

codex alimentarius commission



FOOD AND AGRICULTURE
ORGANIZATION
OF THE UNITED NATIONS

WORLD
HEALTH
ORGANIZATION



JOINT OFFICE: Viale delle Terme di Caracalla 00100 ROME Tel: 39 06 57051 www.codexalimentarius.net Email: codex@fao.org Facsimile: 39 06 5705 4593

Agenda Item 5

JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX COMMITTEE ON GENERAL PRINCIPLES

Sixteenth Session, Paris, 23-27 April 2001

THE EXECUTIVE COMMITTEE AND RELATED MATTERS

BACKGROUND

1. The 23rd Session of the Codex Alimentarius Commission (1999) discussed a number of issues related to the composition of the Executive Committee and the participation of observers in its work. These issues were:

- participation of a limited number of representatives of international non-governmental organizations as observers;
- enlargement of the Executive Committee to include additional Members from the different Regions along the lines of the FAO Council;
- clarification of the rights of Member countries to participate in sessions of the Executive Committee as observers; and
- possibility of the participation of a limited number of developing Member countries as observers.¹

2. The Commission referred these questions to the Committee on General Principles, which discussed them at its 15th Session on the basis of a paper provided by the Secretariat (CX/GP 00/6). In the course of the discussion in addition to the above questions relating to the composition and transparency, questions were raised about the role of the Executive Committee. It was proposed by some delegations that the role of the Executive Committee be reviewed with a view to its possible abolition; its functions being assumed by the Commission which would meet annually as provided for in Rule IV.1 of the Rules of Procedure.

3. The Secretariat was requested to provide a paper on this matter for consideration of the Committee at its 16th Session and was also requested to provide for consideration specific modalities for improving transparency,

¹ ALINORM 99/37, paras. 44-46.

For reasons of economy, this document is produced in a limited number of copies. Delegates and observers are kindly requested to bring it to the meetings and to refrain from asking for additional copies, unless strictly indispensable.
Most FAO meeting documents are available on Internet at www.fao.org

for the representative participation of INGOs and for additional participation of developing countries in case that the Executive Committee would not be abolished.²

CURRENT STATUS AND WORK OF THE EXECUTIVE COMMITTEE

4. The establishment and general functions of the Executive Committee are provided for in Article 6 of the Statutes of the Codex Alimentarius Commission:

Article 6: The Commission shall establish an Executive Committee whose composition should ensure an adequate representation of the various geographical regions of the world to which the Members of the Commission belong. Between sessions, the Executive Committee shall act as the executive organ of the Commission.

5. The composition, powers and working procedures of the Executive Committee are defined more in detail by Rule III of the Commission's Rules of Procedure. In accordance with Rule V.1, the Executive Committee may be consulted by the Directors-General concerning the preparation of the Provisional Agenda for Commission sessions. The role of Regional Coordinators as observers in the Executive Committee is stated explicitly in Rule II.4 (c) and (d).

Powers and Functions pursuant to Rule III.2

Establishment of Subsidiary Bodies

6. The Executive Committee may, subject to confirmation of the Commission's next session, use the Commission's authority to establish new Codex Committees/Task Forces when deemed essential and to designate the Host Governments of Codex Committees/Task Forces. In practice this authority has not been used by the Executive Committee.

General Orientation and Programme of Work

7. This function is the basis of the Executive Committee's consideration of the Medium-Term Plans of the Commission and has now been extended to include the consideration of a strategic framework and the Chairperson's Action Plan.

Study of Special Problems

8. This function has been little used in recent years, and to a considerable degree has been taken over by the Codex Committee on General Principles thereby allowing more inclusive and transparent debate on the study of special problems. The current work on risk analysis being undertaken by the Committee on General Principles may be cited as an example.

Implementation of the Commission's Programme of Work

9. In accordance with Rule III.2 and the *Procedure for the Elaboration of Codex Standards and Related Texts*, the Executive Committee acts on behalf of the Commission at two important points in the elaboration procedure, namely, the decision to proceed with the elaboration of a standard or similar text (Step 1) and advancement of a proposed draft standard to the status of draft standard at Step 5. The Executive Committee may also approve the use of the Accelerated Procedure.

