



منظمة الأغذية  
والزراعة  
للأمم المتحدة

联合国  
粮食及  
农业组织

Food  
and  
Agriculture  
Organization  
of  
the  
United  
Nations

Organisation  
des  
Nations  
Unies  
pour  
l'alimentation  
et  
l'agriculture

Продовольственная и  
сельскохозяйственная  
организация  
Объединенных  
Наций

Organización  
de las  
Naciones  
Unidas  
para la  
Agricultura  
y la  
Alimentación

## CONFERENCE

### Thirty-sixth Session

Rome, 18 – 23 November 2009

### REPORT OF THE EIGHTY-NINTH SESSION OF THE COMMITTEE ON CONSTITUTIONAL AND LEGAL MATTERS (27-28 October 2009)

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## I. Introduction

1. The Eighty-ninth Session of the Committee on Constitutional and Legal Matters (CCLM) was held on 27 and 28 October 2009. The Session, open to silent observers, was chaired by Mr. Julio Fiol (Chile). All Members of the Committee were represented as follows:

**Chile, Gabon, Indonesia, Lesotho, Netherlands, Syrian Arab Republic and  
United States of America**

## II. Proposed Amendments to the Basic Texts regarding the Reform of the Committee on World Food Security

2. The CCLM noted that the Committee on World Food Security (CFS) held its Thirty-fifth Session from 14 to 17 October 2009. On that occasion the CFS adopted document CFS 2009/2, rev. 1 "*Reform of the Committee on World Food Security*" which had been under negotiation for the past few months.

3. The CCLM examined document CCLM 89/2 "*Proposed Amendments to the Basic Texts regarding the Reform of the Committee on World Food Security*" containing amendments to the Basic Texts for the implementation of the CFS reform. In examining document CCLM 89/2, the CCLM underlined a few distinct features regarding both the process under way and the content of the proposed amendments to the Basic Texts.

4. The CCLM noted that the proposed reform of the CFS would require amendments to the Constitution, to the General Rules of the Organization and to the Rules of Procedure of the Committee and that these were subject to different procedural requirements. In particular, amendments to the Constitution and to the General Rules of the Organization would be approved by the Conference, whereas the Committee itself would adopt revised Rules of Procedure, as described in document CCLM 89/2.

5. The CCLM noted that the three sets of amendments were presented together, so as to allow for a reasonably complete provision of all the amendments required for the implementation of the CFS reform. This also allowed for a coherent view of the distribution of the proposed amendments between the various instruments, i.e. the Constitution, the General Rules of the Organization and the revised Rules of Procedure. In this connection, the CCLM observed that many proposals set out in document CFS 2009/2, rev. 1 were of a policy nature and did not involve specific changes to the Basic Texts. The CCLM concurred with the view expressed in document CCLM 89/2 that not all elements of the reform proposals set out in document CFS 2009/2 rev. 1 were reflected in the proposed amendments to the Basic Texts. Only such amendments as were intended to provide a legal basis for the implementation of the reform of the Committee on World Food Security, or which were designed to remove specific impediments to the implementation of initiatives arising from the reform of the CFS, were proposed.

6. The CCLM noted, in general, that a number of sections of document CFS 2009/2 rev. 1, "*Reform of the Committee on World Food Security*", reflected extensive negotiations and related compromises. This was particularly the case with the provisions regarding the vision and roles of the future Committee, its composition and a few related operating features. The CCLM concurred with the approach taken by the Secretariat that, insofar as some developments of the document reflected a negotiated package of a political nature, they had been incorporated as such in the proposed amendments to the Basic Texts, mainly in the General Rules of the Organization. While

this resulted at times in a form of loose wording of some provisions, this course of action was appropriate given the nature of the process of negotiation of document CFS 2009/2 rev. 1, “*Reform of the Committee on World Food Security*”.

7. The CCLM noted the proposal of the secretariat that, given its importance, document CFS 2009/2, rev. 1 should be inserted in Volume II of the Basic Texts, as was the case with a number of important policy and legal documents of the Organization. While concurring with this proposal and recognizing that a number of important policy matters were addressed in that document, the CCLM considered that the document required substantial editorial review. Consequently, the CCLM recommended that the document be reviewed by the Bureau and the CCLM in 2010 prior to being inserted in Volume II of the Basic Texts.

