

REPORT

OF THE COUNCIL OF FAO

Hundred and Twenty-ninth Session
Rome, 16-18 November 2005



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COUNCIL
(as from 1 January 2005)

Independent Chairperson of the Council: Aziz Mekouar

Algeria ³	Finland ¹	Panama ²
Angola ²	France ¹	Peru ²
Armenia ²	Germany ²	Philippines ²
Australia ¹	Guatemala ¹	Republic of Korea ²
Bangladesh ²	India ¹	Romania ²
Bolivia ³	Indonesia ¹	Saudi Arabia ¹
Brazil ³	Iran, Islamic Republic of ²	Slovenia ³
Canada ³	Italy ¹	Swaziland ¹
Cape Verde ³	Japan ²	Syrian Arab Republic ¹
Chile ²	Mali ³	Thailand ²
China ²	Malta ³	Trinidad and Tobago ³
Congo ²	Mauritius ¹	Uganda ²
Côte d'Ivoire ¹	Mexico ³	United Arab Emirates ³
Cuba ³	Netherlands ³	United Kingdom ¹
Democratic Republic of the Congo ^{3,4}	Nigeria ¹	United States of America ³
Egypt ¹	Oman ³	
Eritrea ³	Pakistan ¹	

¹ Term of office until the conclusion of the Thirty-third Session of the Conference, November 2005.

² Term of office until 31 December 2006.

³ Term of office until the conclusion of the Thirty-fourth Session of the Conference, November 2007.

⁴ Deemed to have resigned in accordance with Rule XXII-7 of the General Rules of the Organization.

**PROGRAMME COMMITTEE
(November 2003 – November 2005)**

Chairperson

Members

Netherlands (Ewald Wermuth)	Afghanistan (A.R. Ayazi) Australia (B.J. Hughes) ¹ Canada (B.G. Hankey) ² Dominican Republic (M. A. Caamaño) India (G. Nair)	Jamaica (F.B. Zenny) Lebanon (Ms W. Dikah) Malaysia (R. Bin Khalid) ³ Nigeria (G.G. Lombin) South Africa (Ms M. Mohapi)
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¹ Replaced by Ms J. Barfield as of the Ninety-third Session.

² Replaced by J. Melanson as of the Ninety-second Session.

³ Replaced by J. Ramli as of the Ninety-third Session.

**FINANCE COMMITTEE
(November 2003 – November 2005)**

Chairperson

Members

Peru (R. Seminario Portocarrero)	Côte d'Ivoire (A. Bakayoko) Italy (A. Zodda) Japan (Ms R. Inoue) ^{1 2} Kuwait (Ms L.A. Al-Saqqaf) New Zealand (S.J. Draper) ³	Pakistan (M. Saleem Khan) ^{4 5} Paraguay (Ms A.M. Baiardi Quesnel) United Kingdom (A. Beattie) ⁶ United States of America (J.M. Cleverley) ⁷ Zimbabwe (Ms V. Takaendesha) ⁸
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¹ Replaced by F. Kabuta for the Hundred and Sixth Session.

² Replaced by S. Yokoi as of the Hundred and Tenth Session.

³ Replaced by Ms A. Bryant as of the Hundred and Ninth Session.

⁴ Replaced by M. H. Syed for the Hundred and Eighth Session.

⁵ Replaced by A. A. Khawaja as of the Hundred and Tenth Session.

⁶ Replaced by N. Briscoe for the Hundred and Eleventh Session.

⁷ Replaced by W.H. Brakel for the Hundred and Eleventh Session.

⁸ Replaced by Ms M.M. Muchada for the Hundred and Ninth Session.

**COMMITTEE ON CONSTITUTIONAL AND LEGAL MATTERS
(November 2003 – November 2005)**

Canada Czech Republic France Guatemala	Iraq Niger Philippines
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WFP EXECUTIVE BOARD 2004

Term of office expiring	Elected by FAO Council	Elected by ECOSOC
31 December 2005	Switzerland (D) ¹ Indonesia (B) Finland (D) ² Libyan Arab Jamahiriya (A) Peru (C) Slovakia (E)	Iran, Islamic Republic of (B) Japan (D) Malawi (A) Mexico (C) Poland (E) Sweden (D)
31 December 2006	Angola (A) Bangladesh (B) Nicaragua (C) ³ Netherlands (D) Syrian Arab Republic (B) United States of America (D)	Greece (D) India (B) Norway (D) Pakistan (B) Russian Federation (E) Senegal (A)
31 December 2007	Canada (D) Congo (A) Germany (D) Haiti (C) Niger (A) Kuwait (B) ⁴	Australia (D) China (B) Cuba (C) Ethiopia (A) Norway (D) Tunisia (A)

¹ Replaced Belgium.

² Replaced Ireland.

³ Replaced El Salvador.

⁴ Replaced Thailand.

FAO MEMBERS (188)

(at 18 November 2005)

Afghanistan	Georgia	Palau
Albania	Germany	Panama
Algeria	Ghana	Papua New Guinea
Angola	Greece	Paraguay
Antigua and Barbuda	Grenada	Peru
Argentina	Guatemala	Philippines
Armenia	Guinea	Poland
Australia	Guinea-Bissau	Portugal
Austria	Guyana	Qatar
Azerbaijan	Haiti	Republic of Korea
Bahamas	Honduras	Republic of Moldova
Bahrain	Hungary	Romania
Bangladesh	Iceland	Rwanda
Barbados	India	Saint Kitts and Nevis
Belgium	Indonesia	Saint Lucia
Belize	Iran, Islamic Republic of	Saint Vincent and the Grenadines
Benin	Iraq	Samoa
Bhutan	Ireland	San Marino
Bolivia	Israel	Sao Tome and Principe
Bosnia and Herzegovina	Italy	Saudi Arabia
Botswana	Jamaica	Senegal
Brazil	Japan	Serbia and Montenegro
Bulgaria	Jordan	Seychelles
Burkina Faso	Kazakhstan	Sierra Leone
Burundi	Kenya	Slovakia
Cambodia	Kiribati	Slovenia
Cameroon	Kuwait	Solomon Islands
Canada	Kyrgyzstan	Somalia
Cape Verde	Lao People's Democratic Republic	South Africa
Central African Republic	Latvia	Spain
Chad	Lebanon	Sri Lanka
Chile	Lesotho	Sudan
China	Liberia	Suriname
Colombia	Libyan Arab Jamahiriya	Swaziland
Comoros	Lithuania	Sweden
Congo	Luxembourg	Switzerland
Cook Islands	Madagascar	Syrian Arab Republic
Costa Rica	Malawi	Tajikistan
Côte d'Ivoire	Malaysia	Thailand
Croatia	Maldives	The former Yugoslav Republic of Macedonia
Cuba	Mali	Timor-Leste
Cyprus	Malta	Togo
Czech Republic	Marshall Islands	Tonga
Democratic People's Republic of Korea	Mauritania	Trinidad and Tobago
Democratic Republic of the Congo	Mauritius	Tunisia
Denmark	Mexico	Turkey
Djibouti	Micronesia, Federated States of	Turkmenistan
Dominica	Monaco	Tuvalu
Dominican Republic	Mongolia	Uganda
Ecuador	Morocco	Ukraine
Egypt	Mozambique	United Arab Emirates
El Salvador	Myanmar	United Kingdom
Equatorial Guinea	Namibia	United Republic of Tanzania
Eritrea	Nauru	United States of America
Estonia	Nepal	Uruguay
Ethiopia	Netherlands	Uzbekistan
European Community (Member Organization)	New Zealand	Vanuatu
Fiji	Nicaragua	Venezuela, Bolivarian Republic of
Finland	Niger	Viet Nam
France	Nigeria	Yemen
Gabon	Niue	Zambia
Gambia	Norway	Zimbabwe
	Oman	
	Pakistan	

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**VERBS INDICATING DECISIONS, DIRECTIVES AND RECOMMENDATIONS OF
THE COUNCIL ARE UNDERLINED**

INTRODUCTION - PROCEDURE OF THE SESSION

1. The Hundred and Twenty-ninth Session of the Council was held in Rome from 16 to 18 November 2005 under the Chairmanship of Aziz Mekouar, Independent Chairman of the Council.