10. The Executive Committee also assists in the coordination of the Commission's programme of work between different Codex Committees and Task Forces. The Executive Committee has also used its executive powers to establish time frames for the completion of specific items of work.

Composition

11. The present membership of the Executive Committee is composed of the Chairperson and Vice-Chairpersons of the Commission and seven further Members representing the seven FAO Regions (Africa, Asia,

² ALINORM 01/33, paras. 78-84.

Europe, Latin America and the Caribbean, Near East, North America, and South-West Pacific). The rules require that not more than one delegate from any one country shall be a member of the Executive Committee. In accordance with earlier decisions of the Commission, each Member representing a region may be accompanied by two advisers from that region and the seven Regional Coordinators are also each entitled to participate in the sessions of the Executive Committee as observers. The Composition of the Executive Committee has been debated on several occasions. The most recent debate resulted in the enlargement of the Executive Committee from 10 to 11 Members by providing for the election of a Member representing the Region of the Near East (23rd Session, 1999). Previous decisions of the Commission have provided for the attendance of Regional Coordinators as observers (9th Session, 1967) and for the attendance of a limited number of advisors to Regional Representatives (18th Session, 1989). The question of the admittance of observers other than the Regional Coordinators continues to be the subject of debate.

Pattern of Meetings

12. Rule III.4 of the Rules of Procedure allows for the Executive Committee to be convened as often as necessary and also state that it should meet immediately prior to each session of the Commission. In practice the Executive Committee meets on an annual basis with a longer meeting in the years between Commission sessions when it is acting as the executive organ of the Commission, and a shorter meeting immediately prior to Commission sessions. It has always met approximately at the mid-point between Commission sessions, even when the Commission met on an annual basis (1st to 8th Sessions; 1963-1971). It is of interest that for the first three Commission sessions, the Executive Committee also met immediately after the Commission³.

ABOLITION OF THE EXECUTIVE COMMITTEE

Legal and Procedural Issues

13. Should the Commission wish to proceed with the abolition of the Executive Committee, a request would have to be made to the FAO Conference and the World Health Assembly to amend the Statutes of the Commission by the deletion of Article 6. This would be followed by consequential deletion of, or amendments to the Commission's Rules of Procedure and deletion of references to the Executive Committee in the *Procedures for the Elaboration of Codex Standards and Related Texts* and the *Criteria for the Establishment of Subsidiary Bodies by the Commission*. The deletions and amendments required are given in detail in Annex 1.

14. In principle, amendments to the Rules of Procedure would depend on the agreement of the FAO Conference and the World Health Assembly to delete Article 6 of the Statutes as a prior condition to abolishing the Executive Committee. In practice, the Commission could adopt the necessary amendments to the Rules and forward them to the Directors-General of FAO and WHO for approval as required by Rule XIII.1, with the recommendation that they should only be approved after agreement of the governing bodies to delete Article 6 from the Statutes had been obtained.

Administrative and Financial Implications⁴

15. The Executive Committee currently meets for a total of five days per biennium and currently works in four out of the five official languages.⁵ Depending on the languages used, interpretation, translation and documentation costs could be used to support an equivalent number of meeting days of the Commission or the Commission's Regional Bodies funded from the Codex Budget. The Executive Committee does not require intensive documentation however it should be anticipated that any savings resulting from documentation would be inadequate to cover fully these costs in relation to other meetings.

³ The Council of FAO is required to meet immediately after sessions of FAO Conference to "take any action of an urgent nature arising out of decisions of the Conference" (General Rule XXV.2 of FAO).

⁴ The administrative and budgetary implications of the proposals in this paper are provided in outline to assist the Committee on General Principles in its discussions.

⁵ There is not, currently, a Chinese-speaking member of the Executive Committee.

