



منظمة الأغذية
والزراعة
للأمم المتحدة

联合国
粮食及
农业组织

Food
and
Agriculture
Organization
of
the
United
Nations

Organisation
des
Nations
Unies
pour
l'alimentation
et
l'agriculture

Продовольственная и
сельскохозяйственная
организация
Объединенных
Наций

Organización
de las
Naciones
Unidas
para la
Agricultura
y la
Alimentación

CONFERENCE

Thirty-sixth Session

Rome, 18-23 November 2009

DRAFT REPORT OF THE FIRST MEETING OF THE GENERAL COMMITTEE (RESTRICTED)

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A. AGENDA FOR THE SESSION ¹

1. The General Committee examined the Provisional Conference Agenda contained in document C 2009/1 and noted that, following the request made by Venezuela as Chairperson of the Regional Group for Latin America and the Caribbean there will be an additional Sub-item under Item 30 “Any Other Matters” entitled *Report of the 12th Session of the Commission on Genetic Resources for Food and Agriculture (Rome, 19-23 October 2009)*. The membership was advised of the request by circular letter ref. K/CC-701-Add of 8 October 2009. The Committee recommends that the Provisional Agenda, including the proposed additional sub-item, be adopted by the Conference, and that the proposed additional item be considered by Commission I.
2. Having noted that the Provisional Agenda included subjects on which information documents were tabled, the Committee also recommends that delegates wishing to comment on these documents be given an opportunity to do so under Item 30 “Any Other Matters”.

B. ESTABLISHMENT OF COMMISSIONS AND TENTATIVE TIMETABLE OF THE SESSION ²

3. At its Hundred and Thirty-sixth Session (15-19 June 2009) and Hundred and Thirty-seventh Session (28 September - 2 October 2009) the Council formulated proposals concerning the organization and timetable for the Thirty-sixth Session of the Conference. These proposals were communicated to all FAO Members and observers in documents C 2009/12 and C 2009/INF/1. The Committee recommends that the Conference establish two commissions to consider and report on the "Substantive and Policy Matters in Food and Agriculture" and "Programme and Budgetary Matters" sections of the Agenda respectively. Further to pre-session meetings between the secretariat and the Chairperson elect of Commission II, it is proposed that Item 19 “Incentives and other Measures to encourage Timely Payment of Contributions” be considered in Plenary on the afternoon of Saturday 21 November rather than in Commission II to enable financial items to be grouped together and increase the time available for Commission II to discuss programme and budgetary matters.
4. The Committee recommends that the Conference approve the Tentative Timetable proposed by the Council and set out in document C 2009/INF/1, with (i) the addition of sub-item 30.8 “Report of the 12th Session of the Commission on Genetic Resources for Food and Agriculture (Rome, 19-23 October 2009)” to the timetable for Commission I on the afternoon of Friday 20 November and (ii) the transfer of Item 19 “Incentives and other Measures to encourage Timely Payment of Contributions” from the timetable of Commission II on the morning of Saturday 21 November to that of the afternoon meeting of Plenary on the same day, following Item 23, “Scale of Contributions”. It is understood that this Timetable may be subject to modifications according to progress made in the Plenary and in the Commissions. The Committee recommended that the proposed amendment to the FAO Constitution on the membership of the Council be considered under agenda item 21, *Other Constitutional and Legal Matters*.
5. The attention of the Conference is drawn to the fact that, in order to accommodate requests for speaking time, the duration of each intervention should not exceed five minutes.

¹ C 2009/1; C 2009/INF/4; C 2009/12; C 2009/24

² C 2009/12; C 2009/INF/1; C 2009/24; C 2009/INF/20; C 2009/LIM/4

C. APPOINTMENT OF THE CHAIRPERSONS AND VICE-CHAIRPERSONS OF THE TWO COMMISSIONS ³

6. In accordance with Rules VII and XXIV-5(b) of the General Rules of the Organization (GRO) and as indicated in document C 2009/LIM/6-Rev.1, the Council at its Hundred and Thirty-seventh Session proposed the following candidates as chairpersons of the Commissions:

Commission I: Mr Noel D. De Luna (Philippines)

Commission II: Ambassador Agnes van Ardenne-van der Hoeven (Netherlands).

The Committee recommends that the Conference adopt the Council's proposal.

7. In accordance with Rule X-2 (c) GRO the Committee recommends that the Vice-chairpersons of the Commissions be as follows:

Commission I: Mr Fazil Dusunceli (Turkey)

Mr Javad Shakhs Tavakolian (Islamic Republic of Iran)

Commission II: Ms Hedwig Wögerbauer (Austria)

Ms Gladys Urbaneja (Venezuela)

D. RESOLUTIONS COMMITTEE

8. The Council at its Hundred and Thirty-seventh Session had recommended the establishment of a Resolutions Committee of the Conference consisting of seven members, one from each FAO region⁴. The Criteria for Conference resolutions as well as the functions and operating procedures of the Resolutions Committee are described in document C 2009/12, Appendix C.