8. The CCLM recommended that, in future, any issues regarding the status and operation of the CFS which would not be covered by the Constitution, the General Rules of the Organization or the revised Rules of Procedure should be addressed by reference to document CFS 2009/2 rev. 1, “*Reform of the Committee on World Food Security*”.

9. While noting that the Holy See did not necessarily wish to become a Member of the CFS, the CCLM considered that this possibility should remain open. The CCLM agreed that this could be done by making provision in the General Rules of the Organization for membership on the Committee to be open to Members of FAO, Members of the United Nations and to Members of the International Atomic Energy Agency (IAEA), as the Holy See is currently a Member of IAEA.

10. The CCLM noted that the proposed amendments to the General Rules of the Organization would be referred directly to the Conference, as had been underlined by the Council at its Hundred and Thirty-seventh Session from 28 September to 2 October 2009. This was so because this year, the session of the Council which used to be held immediately before the session of the Conference, had been held about a month and a half before the Session of the Conference as a preliminary step for the introduction of the new pattern of Sessions of the Governing Bodies.

11. The CCLM noted that the process of review of the proposed amendments to the Basic Texts for the implementation of Conference Resolution 1/2008 “*Adoption of the Immediate Plan of Action (IPA) for FAO Renewal*” and those regarding the reform of the CFS had been carried out separately. While these were, in a broad sense, a manifestation of efforts for the renewal of FAO they had distinct purposes and scopes. The result of these separate processes was set out in parallel sets of resolutions containing amendments to the Constitution on the one hand, and to the General Rules of the Organization, on the other. The CCLM concurred with the proposal that the two processes should continue to be carried out separately and that they be addressed through separate sets of draft Conference Resolutions. The CCLM concurred furthermore with the proposal that the secretariat should be instructed to deal with any specific tasks of an editorial nature which would be required for the harmonization of the two series of sets of amendments. However, following a discussion on the matter, the CCLM requested that the draft Conference Resolution setting forth the proposed amendment to Article III of the Constitution on the reform of the CFS should clearly indicate that the Committee on World Food Security will no longer be referred to in new Article V, paragraph 6 (b) of the Constitution and that provision for the CFS to report to the Council on programme and budget matters would be set out in Rule XXXIII of the General Rules of the Organization.

12. In connection with the proposed Rule XXXIII, paragraph 15 of the GRO regarding the secretariat of the Committee, the representative of the Legal Counsel indicated that the assignment of staff of other organizations of the United Nations System to the secretariat of the CFS would be done in accordance with the Inter-Organization Agreement Concerning Transfer, Secondment or Loan of Staff among the Organizations applying the United Nations Common System of Salaries and Allowances.

13. The CCLM observed that while the amendments to the Constitution and to the General Rules of the Organization reflected a minimum set of provisions for the reformed Committee to become operational, the proposed revised Rules of Procedure dealt in more detail with a number of matters and could only be adopted by the Committee in 2010. The CCLM invited the Bureau of the CFS to review and propose amendments to the revised Rules of Procedure in light of the new status and *modus operandi* of the Committee with a view to their adoption by the CFS in 2010. The CCLM would be prepared to review again the revised Rules of Procedure at one of its sessions in 2010 and examine issues that would still need to be addressed. Subject to this process, the revised Rules of Procedure as revised by the CCLM are set out in Appendix III to this report. In this connection, the CCLM noted that during the course of 2010 the Bureau of the Committee would be examining a number of matters for the initiation of the activities of the CFS.

14. Following review of the proposed draft Conference Resolutions and the proposed amendments to the Basic Texts, the CCLM endorsed the draft Conference Resolutions on the reform of the Committee on World Food Security setting forth the proposed amendments to the Constitution and to the General Rules of the Organization and forwarded them to the Conference for approval, as set out in Appendices I and II to this report.

### **III. Other Matters**

15. The CCLM noted that under the new rules regarding election of members to the Programme Committee, Finance Committee and the CCLM, the deadline for submission of candidatures would be not less than twenty days before the opening of the session of the Council at which they are to be elected. Insofar as these rules have not yet been approved, the CCLM was of the view that it would not be appropriate to apply this deadline to the forthcoming elections to these Committees.

