

1. The governance of FAO must be reformed in order to ensure its necessary strategic piloting, to increase its efficacy and visibility, and to improve its results. In this regard, reforming the Council is undoubtedly one of the most important issues of the whole FAO reform. This governing body must be revisited, in all its aspects, so that the membership can properly fulfil its role of governance and oversight. As the IEE stated in §758, “*The Council is a critical piece of the governing structure of FAO*” ; however, the IEE also indicates in §701, that “*While formally the Council has wide-ranging powers, the IEE concludes that in practice it is significantly under-performing.*”

The FAO needs a stronger and more effective Council, which pilots the organisation, making clear recommendations to the Conference - staying the last forum for decision - and to the management.

2. For the sake of clarity and completeness, the EU wants to logically divide the reform of the Council into the following four items:

**2.1. Mandate / methods of work:**

This aspect has been properly covered. There is a consensus on the new relations between the Council and its advisory Committees, and Regional Conferences, in the framework of the new budget cycle proposal. In a similar way, the Council will be more involved in the PWB design process and follow-up, including the procedure leading to the decision at the Conference and after.

**2.2. Independent chairperson (IC):**

The EU has accepted to maintain *status quo* . Even more, the membership should call for an enhanced role of the chairperson, as stated in the recommendation 4.10 of the IEE (§763-766). The EU also argues for a formal permanent Bureau of the Council led by a Rome-based chairperson (see below). The proposal to have a permanent Rome-based rotating presidency with a Bureau is therefore a step in the right direction. It will be cheaper and connect members closer to Council work. On the other hand, the independent chairperson ensures continuity and could be a compromise for between those who want *status quo* and those who want a Bureau.

**2.3. Bureau of the Council:**

During the course of the debates on the Council, the idea of a Bureau to support the IC has emerged, and has been extensively debated. This idea is strongly favoured by the European group, which does believe indeed that a Bureau will be a considerable improvement, for the work of the Council, and for the support to both the IC and the membership.

This Bureau will deal with organisational and administrative matters only, including the preparation of the agenda, but without deciding on substance ; its objective will be to bridge the gaps between meetings, and preparing the ground for fruitful discussions. This should give some manoeuvrability to the IC, facilitate a better communication between him, the Council members and the FAO management, and should favour a results-oriented approach. With a sound geographic representation, it will also help to engage facilitation between regional groups.

It has to be stressed that this format will be rather different from the current “bureau structure” that is currently only existing during Council sessions. The new Bureau will remain in duty in-between the sessions, with an identified role.

A Bureau of the Council will firstly support the IC, and facilitate *ex ante* communication with both the membership and the management (appropriately represented at any session). It cannot act as a competitor to either the IC or the management, since this will only be a consultative structure, under the chairmanship of the IC. It shall not have any decision power, and therefore cannot represent an additional layer to the existing Governing Bodies. However, it is one supplementary way to reinforce the role of the membership in the governance of the organisation, which is one of the main proposals of the IEE and one of our main wishes for the reform.

Finally, no additional costs are forecasted since it is feasible to conduct such meetings with no interpretation.

Such practice has already been used. A concrete experience is the 5<sup>th</sup> of September, when the IC of the Council organised an informal meeting, under his chairmanship, with the Chairpersons and Vice-Chairpersons of FAO Regional Groups. This very meeting was efficient, participative and fruitful indeed, despite the lack of interpretation ; it allowed to engage first discussions with regional representatives on the agenda of the next Council. And this is actually common practice before each session of the Council. Our wish is to institutionalise this structure, and to organise more frequent meetings. One further pertinent and practical example of a Bureau could be the one of the CoC-IEE.

A brief outline of what will be the mission and duties of such a structure is presented hereafter. It may also be noted that similar structures already exist for the European Commission on Agriculture<sup>1</sup>, WFP, WMO and UNESCO, among others.

In the end, the EU wants to underline that this structure will neither be, in any way, a compensation for not having the Council replaced by an executive body, nor a first stage towards this shift. The EU does believe that a Bureau will be a good step forward for effectiveness, whatever the size of the Council may be ; therefore the discussion on the Bureau and the seats distribution are separate indeed.