9. The Committee recommends that the following Member Nations, identified by the region to which they belong, form the membership of the Resolutions Committee:

Africa	: Lesotho
Asia	: Indonesia
Europe	: Russian Federation
Latin America and the Caribbean	: Ecuador
Near East	: Iraq
North America	: Canada
Southwest Pacific	: Australia

³ C 2009/LIM/6-Rev.1

⁴ C 2009/LIM/6-Rev.1; C 2009/12

E. APPOINTMENT OF THE INDEPENDENT CHAIRPERSON OF THE COUNCIL ⁵

10. By the date determined by the Council, i.e. 7 September 2009, three nominations had been received for election to the office of Independent Chairperson of the Council, namely:

- Mr Luc Guyau (France)
- Ms Fatou Ndeye Gaye (Gambia)
- Mr Victor Charles Heard (United Kingdom)

These nominations were notified to all Members by circular letter ref. K/CF-4/3 (a) on 14 September 2009.

11. Under the terms of reference of Rule XXIII-1(b) GRO, the General Committee determines and announces the date of the election. The Committee recommends that the election be held on Sunday 22 November 2009. The Committee recommends that if no candidate obtains the required majority of votes cast⁶, successive ballots be held. The Committee further recommends that, as was the case in 1997 and in 2001, the candidate having received the smallest number of votes in each ballot shall be eliminated.

F. ELECTION OF MEMBERS OF THE COUNCIL ⁷

12. Rule XXII-10(a) GRO provides that the Conference, on the recommendation of the General Committee, shall, not later than the end of the third day of the Conference Session, decide the date of election of members of the Council and the date by which nominations must be submitted.

13. The Committee accordingly recommends that:

- the election be held on Sunday 22 November 2009; and that
- nominations for the Council seats to be filled at the present session be communicated to the Secretary-General of the Conference (B-202) by 12.00 hours on Friday 20 November 2009

14. In this connection, the Conference will note in particular the following provisions of paragraphs 3, 4, 5 and 7 of Rule XXII GRO:

“3. In selecting Members of the Council, the Conference shall give due consideration to the desirability of:

- i) including in its membership a balanced geographical representation of nations interested in the production, distribution and consumption of food and agricultural products;
- ii) ensuring the participation in the work of the Council of such Member Nations as contribute in a large measure toward the success of the Organization;
- iii) giving to the greatest possible number of Member Nations an opportunity, by rotation of membership, to serve on the Council”.

⁵ C 2009/9; C 2009/12.

⁶ The required majority is more than one half of the votes cast.

⁷ C 2009/11-Rev.1.

“4. Member Nations shall be eligible for re-election”.

“5. No Member Nation shall be eligible for election to the Council if it is in arrears in payment of its financial contributions to the Organization in an amount equal to or exceeding the contributions due from it for the two preceding calendar years”.

“7. A Member of the Council shall be considered to have resigned if it is in arrears in payment of its financial contributions to the Organization in an amount equal to or exceeding the contributions due from it for the two preceding calendar years, or if it has not been represented at two consecutive sessions of the Council”.

G. RIGHT TO VOTE

15. The General Committee notes that the following Member Nations have not paid a sufficient amount of their assessed contributions to retain their vote in the Conference:

Member Nations with Potential Voting Rights Problems at 18 November 2009

Member Nation		Amount in Arrears US\$	Amount in Arrears Euro	Minimum Payment required to Ensure Vote in US\$
1	Antigua and Barbuda	\$ 322,763.77	€ 21,333.49	\$ 327,786.52
2	Comoros	\$ 277,031.63	€ 8,881.51	\$ 279,353.58
3	Dominican Republic	\$ 96,825.06	€ 208,683.86	\$ 100,778.67
4	Georgia	\$ 1,217,323.08	€ -	\$ 1,191,632.97
5	Guinea-Bissau	\$ 104,742.25	€ 8,881.51	\$ 107,064.20
6	Iraq	\$ 4,928,517.30	€ 454,206.07	\$ 5,341,433.77
7	Kyrgyzstan	\$ 870,801.26	€ 8,881.51	\$ 873,123.21
8	Liberia	\$ 291,628.76	€ 8,881.51	\$ 293,950.71
9	Nauru	\$ 16,342.63	€ 8,881.51	\$ 18,664.58
10	Nicaragua	\$ 6,104.29	€ 9,573.48	\$ 4,870.63
11	Palau	\$ 8,488.13	€ 8,881.51	\$ 10,810.08
12	Sao Tome and Principe	\$ 274,252.25	€ 8,881.51	\$ 276,574.20
13	Sierra Leone	\$ 11,157.16	€ 8,881.51	\$ 13,479.11
14	Solomon Islands	\$ 51,376.14	€ 3,489.12	\$ 46,965.50
15	Somalia	\$ 350,156.25	€ 8,881.51	\$ 352,478.20
16	Tajikistan	\$ 134,821.56	€ 4,459.38	\$ 131,881.18
17	Turkmenistan	\$ 457,430.84	€ 39,320.93	\$ 458,604.44
Total		\$ 9,419,762.36	€ 820,999.92	\$ 9,829,451.57

16. Article III.4 of the Constitution states: “A Member Nation which is in arrears in the payment of its financial contribution 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”.