16. In addition, the CCLM was also generally of the view that given the new operating model for the Programme Committee, Finance Committee and the CCLM, the current transitional period and the need for adequate regional consultation in that connection, including in order to ensure that prospective members of the Committees possess the required qualifications, the CCLM recommended that consideration be given to some flexibility in setting the deadlines for the submission of candidatures for election to these Committees.

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**APPENDIX I**

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**Resolution \_\_\_\_/2009,  
Reform of the Committee on World Food Security  
Amendments to the Constitution**

**THE CONFERENCE:**

Recalling the proposed constitutional amendments submitted by France to the Committee on Constitutional and Legal Matters (CCLM) and to the Council of the Organization at its Hundred and Thirty-sixth Session, held in Rome, from 15 to 19 June 2009, as contained in document CL 136/LIM/2;

Noting that the Council, at its Hundred and Thirty-sixth Session, took note of the proposed constitutional amendments and mandated the Contact Group of the Committee on World Food Security (CFS) to further discuss these amendments and advise, through the CCLM, the Conference in November to take a decision on the said amendments, in light of the outcome of the discussions of the Contact Group of the CFS;

Noting further that the Director-General gave notice of the proposed amendments to FAO Members in accordance with Article XX, paragraph 4 of the Constitution;

Recalling that the Committee on World Food Security (CFS), at its Thirty-fifth session, held in Rome from 14 to 17 October 2009, approved document CFS 2009/2 rev. 1 “*Reform of the Committee on World Food Security*”;

Recalling also that the CCLM, at its Eighty-ninth session, has reviewed again the proposed amendments to the Constitution in the light of document CFS 2009/2 rev. 1 “*Reform of the Committee on World Food Security*” and the proposed amendments to other Basic Texts of the Organization regarding the status of the CFS and decided to forward the proposed amendments for approval by the Conference, at its Thirty-sixth session to be held in Rome from 18 to 23 November 2009;

Having considered the text of the amendments to the Constitution proposed by the CCLM in its Eighty-ninth Session;

Having considered further that there is a need to harmonize the proposed amendments to the Constitution for the reform of the CFS with the proposed amendments to the Constitution for the implementation of Resolution 1/2008 “*Adoption of the Immediate Plan of Action (IPA) for FAO Renewal (2009-11)*”;

1. Decides to adopt the following amendment to Article III of the Constitution<sup>1</sup>:

“Article III

**The Conference**

(...)

9. The Conference shall be assisted by a Committee on World Food Security. This Committee shall report to the Conference and to the United Nations General Assembly (UNGA), through the Economic and Social Council (ECOSOC) and the Conference. Its composition and terms of reference shall be governed by rules adopted by the Conference.”

2. Decides that new paragraph 6 (b) of Article V of the Constitution, as amended to implement the Immediate Plan of Action (IPA) for FAO Renewal (2009-11) by the current session of the Conference shall be adjusted as follows:

“Article V

**Council of the Organization**

(...)

6. In the performance of its functions, the Council shall be assisted:

- (a) by a Programme Committee, a Finance Committee, and a Committee on Constitutional and Legal Matters, which shall report to the Council; and
- (b) by a Committee on Commodity Problems, a Committee on Fisheries, a Committee on Forestry, and a Committee on Agriculture ~~and a Committee on World Food Security~~ which shall report to the Council on programme and budget matters and to the Conference on policy and regulatory matters.”

3. Decides that the Committee on World Food Security, as provided for in proposed paragraph 17 of Rule XXXIII of the General Rules of the Organization, shall report to the Council on programme and budget matters.

(Adopted on November 2009)

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<sup>1</sup> Deletions Are Indicated Using ~~Struck Out Text~~ And Insertions Are Indicated Using Underlined Italics.

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## APPENDIX II

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### Resolution \_\_\_\_/2009, Reform of the Committee on World Food Security Amendments to The General Rules of the Organization

#### THE CONFERENCE,

Noting that the Bureau of the Committee on World Food Security and the Contact Group of the Committee on World Food Security (CFS) have developed proposals for a comprehensive reform of the Committee on World Food Security;

Recalling that the Committee on World Food Security (CFS), at its Thirty-fifth session, held in Rome from 14 to 17 October 2009, reviewed and adopted the proposals set out in document CFS 2009/2 rev. 1 “*Reform of the Committee on World Food Security*”;