ADOPTION OF THE AGENDA AND TIMETABLE¹

2. The Council noted the Declaration of Competence and Voting Rights presented by the European Community and adopted the Agenda and Timetable for the Session. The Agenda is given in *Appendix A* to this Report.

ELECTION OF THREE VICE-CHAIRPERSONS, AND DESIGNATION OF THE CHAIRPERSON AND MEMBERS OF THE DRAFTING COMMITTEE²

3. The Council elected three Vice-Chairpersons for its Session: Veli-Pekka Talvela (Finland), Adel Jalili (Iran, Islamic Republic of) and Philippe G. Lhuillier (Philippines).

4. The Council elected César Fión Morales (Guatemala) as Chairperson of the Drafting Committee with the following membership: Australia, Canada, Eritrea, Germany, Guatemala, Indonesia, Iran (Islamic Republic of), Italy, Japan, Mexico, Nigeria, Oman, Thailand and United Kingdom.

¹ CL 129/1; CL 129/1-Add.1; CL 129/INF/1; CL 129/INF/4; CL 129/PV/1; CL 129/PV/5.

² CL 129/PV/1; CL 129/PV/5.

ACTIVITIES OF FAO

PREPARATIONS FOR THE THIRTY-THIRD SESSION OF THE FAO CONFERENCE (RECOMMENDATIONS TO THE CONFERENCE)³

Nomination of the Chairperson of the Conference, and of the Chairpersons of the Commissions of the Conference

5. In Accordance with Rule VII of the General Rules of the Organization (GRO) the Council agreed to put the following nominations before the Conference:

Chairperson of the Conference: Cao Duc Phat (Viet Nam)

Chairperson of Commission I: Victoria Guardia de Hernández (Costa Rica)

Chairperson of Commission II: Zohrab Malek (Armenia)

Nomination of three Vice-Chairpersons of the Conference

6. In accordance with Rule VII GRO the Council agreed to put the following nominations before the Conference:

Arefaine Berhe (Eritrea)

Romualdo Bettini (Italy)

Abubaker El-Mansury (Libyan Arab Jamahiriya)

Nomination of seven Members of the General Committee

7. In accordance with Rule VII GRO the Council agreed to put the following nominations, provided for by Rule X-1 GRO, before the Conference:

Canada

Mali

China

New Zealand

Costa Rica

United Kingdom

Kuwait

³ C 2005/12; CL 129/PV/1; CL 129/PV/5.

PROGRAMME, BUDGETARY, FINANCIAL AND ADMINISTRATIVE MATTERS

PROGRAMME OF WORK AND BUDGET (PWB) 2006-2007⁴

8. The Council considered the Programme of Work and Budget proposals for the 2006-07 biennium, with the benefit of the comments made in the Reports of the Programme and Finance Committees.

Scope of PWB Documentation

9. The Council recognized that the PWB documentation was particularly complex, comprising:

- a main Programme of Work and Budget 2006-07 document;
- a Supplement to this main document, accompanied by an Addendum; and
- an information document entitled: *FAO Reform: A Vision for the Twenty-first Century*.⁵

10. The Council noted that the main PWB document had further elaborated the scenarios of Real Growth (RG) at 2.5 percent and Zero-Real Growth (ZRG). Some Members noted that a Zero Nominal Growth (ZNG) should have been presented at programme entity level in the PWB as well.

11. The Council further recognized that the Supplement was entirely devoted to substantial reform proposals from the Director-General, within two resource envelopes: the same RG of 2.5 percent per annum, and a Higher Real Growth (HRG) scenario of 9.25 percent for the biennium stemming from a specific request it had made at its last session in June.

12. The Council noted that the Addendum had been prepared in response to the request from the Programme and Finance Committees for clarifications on specific areas, so as to enable Members to understand better the impact of the proposed reforms. It observed that the information document, *FAO Reform: A Vision for the Twenty-first Century*, aimed at presenting the reforms in a less technical fashion, also placing them in a historical perspective.

Elements for Decision by the Membership

13. In this light, the Council underlined that the Membership had to take key decisions on both the budget level and the proposed reforms. In addition, the Council expressed its views on specific proposals in the main PWB document not directly linked to the reforms:

- it supported the establishment of a Security Expenditure Facility in the form of Chapter 9 of the PWB and the concurrent need to amend the Financial Regulations; a draft Resolution for the Conference had been prepared accordingly;
- the proposal requiring Members to pay their contributions without deduction of forecast of Miscellaneous Income, to help address the difficulties of the cash flow situation of the Organization and the accumulated deficit under the General Fund was put forward. A draft resolution had been formulated for this purpose. Differing positions were expressed regarding this proposal;

⁴ C 2005/3; C 2005/3-Corr.1; C 2005/3 Sup.1; C 2005/3-Sup.1-Add.1; CL 129/PV/2; CL 129/PV/3; CL/129/PV/5.

⁵ C 2005/INF/19

- the proposal to have the same amount in the next biennium, as approved by the last Conference for the current biennium, to pursue amortization of the liabilities linked to After-Service Medical Coverage (ASMC), was noted by the Council.

14. In order to facilitate further dialogue on the proposed reforms and seek ways to bridge gaps in positions among Members, the Council decided to establish a Working Group on Reforms, chaired by the Independent Chairman and with participation from all regional groups. This Working Group was expected to continue its work after this session of the Council.

Views on the reforms

15. The Council noted that the Director-General had emphasized that reforms were necessary and urgent, and should be implemented regardless of the budget level, and that he intended to seek extra-budgetary support to meet part of the transition costs.

16. The Council shared the Director-General's assessment of the need to enhance the Organization's ability to fulfil its mandate through its normative and operational activities including through concrete contributions to the well-recognized challenges such as assisting Members in implementing the Millennium Development Goals (MDGs). The Council recognized the need to respond to the renewed commitment to investment in agriculture and rural development by all interested partners, and the ever growing opportunities for harnessing knowledge for agriculture.

17. Taking into account the ongoing reform across the entire UN System, the Council welcomed the initiative of the Director-General to submit to the Conference reform proposals regarding the programmes, structures and ways of work of the Organization.

