Instructions for online registration can be found on the same site. It should be noted that online registration requires the uploading of a recent passport-size digital photograph.

D. Constitutional Duties of the Conference

9. In addition to adopting amendments to the Constitution, Rules and Regulations of the Organization, and approving conventions and agreements, the Conference has the following specific constitutional duties:

Admission of New Members

10. The Conference, as the supreme authority of the Organization, admits new Members and deals with all matters relating to membership. At the date of preparing this document, no application for membership had been received. Under Rule XIX-2 of the General Rules of the Organization (GRO), applications are receivable up to 30 days before the opening of the Conference session, i.e. by 12 June 2021. The admission of new Members is decided by secret ballot and requires a two-thirds majority of the votes cast, provided that the total number of affirmative and negative votes cast shall

¹ C 2019/REP para. 81

² The location and modality of the 42nd Session may need to be revisited according to the evolution of the Covid-19 pandemic

³ Conference resolution 7/2009

be more than one half of the Member Nations of the Organization. Membership becomes effective on the date on which the Conference approves the application.

Appointment of the Independent Chairperson of the Council

11. In accordance with Article V-2 of the Constitution and Rule XXIII-1 of the GRO, the Conference appoints the Independent Chairperson of the Council.

12. Rule XXIII-1(b) of the GRO provides that the Council determines the closing date of submission of nominations for the office of Independent Chairperson of the Council by Member Nations to the Secretary-General of the Conference and Council. Likewise, the Council also sets the date by which the Secretary-General circulates these nominations to all Members of the Organization. On the basis of past practice the Council may wish to establish 12.00 hours on Monday, 5 April 2021 as the closing date for submission of nominations for this appointment, and Monday, 12 April 2021 as the date by which such nominations are circulated by letter and through the FAO Members Gateway by the Secretary-General.

Election of Council Members

13. In accordance with Article V-1 of the Constitution, the Conference elects the Members of the Council. A separate paper on the election of Council Members, including a Nomination Form, will be circulated as Conference document C 2021/11. In accordance with Rule XXII-10(a) of the GRO, the Conference decides the date of the election and the deadline by which nominations for election to the Council must be submitted. As laid down in Rule XXII-10(c) of the GRO, nominations must be supported in writing by the delegates of two Member Nations to the Conference, other than the delegate of the Member Nation nominated, and must be accompanied by a formal written acceptance of the nomination by the delegate of the Member Nation nominated. Rule XXII-10(d) further specifies that the General Committee shall communicate the valid nominations received to the Conference at least three working days before the date selected for the election. In the light of these requirements the Council may wish to recommend that the deadline for the receipt of nominations be set at 12.00 hours on Monday, 12 July 2021.

E. Officers of the Conference

14. In accordance with Rule XXIV-5(b) of the GRO, the Council at its 165th Session (November-December 2020) is called upon to invite countries to nominate candidates for the offices of: (i) Chairperson of the 42nd Session of the FAO Conference; (ii) Chairpersons of the Commissions of the Conference; (iii) three Vice-Chairpersons of the Conference; (iv) seven elected Members of the General Committee to the Conference; and (v) nine Members of the Credentials Committee.

15. At its 166th Session (April 2021), the Council is expected to nominate the officers mentioned in the previous paragraph, who in turn will be approved by the 42nd Session of the Conference. Nominations for the two Vice-Chairpersons of both Commission I and Commission II will be approved by the Conference through the General Committee.

16. Following past practice the members of the Credentials Committee will commence their work in the 15 days leading up to the Conference.

F. Conference Resolutions

17. The 39th Session of the Conference in 2015 decided to discontinue the practice of establishing a Resolutions Committee of the Conference. The editorial review functions of the former Resolutions Committee could, if necessary, be carried out by an *ad hoc* committee established in accordance with the General Rules of the Organization, or entrusted to the Secretariat. The existing criteria for draft Conference resolutions are set out in *Appendix C*.