Recalling that the Committee on Constitutional and Legal Matters (CCLM), at its Eighty-ninth session, has examined a set of proposed amendments to the General Rules of the Organization and revised Rules of Procedure for the implementation of document CFS 2009/2 rev.1 “*Reform of the Committee on World Food Security*”, and decided to forward the proposed amendments to the General Rules of the Organization to the Conference for approval, at its Thirty-sixth session to be held in Rome from 18 to 23 November 2009;

Having considered that there is a need to harmonize the proposed amendments to the General Rules of the Organization for the reform of the CFS with the proposed amendments for the implementation of Resolution 1/2008 “*Adoption of the Immediate Plan of Action (IPA) for FAO Renewal (2009-11)*” and that this task strictly of an editorial nature should be performed by the Secretariat;

Having considered further that, given its importance, document CFS 2009/2 rev.1 “*Reform of the Committee on World Food Security*” should be inserted in Volume II of the Basic Texts of the Organization, following the necessary editorial review by the Bureau of the CFS and the CCLM;

1. Decides to adopt the following amendments to the General Rules of the Organization<sup>2</sup>:

“Rule XXXIII

#### **Committee on World Food Security**

##### A. Composition and participation

1. The Committee on World Food Security provided for in paragraph 6 2 of Article ~~V~~ III of the Constitution shall be open to all Members ~~Nations~~ of the Organization, the World Food Programme and the International Fund for

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<sup>2</sup> Deletions are indicated using ~~struck out text~~ and insertions are indicated using underlined italics.

*Agricultural Development, and all or non-member States of the Organization that are Members States of the United Nations or the International Atomic Energy Agency. It shall be composed of those States or the Member Organization of FAO which notify the Director-General, in writing, of their desire to become Members of the Committee and of their intention to participate in the work of the Committee.*

2. The notifications referred to in paragraph 1 may be made at any time, and Membership acquired on the basis thereof shall be considered valid unless the Member has not been represented at two consecutive sessions of the Committee, or has notified its withdrawal from ~~it~~ *the Committee*. The Director-General shall circulate, at the beginning of each session of the Committee, a document listing the Members of the Committee.

*3. Representatives of organizations of the United Nations System, intergovernmental organizations, international financial institutions, international non-governmental organizations, civil society and non-governmental organizations and other relevant actors of civil society, including representatives of the private sector, shall be able to participate in the proceedings of the Committee. Taking into account requests for participation, as well as any relevant considerations, the Committee shall agree and keep under review at its regular sessions a list of organizations, including a minimum number of non-governmental civil society organizations as may be proposed following consultation, which shall be allowed to participate in its sessions under this paragraph. The Committee may decide to remove from this list an organization which has not been represented at two consecutive sessions of the Committee or which has notified the Director-General of its intention not to participate in the work of the Committee.*

*4. Representatives of organizations allowed to take part in the proceedings of the Committee under paragraph 3 may take part in any debates within the Committee without having to wait until Members have intervened and present documents and formal proposals under such conditions as may be decided by the Committee, in accordance with these Rules, the Rules of Procedure and such other procedures as the Committee may establish, provided however that voting and decision-making shall remain the exclusive prerogative of Members referred to in paragraph 1 of this Rule.*

*5. Any Member of the Organization or Member State of the United Nations or of the International Atomic Energy Agency that is not a Member of the Committee, may attend a session of the Committee in an observer capacity. In addition, the Committee, acting on a recommendation of the Bureau, may invite other interested organizations, upon request, to participate as observers in meetings of the Committee or for the discussion of specific items. Observers may intervene in debates upon invitation from the Chairperson.*

*6.3* The Committee shall normally hold two sessions during each biennium. Sessions shall be convened by the Director-General, in consultation with the Chairperson ~~and the Bureau~~ *and the Bureau* of the Committee, taking into account any proposals made by the Committee. ~~4~~ If required, the Committee may hold additional sessions on the call of the Director-General in consultation with ~~its~~ *the Chairperson and the Bureau*, or on request submitted in writing to the Director-General by the majority of Members of the Committee.