18. The Council expressed general support for the rationale and guiding principles underlying the reforms as a basis for further discussion of the Director-General's reform proposals and the implementation of the Reform of FAO.

19. The Council was mindful of the necessarily dynamic nature of a process of adaptation to changing contexts and new demands, and stressed that the Independent External Evaluation of FAO and the reform proposals should be mutually supportive.

Indications of Preferences on the Budget Level

20. Many Members underlined their support for Real Growth (RG), recalling in particular the needs for assistance in countries for the implementation of the MDGs and the central role of FAO thereof as part of concerted UN System action, and the extensive and varied requirements for capacity-building. In this light, they considered the proposed RG at 2.5 percent as a minimum, while some underscored the desirability of RG at a higher percentage.

21. Other Members favoured ZRG, or expressed their readiness for considering some increase in resources for the Organization.

22. While recognizing the key contributions of FAO to the development of regulatory frameworks and to the reduction of hunger and poverty, other Members stated their position for a ZNG budget or below-ZNG budget emphasising the difficulties of a number of Member Nations to make full payment of their Assessed Contributions.

23. Yet other Members did not specifically express their respective Governments' views at this stage.

Other Main Comments

24. Many Members stressed their expectation of seeing well-recognized substantive priorities to be adequately protected, irrespective of the budget level to be approved by the Conference.

25. Some Members addressed the potential interactions and possible attendant problems, between the Regular Programme and extra-budgetary resources entrusted to FAO, which were growing again after a period of decline and underscored the desirability of adequate policies and fully transparent information in this regard.

**REPORT OF THE JOINT MEETING OF THE NINETY-FOURTH SESSION OF
THE PROGRAMME COMMITTEE AND THE HUNDRED AND TENTH
SESSION OF THE FINANCE COMMITTEE (ROME, SEPTEMBER 2005)⁶**

26. The Council noted that, in addition to the Programme of Work and Budget 2006-07, the Joint Meeting had addressed two issues:

- review of programme planning and budgeting, based on an inventory of relevant practices in, and experiences of, other International Organizations; and
- within its standing item on savings and efficiencies in governance, an assessment of alternative arrangements for the meetings of the CCP and COAG.

27. In relation to the first issue, the Council looked forward to the discussion by the two Committees, at their next Joint Meeting in May 2006, of options for a streamlined and improved planning process, based on a document from the Secretariat.

28. With respect to CCP and COAG, the Council noted that the Committees would return to the matter of either a possible merger or retaining the current arrangements, at the next Joint Meeting of the Programme and Finance Committees.

29. It further underlined that governance issues such as this would also be addressed by the Independent External Evaluation of FAO.

**REPORT OF THE NINETY-FOURTH SESSION OF THE PROGRAMME
COMMITTEE (ROME, 19 – 23 SEPTEMBER 2005)⁷**

30. The Council noted that, in addition to the Programme of Work and Budget 2006-07, the Programme Committee had discussed a number of other issues. The Council addressed in particular the views expressed by the Programme Committee on:

- the Independent Evaluation of FAO's Decentralization and the related further Management Response;
- the Policy and Operational Framework of the Technical Cooperation Programme (TCP), in the light of comprehensive Management's Recommendations; and
- the Evaluation of the Cross-Organizational Strategy on Communicating FAO's Messages.

31. With regard to the Independent Evaluation of FAO's Decentralization, the Council noted the Committee's assessment to the effect that action on some of the recommendations which fell within the Director-General's authority were already under implementation. It was further noted that other recommendations had been reflected in the Director-General's reform proposals contained in the Supplement to the Programme of Work and Budget 2006-07.

32. In this regard, the Council shared the Committee's satisfaction with the management's response, and concurred that follow-up should be addressed.

33. Concerning the TCP, the Council fully agreed with the Committee's endorsement of the recommendations aimed at improved modalities and a strengthened programme.

34. The Council stressed in particular:

⁶ CL 129/2; CL 129/PV/1; CL 129/PV/5.

⁷ CL 129/3; CL 129/PV/1; CL 129/PV/5.

- the pertinence of the advice provided by the Programme Committee on country eligibility, as reflected in paragraph 42 of its report; thus, universality of access would remain a basic principle of the TCP, the main purpose of which would be to assist directly in the achievement of the MDGs, and that special attention would be given in the allocation of resources to the neediest countries; the earmarking of 15 percent of the TCP appropriation for emergency projects was supported as an indicative figure only; the access henceforth by high-income developing countries and developed countries to technical assistance through the TCP modality only on a full cost-recovery basis was also supported, while the Council also stressed that the TCP should keep to its multilateral nature;
- the further delegation of TCP-related responsibilities to FAORs, and especially the full authority given to FAORs for approval of commitments under the TCP Facility for up to US\$ 200 000 per biennium and per country;
- the modified criteria for the appraisal of requests for TCP assistance, while ensuring continued conformity with FAO's mandate; the increase of the ceiling for all TCP projects, with the exception of the TCP Facility, to US\$ 500 000; and the possible extension of TCP project duration to 36 months (from the established 24 months) when justified.

35. Finally, the Council endorsed the comments made by the Programme Committee on the Evaluation of the Cross-organizational Strategy on Communicating FAO's Messages. It looked forward to further review of this important dimension of FAO's work. This would be done by having the Committee consider the evaluation of both the fund-raising and advocacy dimensions of TeleFood and by having a time-bound implementation plan from management in response to the above evaluation and that of TeleFood. Many Members supported the recommendation of the Programme Committee regarding the need for FAO to contribute to the development of the UN System-wide advocacy and communication strategy.

REPORTS OF THE HUNDRED AND TENTH (ROME, SEPTEMBER 2005) AND HUNDRED AND ELEVENTH (ROME, OCTOBER 2005) SESSIONS OF THE FINANCE COMMITTEE

Status of Contributions and Arrears⁸

36. The Council considered the status of contributions and arrears of the Organization as at 14 November 2005, and noted that only 62 percent of US\$ and 69 percent of Euro assessment due for 2005 had been received which compared unfavourably with that of the previous two years at the same date. The Council further noted that over 31 percent of the Membership of the Organization had still made no payment towards their US\$ portion of 2005 assessments, and over 36 percent of the Membership had not made any payment towards their Euro portion of 2005 assessments.

37. The Council expressed serious concern over the high level of arrears outstanding, noting that sixty-four Member Nations still had arrears outstanding from 2004 and previous years amounting to US\$ 55.7 million and Euro 8.2 million and thirty-one owed arrears in such amounts as would prejudice their Right to Vote in accordance with Article III.4 of the Constitution. It also expressed serious concern that arrears and the delays in payment by Members had led the Organization to resort to external borrowing to meet cash disbursement obligations and thus incur interest costs to be borne by the entire Membership. The Council feared that FAO was nearing the limits of possible borrowing. When this point was reached it would be forced to cut the expenditure below the level approved by the Conference. While recognizing the often-difficult

⁸ CL 129/4; CL 129/6; CL 129/LIM/1; CL 129/PV/2; CL 129/PV/5.

financial situations of some countries, the Council urged all Member Nations to pay their contributions in full to enable the Organization to continue to fulfill its mandate. The Council requested the Finance Committee to further review options available to improve the timely receipt of Assessed Contributions.