G. Invitations

18. The United Nations, its Specialized Agencies and the International Atomic Energy Agency are entitled to be represented at sessions of the Conference, without the right to vote. Other intergovernmental organizations having concluded an agreement with FAO which contains specific provisions to this effect have a right to attend as observers. Those non-governmental organizations that

have consultative status are also entitled to send observers to Conference sessions. Other intergovernmental organizations, as well as non-governmental organizations having specialized consultative status or liaison status, may be invited on a provisional basis by the Director-General.

19. *Appendix D* contains the above-mentioned provisions as set out in Rule XVII of the GRO and in the FAO Policy Concerning Relations with International Non-Governmental Organizations (FAO Basic Texts, Volume II, Section M).

20. The Council may wish to note the Director-General's suggestion that, following previous practice, Palestine be invited to attend the 42nd Session of the Conference in an observer capacity.

H. New Working Methods of the Conference

21. Document CL 165/18, *Working Methods of the Conference*, is a companion document to this document, and contains four proposals developed by Members through informal consultations led by the Independent Chairperson of the Council.

22. The 162nd Session of the Council, in July 2019, considered matters arising out of the 41st Session of the Conference. It noted *inter alia* potential areas for improving efficiency of Conference proceedings with regard to time management, attendance at parallel meetings, bolstering quorum, and attendance during the General Debate. Accordingly, the Independent Chairperson of the Council held informal consultations with the Chairpersons and Vice-Chairpersons of the Regional Groups between September 2019 and September 2020. A number of opportunities for enhancing the working methods of the Conference were discussed during the course of these consultations.

23. As a result, four potential improvements have been identified by Members to the working methods of the Conference:

- a) introducing the option for Members to deliver their keynote Statements in digital form during the General Debate of the Conference;
- b) scheduling the meetings of Commission I and Commission II so as to minimise overlap, to the extent possible;
- c) introducing Round Table events during the Conference to foster senior or high-level official action-oriented dialogue; and
- d) convening informal meetings of the General Committee prior to the opening of the Conference.

24. Further details of the above-mentioned four proposals are contained in document CL 165/18, which has been reviewed by the Joint Meeting of the 129th Session of the Programme Committee and the 183rd Session of the Finance Committee. In addition, the Committee on Constitutional and Legal Matters at its 111th Session considered the legal aspects of the fourth proposal regarding convening meetings of the General Committee prior to the opening of the Conference.⁴

25. These four proposals to improve the efficiency and effectiveness of the Conference are submitted for consideration by the Council at its 165th Session in conjunction with the other arrangements and proposals contained in this document. Any or all of these four proposals endorsed by the Council at its 165th Session would then be included in the Arrangements for the Conference document to be considered by the Council at its 166th Session in April 2021 and submitted to the Conference at its 42nd Session for its approval, through the General Committee.

Draft Decisions

The Council decided to set the deadline for the receipt of nominations for the office of Independent Chairperson of the Council at 12.00 hours on Friday, 5 April 2021.

The Council agreed to submit to the Conference for approval the Provisional Agenda and the arrangements outlined in this document, and in particular recommended that:

⁴ CL 165/12, paras. 30-32

- a) Two Commissions be established to examine respectively Substantive and Policy Matters (Commission I), and Programme and Budgetary Matters (Commission II);
- b) The deadline for the receipt of nominations for election to the Council be set at 12.00 hours on Monday, 12 July 2021, and the election be held on Thursday, 15 July 2021;
- c) Palestine be invited to attend the Conference as an observer;
- d) The four proposals outlined in companion document CL 165/18, *Working Methods of the Conference*, be endorsed to improve the efficiency and effectiveness of the Conference proceedings.

