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para la  
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# DESERT LOCUST CONTROL COMMITTEE

## Fortieth Session

Rome, 19-22 June 2012

**Information Note: Update on review regarding statutory bodies established  
under Article XIV of the Constitution**

**(Agenda Item 9)**

### Background

1. The Immediate Plan of Action (IPA) for FAO Renewal (2009-11), approved by the Conference at its 35th (Special) Session in 2008, contains the following recommendation (2.69) under the section entitled “*Statutory Bodies, Conventions, etc.*”:

*“28. The statutory bodies and conventions will be strengthened, enjoying more financial and administrative authority within the framework of FAO and a greater degree of self-funding by their Members. They will have a direct line of access to the appropriate FAO Technical Committees. They will be accountable to the FAO Council and Conference for the use of that proportion of their funding which is provided from FAO assessed contributions.”*

2. The relevant Action Matrix reads as follows:

*“Conferences of parties to treaties, conventions and agreements such as Codex and the IPPC (incorporated under FAO statutes) may bring issues to the attention of the Council and Conference through the relevant Technical Committee (Basic Texts change) (IPA action 2.68)*

*Undertake a review with a view to making any necessary changes to enable those statutory bodies which wish to do so to exercise financial and administrative authority and mobilize additional funding from their members, while remaining within the framework of FAO and maintaining a reporting relationship with it (IPA action 2.69).”*

3. In response to action 2.69 of the Immediate Plan of Action for FAO Renewal, FAO Governing Bodies [the Committee on Constitutional and Legal Matters (CCLM), the Programme Committee and the Council] have initiated a review of statutory bodies established under Article XIV of the FAO Constitution (“Article XIV Bodies”).

4. During its deliberations, the Programme Committee, at its 101st Session in May 2009, *“underlined the importance of the review being undertaken as foreseen in the IPA (action 2.69) aimed at addressing issues regarding autonomy of statutory bodies, with particular reference to Article XIV bodies, placed under the framework of FAO and their relationship with FAO. The Committee noted that a paper would be submitted later in 2009”*.

5. At its 88th Session (September 2009), the CCLM undertook a *“Preliminary review of statutory bodies with a view to allowing them to exercise greater financial and administrative authority while remaining within the framework of FAO”*<sup>1</sup> which concerned primarily bodies created by a convention or agreement under Article XIV of the FAO Constitution. The review identified a range of issues raised over the years either by Members, secretaries of statutory bodies or units of the Organization. It also provided for possible areas of *“increased autonomy”* in various forms.

6. At its 137<sup>th</sup> Session (28 September-2 October 2009), the Council stressed<sup>2</sup> that the implementation of the preliminary review *“should be seen as an ongoing process to be carried out in the course of the next few years”*. It further *“invited the Secretariat to take action in respect of matters within its authority and consult the relevant Governing Bodies with regard to matters which would need to be considered by the membership. The Council endorsed the recommendation of the CCLM that, in the context of that on-going process, the Membership of relevant Statutory Bodies, with particular reference to bodies under Article XIV or Article VI enjoying substantial functional autonomy, should be invited to consider the preliminary review and offer their views on the issues addressed therein.”*

7. At its 104th Session (29 November-3 December 2010)<sup>3</sup>, the Programme Committee noted that, as a result of the review of the matter by the CCLM and the Council, the Secretariat would initiate a process of consultation with the membership of Article XIV Bodies on relevant issues regarding their relationship to the organization, including possible adjustments to existing procedures. The Committee noted further that this consultation process, which had already been launched within some Article XIV bodies, would be carried out on the basis of the review of the CCLM, supplemented, as appropriate, by a questionnaire highlighting issues referred to in document PC 104/9.<sup>4</sup>

#### *The Consultation Process*

8. The consultation process was subsequently carried out with the secretariats of Article XIV statutory bodies with particular reference to Article XIV Bodies. Its outcome was reported to the Programme Committee at its 108<sup>th</sup> Session (10-14 October 2011). The Programme Committee observed that the issues were either of an administrative or financial nature, or of a substantive

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<sup>1</sup> CCLM 88/3

<sup>2</sup> CL 137/REP, para. 53.