17. Past practice has been that all Member Nations in attendance be authorized to vote on the first day of the Conference on the understanding that contacts with those in arrears shall be

continued with a view to regularizing their situation before the votes scheduled for Sunday 22 November.

H. RIGHT TO REPLY

18. At its previous sessions, the Conference had decided that, if delegates wished to reply to criticisms of their Governments, they should preferably do so on the day on which such criticisms had been voiced after all those wishing to participate in the discussion had had an opportunity to speak.

19. The Committee recommends that these same arrangements be followed at the present session.

I. VERBATIM RECORDS

20. Rule XVIII-1 GRO lays down that verbatim records shall be kept for all Conference Plenary and Commission meetings. The right of delegates to check the accuracy of the record of their interventions is recognized in Rule XVIII-2 GRO.

21. The accuracy of the records may be maintained either by correcting typing and other errors, or by amending a word or phrase actually used. In practice such corrections or amendments to statements are accepted only from the delegation which made the statement, and should be submitted within 48 hours of publication of the draft verbatim record concerned.

22. In 1961 a procedure was formally adopted by the Conference whereby speakers who so desire may have their statements inserted in the record without delivering them in Plenary. This procedure is still followed and is recommended in the interests of saving time.

23. While the Committee sees no objection in principle to the insertion of statements in the records when time does not permit them to be delivered, it recognizes the difficulties which might arise if no occasion is given to delegates to exercise the “right of reply” to any criticism of their government’s policy made in the inserted statement.

24. The Committee therefore recommends that the Conference continue to permit the insertion of such statements on condition that:

- a) the Plenary, or the Commission concerned, is informed by its Chairperson that a statement not actually delivered, or a substantive addition to a statement that has been delivered, is being inserted in the record;
- b) the text handed over to the Chairperson for insertion should preferably be in digital format;
- c) the provisional verbatim record containing the additional statement is circulated at least three days before the close of the Session; and
- d) delegations attending the Session are able to avail themselves of the right of reply by having an opportunity to make, prior to the close of the Session, a statement relating to the inserted statement.

J. STATEMENTS BY HEADS OF DELEGATIONS

25. The Committee recommends that a list of speakers be published daily in the Journal of the Conference, in the order in which they will be called upon by the Chairperson, and further recommends that statements be limited to a maximum of five minutes.

K. ADMISSION OF OBSERVERS FROM INTERGOVERNMENTAL AND INTERNATIONAL NON-GOVERNMENTAL ORGANIZATIONS ⁸

26. The list of Intergovernmental and International Non-Governmental Organizations which have been invited by the Director-General to be represented in an observer capacity at this session of the Conference is given in document C 2009/13. The invitations sent to Intergovernmental Organizations with which FAO does not have a formal agreement and to International Non-Governmental Organizations which do not have consultative status with FAO are extended on a provisional basis and are subject to approval by the Conference.

27. After having reviewed this list, the Committee recommends that the Conference confirm the said provisional invitations.

L. STATEMENTS IN PLENARY MEETINGS OF THE CONFERENCE BY INTERNATIONAL NON-GOVERNMENTAL ORGANIZATIONS HAVING CONSULTATIVE STATUS

28. The Committee was informed of the request from the following International Non-Governmental Organization in Consultative Status with FAO, to address the Plenary of the Conference: World Federation of Trade Unions (WFTU).

29. Having examined this request, the Committee, in accordance with Rule X-2(g) GRO recommends that the Conference grant speaking time not exceeding four minutes to the above mentioned organization on the understanding that it will not be given priority in speaking over representatives of FAO Members.

M. INFORMAL MEETING OF OBSERVERS FROM NON-GOVERNMENTAL ORGANIZATIONS

30. As at previous sessions of the Conference, it is proposed that observers from Non-Governmental Organizations be invited to attend an informal meeting, so that their advice and suggestions on the Organization's activities and programmes may be communicated to the Conference. It is suggested that this meeting take place on Thursday 19 November. The Committee recommends that the Conference accept this proposal.

N. ATTENDANCE BY LIBERATION MOVEMENTS

31. In conformity with the suggestion made by the Council at its Hundred and Thirty-sixth Session, Palestine has been invited to attend the Conference in an observer capacity. The Committee recommends that the Conference confirm this invitation.

O. CONCLUSION

32. The Committee recommends that the Conference confirm all the detailed arrangements for the Session and that the normal working hours for meetings of both Plenary and Commissions be 09.30 to 12.30 hours, and 14.30 to 17.30. The Committee also invites all delegations to observe the working hours with the maximum punctuality.

⁸ C 2009/12; C 2009/13.