



EUROPEAN COMMISSION ON AGRICULTURE

FORTIETH SESSION

Budapest, Hungary, 27 and 28 September 2017

Rules of Procedure

Executive summary

- Although the specific sections of the Rules of Procedure of the European Commission on Agriculture (ECA) do not conflict with the current status of the ECA, several amendments are suggested to ensure the continuity of operation of the Executive Committee between two ECA Sessions; and to reflect gender equality.
- Member Countries are requested to approve the new Rules of Procedure

I. Introduction

1. The FAO European Commission on Agriculture (ECA) is one of the six FAO Statutory Bodies in the Europe and Central Asia Region. The functioning of the ECA is defined by its Rules of Procedures, which were first adopted at its 4th Session in 1952. Since then, the Rules have been amended several times, and the version currently in force was approved at the 35th Session of the ECA held in Innsbruck, Austria, on 25 June 2008.



A. Background of the amendments and requirements

2. In 2014, the members of both the 29th ERC¹ and the 38th Session of the ECA² decided that the ERC and the ECA will not be held anymore back to back but in alternating years and the ECA session will be held at least six months prior to the ERC starting with the 39th Session of the ECA in 2015 in Budapest, Hungary.
3. Within this framework a review of the procedures of the ECA have been also conducted and the Executive Committee specifically suggested several amendments in the existing Rules of Procedure to ensure particularly the continuity of operation of the Executive Committee between two ECA Sessions, and the to reflect gender equality.
4. ECA governance is entrusted to its Executive Committee, which acts on behalf of the Commission during the inter-sessional period. The Executive Committee is composed of the Chairperson, the Vice-Chairperson of the Commission as ex-officio members and six other members elected by the Commission from among the representatives. The current Rules of Procedure define that the Chairperson is elected for a period of four years and the members are elected for a period of two years, but they allows different interpretations and do not provide clear guidance on the replacement of the Chairperson and the Members of the Executive Committee in case they resign.
5. Amendment of Sections of the Rules of Procedure related to the Chairperson of the ECA and members of the Executive Committee is considered as necessary in order to deal with the fact, that they may change their government positions, and thus may not be able to carry out the their function during the assignment period. In order to insure that the Executive Committee remains fully operational between the Sessions of the ECA, interim ad persona appointments are required, which should be reflected in the Rules of Procedure. The amendments would affect Rule II – Officers (Section 1) and Rule III- Executive Committee (Section 1 and 2) of the Rules of Procedure.
6. The wording of “Chairman” shall be changed to “Chairperson” in the text of the Rules of Procedure in order to reflect gender equality. The amendments would affect Rule II – Officers; Rule III- Executive Committee; Rule IV – Sessions; Rule V – Agenda; Rule VI – Voting and Procedure; Rule IX – Subsidiary Bodies and Ad Hoc Meetings of the Rules of Procedure.
7. The review of the rules of procedure has been carried out by the Executive Committee of the 39th ECA and the Secretariat, in close consultation with the Legal and Ethics Office (LEG) of FAO.
8. Below are the revised rules of procedure.

¹ Report of the 29th FAO Regional Conference for Europe in Bucharest, Romania, 2-4April 2014:

<http://www.fao.org/docrep/meeting/030/mk194e.pdf>

² Report of the 38th Session of the European Commission on Agriculture in Bucharest, Romania, 1-2 April 2014:

<http://www.fao.org/3/a-mk839e.pdf>

II. Rules of Procedure for the European Commission on Agriculture

Rule I Membership

- 1) Membership in the European Commission on Agriculture is open to Member Nations of the European Region of the Food and Agriculture Organization of the United Nations (hereinafter referred to as "the Organization") in accordance with the provisions of Article IV, Paragraph 1 of the Constitution of the Organization. The Commission shall comprise such eligible Member Nations as have notified the Director-General of their desire to be considered as Members.
- 2) Each Member of the Commission shall communicate to the Director-General the name of its representative who should, as far as possible, participate in the sessions of the Commission in a continuing capacity and have responsibilities related to the formulation or implementation of national agricultural policy in his country.