Performance of the Split Assessment Arrangement 2004 - 2005⁹

38. The Council noted that the Finance Committee at its Hundred and Tenth Session had reviewed the document prepared for submission to the Conference on the performance of the Split Assessment arrangement (C 2005/16).

39. The Council noted that Member Nations were adapting to the new arrangements and that the Split Assessment did not appear to have disrupted payment patterns of Assessed Contributions. The Council further noted the results of the analysis of actual expenditures by currency during the biennium to date which were in line with the estimated ratio of US dollar and Euro expenditures presented in the 2003 budget appropriation for 2004-05.

40. The Council noted that the Finance Committee at its Hundred and Tenth Session had concluded that the practice of charging to the Special Reserve Account an amount representing the difference between Headquarters staff costs at the budget rate and at the actual UN operational rates of exchange throughout the biennium was redundant following the introduction of the Split Assessment arrangement.

41. The Council agreed to the proposal to exclude charges to the Special Reserve Account due to variances on Headquarters staff costs arising from differences between the budget rate and the UN operational rate of exchange, with effect from the 2004-05 biennium, and recommended that Conference agree to the proposal.

After Service Medical Coverage Liability¹⁰

42. The Council recalled that the Finance Committee had been requested to continue its review of the funding of After Service Medical Coverage (ASMC) liability at its Hundred and Tenth Session, and to base its recommendation to Council for funding the liability in 2006-07 on the latest actuarial valuation.

43. The Council noted that the ASMC liability at 31 December 2004 was estimated at US\$467.9 million compared to US\$313.6 million at 31 December 2003, which would result in an increased ASMC amortization for the 2006-07 biennium amounting to US\$40.8 million compared to US\$30 million in the 2003 valuation.

44. The Council recognized the serious implications of the ASMC liability on the Organization's financial condition and that real progress had been made in the last several years in recording and funding the liability. At the same time, the expected emergence of a UN system-wide approach to deal with the ASMC liability was desirable. Given the financial and budgetary issues confronting FAO at present, the Council agreed to the recommendation of the Finance Committee to continue the ASMC funding for the 2006-07 biennium at the current level of US\$14.1 million noting the Finance Committee's intention to further address the funding issue with the objective to recommend funding at the level prescribed in the latest actuarial valuations in future biennia. The Council noted that the way of contributing to fund ASMC should be further examined. The Council also agreed that the ASMC funding be made in both US dollars and Euro in the proportions recommended in the Asset and Liability study, i.e. 60 percent in Euro and 40 in US dollars, at the agreed budget rate for the 2006-07 biennium.

⁹ CL 129/4; CL 129/6; C 2005/16; CL 129/PV/2; CL 129/PV/5.

¹⁰ CL 129/4; CL 129/6; CL 129/PV/2; CL 129/PV/5.

*Programme and budgetary transfers in the 2004-2005 biennium*¹¹

45. The Council noted that in accordance with Financial Regulation 4.5(b), the Finance Committee had reviewed the proposed Programme and Budgetary Transfers in the 2004-2005 Biennium. The Council noted that the forecasted 2004-2005 performance was mainly impacted by hold-backs of funds to cover the estimated unfavourable staff cost variance and unbudgeted security provisions for this biennium.

46. In order to alleviate some pressure on the 2004-2005 Programme of Work, the Committee had approved apportioning up to US\$2.8 million of uncommitted arrears resources under Resolution 6/2001 for unbudgeted security expenditures in 2004-05, on the understanding that the Organization would make every effort to absorb these costs within the Regular Programme.

47. Furthermore, the Committee had authorized the requested transfers between budgetary chapters of up to US\$6 million from Chapters 1, 2, and 5 in favour of Chapters 3 (US\$4.2 million) and 6 (US\$1.8 million). The Council noted that the Director-General would report the precise amounts transferred at the first Session of the Finance Committee in 2006.

48. For the effective operation of the Capital Expenditure Facility, the Committee had also authorized the transfer of any unused balance of arrears resources under Resolution 6/2001 as at 31 December 2005 to the Capital Expenditure Facility.

Report on Support Costs Expenditure and Recoveries

49. The Council noted that the Finance Committee had considered the Report on Support Costs Expenditure and Recoveries and was satisfied that PSC rates for the period under review were applied within the approved policy.

50. The Council reaffirmed the principle that the support cost rate for emergency projects should ensure that assessed contributions did not subsidize such projects. Accordingly, it endorsed a proposed change in the FAO support cost policy to ensure that the Organization recovered all its indirect variable support costs incurred from administering and operating emergency assistance projects.

51. The Council noted that the results of the 2004 cost measurement study indicated that a ceiling rate of 10 percent was now required to ensure that the PSC rate charged to such projects fully recovered FAO's variable indirect support costs. Accordingly, the Council endorsed the Finance Committee's consensus recommendation that the PSC rate ceiling for emergency assistance projects be increased from 6.5 percent to 10 percent.

Equitable Geographic Distribution

52. The Council noted the measures adopted by the Secretariat to promote a pro-active recruitment approach aimed at enhancing the geographical representation of Member Nations. In this respect, the Council invited the Secretariat to further its efforts to redress the geographical representation issue, in particular, for one Region.

INDEPENDENT EXTERNAL EVALUATION OF FAO¹²

53. The Council welcomed and adopted the report of the Inter-sessional Working Group (ISWG) for the Independent External Evaluation of FAO.

¹¹ CL 129/4; CL 129/6; CL 129/PV/2; CL 129/PV/5.

¹² C 2005/17; CL 129/PV/2; CL 129/PV/5.

54. The Council unanimously nominated Ambassador Flavio Perri, from Brazil, to chair the Council Committee to oversee the IEE. In electing Ambassador Perri, the Council also recognised his outstanding contribution to the work of the ISWG and acknowledged the substantive support provided by the Secretariat. The Council applauded the thorough, inclusive and professional nature of the ISWG process and emphasised that the proposals it had endorsed were not a compromise, but a package that the Membership had developed together with the full ownership of all.

55. The Council emphasised the importance of the IEE making an early start in 2006. It noted that the inception report should provide the Council committee with a road map for the evaluation taking into consideration any further refinements that may be necessary in the range of issues and in the indicative budget. It recalled that the final report of the IEE was to be considered by the FAO Council in November 2007, together with the response of the Director-General.

56. The Council thus decided that the Independent External Evaluation (IEE) of FAO should be initiated as soon as possible with an indicative budget of US\$ 4.3 million funded entirely from extra-budgetary contributions. It also decided that the start of the IEE recruitment and contracting would be subject to availability of sufficient initial funds and assurance of adequate funds being available at all stages of the evaluation process. It welcomed, in this context, the establishment of an IEE Multilateral Trust Fund by FAO and urged all Members to urgently contribute to it in order to make this Evaluation a true product of the Membership as a whole.

CONSTITUTIONAL AND LEGAL MATTERS

REPORT OF THE SEVENTY-NINTH SESSION OF THE COMMITTEE ON CONSTITUTIONAL AND LEGAL MATTERS (ROME, 11-12 OCTOBER 2005)¹³

57. The Council considered the Report of the Seventy-ninth Session of the Committee on Constitutional and Legal Matters (CCLM).