16. Under Rule V.1 of the Rules of Procedure, the Executive Committee may be consulted on the draft Provisional Agenda for the subsequent Commission session, prior to its finalization by the Directors-General of FAO and WHO. Although it is current practice to consult the Executive Committee, this is not obligatory and there would be no administrative consequences resulting from the abolition of the Executive Committee.

17. One of the standing items on the Agenda of Executive Committee meetings is consideration of budget estimates. However, Rule XI.1 only requires that the Commission consider this matter. There would therefore be no administrative implications in this area should the Executive Committee be abolished.

ALTERNATIVES TO THE EXECUTIVE COMMITTEE

18. In the course of recent debates on the nature and composition of the Executive Committee a number of alternative proposals or suggestions have been made. These are examined in this section.

Annual meetings of the Commission

19. The proposal raised during the course of the 15th Session of the Codex Committee on General Principles suggested the replacement of the Executive Committee by annual meetings of the Commission. This in effect would mean that the Commission absorbs the functions of the Executive Committee specified in Rules III.2, especially in relation to determining the general orientation and programme of work as well as studies of special problems. The Commission would also be required to take all necessary actions at Steps 1, 5 and 8 of the Procedure for the Elaboration of Codex Standards and Related Texts. This alternative resolves the issue of observer status for both Members of the Commission that are not Members of the Executive Committee, observer status for representative international non-governmental organizations, and any similar issues related to transparency and inclusiveness.

20. Annual meetings of the Commission could be organized on the basis of a “short session” that would deal mainly with the consideration of standards and related texts, and a “long session” that would consider thematic issues such as the development of the Medium-Term Plan as well as the adoption of standards and related texts. The combined duration of the two sessions would equal the combined duration of the current Executive Committee and Commission sessions in each biennium. Both sessions would be considered as “regular” sessions within the meaning of Rule IV.1 of the Commission’s Rules of Procedure.

21. Although these sessions could be organized on the basis of “long” and “short” meetings, it should be borne in mind that the Commission is required by its Rules of Procedure to consider certain matters at each regular session:

- Election of Chairperson and Vice-Chairpersons (Rule II.1);
- Designation of host governments (Rule IX.10); and
- Consideration of budget and expenditures (Rule XI.1).

22. Certain matters that are currently considered by each biennial Commission session could continue to be considered on a biennial basis, including the appointment of Regional Coordinators (Rule II.4(a) and II.4(b)) and the consideration of reports of Regional Coordinating Committees. Annual meetings of the Commission would not therefore require Regional Coordinating Committees to meet annually. Apart from the amendments to the Rules of Procedure and other texts referred to in paragraph 13 required to abolish the Executive Committee, no other changes to the Rules would be required to implement this proposal.⁶

Administrative and Financial Implications

23. The administrative and financial implications of the Commission meeting annually are the same as those described in paras. 15-17, above.

⁶ As noted in this paragraph, it is the Commission’s current practice to appoint Coordinators at each biennial session. However, Rule II.4(b) allows Coordinators to be appointed for a term of office equal to three Commission sessions, this term being renewable once only.

Other Possible Mechanisms

24. It has been suggested that the informal meetings of the Chairpersons of Codex Committees and Task Forces could be given formal status and given the task of coordinating the Commission's programme of work, in particular work requiring the consideration of two or more Codex Committees/Task Forces. The Chairperson and Vice-Chairpersons of the Commission would be *ex officio* members of this coordinating committee. This suggestion has been criticised on the basis that such a committee would not be representative of the Commission's regional membership.⁷ It has also been suggested that the Chairperson, the Vice-Chairpersons and the Regional Coordinators as "Officers of the Commission" elected or appointed under Rule II of the Commission's Rules of Procedure could form an "Executive or Advisory Board" or "General Committee" to advise the Commission on the general orientation of the Commission's programme of work and consider, or develop proposals for, the medium and long-term plans of work. The establishment of such an "executive board" raises many of the issues that currently exist in relation to the Executive Committee.