Appendix A

Provisional Agenda of the 42nd Session of the Conference

Introduction

1. Election of the Chairperson and Vice-Chairpersons
2. Appointment of the General Committee and Credentials Committee
3. Adoption of the Agenda and Arrangements for the Session
4. Admission of Observers

Appointments and Elections

5. Applications for Membership in the Organization
6. Appointment of the Independent Chairperson of the Council
7. Election of Council Members
8. Appointment of Representatives of the FAO Conference to the Staff Pension Committee

Substantive and Policy Matters

9. Review of the State of Food and Agriculture

A. Regional Conferences

10. Regional and Global Policy and Regulatory matters arising from:
 - 10.1 Report of the 31st Session of the Regional Conference for Africa (26-28 October 2020)
 - 10.2 Report of the 35th Session of the Regional Conference for Asia and the Pacific (1-4 September 2020)
 - 10.3 Report of the 32nd Session of the Regional Conference for Europe (2-4 November 2020)
 - 10.4 Report of the 36th Session of the Regional Conference for Latin America and the Caribbean (19-21 October 2020)
 - 10.5 Report of the 35th Session of the Regional Conference for the Near East (21-22 September 2020)
 - 10.6 Input from the Sixth Informal Regional Conference for North America (22-23 October 2020)

B. Technical Committees

11. Global Policy and Regulatory matters arising from:
 - 11.1 Report of the 27th Session of the Committee on Agriculture (28 September-2 October 2020)
 - 11.2 Report of the 73rd Session of the Committee on Commodity Problems (10-12 March 2021)
 - 11.3 Report of the 34th Session of the Committee on Fisheries (1-5 February 2021)
 - 11.4 Report of the 25th Session of the Committee on Forestry (5-9 October 2020)

C. Committee on World Food Security

12. Reports of the 46th (14-18 October 2019) and 47th (8-12 February 2021) Sessions of the Committee on World Food Security

D. Other Substantive and Policy Matters

13. Progress report on the Quadrennial Comprehensive Policy Review of Operational Activities for Development of the United Nations System
14. United Nations/FAO World Food Programme
15. Biennial Theme 2022-23

Programme and Budgetary Matters

16. Programme Implementation Report 2018-2019
17. Programme Evaluation Report 2021
18. Strategic Framework 2022-31
19. Medium Term Plan 2022-25 and Programme of Work and Budget 2022-23 (Draft Resolution on budget level)

Legal, Administrative and Financial Matters

A. Constitutional and Legal Matters

20. Draft Code of Conduct for Voting Procedures under Rule XII of the General Rules of the Organization
21. Other Constitutional and Legal Matters

B. Administrative and Financial Matters

22. Audited Accounts 2018 and 2019 (Draft Resolutions)
23. Scale of Contributions 2022-23 (Draft Resolution)
24. Payment by the European Union to Cover Administrative and other Expenses Arising out of its Membership in the Organization
25. Other Administrative and Financial Matters

Other Matters

26. Proposal for conditions for the FAO Awards
27. Date and Place of the 43rd Session of the Conference
28. Any Other Matters
 - 28.1 McDougall Memorial Lecture
 - 28.2 In Memoriam

Information Documents will be tabled on the following subjects:*

- A. Multilateral Treaties Deposited with the Director-General
- B. Status of Contributions

* Delegates wishing to comment on Information Documents will be given an opportunity to do so under Item 28, "Any Other Matters"

Appendix B**Extract from Article III of the Constitution of FAO****The Conference****[Provisions regulating composition of delegations]**

1. There shall be a Conference of the Organization in which each Member Nation and Associate Member shall be represented by one delegate. Associate Members shall have the right to participate in the deliberations of the Conference but shall not hold office nor have the right to vote.
2. Each Member Nation and Associate Member may appoint alternates, associates and advisers to its delegate. The Conference may determine the conditions for the participation of alternates, associates and advisers in its proceedings, but any such participation shall be without the right to vote, except in the case of an alternate, associate, or adviser participating in the place of a delegate.
3. No delegate may represent more than one Member Nation or Associate Member.
4. Each Member Nation shall have one vote. A Member Nation which is in arrears in the payment of its financial contributions to the Organization shall have no vote in the Conference if the amount of its arrears equals or exceeds the amount of the contributions due from it for the two preceding calendar years. The Conference may, nevertheless, permit such a Member Nation to vote if it is satisfied that the failure to pay is due to conditions beyond the control of the Member Nation.