Amendments to the Statutes of the Codex Alimentarius Commission

58. The Council endorsed the following amendments to the Statutes of the Codex Alimentarius Commission, and forwarded them to the Conference for approval. The Council noted that the World Health Assembly would be considering the proposed amendments below at its Session of Spring 2006.

Amendments to the Statutes of the Codex Alimentarius Commission Article 1¹⁴

1. “The Codex Alimentarius Commission shall, subject to Article 5 below, be responsible for making proposals to, and shall be consulted by, the Directors-General of the Food and Agriculture Organization (FAO) and the World Health Organization (WHO) on all matters pertaining to the implementation of the Joint FAO/WHO Food Standards Programme, the purpose of which is:

- a) protecting the health of the consumers and ensuring fair practices in the food trade;
- b) promoting coordination of all food standards work undertaken by international governmental and non governmental organizations;
- c) determining priorities and initiating and guiding the preparation of draft standards through and with the aid of appropriate organizations;
- d) finalizing standards elaborated under (c) above and, ~~after acceptance by government,~~ publishing them in a Codex Alimentarius either as regional or world wide standards, together with international standards already finalized by other bodies under (b) above, wherever this is practicable;
- e) amending published standards, as after appropriate, ~~survey~~ in the light of developments.”

Personal Status for Purposes of Staff Entitlements

59. While recognizing the importance of the well-established legal principle that the personal status of staff members for purposes of FAO’s entitlements is determined by reference to the law of the nationality of the staff member concerned, the Council requested the CCLM to review further some aspects of the proposal and report to it at its regular Session in November 2006.

Security Expenditure Facility – Amendments to Financial Regulations

60. The Council endorsed the following draft Resolution, including the new Financial Regulation 6.12, and transmitted it to the Conference for consideration and adoption.

¹³ CL 129/5; CL 129/PV/4; CL 129/PV/5.

¹⁴ Words struck out to be deleted, words underlined to be added

DRAFT RESOLUTION FOR THE CONFERENCE**Amendment to Financial Regulation VI
(Security Expenditure Facility)****THE CONFERENCE,**

Recalling, the Director-General's proposal to establish a Security Expenditure Facility grouping in a new Chapter of the Programme of Work and Budget expenditures directly related to headquarters and field security in FAO, as a means of strengthening the existing financial framework for planning, monitoring and accountability for improved security of staff and assets of the Organization;

Noting in particular, that the Finance Committee, at its Hundred-and-ninth Session (Rome, 9-13 May 2005), recognised the need for consolidated and comprehensive coverage for security costs within a single budgetary provision and for financial flexibility through a funding mechanism which could be supplemented by voluntary contributions, and supported the Director-General's proposal to establish a Security Expenditure Facility as a means of grouping all staff and non-staff costs directly related to headquarters and field security in a new Chapter 9 of the Programme of Work and Budget;

Noting further the deliberations of the Joint Meeting of the Programme and Finance Committees of 11 May 2005 concerning the proposal for the creation of an additional Chapter 9 to the Programme of Work and Budget and the establishment of a Security Expenditure Facility;

Recalling that the Council, at its Hundred and Twenty-eighth Session (Rome, 20-25 June 2005), concurred with the creation of an additional Chapter 9 to the Programme of Work and Budget and the establishment of a Security Expenditure Facility;

Considering that the Finance Committee, at its Hundred and Tenth Session (Rome, 19-23 September 2005) and Committee on Constitutional and Legal Matters, at its Seventy-ninth Session (Rome, 11-12 October 2005), reviewed the proposed amendments to Financial Regulation VI;

Noting that the Council, at its Hundred and Twenty-ninth Session (Rome, 16-18 November 2005), agreed to transmit to the Conference, for approval, the proposed amendments to Financial Regulation VI;

Decides:

- a) to establish a Security Expenditure Facility consisting of a separate budgetary Chapter and a Security Account;
- b) to designate Chapter 9 of the Programme of Work and Budget for the purposes of defining and authorising security expenditures, including staff and non-staff security provisions and expenditures at headquarters and in the field to ensure the Organization's compliance with United Nations security policies;
- c) to establish a Security Account through the following addition of Financial Regulation 6.12 to the Financial Regulations of the Organization:

“6.12. There shall be established:

- (a) a Security Account, which shall be used for the purpose of managing activities which involve security expenditure defined as being:
 - (i) expenditures on headquarters security provisions;
 - (ii) expenditures on field security provisions to ensure in particular the Organization's participation in the UN security management system and compliance with its provisions for field security;

- (b) the sources of funds shall be:
 - (i) Regular Programme Appropriations approved by the Conference;
 - (ii) voluntary contributions;
- (c) expenditures of a capital nature, defined as expenditures with a useful life in excess of FAO's financial period of two years that also meet the definition of security expenditures as per sub-paragraph (a) above, shall be funded from the Security Account;
- (d) the balance of funds in Chapter 9 of the budget at the end of each financial period shall be transferred to the Security Account for use in a subsequent financial period."

Restriction of Attendance by the "General Public" to Meetings of the Organization

61. The Council endorsed the following draft Resolution and transmitted it to the Conference for consideration and adoption.

DRAFT RESOLUTION FOR THE CONFERENCE

Amendment to Rule V, paragraph 3 and Rule XXV, paragraph 9(a) of the General Rules of the Organization

THE CONFERENCE,

Having taken note of the views of the Committee on Constitutional and Legal Matters, at its Seventy-ninth Session (Rome, 11-12 October 2005) on the proposed amendments to Rule V, paragraph 3 and Rule XXV, paragraph 9(a) of the General Rules of the Organization;

Considering that the Council, at its Hundred and Twenty-ninth Session (Rome, 16-18 November), agreed to transmit to the Conference, for approval, the proposed amendments to the General Rules of the Organization;

Having noted further that the overarching principle that Plenary meetings of the Conference and the Council shall continue to be held in public and that the proposed amendments are intended to clarify the extent of the responsibilities of the Director-General on security matters in connection with exceptional situations which might arise;

Noting its deliberations in connection with the establishment of a Security Expenditure Facility and the related amendment to the Financial Regulations.

Noting also that the implementation of the revised provisions of Rule V and Rule XXV of the General Rules of the Organization with respect to bodies established under Article VI and Article XIV of the Constitution shall be carried out in a progressive and differentiated manner having regard to all pertinent considerations, including the mandate of the concerned bodies;

Decides:¹⁵

- a. to amend Rule V, paragraph 3 of the General Rules of the Organization as follows:

"Subject to any decision of the Conference, the Director-General shall, taking into account all relevant security concerns, make appropriate arrangements for the admission of the public ~~and to Plenary meetings of the Conference~~. Subject to any decision of the Conference, the Director-General shall also make arrangements for the admission of representatives of the press and other

¹⁵ Words struck out to be deleted, words underlined to be added

information agencies to plenary meetings of the Conference”.

- b. to amend Rule XXV, paragraph 9(a) as follows :
- “Subject to the provisions of subparagraphs (b) and (c) below, meetings of the Council and of such of its committees as are open to all of its members shall be public. Rule V, paragraph 3 applies mutatis mutandis to the meetings of the Council and of such of its committees as are open to all its members”.