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### ***== Tentative mission and duties for the Bureau of the Council ==***

The Bureau of the Council shall be a consultation mechanism to advise and support the Independent Chairperson of FAO Council. Its primary role, under the chairmanship of the Independent Chairperson, is planning, organisation and facilitation of the work of the Council.

In particular, the Bureau of the Council shall discuss:

- o the strategic planning of the work of the Council;
- o the preparation and organisation of the Council meetings, including but not limited to the agenda, the format of discussions and events, the relevant financial aspects ;
- o the promotion of dialogue between the Independent Chairperson, the Council members, the FAO management and beyond, the whole membership;

The Bureau of the Council shall meet at least one month before each session of FAO Council. In case of necessity, the Independent Chairperson of FAO Council may convoke the Bureau of the Council besides these two sessions a year.

The composition of the Bureau of the Council is proposed in annex 1.

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<sup>1</sup> FAO Article VI-1 Body reporting to the FAO Regional Conference for Europe

#### **2.4. Seats distribution:**

To engage the discussions, one needs to recall what the IEE said about the size of the Council. For instance:

- §702 *"Its membership - greater than that in any comparable specialized agency - is too large for coherence and synergy"* ;
- §758 *"Many Members indicated to the IEE in interviews and questionnaires that they believe FAO would function most effectively and efficiently, if the Council were restructured as an executive board of about 30 members, able to represent FAO's diverse membership."*

However, the following remarks need to be acknowledged as well, illustrating the complexity of the debate and the difficulty to get any consensus:

- §758 *" While this approach [executive board] has many strong attractions, there are still many Members who do not favour such a major step at this time.*
- §758 *"There are also reservations on whether a smaller body of this kind could adequately represent the membership as a whole.*

The EU members call for an increase in the ERG's share of seats, but not for an increase in seats in absolute figures. The EU members are also not ready to accept an increase in the total number of seats of the Council; *a contrario*, we ideally call for a reduction of the size of the Council, which reduction should while re-establishing an equitable balance.

The EU and ERG members strongly expressed, recurrently and from the very beginning, their will to re-establish balance and equity in the seats distribution, which necessarily implies to increase the share of representation of the ERG. One has to recall that the FAO operates under the so-called "one country, one voice" that is at the heart of the UN system ; accordingly, the EU and ERG members ideally strive for the same number of countries per seat. The latest change in the Council seats distribution took place in 1977, by a decision of the Conference. In order to keep that same balance, any changes in the number of countries of various regions should be reflected in the number of Council seats assigned.

The solutions proposed so far, and notably the one proposing a two-seats increase for every regional group but the Southwest Pacific (+1) and the ERG (+3), are not adequate to the EU group's views, since they maintain an obvious imbalance and increase the number of seats.

However, the EU group understands the difficulties of the debate. And we do believe that the urgency in which we are conducting our debates, and the deadlines we have to respect, do not help.

In that regard, if unfortunately we are not in a position to reach a consensus that would satisfy the principles explained in this concept note, the EU group would resign itself to accept the *status quo*, as wisely proposed by the Independent Chairperson of the CoC-IEE, with one reservation. If the present situation is to be continued, this may be accepted with the following review clause: that the issue of representation at the Council is examined deeply after the 2009 Conference, in order to re-establish an equitable balance. Such review clause would call for extensive discussions in order to get a consensus ready for the 2011 Conference.

## **ANNEX 1 – BUREAU OF THE COUNCIL**

### *Proposition for composition*

The Bureau of the Council shall be composed of one representative of each FAO Regional Groups, as recalled hereafter ; the representative shall be a member of the Council. The term of office of these members shall be aligned with their terms of office as members of the Council.

- Africa Group
- Asia Group
- European Regional Group
- GRULAC
- Near East Group
- North America Group
- Southwest Pacific Group

The Bureau of the Council shall be presided by the Independent Chairperson of FAO Council. The management of the FAO shall also be represented at its discretion.