Administrative and Financial Implications

25. Such proposals entail different administrative and financial implications. These are summarised as follows:

- Meetings of a Coordinating Committee of Codex Chairpersons would require meeting facilities and interpretation for up to two sessions plus one session for the adoption of a report. Documentation costs would include the preparation and translation of the draft report and distribution of the final report.
- The establishment of an Executive, Advisory Board or General Committee would entail all of the administrative and financial implications of the current Executive Committee, requiring the preparation, translation and distribution of a Provisional Agenda, working documents, draft and final reports, as well as interpretation costs.

RESTRUCTURING THE EXECUTIVE COMMITTEE

26. As noted above, the Secretariat has been requested to propose specific modalities for improving transparency, for the representative participation of INGOs and for additional participation of developing countries, in case that the Executive Committee would not be abolished. In undertaking this work, the Secretariat has reviewed the models provided by the FAO Council and the Executive Board of WHO.

Composition of the Executive Committee

27. To provide additional participation of developing countries, the composition of the Executive Committee could be enlarged and consist of the Chairperson, and Vice-Chairpersons elected in accordance with Rule II.1, the Regional Coordinators appointed in accordance with Rule II.4, and Members elected on a geographic basis according to Table 1. On this basis, participation in the Executive Committee would be expanded from 11 members⁸ to 26 members assuming that the current arrangement of a combined Regional Coordinator for the Regions of North America and the South-West Pacific would be maintained. Should the Commission decide in the future to appoint separate Coordinators for these Regions, there would be an additional Coordinator represented on the Executive Committee.

28. Recognizing that the Chairperson and Vice-Chairpersons are elected as delegates in their personal capacities, the linkage preventing than one delegate from any one country sitting on the Executive Committee has been removed. Maintaining this linkage would have the effect of preventing the election of any Chairperson or Vice-Chairperson from the Region of North America. The geographic representation required by Article 6 of the Statutes is assured by the proposed revised Rule III.1 (See Annex 2).

29. To provide for both continuity of membership and the principle of rotation, the terms of office of the Members of the Executive Committee should be coordinated as proposed in Table 2.

⁷ Executive Committee reference. Eighteen of the twenty-four currently established Codex Committees and Task Forces (excluding Regional Coordinating Committees) are based in only two of the Commission's seven regions.

⁸ The term "members" is used here to distinguish members of the Executive Committee from Members of the Commission.

30. In line with the rules governing the participation at the FAO Council and the Executive Board of WHO, Members of the Executive Committee, with the exception of the Chairperson and the Vice-Chairpersons, may be accompanied by alternates and advisers. The amendments required are given in Annex 2.

Table 1: Proposed Composition of the Executive Committee

	Current Members of the Commission	Composition of the Executive Committee
Chairperson and Vice-Chairpersons	-	4
Regional Coordinators	-	6
Members elected on a Regional Basis as follows:		16
Africa	41	3
Asia	21	3
Europe	40	3
Latin America and the Caribbean	31	3
Near East	19	2
North America	2	1
South-West Pacific	11	1

Table 2: Terms of Office and Rotation of Members of the Executive Committee

Member/Officer of the Commission	Duration of each Term of Office (Sessions of the Commission)
Chairperson and Vice-Chairpersons	One
Regional Coordinators	Two
Additional Members elected on a Geographic Basis	Two: one-half the number (8) to be elected at each session of the Commission ⁹

Observers

31. Bearing in mind that an enlarged Executive Committee would be more representative of the membership of the Commission, the Commission may wish to decide against the admission of observers. However, such a decision would raise the question of transparency of the Executive Committee's decision-making and since an enlarged Executive Committee would have significant authority to act on behalf of the Commission, the question of transparency would be a significant one. In relation to the participation of Member countries as observers, the Committee on General Principles may wish to recommend that meetings of the Executive Committee be restricted to the participation without the right to vote, of non-members that have requested an item to be included on the agenda. It may also wish to recommend a limited but representative participation of those international nongovernmental organizations normally participating in the Commission's work in accordance with the "*Principles concerning the Participation of International Nongovernmental Organizations in the work of the Codex Alimentarius Commission*". The mechanism to be followed would be similar to that used for the World Food Summit. See paragraphs 37-39 below for a more detailed explanation of this option.