Agreement between the Food and Agriculture Organization of the United Nations (FAO) and the World Intellectual Property Organization (WIPO)

62. The Council, approved the Agreement between the Food and Agriculture Organization of the United Nations (FAO) and the World Intellectual Property Organization (WIPO), attached hereto as *Appendix D*, and forwarded it to the Conference for confirmation.

OTHER CONSTITUTIONAL AND LEGAL MATTERS¹⁶

Invitations to Non-Member Nations to Attend FAO Sessions¹⁷

63. In accordance with Paragraphs B-1 and B-2 of the “Statement of Principles relating to the Granting of Observer Status to Nations”¹⁸, the Council agreed that the Russian Federation attend its Session as an observer.

Applications for Membership in the Organization

64. The Council was informed of the applications for Membership received from the Government of the Republic of Belarus and the Government of the Principality of Andorra.

65. Pending a decision by the Conference on these applications and pursuant to Rule XXV.11 of the General Rules of the Organization and paragraphs B-1, B-2 and B-5 of the “Statement of Principles relating to the Granting of Observer Status to Nations”, the Council authorized the Director-General to invite the applicant countries to participate, in an observer capacity, in the present Council Session, as well as regional and technical meetings of the Organization of interest to it.

Representation of the Near East Region in the Finance Committee¹⁹

66. The Council noted that this item had been added to the Agenda at the request of the Chair of the Near East region. The Council asked the regional groups to hold informal consultations in order to allow the Committee on Constitutional and Legal Matters to consider the matter and make a recommendation to the Council at its session of November 2006.

¹⁶ CL 129/11; CL 129/PV/1; CL 129/PV/5.

¹⁷ CL 129/LIM/2; CL 129/PV/1; CL 129/PV/5.

¹⁸ See FAO *Basic Texts*, Volume II, Section L (Appendix).

¹⁹ CL 129/1-Add.1; CL 129/PV/1; CL 129/PV/5.

OTHER MATTERS

REVISED CALENDAR OF FAO GOVERNING BODIES AND OTHER MAIN SESSIONS 2005-2006²⁰

67. While considering the Revised Calendar of FAO Governing Bodies and Other Main Sessions 2005-2006 (*Appendix E*), which was submitted to the Council for information, the Council took note that its Hundred and Thirtieth Session would be held in Rome on 28 November 2005.

ADDRESS BY THE STAFF REPRESENTATIVES

68. The President of the Association of Professional Staff (APS) spoke on behalf of the three Staff Representative Bodies focusing his intervention on the FAO Reform proposals. He expressed some concerns that they had not been adequately consulted in the drafting of the proposals and, as a result, were concerned about some components.

THE INTERNATIONAL YEAR OF THE POTATO

69. Some Members indicated to Council their intention to propose that the year 2008 be designated as the International Year of the Potato. They pointed out that they would submit to Conference a draft resolution on this subject.

²⁰ CL 129/INF/8-Rev.1; CL 129/PV/4; CL 129/PV/5.

APPENDIX A

**AGENDA FOR THE HUNDRED AND TWENTY-NINTH
SESSION OF THE COUNCIL**

I. INTRODUCTION - PROCEDURE OF THE SESSION

1. Adoption of the Agenda and Timetable
2. Election of three Vice-Chairpersons, and Designation of the Chairperson and Members of the Drafting Committee

II. ACTIVITIES OF FAO

3. Preparations for the Thirty-third Session of the FAO Conference (Recommendations to the Conference)
 - 3.1 Nomination of the Chairperson of the Conference, and of the Chairpersons of the Commissions of the Conference
 - 3.2 Nomination of Three Vice-Chairpersons of the Conference
 - 3.3 Nomination of Seven Members of the General Committee

**III. PROGRAMME, BUDGETARY, FINANCIAL AND ADMINISTRATIVE
MATTERS**

4. Programme of Work and Budget (PWB) 2006-2007
5. Report of the Joint Meeting of the 94th Session of the Programme Committee and the 110th Session of the Finance Committee (Rome, September 2005)
6. Report of the 94th Session of the Programme Committee (Rome, September 2005)
7. Report of the 110th Session (Rome, September 2005) and 111th Session (Rome, October 2005) of the Finance Committee
 - 7.1 Status of Contributions and Arrears
 - 7.2 Performance of the Split Assessment Arrangement
 - 7.3 After Service Medical Coverage Liability

- 7.4 Other Matters arising out of the Report
- 8. Independent External Evaluation of FAO

IV. CONSTITUTIONAL AND LEGAL MATTERS

- 9. Report of the 79th Session of the Committee on Constitutional and Legal Matters (Rome, October 2005)
- 10. Other Constitutional and Legal Matters
 - 10.1 Invitations to Non-Member Nations to attend FAO Sessions
 - 10.2 Applications for Membership in the Organization
 - 10.3 Representation of the Near East in the Finance Committee

V. OTHER MATTERS

- 11. Revised Calendar of FAO Governing Bodies and other Main Sessions 2005-2006
- 12. Any Other Matters

المرفق باء
附录 B
APPENDIX B
ANNEXE B
APÉNDICE B

代表和观察员名单

LIST OF DELEGATES AND OBSERVERS

LISTE DES DÉLÉGUÉS ET OBSERVATEURS

LISTA DE DELEGADOS Y OBSERVADORES

الرئيس المستقل

独立主席

Independent Chairman

Président indépendant

Presidente Independiente

: Aziz MEKOUAR (Morocco)

عزيز مكووار (المغرب)

نواب الرئيس

副主席

Vice-Chairpersons

Vice-présidents

Vicepresidentes

: Veli-Pekka TALVELA (Finland)

: Philippe Lhuillier (Philippines)

: Adel JALILI (Iran, Islamic Republic of)

أعضاء المجلس
理事会成员
MEMBERS OF THE COUNCIL
MEMBRES DU CONSEIL
MIEMBROS DEL CONSEJO

ALGERIA - ALGÉRIE - ARGELIA – الجزائر

Représentant

Rachid MARIF

Ambassadeur

Représentant permanent auprès de la FAO

Rome

مندوب

رشيد معاريف

السفير والممثل الدائم لدى المنظمة
روما

Abdelakader LAOUATI

Directeur de l'Administration et des
moyens

Ministère de l'agriculture et du
développement rural

Alger

عبد القادر لاوتي
مدير الإدارة والوسائل
وزارة الفلاحة والتنمية الريفية
الجزائر

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Représentant permanent adjoint auprès de
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مناوب (مناوبون)

نصر الدين ريموش

الوزير المفوض والممثل الدائم المناوب لدى المنظمة
روما

ANGOLA

Représentant

Manuel Pedro PACAVIRA

Ambassadeur

Représentant permanent auprès de la FAO

Rome

Suppléant(s)

Pedro Agostinho KANGA

Directeur

Cabinet de la coopération et des relations
internationales

Ministère de l'agriculture et du
développement rural

Luanda

Hermenegildo KEANE

Directeur national de l'hydraulique rurale

Ministère de l'agriculture et du
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Luanda

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Directeur d'études

Ministère de l'agriculture et du
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Alger