Rule II Officers

- 1) The Commission shall elect a Chairperson, a first Vice-Chairperson and a second Vice-Chairperson from among the representatives. The Chairperson and Vice-Chairpersons shall be elected for a term of office of two years and shall be eligible for re-election for a second two year term. The Chairperson shall be not eligible for re-election thereafter, provided that the first Vice-Chairperson shall be eligible for election as Chairperson. Elections shall take place at the end of a regular session.
- 2) The Chairperson, or in his absence a Vice-Chairperson, shall preside at the sessions of the Commission and exercise such other functions as may be required to facilitate the work of the Commission.
- 3) The Commission may elect one or more rapporteurs from among the representatives.
- 4) The Director-General shall appoint from among the officers of the Organization a Secretary who shall be administratively responsible to him.

Rule III Executive Committee

- 1) The Executive Committee shall be composed of the Chairperson, the two Vice-Chairpersons of the Commission as ex officio members and six other members elected by the Commission from among the representatives. The term of office of the elected members shall be for a period of two years and they shall be eligible for re-election for up to two additional two-year terms. Elections shall take place at the end of a regular session. In order to ensure both rotation of members and continuity of service, when electing members of the Executive Committee, due consideration shall be given to the desirability of replacing no more than four members at the same time, and avoiding that the overall term of office of an individual, irrespective of the nature of his/her mandate, should exceed eight years. If due to incapacity, death or any other reason a member of the Executive Committee is prevented from exercising her/his functions for the remainder of the term, the Permanent Representation to the Organization of the

member concerned shall inform the Secretary of the Commission as soon as possible, and may designate a substitute representative for the remainder of the term.

- 2) The Chairperson of the Commission shall preside over the Executive Committee. In her/his absence, or in the event that the Chairperson is unable to exercise her/his functions for the remainder of the term, a Vice-Chairperson shall preside at the meetings of the Executive Committee and exercise such other functions as may be required to facilitate the work of the Executive Committee.
- 3) The Executive Committee shall act on behalf of the Commission between sessions of the Commission, of which it is the executive body. In particular, it shall submit to the Commission proposals concerning the general orientation of the Commission's activities and its programme of work; it shall investigate particular problems and help to ensure implementation of the programme approved by the Commission. It shall periodically inform all Members of the Commission, through the Director-General, of any decisions taken. Such decisions shall be subject to confirmation by the Commission at its next session. The Director-General may convene the Executive Committee as often as required, after consulting with the Chairperson. The Executive Committee shall meet whenever the Commission holds a session.
- 4) The Chairperson of the subsidiary bodies established by the Commission may be invited by the Chairperson of the Commission to participate in the meetings of the Executive Committee for consultation regarding the coordination of activities. The Members of the Executive Committee may attend in this capacity the meetings of the subsidiary bodies.
- 5) When the Executive Committee deals with special problems, its Chairperson may, in agreement with the Vice-Chairpersons, invite the representatives of not more than two Members of the Commission to attend in an advisory capacity the meetings of the Committee at which such special problems are considered.

Rule IV Sessions

- 1) The Commission shall hold one regular session every two years. Special sessions may be convened at the request of a majority of the Members of the Commission or when considered necessary by the Director-General.
- 2) The sessions of the Commission and of the Executive Committee shall be convened, and the place where they are to be held shall be determined, by the Director-General, in agreement with the Chairperson of the Commission.
- 3) Notice of the date and place of each session shall be communicated to the Members of the Commission at least 60 days before the session.
- 4) Subject to the provisions of Rule VII, Paragraph 3, of these Rules, the Director-General may invite international organizations to attend sessions of the Commission in an observer capacity.
- 5) Each Member of the Commission shall have one representative who may be accompanied by an alternate and advisers. The alternate and advisers shall not have the right to vote except when substituting the representative.

- 6) Meetings of the Commission shall be held in public unless the Commission decides otherwise.
- 7) A majority of the representatives shall constitute a quorum.