<sup>3</sup> CL 140/8, para. 27.

<sup>4</sup> Issues referred to in Paragraph 10 of document PC 104/9 highlight the following elements :

- a) general nature of relationship with FAO (funding mechanisms, appointment of secretariats, instruments);
- b) recommendations stemming from recent evaluations (e.g. Evaluation of FAO's Work on International Instruments), as well as from reports of technical meetings and Regional Conferences;
- c) current reporting lines and suggestions for reporting to FAO governing bodies through the Technical Committees of the Council and/or Regional Conferences; and
- d) relevant administrative and financial matters.

character. Taking into account the differentiated situation of bodies established under Article XIV of the Constitution, it invited the Secretariat to speed up the process of consultation on both administrative and substantive issues in an active and pragmatic manner.<sup>5</sup>

9. At its Hundred and Forty-third Session (28 November-2 December 2011)<sup>6</sup>, the Council underlined the desirability of maintaining coherence between the activities of statutory bodies and those of the Organization, recommended that the Organization's rules and procedures applicable to Observers be in line with those in force in the United Nations, as set out in paragraph 16 of document PC 108/10<sup>7</sup>, and looked forward to the outcome of consultations on administrative matters.

10. Subsequently, a meeting, involving secretaries of Article XIV Bodies as well as senior representatives of relevant units of FAO, was organized on 30 January 2012. The meeting participants reviewed (i) administrative and financial issues pertaining to the effective and efficient functioning of these statutory bodies, while preserving overall FAO's integrity and interests (ii) visibility and identity issues pertaining to the overall outreach strategy of the Organization and specific interests of statutory bodies, (iii) issues relating to the participation of observers in meetings of the Article XIV bodies and (iv) the reporting relationship between the Article XIV Bodies and the FAO governing bodies, with a view to maintaining coherence between their activities and those of the Organization.

11. This consultation showed that a number of bodies have developed a range of different and at times creative, solutions to address functional/operational issues of concern. Conscious of the continuing need to enhance the efficiency of its statutory bodies, FAO management has already acknowledged the differentiated nature of Article XIV bodies and the need to ensure more flexible procedures and working arrangements to allow them to enhance their responsiveness to the needs of their respective membership.

12. Further to the Council recommendation set out in paragraph 5 above, an invitation to answer a questionnaire on Article XIV Bodies was extended to FAO Members through established official channels of communication. The questionnaire invited Members to seek the views of the constituencies of the relevant Article XIV bodies, as appropriate and, as far as possible, to ensure consistency between the views presented by their delegations within the Governing Bodies of FAO and within the relevant Article XIV Bodies.

13. The responses to the questionnaire will be reviewed and analyzed with the view to report to the Programme Committee<sup>8</sup>, the Finance Committee and the CCLM, as appropriate, on the outcome of consultations with secretaries and Membership. Meanwhile, initiatives towards improvement of operational autonomy of Article XIV bodies within the framework of FAO have been already taken on selected administrative issues in close consultation with units of the Organization<sup>9</sup>. Other activities will be taken up on a case-by-case basis, as appropriate.

**Members may wish to request the Secretariat to report to the next session of the Desert Locust Control Committee on the subject matter.**

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<sup>5</sup> Paragraphs 19 to 24 of the Programme Committee Report – CL 143/7

<sup>6</sup> CL 143/REP, para.22.

<sup>7</sup> Paragraph 16 of Document PC 108/10 states: "The Secretariat is considering initiating a review of the Organization's rules and procedures applicable to observers of NGOs, possibly along the lines of procedures in force at the United Nations."

<sup>8</sup> The Committee expects to receive a report on the outcome of these consultations on administrative matters at its October 2012 session, including information on the consultation process and progress with membership of Article XIV bodies and other stakeholders.

<sup>9</sup> See, e.g. Director-General's Bulletin (DGB 2012/18) on "Official Travel of FAO Staff" which includes travel of Article XIV bodies.