

Basic Text Changes – Update on Progress

Introduction

1. Since the last meeting of the Working Group on 21 May 2009, the Committee on Constitutional and Legal Matters (CCLM) held its 87th session on 26-27 May, which was open to silent observers.
2. The CCLM examined the following items: (i) Charter for the Office of Evaluation; (ii) implementation of the IPA actions regarding the Council; (iii) reform of the Committee on World Food Security (CFS); and (iv) other matters.

Progress

3. ***Charter for the Office of Evaluation***: the CCLM reviewed the Charter and examined and endorsed two amendments thereto. The Charter will be reviewed again by the Programme Committee and submitted to the Council for approval at its session of September.
4. ***Implementation of the IPA actions regarding the Council***: the CCLM endorsed amendments to: (i) Rule XXII, paragraph 1 (c) and paragraph 2 of the General Rules of the Organization (GRO) concerning the election of the Council, which are the consequence of the fact that the Conference will henceforth meet in June and no longer in November; and (ii) Rule XXIV, paragraph 1 of the GRO on the functions of the Council in respect of the “world food and agriculture situation and related matters”, reflecting the fact that in future these functions will be primarily matters for the Technical Committees and the Conference. The CCLM also endorsed the proposal that other IPA actions regarding the Council be addressed in a Conference resolution. The CCLM requested that all Members be fully apprised of the implications of the change in the pattern of sessions of the Conference and Council in respect of future mandates of the Independent Chairperson of Council and of the Members of the Council, Programme Committee, Finance Committee and CCLM. These are described in detail in the report of the CCLM and its appendix I.
5. ***Reform of the Committee on World Food Security***: the CCLM examined and endorsed an amendment to Article III of the Constitution proposed by France whereby the CFS shall assist the Conference and report to it, as well as to the United Nations General Assembly, through the Economic and Social Council and the FAO Conference. The CCLM also recommended an amendment to Rule XXXIII, paragraph 8 of the GRO regarding the status of the CFS vis-à-vis the Council on programme and budget matters.
6. ***Other matters***: the CCLM examined the two questions raised at the 21 May meeting of the Working Group on representation and participation in the work of the Programme and Finance Committees, namely:
 - whether it would be possible to replace a Member during a session of the Committees. The CCLM advised that in situations where, after the beginning of a session, there is an unexpected need to replace a representative, a designed official of the same

Member should be able to take part in the proceedings. Therefore the CCLM recommended that the Rules of Procedure of the Committees be amended accordingly;

- the question of which representative should be allowed to speak when a Member country has more than one representative present at a meeting of the Committees. The CCLM was of the view that this situation could not arise because the representative of a Member in a Committee was specifically elected by the Council or otherwise designated under applicable procedures and only the designated representative could take part in the proceedings.

7. Details of the amendments to the Basic Texts recommended by the CCLM can be found in the report of its 87th session.

Guidance

8. No issues were referred for guidance to the Conference Committee.