~~5. The Committee shall contribute to promoting the objective of world food security with the aim of ensuring that all people, at all times, have physical and economic access to sufficient, safe and nutritious food to meet their dietary needs and food preferences for an active and healthy life.~~

~~6. — The Committee shall serve as a forum in the United Nations system for review and follow-up of policies concerning world food security, including food production, sustainable use of the natural resource base for food security, nutrition, physical and economic access to food and other food security related aspects of poverty eradication, the implications of food trade for world food security and other related matters and shall in particular:~~

~~(a) — examine major problems and issues affecting the world food situation, and the steps being proposed or taken to resolve them by Governments and relevant international organizations, bearing in mind the need for the adoption of an integrated approach towards their solution;~~

~~(b) — examine the implications for world food security of other relevant factors, including the situation relating to the supply and demand of basic foodstuffs and food aid requirements and trends, the state of stocks in exporting and importing countries and issues relating to physical and economic access to food and other food security related aspects of poverty eradication; and~~

~~(c) recommend such action as may be appropriate to promote the goal of world food security.~~

~~7. — The Committee shall serve as the forum in the United Nations system for the monitoring of the implementation of the Plan of Action adopted by the World Food Summit in accordance with the relevant commitment of the Summit.<sup>+</sup>~~

B. Vision and Roles of the Committee on World Food Security

7. The Committee on World Food Security is an intergovernmental Committee of FAO. As a central component of the evolving Global Partnership for Agriculture, Food Security and Nutrition, the Committee shall constitute the foremost inclusive international and intergovernmental platform for a broad range of committed stakeholders to work together in a coordinated manner and in support of country-led processes towards the elimination of hunger and ensuring food security and nutrition for all human beings. The Committee shall strive for a world free of hunger where countries implement the “Voluntary Guidelines for the Progressive Realization of the Right to Adequate Food in the Context of National Food Security”.

8. The roles of the CFS shall be:

(a) Coordination at global level. The Committee shall provide a platform for discussion and coordination to strengthen collaborative action among Governments, regional organizations, international organizations and agencies, non-governmental organizations, civil society organizations, food producers’ organizations, private sector organizations, philanthropic organizations and other relevant stakeholders, in a manner that is in alignment with each country’s specific context and needs.

(b) Policy convergence. The Committee shall promote greater policy convergence and coordination including through the development of international strategies and voluntary guidelines on food security and nutrition on the basis of best practices, lessons learned from local experience, inputs received from national and regional levels, and expert advice and opinions from different stakeholders.

(c) Support and advice to countries and regions. At the request of countries or regions the Committee shall facilitate support or advice in the

development, implementation, monitoring and evaluation of their nationally and regionally owned plans of action for the elimination of hunger, the achievement of food security and the practical application of the “Voluntary Guidelines for the Progressive Realization of the Right to Adequate Food in the Context of Food Security” that shall be based on the principles of participation, transparency and accountability.

9. The Committee shall gradually assume additional roles such as:

(a) Coordination at national and regional levels. The Committee shall serve as a platform to promote greater coordination and alignment of actions in the field, encourage more efficient use of resources and identify resource gaps. As the reform progresses, the Committee shall build, as appropriate, on the coordination work of the United Nations’ High Level Task Force. One guiding principle to support this role shall be to build on and strengthen existing structures and linkages with key partners at all levels. Key partners include national mechanisms and networks for food security and nutrition, the United Nations country teams and other coordinating mechanisms such as the International Alliance Against Hunger and its National Alliances, food security thematic groups, regional intergovernmental bodies and a large number of civil society networks and private sector associations operating at the regional and national levels. In each case, the functional contributions that they could make, as well as how the Committee could strengthen linkages and enhance synergy with such partners would have to be established.

(b) Promotion of accountability and sharing of best practices at all levels. One of the main objectives of the Committee on World Food Security has been to monitor actively the implementation of the Plan of Action of the World Food Summit of 1996. Although countries are taking measures to address food insecurity, the specific programmes as they are presented do not necessarily help to report quantitatively on progress towards realizing the objectives of the Plan of Action of the World Food Summit of 1996. The Committee should help countries and regions, as appropriate, to address the questions of whether objectives are being achieved and how food insecurity and malnutrition can be reduced more quickly and effectively. This will entail developing an innovative mechanism, including the definition of common indicators, to monitor progress towards these agreed-upon objectives and actions taking into account lessons learned by the Committee on World Food Security and other monitoring attempts. Comments by all stakeholders of the Committee will have to be taken into account and new mechanisms will build on existing structures.

(c) Development of a Global Strategic Framework for food security and nutrition in order to improve coordination and guide synchronized action by a wide range of stakeholders. The Global Strategic Framework shall be flexible so that it can be adjusted as priorities change. It shall build upon existing frameworks such as the United Nations Comprehensive Framework for Action, the Comprehensive Africa Agriculture Development Programme and the Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security.