⁹ At the first election meeting of the enlarged Executive Committee, the Commission shall decide which Members of Regions with more than one Member of the Executive Committee will serve for a half-term (one session of the Commission).

Functions

32. The Commission may wish to delegate additional functions to such an enlarged, restructured Executive Committee including the authority to adopt standards and related texts and to make recommendations to the Directors-General on the Provisional Agenda for Commission sessions and on budgetary matters.

Sessions

33. The restructuring of the Executive Committee on the lines indicated would mean that the Commission would not need to meet on an annual basis, and that the Executive Committee should meet approximately midway between regular sessions of the Commission. Consideration may be given to abolishing the requirement that the Executive Committee meet immediately prior to Commission sessions, but requiring it to meet immediately after Commission sessions to determine the implementation and coordination of the Commission's programme of work.

Administrative and Financial Implications

34. The above proposal has significant administrative and financial implications. The enlarged Executive Committee would need approximately the same administrative requirements as a Commission session, including the use of all five languages of the Commission and extensive documentation.. Moreover, should the Commission agree to delegate more authority to the Executive Committee it would have to be foreseen that sessions of the Executive Committee would need to be extended to 4 or 5 days; that is, about the same length as Commission sessions themselves.

MAINTAINING THE *STATUS QUO*

35. The Committee on General Principles may wish to advise the Commission that the current status and composition of the Executive Committee should be maintained. If this were to be the case, two questions remain to be resolved, namely the conditions under which Members of the Commission could participate in meetings of the Executive Committee when matters of particular interest to them were being discussed, and the representative participation of INGOs.

36. The right of Members of the Commission that are not Members of the Executive Committee to attend sessions is not clearly defined in either the Commission's Statutes or Rules of Procedure as they have been applied in practice and requires an interpretation of Rule VII.3 of the Rules of Procedure combined with Articles 6 and 7 of the Statutes. This right and the conditions under which the right is exercised is clearly defined in the Rules of Procedure of both FAO Council and the WHO Executive Board¹⁰ and it is proposed that similar rights and conditions be inserted into the Commission's Rules of Procedure.

Selection of INGO observers

37. The Executive Committee as currently structured consists of the Chairperson and Vice-Chairpersons elected as individuals, and representatives of a limited number of Member Nations either as Members (Regional Representatives) or as observers (Regional Coordinators). Extension of the representative nature of the Executive Committee to include international nongovernmental organizations would reflect the general inclusive nature of participation in the Commission and all other Codex Committees and Task Forces. The Commission may wish to allow the participation of a limited, fixed number of representative INGOs to participate in debates and submit memoranda, but without the right to vote.

38. The discussions in the Commission clearly reflected the conflicting concerns to allow for more transparency in the Codex process and in particular in the deliberations of the Executive Committee while preserving its efficiency as an organ of the Codex Commission charged with overseeing the implementation of Commission decisions and preparing procedurally for Commission sessions. The Commission itself has suggested a way of achieving this balance, through the representation of the three main groups of INGOs as observers on the Executive Committee, namely consumers and other public interest groups; the food industry,

¹⁰

FAO General Rules: Rule XXV.9(c) and Rules of Procedure of the Executive Board of WHO: Rule 3.

trade and marketing organizations; and professional and scientific international non-governmental organizations. A similar approach was taken during the World Food Summit, when INGOs were asked to network themselves into representatives of different interest groups or constituencies at the Summit, with a single observer representing and speaking for each constituency¹¹. An important element of this approach was that the INGOs in each group should be responsible for selecting their representatives and not the session itself. Following this approach, it is recommended that the INGOs of each group be asked to form a network or caucus and to nominate a single representative of that network to be invited to attend sessions of the Executive Committee as an observer. From time to time the Commission should review whether or not the number or representative INGOs is adequate to ensure the best representation of all parties interested in contributing to the Commission's work.

