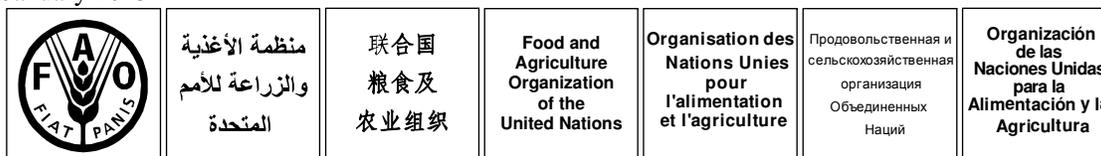


January 2013



COMMITTEE ON CONSTITUTIONAL AND LEGAL MATTERS

Ninety-sixth Session

Rome, 4 - 6 March 2013

**COMMITTEE ON WORLD FOOD SECURITY (CFS): PROPOSED AMENDMENTS
TO RULE XXXIII OF THE GENERAL RULES OF THE ORGANIZATION**

I. Background

1. The Committee on World Food Security (CFS), at its Thirty-fifth Session (Rome, 14- 17 October 2009), reviewed and adopted the proposals set out in document CFS 2009/2 Rev. 2 “*Reform of the Committee on World Food Security*”¹. Thereafter, in order to implement the reform, the Thirty-sixth Session of the Conference (Rome, 18-23 November 2009) adopted amendments to the Constitution and the General Rules of the Organization (GRO). Accordingly, Article III.9 and Article V.6(b) of the Constitution, as well as Rule XXXIII of the General Rules of the Organization (GRO) were amended². To further implement the reform, the Thirty-seventh Session of the CFS (Rome, 17-22 October 2011), adopted its revised Rules of Procedure³.

2. At that session, the CFS also mandated the Bureau to recommend an update of Rule XXXIII of the GRO by the Thirty-ninth Session of the CFS (Rome, 15-20 October 2012), to be then forwarded to the Thirty-eighth Session of the Conference (Rome, 15-22 June 2013). The request was made so that Rule XXXIII of the GRO would “*conform with the CFS Reform Document as well as with the revised Rules of Procedure*”⁴.

¹ C 2009/21 Rev.1.

² See Report of the Thirty-sixth Session of the Conference (Rome, 18-23 November 2009), document C 2009/REP, paragraphs 151-154. See also Conference Resolutions No. 13/2009 “*Reform of the Committee on World Food Security, Amendments to the Constitution*” and No. 14/2009 “*Reform of the Committee on World Food Security, Amendments to the General Rules of the Organization*” adopted on 22 November 2009.

³ CFS:2011/ FINAL REPORT, paragraph 60. See also Part L of Volume I of the Basic Texts of the Organization.

⁴ CFS: 2011/FINAL REPORT , paragraph 61.

3. During the first semester of 2012, the CFS Bureau members reviewed the proposed amendments to Rule XXXIII of the GRO for onforwarding to the CFS at its 39th session which took place in Rome from 15 to 20 October 2012.
4. At its 95th Session (Rome, 8 to 11 October 2012), the CCLM reviewed proposed amendments and considered that it should examine them only at its 96th Session in 2013, following review and endorsement of thereof by the CFS at its 39th Session.⁵ The CFS endorsed the proposed amendments to Rule XXXIII of the GRO and agreed to transmit these to the CCLM and the FAO Council, for forwarding to the Conference for final approval.⁶

II. Proposed Amendments

5. The CFS Bureau has proposed amendments to Rule XXXIII of the GRO in respect of four issues: (a) invitation letters and agenda; (b) convening of extraordinary sessions; (c) the High Level Panel of Experts on Food Security and Nutrition; and (d) the establishment of subsidiary bodies.
6. First, in relation to **the invitation letters and the agenda**, the proposed amendment to paragraph 6 is intended to reflect the practice that has taken place so far since the CFS was reformed. Accordingly, under the proposal, *“Sessions shall be convened by the Director-General and the Chairperson, taking into account any decision made by the Committee”*.
7. Second, regarding **the convening of extraordinary (or special) sessions**, it is proposed to insert a new paragraph 7 providing that *“The Committee may meet in extraordinary (or special) session: (a) if at any regular session the Committee so decides; or (b) if the Bureau so requests”*.
8. Third, concerning **the High Level Panel of Experts on Food Security and Nutrition**, it is proposed to amend paragraphs 11 and 12 in order to regulate in the GRO only its main features (such as its mandate, membership and structure) and to delete paragraphs 13 and 14 so that the operational details (composition of the Steering Committee, term of office of its members, functions and the *ad hoc* Project Teams) be regulated in the CFS Rules of Procedure.
9. Finally, regarding **the establishment of subsidiary bodies**, it is proposed to amend paragraph 23 in order to provide that the report that the CFS should examine before establishing a new subsidiary body should be prepared *“by the Secretary, after consultation with the Organization, the World Food Programme and the International Fund for Agricultural Development”*.
10. The proposed amendments to paragraphs 6, 7, 11-14 and 23 of Rule XXXIII of the GRO are contained in the draft Conference resolution set out in the **Appendix**.

III. Suggested action by the Committee

11. The CCLM is invited to review this document and make such recommendations as appropriate.
12. The Committee is, in particular, invited to endorse the draft Conference resolution set out in the **Appendix** to this document and forward it to the Council for subsequent transmission to the Conference

⁵ CL 145/2 paragraphs 36 to 38 and Executive Summary item h).

⁶ CFS 2012/39 FINAL REPORT, paragraph 40.