عمر آيت عمار مزيان

مدير دراسات

وزارة الفلاحة والتنمية الريفية
الجزائر

Kiala Kia MATEVA

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Representative

Zohrab V. MALEK
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Permanent Representative to FAO
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BRAZIL - BRÉSIL - BRASIL

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代表
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常驻粮农组织代表
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Alternate(s)	GUO HANDI
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Deputy Director-General	Alternate Permanent Representative to
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Ministry of Agriculture	Rome
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胡延安	
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罗马	Alternate Permanent Representative to
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DING GUOGUANG	Rome
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FAO	常驻粮农组织副代表
Rome	二秘
	罗马
丁国光	
常驻粮农组织副代表	MINGJIE ZHANG
参赞	Third Secretary
罗马	Alternate Permanent Representative to
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 Conseiller scientifique
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 ALEMANIA**

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المراقبون من الدول الأعضاء التي لا تتمتع بعضوية المجلس

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البلدان طالبة العضوية

成员资格申请国

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**ÉTATS AYANT PRÉSENTÉ UNE DEMANDE D'ADMISSION À LA QUALITÉ DE
MEMBRE DE L'ORGANISATION**

**ESTADOS QUE HAN PRESENTADO SOLICITUD DE INGRESO COMO MIEMBROS
DE LA ORGANIZACION**

ANDORRA - ANDORRE**BELARUS - BÉLARUS - BELARÚS**

المراقبون من الدول الأعضاء في الأمم المتحدة

联合国会员国的观察员

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OBSERVATEURS D'ÉTATS MEMBRES DES NATIONS UNIES

OBSERVADORES DE LOS ESTADOS MIEMBROS DE LAS NACIONES UNIDAS

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ممثلو الأمم المتحدة ووكالاتها المتخصصة

联合国和各专门机构的代表

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REPRÉSENTANTS DES NATIONS UNIES ET DES INSTITUTIONS SPÉCIALISÉES
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ESPECIALIZADOS**

**INTERNATIONAL FUND FOR AGRICULTURAL DEVELOPMENT
FONDS INTERNATIONAL DE DÉVELOPPEMENT AGRICOLE
FONDO INTERNACIONAL DE DESARROLLO AGRÍCOLA**

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المراقبون من المنظمات الحكومية الدولية

政府间组织观察员

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المراقبون من المنظمات الدولية غير الحكومية

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ASSOCIATION INTERNATIONALE DES LIONS CLUBS
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CONSEIL INTERNATIONAL DES FEMMES
CONSEJO INTERNACIONAL DE MUJERES**

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FÉDÉRATION INTERNATIONALE DES PRODUCTEURS AGRICOLES
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UNION MONDIALE DES ORGANISATIONS FÉMININES CATHOLIQUES
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APPENDIX C

LIST OF DOCUMENTS

CL 129/1	Provisional Annotated Agenda
CL 129/1-Add.1	Addendum to CL 129/1
CL 129/2	Report of the Joint Meeting of the 94 th Session of the Programme Committee and the 110 th Session of the Finance Committee (Rome, September 2005)
CL 129/3	Report of the 94th Session of the Programme Committee (Rome, September 2005)
CL 129/4	Report of the 110th Session of the Finance Committee (Rome, September 2005)
CL 129/5	Report of the 79th Session of the Committee on Constitutional and Legal Matters (Rome, October 2005)
CL 129/6	Report of the 111 th Session of the Finance Committee (Rome, October 2005)
CL 129/7	Membership of the Programme Committee and Finance Committee
CL 129/7-Rev. 1 (French only)	Membership of the Programme Committee and Finance Committee
CL 129/8	Membership of the Committee on Constitutional and Legal Matters
CL 129/9	Membership of the World Food Programme Executive Board
CL 129/10	Report to the Council of the Inter-Sessional Working Group (ISWG) for the Independent External Evaluation of FAO
CL 129/11	Applications for Membership in the Organization
<u>C 2005/ Series</u> C 2005/3	Programme of Work and Budget 2006-2007
C 2005/3-Corr.1	Corrigendum to C 2005/3
C 2005/3 Sup.1	Supplement to the Programme of Work and Budget 2006-2007
C 2005/3-Sup.1 Add.1	Addendum to C 2005/3-Sup.1
C 2005/10-Rev.1	Applications for Membership in the Organization

C 2005/12	Arrangements for the 33rd Session of the Conference
C 2005/INF/19	FAO Reform – A Vision for the 21 st Century
<u>CL 129/INF/ Series</u>	
CL 129/INF/1	Provisional Timetable
CL 129/INF/2	Provisional List of Delegates and Observers
CL 129/INF/3	Provisional List of Documents
CL 129/INF/4	Statement of Competence and Voting Rights Submitted by the European Community (EC) and its Member States
CL 129/INF/5	Harmonization of the Conditions of Travel throughout the UN System (JIU/REP/2004/10)
CL 129/INF/6	Implementation of Decisions taken at the 128 th Session of the Council
CL 129/INF/7	Changes in Representation of Member Nations of the Programme Committee and Finance Committee
CL 129/INF/7-Sup.1	Supplement to document CL 129/INF/7
CL 129/INF/8-Rev.1	Revised Calendar of FAO Governing Bodies and Other Main Sessions 2005-2006
CL 129/INF/9	Procurement Practices within the United Nations System (JIU/REP/2004/9)
CL 129/INF/10	Report of the Joint Inspection Unit for 2004 and Programme of Work for 2005 (UNGA A/60/34)
CL 129/INF/11	Statement by the Director-General at the Hundred and Twenty-ninth Session of the Council
<u>CL 129/LIM/ Series</u>	
CL 129/LIM/1	Status of Contributions and Arrears
CL 129/LIM/2	Invitations to Non-Members to attend FAO Sessions
<u>CL 129/REP/Series</u>	
CL 129/REP/1 to	Draft Reports of Plenary
CL 129/REP/7	
<u>CL 129/PV/Series</u>	
CL 129/PV/1 to	Verbatim Records of Plenary
CL 129/PV/5	

CL 129/OD/ Series

CL 129/OD/1 to Orders of the Day

CL 129/OD/3

APPENDIX D

**AGREEMENT BETWEEN THE FOOD AND AGRICULTURE ORGANIZATION OF
THE UNITED NATIONS (FAO) AND
THE WORLD INTELLECTUAL PROPERTY ORGANIZATION (WIPO)**

The Food And Agriculture Organization of the United Nations (“FAO”) and the World Intellectual Property Organization (“WIPO”), referred to in this Agreement jointly as “the organizations,”

Desiring to establish a mutually supportive relationship between them, and with a view to establishing appropriate arrangements for cooperation between them,

Agree as follows:

ARTICLE I***Representation***

1. Each organization shall invite the other organization to participate, without the right to vote, in the deliberations of its governing bodies and of other bodies where matters of particular concern to the other organization are considered, and in which it has indicated that it has an interest. Representatives of the organization so invited shall be afforded full opportunity to present its views on matters within the scope of its activities and mandate.
2. In this context, and subject to such arrangements as may be necessary to safeguard confidential matters, the organizations shall cooperate in the preparation of official documents, by making available drafts of the relevant documents, and providing technical advice and input, where appropriate and feasible.