C. Chairperson, Bureau and Advisory Group of the Bureau of the Committee on World Food Security

10. The Committee shall elect a Bureau, including a Chairperson, under such conditions as may be established in the Rules of Procedure. The Bureau shall exercise such functions as may be defined in these Rules or in the Rules of Procedure. The Bureau shall be assisted by an Advisory Group which shall be established in accordance with the Rules of Procedure.

D. High Level Panel of Experts on Food Security and Nutrition

11. The Committee shall be assisted by a High Level Panel of Experts on Food Security and Nutrition, hereinafter referred to as the High Level Panel. The functions of the High Level Panel shall be:

(a) to assess and analyze the current state of food security and nutrition and its underlying causes;

(b) to provide scientific and knowledge-based analysis and advice on policy-relevant issues, utilizing existing high quality research data and technical studies;

(c) to identify emerging issues and assist the Committee and its Members to prioritize future actions and attention on key focal areas.

12. The High Level Panel shall consist of a Steering Committee and a subsidiary network of food security and nutrition experts organized on the basis of ad hoc project teams.

13. The Steering Committee shall consist of between ten and fifteen highly reputable, internationally recognized experts on food security and nutrition-related fields, appointed in their personal capacity for a term of office of two years, renewable only once. The members of the Steering Committee shall be appointed by the Bureau of the Committee on the basis of a recommendation of an ad hoc selection committee consisting of representatives of FAO, the World Food Programme, the International Fund for Agricultural Development, Bioversity International and a representative of civil society organizations. The Steering Committee shall normally hold two sessions every year, unless otherwise decided by the Committee itself in extraordinary circumstances. The functions of the Steering Committee shall be:

(a) to ensure and follow the preparation of state-of-the-art studies and analysis for consideration by the Committee on a variety of food security and nutrition issues;

(b) to assemble expert project teams to prepare studies and analysis in support of decisions of the Committee;

(c) to establish and keep under review working methodologies, plans of work and terms of reference for project teams and, in general, manage their work;

(d) to review work methodologies and to propose work plans;

(e) to perform such related functions as may be required.

14. There shall be a database of experts on all relevant fields related to food security and nutrition who may be nominated by Members of the Committee or any other interested party participating in the proceedings of the Committee. Drawing from this database, the Steering Committee shall constitute ad hoc project teams to analyse and report on such issues as may be referred by the Steering Committee to the team. The project teams shall be constituted for pre-determined periods of time and shall be responsible for drafting studies and analysis under the general direction and oversight of the Steering Committee.

E. Secretariat

15. A secretary shall be appointed, in accordance with such conditions as may be established by the Committee, to serve the Committee, including the

Bureau and the High Level Panel of Experts, and to exercise liaison functions in connection with all the activities of the Committee. The secretariat shall include staff members from the World Food Programme and the International Fund for Agricultural Development, among others, as may be assigned to it.

F. Reporting

~~16.9.~~ The Committee shall provide regular reports to the Economic and Social Council of the United Nations (ECOSOC), through the Council of the Organization. The reports of the Committee shall be referred to the Conference of the Organization and to the General Assembly of the United Nations through the Conference and the Economic and Social Council.

~~17.8~~ The Committee shall report to the Council on programme and budget matters, of the Organization and tender advice to the Director General, and relevant international organizations as appropriate, on any matter considered by the Committee, it being understood that copies of its reports, including any conclusions, will be transmitted without delay to interested governments and international organizations. ~~10.~~ Without restricting the general nature of this principle, Any recommendation adopted by the Committee affecting the programme or finances of the Organization, or concerning legal or constitutional matters, shall be reported to the Council with the comments of the appropriate subsidiary committees of the Council, as required. The reports of the Committee, or related extracts therefrom, shall also be placed before the Conference.

18. Any recommendations adopted by the Committee which affect the programme or finances or legal or constitutional aspects of the United Nations, any specialized agencies, programmes or funds shall be reported to their appropriate bodies for consideration.