Criteria for Conference Resolutions

Criteria for the Formulation of Resolutions:

Resolutions should be confined essentially to the following formal matters:

- i. Amendments to the Constitution, the GRO, and the Financial Regulations.
- ii. Approval or confirmation of conventions or agreements and of amendments thereto.
- iii. Establishment of bodies under Article VI of the Constitution and adoption or amendment of the Statutes of such Bodies.
- iv. Adoption of the Programme of Work and Budget for the ensuing biennium.
- v. Decisions regarding financial matters such as the Working Capital Fund, the scale of contributions, and adoption of audited accounts.
- vi. Major programme and policy matters.
- vii. Recommendations to Member Nations or to international organizations.
- viii. Matters relating to the appointment of the Director-General and the Chairperson of the Council.
- ix. Tributes and commemorations of special importance to FAO.

Appendix D

FAO Policy Concerning Relations with International Non-Governmental Organizations
Rule XVII of the General Rules of the Organization
Participating International Organizations

1. A representative of the United Nations and a representative of any specialized agency of the United Nations, accompanied by advisers and assistants, may attend the plenary meetings of the Conference and the meetings of any commission, of any committee of a commission, and of any committee established under Rule XV. Such representatives may, without vote, speak and participate in the discussions and may circulate to the Conference, without abridgement, the views of the organizations which they represent.
2. An observer of any other intergovernmental organization with which an agreement has been concluded providing for representation, accompanied by advisers and assistants, may attend the plenary meetings of the Conference, and the meetings of any commission, of any technical committee of a commission and of any technical committee established under Rule XV. Such observer may, without vote, speak and, upon the request of the Chairperson, participate in the discussions. They may circulate to the Conference, without abridgement, the views of the organizations which they represent.
3. An observer of any international non-governmental organization having consultative status, accompanied by advisers and assistants, may attend the plenary meetings of the Conference and the meetings of any commission, of any technical committee of a commission and of any technical committee established under Rule XV. Such observers may, without vote, speak before such commissions and committees, participate in the discussions therein upon the request of the Chairperson and, with the consent of the General Committee, speak before plenary meetings of the Conference. They may circulate to the Conference, without abridgement, the views of the organizations which they represent.
4. The Director-General shall determine provisionally what other international organizations shall be invited to any session of the Conference and shall submit the list of such organizations to the Conference for approval.

Extract from the FAO Basic Texts, Volume II, Section M

FAO Policy Concerning Relations with International Non-Governmental Organizations
General Arrangements

5. The Organization established relationships with certain international non-governmental organizations in order to secure their advice and to associate them effectively with the work of the Organization.

Organizations eligible for consultative status

6. In order to be eligible for consultative status, an international non-governmental organization shall:
 - a) be international in its structure and scope of activity, be sufficiently representative of the field of interest in which it operates, and be of a recognized standing that renders its views on policy a matter of great interest to governments and to FAO;
 - b) be concerned with matters covering a substantial portion of FAO's field of activity;
 - c) have aims and purposes in conformity with the general principles embodied in the Constitution of FAO;
 - d) have a permanent directing body, authorized representatives and systematic procedures and machinery for communicating with its membership in various countries.

Organizations eligible for specialized consultative status

7. In order to be eligible for specialized consultative status, an international non-governmental organization shall:

- a) be international in its structure and scope of activity, and representative of the specialized field of interest in which it operates;
- b) be concerned with matters covering a particular portion of FAO's field of activity;
- c) have aims and purposes in conformity with the general principles embodied in the Constitution of FAO;
- d) have a permanent directing body, authorized representatives and systematic procedures and machinery for communicating with its membership in various countries.

Organizations eligible for liaison status

8. In order to be eligible for liaison status an international non-governmental organization shall:

- a) be international in its structure and scope of activity and be sufficiently representative of the field of interest in which it operates;
- b) be concerned with matters covering a portion of FAO's field of activity and be in a position to give practical assistance in that field;
- c) have aims and purposes in conformity with the general principles embodied in the Constitution of FAO;
- d) have a permanent directing body, authorized representatives and systematic procedures and machinery for communicating with its membership in various countries.