Modalities of participation of INGO observers

39. The normal rules regarding the participation of INGO observers in meetings of FAO or WHO, and indeed of the Codex Commission itself, are that INGO observers may make statements at the invitation of the Chairperson only after members of the body itself have spoken, and, in the event that there are observers from Members of the Commission that are not members of the body concerned, after those Member countries observers have spoken. Of course, a certain flexibility is given to the Chairman of the meeting, under the authority of the meeting, in the application of this rule in practice. The Committee may wish to consider the extent to which this principle should be followed or modified with respect to INGO observers in the Executive Committee.

CONCLUSIONS

40. The Committee on General Principles is invited to review the present paper and make one or more of the following recommendations to the Commission:

- a) Whether or not to abolish the Executive Committee;
- b) Whether or not the Executive Committee should be restructured as indicated above;
- c) Whether to propose an amendment concerning the rights of Members of the Commission to attend sessions of the Executive Committee under specified conditions and whether to make recommendations concerning the representative participation of international nongovernmental organizations at meetings of the Executive Committee;
- d) Whether to maintain the *status quo* in relation to the structure, composition and functions of the Executive Committee.

41. Proposed amendments to the Rules of Procedure that would give effect to the above recommendations are contained in the Annexes to this paper.

¹¹ Rule 53 of the Rules of Procedure of the World Food Summit provided as follows:

Observers of Non-Governmental Organizations

1. Non-governmental organizations invited to the Summit may designate representatives to sit as observers at public meetings of the Summit on questions within the scope of their activities.
2. The Chairman shall invite such non-governmental organizations to form themselves into a limited number of constituencies. Upon the invitation of the Chairman, and subject to its approval, such constituencies may, through their spokespersons, make oral statements on questions within the scope of their activities.

AMENDMENTS ABOLISHING THE EXECUTIVE COMMITTEE

Actions RequiredAmendment to the Statutes:

- Delete Article 6;

Amendments to the Rules of Procedure:

- **Rule II - Officers:** delete reference to the Executive Committee in Rule II.4(c)(ii) and delete Rule II.4(d)
- **Rule III - Executive Committee:** delete entirely
- **Rule IV.1 - Sessions:** delete reference to the Executive Committee
- **Rule V.1 - Agenda:** delete reference to the Executive Committee

Consequential amendments elsewhere in the Procedural Manual

- **Procedures for the Elaboration of Codex Standards and Related Texts:** delete reference to the Executive Committee as follows
 - *Introduction*, paragraphs 1 and 2
 - Steps 1 and 5 of the *Uniform Procedure for the Elaboration of Codex Standards and Related Texts*
 - Step 1 of *Uniform Accelerated Procedure for the Elaboration of Codex Standards and Related Texts*

Procedures

The abolition of the Executive Committee requires the approval of the FAO Conference and the World Health Assembly to delete Article 6 of the Statutes. The Commission would recommend to these governing bodies that Article 6 be deleted from the Statutes and that Articles 7 to 10 be renumbered accordingly. The quorum for making recommendations to amend the Statutes is a majority of the Members of the Commission (Rule IV.6). The recommendation may be adopted by a simple majority (Rule VI.2).

Amendments or additions to the Rules of Procedure require a quorum equal to the majority of the Members of the Commission (Rule IV.6) and are adopted by a two-thirds majority of the votes cast (Rule XIII.1). They come into force only after their approval by the Directors-General subject to such confirmation as may be required by the procedures of the two Organizations. Amendments to the Elaboration Procedures may be made by the Commission by a simple majority of the votes cast (rule VI. 2), the quorum being a majority of the members of the Commission attending the session (Rule IV.6) (Rule X.1).

In practice, the above amendments to the Rules of Procedure could only come into force upon the agreement of the governing bodies of FAO and WHO to amend the Statutes.