G. Miscellaneous provisions

~~19.44~~ The Committee shall, as necessary, draw on the advice, ~~as necessary~~, of the Committee on Commodity Problems and its subsidiary bodies, the Committee on Agriculture and other technical committees of the Council as appropriate, ~~and~~ the Executive Board of the World Food Programme and the Governing Council of the International Fund for Agricultural Development. In particular, ~~it~~ the Committee shall take full account of the responsibilities and activities of these and other intergovernmental bodies responsible for aspects of food security, in order to avoid overlapping and unnecessary duplication of work.

~~12.~~ The Committee shall invite relevant international organizations to participate in the work of the Committee and the preparation of meeting documents on matters within their respective mandates in collaboration with the secretariat of the Committee.

~~20.13~~ In order to ensure the effective discharge of its functions, the Committee may request the Members to furnish all information required for its work, it being understood that, where so requested by the ~~governments~~ concerned Governments, the information supplied shall be ~~kept~~ held on a restricted basis.

~~21.44~~ The Director-General of the Organization, the Executive Director of the World Food Programme and the President of the International Fund for Agricultural Development or ~~his~~ their representatives shall participate in all meetings of the Committee and may be accompanied by such officers of their staff ~~of the Organization~~ as ~~he~~ they may designate.

~~22.-15~~ The Committee shall elect, from among its Members, its Chairman and the other officers. It may adopt and amend its rules of procedure, which shall be consistent with the Constitution and the General Rules of the Organization.

~~23.-16~~ The Committee may decide to establish subsidiary or ad hoc bodies where it considers that such action would expedite its own work, without duplicating the work of existing bodies. A decision to this effect may be taken only after the Committee has examined a report by the Director-General on the administrative and financial implications.

~~24.-17~~ When establishing subsidiary or ad hoc bodies, the Committee shall define their terms of reference, composition, and, as far as possible, the duration of their mandate. Subsidiary bodies may adopt their own rules of procedure, which shall be consistent with those of the Committee.

2. Requests the Secretariat to harmonize the proposed amendments to the General Rules of the Organization for the reform of the CFS with those regarding the implementation of the Immediate Plan of Action (IPA) for FAO Renewal (2009-11), especially as regards Rule XXXIII of the General Rules of the Organization;
3. Invites the Bureau of the CFS to review and propose adjustments to the revised Rules of Procedure of the CFS set out in Appendix III to the Report of the Eighty-ninth Session of the CCLM, in light of the new structure and *modus operandi* of the Committee, for adoption by the CFS at its session of 2010. The Bureau is also invited to draw, as appropriate, on the advice of the CCLM;
4. Decides that document CFS 2009/2 rev. 1 “*Reform of the Committee on World Food Security*” shall be inserted in Volume II of the Basic Texts, after the necessary editorial review by the Bureau of the CFS and the CCLM and that, any issues regarding the future status and operation of the CFS that are not covered in the General Rules of the Organization or the revised Rules of Procedure of the CFS shall be addressed, as appropriate, by reference to that document.

(Adopted on November 2009)

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## APPENDIX III

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### Rules of Procedure of the Committee on World Food Security (Revised Rules of Procedure)<sup>3</sup>

#### Rule I

##### **Membership and participation in the proceedings of the Committee**

Membership of the Committee and participation in its proceedings shall be in accordance with Rule XXXIII-1, A, paragraphs 1 to 5 of the General Rules of the Organization.

#### Rule II

##### **~~Officers~~ Election of the Bureau**

1. At the first session of the Committee held after a regular session of the Conference, the Committee shall elect a ~~Chairman~~person ~~and four Vice Chairmen~~ from among the representatives of its Members, ~~who shall remain in office until the election of a new Chairman and new Vice Chairmen~~ and twelve Member Nations which collectively shall constitute the Bureau of the Committee. The ~~Chairman~~person and ~~Vice Chairmen~~ shall not be eligible for election for two ~~consecutive terms in the same office~~ shall be elected, on a rotational basis, from among the representatives of the delegations of the Members of the Committee. The other twelve Members of the Bureau shall be elected from each of the following regions: two Members each from the Member Nations of Africa, Asia, Europe, Latin America and the Caribbean and Near East, respectively; one Member from North America and one Member from South West Pacific. Elections shall be conducted in accordance with the provisions of paragraphs 9(b) and 11 of Rule XII of the General Rules of the Organization, one election being held to fill the vacancy or vacancies occurring in each region.

2. The Chairperson and the Members of the Bureau shall be elected for a period of two years which may be renewable only once.