Rule V

Agenda

- 1) The Director-General, in agreement with the Chairperson of the Commission, after having examined all proposals of the Executive Committee, shall prepare a provisional agenda for each session.
- 2) The first item of the provisional agenda shall be the adoption of the agenda.
- 3) Any Member of the Commission may request the Director-General, at least three months before the opening of the session, to include specific items in the provisional agenda.
- 4) The provisional agenda shall be circulated by the Director-General to all Members of the Commission at least 60 days before the opening of the session.
- 5) Any Members of the Commission, and the Director-General, may, after the dispatch of the provisional agenda, propose the inclusion of specific items in the agenda with respect to matters of an urgent nature. These items shall be placed on a supplementary list which, if time permits before the opening of the session, shall be dispatched by the Director-General to all Members of the Commission, failing which the items shall be communicated to the Chairperson for submission to the Commission.
- 6) By a two-thirds majority of the votes cast, the Commission may amend the agenda it has adopted by deleting or modifying certain items or by adding new items; but it may not withdraw from the agenda matters referred to it by the Conference or the Council of the Organization.
- 7) Documents for the session of the Commission shall be sent by the Director-General to the Members of the Commission and the other Member Nations of the Organization attending the session, as well as to the non-Member States and international organizations invited to the session, at the time the agenda is dispatched or at the latest 30 days before the opening of the session, failing which the item of the agenda to which such documents refer shall not be considered at that session of the Commission except in cases of urgency in accordance with the provisions of Paragraphs 5 and 6 of this Rule.

Rule VI

Voting and procedure

- 1) Each Member of the Commission shall have one vote.
- 2) Decisions of the Commission shall be taken by a majority of the votes cast.
- 3) Any Member of the Commission may request a roll-call vote, in which case the vote of each Member shall be recorded.
- 4) The Commission may decide to vote by secret ballot.

- 5) Election shall be decided by secret ballot, except that in the case of an election in which there are not more candidates than vacancies, the Chairperson may submit to the Commission that the appointment be decided by clear general consent.
- 6) Formal proposals concerning items of the agenda and amendments to such proposals shall be submitted in writing to the Chairperson who shall provide for circulation of these texts to the representatives.
- 7) In addition, the provisions of Rule XII of the General Rules of the Organization shall apply *mutatis mutandis*.

Rule VII Observers

- 1) Any Member Nation or Associate Member of the Organization that is not a Member of the Commission but has a special interest in the work of the Commission may, upon request submitted to the Director-General, attend as an observer the sessions of the Commission and of its subsidiary bodies, as well as *ad hoc* meetings. It may submit memoranda to the Commission and participate without vote in the discussions.
- 2) States which are not Member Nations or Associate Members of the Organization but are Members of the United Nations, of one of the Specialized Agencies of the United Nations or of the International Atomic Energy Agency, may, upon their request and subject to the provisions adopted by the Conference of the Organization relating to the granting of observer status to nations, be invited to attend in an observer capacity sessions of the Commission, its subsidiary bodies and *ad hoc* meetings. The status of States invited to such sessions or meetings shall be governed by the relevant provisions adopted by the Conference of the Organization.
- 3) Participation of international organizations in the work of the Commission and the relations between the Commission and such organizations shall be governed by the relevant provisions of the Constitution and the General Rules of the Organization, as well as by the provisions adopted by the Conference on relations with international organizations. The Director-General shall deal with all such relations.

Rule VIII Records and Reports

- 1) At each session, the Commission shall approve a report embodying its views, recommendations and decisions, including, when requested, a statement of minority views or, as may be decided by the Commission, a summary of conclusions presented by one or more rapporteurs³. Such other records for its own use as the Commission may on occasion decide, in consultation with the Secretariat, shall also be maintained.
- 2) At the close of each session the conclusions and recommendations of the Commission shall be transmitted to the Director-General who shall circulate them to the Members of the Commission and to the non-Member States and

³ The reference to one or more rapporteurs is intended to ensure consistency with Rule II, paragraph 3 of the Rules of Procedure

international organizations that were represented at the sessions for their information and, upon request, to other Member Nations and Associate Members of the Organization.

- 3) Recommendations having policy, programme or financial implications for the Organization shall be brought by the Director-General to the attention of the Conference or the Council of the Organization for action. At the request of the Commission, or on his own initiative, the Director-General shall communicate to the Committee on Agriculture information concerning the activities of the Commission undertaken in collaboration with countries outside the European Region.
- 4) The Director-General, on the advice of the Executive Committee, may request Members of the Commission to supply information in order to keep the Commission informed on action taken on the basis of the recommendations made by the Commission.

