



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

Organización  
de las  
Naciones  
Unidas  
para la  
Agricultura  
y la  
Alimentación



# CONFERENCE

## Twenty-eighth Session

Rome, 20 October - 2 November 1995

### FOURTH REPORT OF THE GENERAL COMMITTEE (VOTING RIGHTS)

1. The General Committee recalled that the Conference at its 27th session had requested the Finance Committee and the Council to address the question of the procedures and practices currently being followed by the Organization for restoring the voting rights of Member Nations which had lost these under the provisions of Article III.4 of the Constitution as a result of arrears in payment of assessed contributions.
2. The Committee noted that the report of the 79th Session of the Finance Committee had dealt in paragraphs 3.56 to 3.64 with the Committee's findings on the subject of voting rights, procedures and practices and that these findings had been considered by the Council at its 107th session in November 1994.
3. The Committee further noted the recommendations of the 107th session of the Council as contained in paragraphs 205 to 208 of its report, which read:

#### Voting rights, procedures and practices

205. The Council recalled that the main provisions in the Basic Texts dealing with arrears were Article III.4 of the Constitution regarding loss of voting rights in the Conference, and paragraph 5 and 7 of Rule XXII of the General Rules of the Organization (GRO) regarding participation in the Council. It noted that the sanction contained in paragraphs 5 and 7 of Rule XXII GRO were automatic. On the other hand, Article III.4 of the Constitution allowed for the restoration of voting rights where the failure to pay was due to conditions beyond the control of the Member Nation.
206. The Council recalled that the issue of the voting rights procedures and practices at Conference sessions had arisen out of a request by the Twenty-seventh Session of the Conference in November 1993 that the Finance Committee and the Council address the issues of the procedures and practices currently followed by the Organization for restoring voting rights of Member Nations in arrears of

assessed contributions and report their findings to the Twenty-eighth Session of the Conference in 1995. Particular concern had been expressed by the Conference over the practice of restoring voting rights on the basis of agreed plans for the repayment of arrears by instalments and the need to review the application of Article III.4 both in general and with a view to defining the criteria to be applied in assessing and determining the conditions deemed to be "~~beyond the control~~" of a Member Nation; ~~in terms of that Article.~~

207. The Council expressed great concern over the deterioration in the situation with respect to the payment of arrears and agreed that action was required in order to redress the situation. It considered that such action should take the form of taking a more restrictive approach to the restoration of voting rights envisaged in Article III.4 of the Constitution.
208. In this connection, the Council, having reviewed the conclusions reached by the Finance Committee, made the following recommendations to the Conference:
  - a) voting rights should continue to be restored where default in the payment of arrears was due to "conditions beyond the control of the Member Nations concerned";
  - b) the criteria for what constitutes "conditions beyond the control of the Member Nation concerned" were very difficult to define formally and fixed definitions could present complications. Accordingly, while keeping in mind the broad parameters of what might constitute such conditions, voting rights should only be restored in exceptional cases and only on the basis of a formal request by the Member Nation concerned, specifying the circumstances that in its view constituted "conditions beyond its control";
  - c) the practice of requiring agreed instalment plans for the payment of arrears should be continued, agreed instalment plans should be required as part of the application for restoration of voting rights, and voting rights should be lost again if the Member Nation defaulted on two instalments;
  - d) the scope of the methodology for the calculation of arrears should not be expanded to include payments to the Working Capital Fund, Special Reserve Account or Tax Equalization Fund, nor should any changes be made to the period over which the arrears should be calculated; and
  - e) the Director-General should continue to search for suitable schemes that would respond to the particular problems of developing countries without endangering the financial viability of the Organization and taking into account the experience of other UN organizations in this field.
4. The General Committee recommends to the Conference that the voting rights of Member Nations in arrears of assessed contributions be restored only in exceptional circumstances, in accordance with the above recommendations of the 107th Session of the Council.
5. At its first meeting on Friday, 20 October 1995, the General Committee had noted that thirty-four Member Nations had not paid sufficient amounts of their assessed contributions to retain their vote in the Conference. Since then, and as reported at subsequent meetings of the Committee, the following changes to the situation had taken place.



6. Five Member Nations (Cook Islands, Gabon, Guinea, Peru and Qatar) have since made payments that regularize their voting rights positions.

7. Four Member Nations (Burundi, Chad, Guinea-Bissau and Togo) have advised the Organization that payment had either been made already or was in the process of being made to regularize their contributions position and they provided documentation to support this. However, these payments had not yet been received by the Organization.

8. Three Member Nations (Antigua and Barbuda, Mali and Solomon Islands) had advised that they would not attend the Conference. Six Member Nations (Comoros, Equatorial Guinea, Sao Tome and Principe, Seychelles, Somalia and Yugoslavia) had not registered at the Conference. Five Member Nations (Afghanistan, Cambodia, Djibouti, Dominican Republic, and Liberia) had not requested restoration of voting rights or advised that payment was in process.

9. Eleven Member Nations had requested special consideration under Article III.4 of the Constitution and permission to vote:

Bolivia  
Gambia\*  
Grenada  
Guatemala  
Iraq  
Jamaica\*  
Niger  
Rwanda  
Sierra Leone  
Suriname\*  
Yemen

\* These Members have proposed instalment plans.

10. The General Committee recommends to the Conference that the eleven above-mentioned Member Nations be authorized to vote at the Conference. The Committee also requested the Secretariat to contact each of these Members to finalize proposals for instalment plans to be considered by the Conference.

11. The Committee further recommends that Burundi, Chad, Guinea-Bissau and Togo, which had advised the Organization that payment was being processed, be also authorized to vote at the Conference.