



**Food and Agriculture  
Organization of the  
United Nations**



**International Treaty  
on Plant Genetic Resources  
for Food and Agriculture**

**Item 19 of the Provisional Agenda**

**TENTH SESSION OF THE GOVERNING BODY**

**Rome, Italy, 20–24 November 2023**

**Term of office of the Secretary of the Governing Body of the International Treaty on Plant Genetic Resources for Food and Agriculture – proposed amendment to the Rules of Procedure**

**Executive Summary**

This document contains a proposal from the Bureau of the Governing Body on the term of office of the Secretary of the Governing Body of the International Treaty on Plant Genetic Resources for Food and Agriculture. It also includes an amendment proposal to the Rules of procedure of the International Treaty on Plant Genetic Resources for Food and Agriculture (“The Treaty” or “ITPGRFA”).

**Guidance Sought**

The Governing Body is invited to consider and adopt, in accordance with Rule XII – Amendment of the Rules of procedure of the Treaty, a proposal to amend Rule III – Secretary, to introduce a term of office of the Secretary of the Governing Body of the Treaty, as proposed by the Bureau.

## I. INTRODUCTION

1. The Ninth Session of the Governing Body adopted the Procedures for the selection and appointment of Secretaries of Article XIV Bodies as approved by the FAO Council.<sup>1</sup> At the Same Session, the Governing Body requested the Bureau of the Tenth Session to develop a proposal for the term of office of its Secretary, in consultation with FAO, and make recommendations to the Governing Body at its Tenth Session.<sup>2</sup>
2. At its fourth meeting in June 2023, the Bureau held discussions with FAO Management and the Legal Counsel on the term of office of the Secretary. After those consultations, the Bureau agreed to recommend that the term of office of the Secretary be composed of one term of four years, with the possibility of being renewed once (*i.e.*, 4+4), and agreed to hold further consultations within their respective Regions.
3. In July 2023, the Chair sent a letter to FAO Management with a proposal, also reflecting various considerations arising from the discussions and the consultations.
4. In the communication and on behalf of the Bureau, the Chair thanked FAO Management and the Legal Counsel for the fruitful discussions, particularly for the information provided regarding the various procedures and practices in other FAO Article XIV bodies.
5. The current Rules of procedure of the Treaty do not provide for a term of office for the Secretary of the Governing Body. In accordance with Rule XII – Amendment of the Rules – “[a]mendments to these Rules may be adopted by consensus. Consideration of proposals of amendments to these Rules shall be subject to Rule 5 and documents on the proposals shall be circulated in accordance with Rule 5.7 and in no case less than 24 hours prior to their consideration by the Governing Body.”
6. From its consultations with FAO Management, the Bureau noted that the proposed limit of 4+4 to the term of office of the Secretary would not be applied retroactively once approved by the Governing Body of the Treaty.
7. Based on the recommendation of the Bureau of the Governing Body, the following amendment is proposed to Rule III of the Rules of Procedure of the Governing Body:<sup>3</sup>

### *RULE III*

*3.1 In accordance with Article 20.1 of the Treaty, the Director General of the FAO shall appoint, with the approval of the Governing Body, a Secretary of the Governing Body to perform the functions included in Articles 20.2 to 20.5 of the Treaty. The Secretary shall be assisted by such staff as may be required.*

*3.2 The Secretary shall hold office for a term of four years, in the first instance, with the possibility to be renewed only once for another term of four years. The renewal will require a prior assessment of the incumbent’s performance.*

## II. GUIDANCE SOUGHT

8. The Governing Body is invited to consider and adopt the proposed amendment to Rule III set out in paragraph 7.

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<sup>1</sup> Annex 1 to CL 168/17 and Appendix C to IT/GB-9/22/Report

<sup>2</sup> [www.fao.org/3/nk642en/nk642en.pdf](http://www.fao.org/3/nk642en/nk642en.pdf)

<sup>3</sup> [www.fao.org/plant-treaty/overview/governing-body/rules-procedures/en/](http://www.fao.org/plant-treaty/overview/governing-body/rules-procedures/en/) . The amendment proposed is underlined.