Rule IX Subsidiary Bodies and *Ad Hoc* Meetings

- 1) The Commission may establish sub-commissions on problems of major importance or general interest, or working parties for the study of problems of a more specialized nature. Sub-commissions may request the Commission to establish working parties.
- 2) Membership in these subsidiary bodies shall be open to Members of the Commission which have notified the Director-General of their desire to belong to them or to Members of the Commission chosen by it, or to persons appointed in an individual capacity.
- 3) The representatives of Members in a subsidiary body shall, as far as possible, participate in the activities on a continuing basis and shall be specialists in the fields of activity of the respective bodies.
- 4) The Commission may recommend to the Director-General the convening of *ad hoc* meetings, either of Members of the Commission or of experts appointed in an individual capacity in order to prepare long-term plans which might call for the establishment of a subsidiary body or to study matters that are too specialized to be usefully discussed during the regular sessions of the Commission. The Commission shall designate those of its Members who will attend such *ad hoc* meetings; in the case of *ad hoc* meetings of experts appointed in an individual capacity, the Commission shall decide whether they shall be designated by the Commission or by the Director-General.
- 5) The Commission may propose to the Director-General the establishment of joint working parties with the Economic Commission for Europe. It may recommend the creation of cooperative research networks among national research institutes, and may promote the admittance to these networks of research institutes from countries outside the European Region, particularly from developing countries.
- 6) When the Commission establishes sub-commissions or working parties, or when it recommends the convening of *ad hoc* meetings, the Commission shall determine the terms of reference of such sub-commissions and working parties and may suggest the terms of reference of *ad hoc* meetings.

- 7) The establishment of subsidiary bodies and the convening of *ad hoc* meetings shall be subject to the availability of funds in the relevant chapter of the approved budget of the Organization. The availability of such necessary funds shall be determined by the Director-General. Before taking any decision involving expenditure in connection with the establishment of subsidiary bodies, the Commission shall have before it a report from the Director-General on the administrative and financial implications thereof.
- 8) Sub-commissions and working parties of the Commission and *ad hoc* meetings shall report to the Commission. The Commission also examines the reports of the working parties established by the Organization jointly with the Economic Commission for Europe concerning questions within the competence of the Commission.
- 9) Subsidiary bodies of the Commission shall normally hold one regular session every two years. Special sessions may be convened by the Director-General. In addition, the convening of special sessions of subsidiary bodies may, at the request of a majority of their Members, be recommended to the Director-General in agreement with the Commission, or the Executive Committee between sessions of the Commission.
- 10) At the end of each regular session, subsidiary bodies elect their Board composed of a Chairperson and two Vice- Chairpersons from among the representatives of their Members. A subsidiary body may also elect one or two additional members to serve on the Board if this is considered necessary to facilitate the work of the body concerned. The Board of a newly established subsidiary body is elected at the beginning of its first session. In all other cases, the Board shall take office at the end of the session at which it has been elected and shall remain in office until the election of a new Board. The Members of the Board may be re-elected, but they cannot serve in the same capacity more than two successive terms.
- 11) The Rules of Procedure of the Commission shall apply *mutatis mutandis* to its subsidiary bodies and *ad hoc* meetings.

Rule X

Expenses

- 1) Expenses incurred by representatives, their alternates and their advisers when attending sessions of the Commission, the Executive Committee, sub-commissions and working parties and *ad hoc* meetings, as well as expenses incurred by observers at sessions, shall be borne by the respective governments or organizations.
- 2) Expenses incurred by experts invited to attend meetings in a personal capacity shall be borne by the Organization.
- 3) Any financial matter relating to the Commission and its subsidiary bodies shall be governed by the provisions of the Financial Regulations of the Organization.

Rule XI

Languages

- 1) The working languages of the Commission shall be English, French, Russian and Spanish.

- 2) The Commission may decide, in consultation with the Secretariat, which of these languages will be used by its subsidiary bodies or at the *ad hoc* meetings. Any representative using another language shall provide for interpretation in one of the working languages.

Rule XII Amendments to and Suspension of Rules of Procedure

- 1) The Commission may, by a two-thirds majority of its Members, adopt amendments or additions to these Rules of Procedure, provided that twenty-four hours' notice has been given of the draft amendment or addition. Amendments or additions to these Rules shall come into force upon approval by the Director-General.
- 2) By a two-thirds majority of the votes cast and provided that twenty-four hours' notice has been given regarding a proposal to this effect, the Commission may suspend any of the above Rules other than Rules I.1, II.4, IV.2 and 7, V.6, VI.2, VII, VIII.3 and 4, IX.7 and X. Such twenty-four hours' notice may be waived if no representative objects.