AMENDMENTS RESTRUCTURING THE EXECUTIVE COMMITTEE

Actions Required:

Amendments to the Rules of Procedure

Rule II – Officers of the Commission

- Amend Rule II.4(b) as follows:

(b) Appointment of Coordinators shall be made exclusively on the proposal of a majority of the Members of the Commission which constitute the region or group of countries concerned. Coordinators shall hold office from the end of the session of the Commission at which they were appointed until not later than the end of the ~~third succeeding~~ next regular session, ~~the precise term being determined by the Commission in each instance.~~ Coordinators shall be eligible for re-appointment but after having served two consecutive terms, the Coordinators shall be ineligible to hold such office for the next succeeding term.

- Delete Rule II.4(d)

Rule III - Executive Committee

- Replace Rule III with the following:

1. The Executive Committee shall consist of the Chairperson, Vice-Chairpersons and Coordinators of the Commission together with as many members as required to bring the total number to twenty-six persons, the members being elected by the Commission at regular sessions of the Commission from among the Members of the Commission from the following geographic locations: Africa (3 Members), Asia (3 Members), Europe (3 Members), Latin America and the Caribbean (3 Members), Near East (2 Members), North America (1 Member), South-west Pacific (1 Member). Members elected on a geographic basis shall hold office from the end of the session of the Commission at which they were elected until the end of the second succeeding regular session and shall be eligible for re-election but having served two terms shall be ineligible for re-election. The Commission shall make arrangements so that one half of these Members elected on a regional basis shall be elected at each regular session of the Commission. The delegates of Members elected on a regional basis may be accompanied at session of the Executive Committee by alternates and advisors.

2. The Executive Committee shall, between sessions of the Commission, act on behalf of the Commission as its executive organ. In particular the Executive Committee may make proposals to the Commission regarding the general orientation and programme of work of the Commission, study special problems and help implement the programme as approved by the Commission. The Executive Committee may also exercise any of the powers of the Commission delegated to it by the Commission with the exception of the powers of the Commission described in Rule II, Rule IX.1(a), and Rule XIII.

3. The Chairperson and Vice-Chairpersons of the Commission shall be respectively the Chairperson and Vice-Chairpersons of the Executive Committee.

4. Sessions of the Executive Committee may be convened as often as necessary by the Directors-General of FAO and WHO, in consultation with the Chairperson.

5. The Executive Committee shall report to the Commission.

AMENDMENTS CONCERNING OBSERVERS

Actions requiredGeneral Comments

The following texts may be applied to the the existing Rules governing the Executive Committee or to the draft amendments shown in Annex 2. In either case the text should be included immediately before the Rule stating that “The Executive Committee shall report to the Commission”.

Members of the Commission - Alternative texts:

1. A Member of the Commission that is not a member of the Executive Committee and that has requested the inclusion of an item on the agenda of the Commission or the Executive Committee in accordance with the provisions of Rule V.5, may attend any meeting of the Executive Committee at which its request is discussed, and may participate, without vote, in the discussion of the item.

or

A Member of the Commission that is not a member of the Executive Committee may submit memoranda on any item on the agenda and participate without vote in any discussion at any meeting of the Executive Committee, unless, in exceptional circumstances, the Executive Committee decides that it is necessary in the interests of the Commission to restrict attendance to the membership of the Executive Committee.

International Governmental or Non-Governmental Organizations:

2. Subject to the the provisons of Rule VII.4 the Directors-General may invite intergovernmental organizations and a limited number of international nongovernmental organizations from among those organizations having observer status with the Commission and such organizations may submit memoranda on any item on the agenda and participate without vote in any discussion at any public meeting of the Executive Committee. The Commission shall from time to time advise the Directors-General on the number of international nongovernmental organizations to be invited and shall establish procedures to ensure that the international nongovernmental organizations to be invited are representative of the overall participation of such organizations in the work of the Commission.

Private Sessions

3. The Executive Committee may decide to meet in private for the discussion of any particular item on its agenda.