ARTICLE II***Exchange of Information***

1. The organizations shall regularly exchange information regarding their relevant activities and positions.
2. Each organization shall inform its Members of relevant activities of the other organization or, as appropriate, provide an opportunity for the other organization to do so.
3. The organizations shall keep each other informed of their relevant activities and positions in other organizations and forums and, as far as possible, coordinate their positions.

ARTICLE III***Fields of Cooperation***

Cooperation under this Agreement may include:

- (a) The development of joint activities to address issues of mutual relevance, including coordinating and conducting joint studies and joint seminars and workshops, including on public policy options relating to the interaction between intellectual property and the food and agriculture sector;
- (b) Where appropriate, the coordination of databases, and the provision of access through their websites to the relevant information systems of the other organization and, where

- appropriate, the coordinated development of such information systems;
- (c) The provision of relevant technical information and input to support the work of the other organization, including in response to requests from that organization's Members;
- (d) Where appropriate, collaboration in providing technical assistance, including capacity building, to developing countries and countries with economies in transition;
- (e) Cooperation of work on such matters where intellectual property rights may intersect aspects of:
- Farmers' Rights and traditional knowledge;
 - Farmers' Rights and traditional knowledge;
 - Agricultural biotechnology;
 - Genetic resources for food and agriculture;
 - Promotion of innovation and the effective capture of benefits from public investment in research;
 - Access to, and transfer of, technology in the food and agriculture sector;
 - Plant protection and production;
 - Use of distinctive signs in the food and agriculture sector;
 - Ethical issues in food and agriculture;
 - Information and analysis on patterns and trends of intellectual property use in the food and agriculture sector;
 - Creation, development and dissemination of agricultural information and data, particularly on the Internet and on CD-ROM.
- (f) Technical cooperation, as appropriate, on issues relevant to international instruments under the aegis of the two organizations, including:
- the International Treaty on Plant Genetic Resources for Food and Agriculture;
 - the Rotterdam Convention on the Prior Informed Consent (PIC) Procedure for Certain Hazardous Chemicals and Pesticides in International Trade;
 - the International Plant Protection Convention;
 - the *Codex Alimentarius*;
 - the Paris Convention for the Protection of Industrial Property;
 - the Budapest Treaty on the International Recognition of the Deposit of Micro-organisms for the Purposes of Patent Procedure;
 - the Patent Cooperation Treaty;
 - the Patent Law Treaty;
 - other relevant policy documents developed or administered by the organizations which address matters of mutual interest.

ARTICLE IV

Joint programmes of work

1. In order to promote cooperation within the context of this Agreement, and in order to develop joint activities to address issues of mutual relevance, either the FAO or WIPO may propose joint projects aimed at specific objects of cooperation. Such joint programmes of work shall specify the respective responsibilities and financial obligations of the FAO and WIPO, and specify any other sources of funds, as well as staffing responsibilities. In implementing such joint programmes of work, the FAO and WIPO may jointly agree on cooperation with other organizations and agencies, including funding agencies.

2. If agreed between the Parties, such joint programmes of work may be dated and numbered serially, signed by both organizations and regarded as annexes to this Agreement.
3. Such joint programmes of work may be modified by the written mutual consent of the FAO and WIPO.
4. Where necessary within the context of agreed joint activities or programmes of work, either organization may second staff to the other organization, and make other administrative arrangements.

ARTICLE V
Financial implications

1. Any minor and ordinary expenditure relating to the implementation of this Agreement shall be borne by the respective organization.
2. If the cooperation proposed by one of the organizations to the other in accordance with this Agreement entails expenditure beyond minor and ordinary expenditures, the two organizations shall consult to determine the availability of the resources required, the most equitable way of meeting such expenditure and, if resources are not available, the most appropriate ways to obtain the necessary resources. If necessary and if agreed by the two organizations, they may jointly seek financial resources from donor institutions for their cooperation activities and joint programmes of work.

ARTICLE VI
Implementation of this Agreement

The Director-General of the FAO and the Director-General of WIPO may make the arrangements necessary for ensuring satisfactory implementation of this Agreement.

ARTICLE VII
Modification of the Agreement

Subject to the provisions of Article X below, this Agreement may be modified by the written mutual consent of the organizations.

ARTICLE VIII
Termination

Either organization may terminate this Agreement, subject to six months' written notice. Termination shall not affect obligations previously entered into specifically for the conduct of joint programmes of work implemented under Article IV of this Agreement.

ARTICLE IX
Agreements with other Organizations

This Agreement is without prejudice to agreements concluded by either FAO or WIPO with other organizations or programmes within the United Nations System.

ARTICLE X
Entry into Force

This Agreement and any modification thereto shall enter into force once the pertinent constitutional processes of both organizations have been completed.

On behalf of the Food and Agriculture
Organization of the United Nations

On behalf of the World
Intellectual Property Organization

Director-General

Director-General

APPENDIX E

**REVISED CALENDAR OF FAO GOVERNING BODIES AND OTHER MAIN SESSIONS
2005-2006**

	2005		2006	
JANUARY			24 ARC	30/1 – 3/2
FEBRUARY				
MARCH	26 COFI COFI MM COFO MM 17 COFO	7 - 11 12 14 15 - 19	28 NERC 80 CCLM	12 - 16 27 - 28
APRIL	78 CCLM 65 CCP 19 COAG	5-6 11 - 13 13 - 16	29 LARC	24 - 28
MAY	109 FC 93 PC 31 CFS	9 - 13 9 - 13 23 - 26	95 PC 112 FC 28 APRC	8 - 12 8 - 12 15 - 19
JUNE	128 CL	20 – 24	25 ERC	7 - 9
JULY				
AUGUST				
SEPTEMBER	110 FC 94 PC	19 - 23 19 – 23	32 CFS 113 FC 96 PC	18 - 22 25 - 29 25 - 29
OCTOBER	79 CCLM WFD* FAO 60* 111 FC*	11 - 12 16 (Sunday) 17 20	81 CCLM WFD	2 - 3 16 (Monday)
NOVEMBER	129 CL 33 C 130 CL	16 - 18 19 - 26 28	131 CL	20 - 25
DECEMBER				

Eid Al-Adha: 21 Jan 05
Easter: 27 March 05
Ramadan: 4 Oct – 2 Nov 05
Eid Al-Fitr: 3 Nov 05

Eid Al-Adha: 11 Jan 06
Easter: 16 Apr 06
Ramadan: 24 Sep – 23 Oct 06
Eid Al-Fitr: 24 Oct 06

APRC Regional Conference for Asia and the Pacific
ARC Regional Conference for Africa
C Conference
CCLM Committee on Constitutional and Legal Matters
CCP Committee on Commodity Problems
CFS Committee on World Food Security
CL Council
COAG Committee on Agriculture
COFI Committee on Fisheries
COFO Committee on Forestry
MM Ministerial Meeting

ERC Regional Conference for Europe
FAO 60 60th Anniversary of FAO
FC Finance Committee
IFAD/EB IFAD Executive Board
IFAD/GC IFAD Governing Council
IFAD/VII IFAD Replenishment Consultations
LARC Regional Conference for Latin America and the Caribbean
NERC Regional Conference for the Near East
PC Programme Committee
WFD World Food Day
WFP World Food Programme Executive Board

*Dates changed