Appendix

RESOLUTION /2013

Implementation of the Reform of the Committee on World Food Security Amendments to Rule XXXIII of the General Rules of the Organization

THE CONFERENCE,

Recalling that the Committee on World Food Security (CFS), at its Thirty-fifth session, held in Rome from 14 to 17 October 2009, reviewed and adopted the proposals set out in document CFS 2009/2 Rev. 2 “*Reform of the Committee on World Food Security*”, which was inserted in Volume II of the Basic Texts of the Organization;

Recalling also that the Conference, at its Thirty-sixth session held in Rome from 18 to 23 November 2009, adopted Resolution No. 14/2009 “*Reform of the Committee on World Food Security, Amendments to the General Rules of the Organization*”;

Recalling further that the Committee on World Food Security (CFS), at its Thirty-seventh session, held in Rome from 17 to 22 October 2011, adopted revised Rules of Procedure and mandated the Bureau to recommend an update of Rule XXXIII of the GRO so that they would “*conform with the CFS Reform Document as well as with the revised Rules of Procedure*”;

Having taken note of the views of the Committee on Constitutional and Legal Matters (CCLM), at its Ninety-fifth session (Rome, 8-11 October 2012) on the amendments proposed by the Bureau to Rule XXXIII of the General Rules of the Organization;

Noting that the Committee on World Food Security (CFS) at its Thirty-ninth Session (Rome, 15-20 October 2012) reviewed and endorsed proposed amendments to Rule XXXIII of the General Rules of the Organization for the implementation of the reform of the Committee on World Food Security;

Considering that the Council, at its Hundred and Forty-fifth Session (Rome, 3-7 December 2012), endorsed the proposed amendments and agreed to transmit them to the Conference for approval;

Decides to amend Rule XXXIII of the General Rules of the Organization as follows⁷:

“Rule XXXIII

Committee on World Food Security

A. Composition and participation

(...)

6. The Committee shall normally hold two sessions during each biennium. Sessions shall be convened by the Director-General, ~~in consultation with~~ *and* the Chairperson ~~and the Bureau of the Committee~~, taking into account any ~~proposals~~ *decision* made by the Committee. ~~If required, the Committee may hold additional sessions on the call of the Director-General in consultation with the Chairperson and the Bureau, or on request submitted in writing to the Director-General by the majority of Members of the Committee.~~

⁷ Deletions are indicated using ~~strikethrough text~~ and insertions are indicated using *underlined italics*.

[new] 7. The Committee may meet in extraordinary (or special) session:

(a) if at any regular session the Committee so decides; or

(b) if the Bureau so requests.

(following paragraphs to be re-numbered)

D. High Level Panel of Experts on Food Security and Nutrition

12 ~~11.~~ The Committee shall be assisted by a High Level Panel of Experts on Food Security and Nutrition which shall exercise the following functions, hereinafter referred to as the High Level Panel. ~~The functions of the High Level Panel shall be:~~

- a) to assess and analyze the current state of food security and nutrition and its underlying causes;
- b) to provide scientific and knowledge-based analysis and advice on policy-relevant issues, utilizing existing high-quality research data and technical studies;
- c) to identify emerging issues and assist the Committee and its Members to prioritize future actions and attention on key focal areas.

13 ~~12.~~ The High Level Panel of Experts on Food Security and Nutrition shall consist of a Steering Committee and ~~a subsidiary of ad-hoc Project Teams acting on a project-specific basis and constituting a~~ network of food security and nutrition experts. The High Level Panel of Experts on Food Security and Nutrition shall operate in accordance with the Rules of Procedure of the Committee.

~~13. The Steering Committee shall consist of between ten and fifteen highly reputable, internationally-recognized experts on food security and nutrition related fields, appointed in their personal capacity for a term of office of two years, renewable only once. The members of the Steering Committee shall be appointed by the Bureau of the Committee on the basis of a recommendation of an ad hoc selection committee consisting of representatives of FAO, the World Food Programme, the International Fund for Agricultural Development, Bioversity International and a representative of civil society organizations. The Steering Committee shall normally hold two sessions every year, unless otherwise decided by the Committee itself in extraordinary circumstances. The functions of the Steering Committee shall be:~~

~~to ensure and follow the preparation of state-of-the-art studies and analysis for consideration by the Committee on a variety of food security and nutrition issues;~~

~~to assemble expert project teams to prepare studies and analysis in support of decisions of the Committee;~~

~~to establish and keep under review working methodologies, plans of work and terms of reference for project teams and, in general, manage their work;~~

~~to review work methodologies and to propose work plans;~~

~~to perform such related functions as may be required.~~

~~14. There shall be a database of experts on all relevant fields related to food security and nutrition who may be nominated by Members of the Committee or any other interested party participating in the proceedings of the Committee. Drawing from this database, the Steering Committee shall constitute ad hoc project teams to analyse and report on such issues as may be referred by the Steering Committee to the team. The project teams shall be constituted for pre-determined periods of time and shall be responsible for drafting studies and analysis under the general direction and oversight of the Steering Committee.~~

(following paragraphs to be re-numbered)

G. Miscellaneous provisions

(...)

22 ~~23~~. The Committee may decide to establish subsidiary or *ad hoc* bodies where it considers that such action would expedite its own work, without duplicating the work of existing bodies. A decision to this effect may be taken only after the Committee has examined a report by the Secretary, after consultation with the Organization, the World Food Programme and the International Fund for Agricultural Development ~~Director General~~ on the administrative and financial implications.

(following paragraph to be re-numbered)”

(Adopted onJune 2013)