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<sup>3</sup> These Rules of Procedure would be approved by the Committee on World Food Security at its Session of 2010. They could still be reviewed in some limited respects. Deletions are indicated using ~~struck out text~~ and insertions are indicated using underlined italics.

3. The Bureau shall elect, from among its Members, a Vice-Chairperson who shall exercise functions as Chairperson in the event that the Chairperson should be prevented from doing so. If due to incapacity, death or any other reason, the Chairperson is prevented from exercising its functions for the remainder of the term, the functions shall be exercised by the Vice-Chairperson for the remainder of the term.

4. The Chairman~~person~~, or in his absence one of the Vice Chairmen, shall preside at meetings of the Committee Bureau and exercise such other functions as may be required to facilitate its work. The Chairperson is expected to preside at all meetings of the Bureau. In the event of the Chairman and the Vice Chairmen not being able to preside at a meeting, the Committee shall appoint a representative of one of its Members to take the chair. The Chairperson, or a Vice-Chairperson exercising functions as Chairperson, shall not vote.

### Rule III

#### Functions of the Bureau

1. The Bureau shall, between plenary sessions, represent the membership of the Committee, facilitate coordination among all Members and participants and, in general, ensure preparations for the sessions of the Committee.

2. The Bureau shall perform such other tasks as may be delegated to it, including recommending the provisional agenda, the preparation of documents and the formulation of proposals for the work of the Committee. The Bureau shall perform tasks related to the operation of the High Level Panel of Experts as foreseen in Rule XXXIII of the General Rules of the Organization, these Rules of Procedure and any decisions of the Committee.

### Rule IV

#### Advisory Group to the Bureau

1. After its election, the Bureau shall establish an Advisory Group consisting of representatives of FAO, the World Food Programme and the International Fund for Agricultural Development and other non-Members participating in the activities of the Committee. The Bureau shall invite relevant constituencies of participants in the work of the Committee to designate representatives to the Group. The overall number of members of the Advisory Group shall not exceed that of the members of the Bureau elected under Rule II, paragraph 1.

2. The Advisory Group shall advise the Bureau on the range of tasks which the Bureau may be called upon to exercise on the basis of Rule XXXIII of the General Rules of the Organization, of these Rules of Procedure or those tasks which may be entrusted to it by the Committee.

**Rule III V****Secretary**

The ~~Director General of the Organization shall appoint a Secretary who~~ Secretary shall perform such duties as ~~the work of the Committee may required~~ may be required for the work of the Committee, including servicing the Bureau and the High Level Panel of Experts.

**Rule IV VI****Sessions**

1. The Committee shall hold sessions as provided in Rule XXXIII-~~3 and~~ 4, paragraph 6 of the General Rules of the Organization, and shall propose the date and place of its sessions.
2. Any number of separate meetings may be held during each session of the Committee.
3. Notice of the date and place of each session shall normally be communicated at least two months in advance of the session to all ~~Member Nations and Associate Members of the Organization, to all Member States of the United Nations and to such international organizations as may have been invited to attend the session~~ Members of the Committee, as well as to all such organizations as may have been invited to participate or to send observers to the session. Notification of the date and place of each session shall also be communicated to all Members of the Organization or Member States of the United Nations or the International Atomic Energy Agency which may become Members of the Committee.
4. Each Member of the Committee or each organization participating in the work of the Committee under Rule XXXIII, paragraph 3 of the General Rules of the Organization may ~~appoint~~ designate alternates, associates and advisers to its representative on the Committee.
5. Presence of representatives of a majority of the Members of the Committee shall constitute a quorum for any formal action by the Committee.

**Rule IV VII****Attendance**

1. Any Member of the Organization or Member State of the United Nations not represented on the Committee, or any Associate Member of the Organization ~~or any State that is not a member of the Organization or of the United Nations but a member of a specialized agency or of the International Atomic Energy Agency, or liberation movements in accordance with decisions of the Conference and Council,~~ may attend a session of the Committee in an observer capacity ~~a session of the Committee~~ and may submit memoranda and participate without vote in any discussions at a public or private meeting of the Committee.

2. Participation of international organizations, non-governmental organizations and other actors of civil society ~~in an observer capacity in the work of the Committee~~ shall be governed by the relevant provisions of the ~~Constitution and~~ of Rule XXXIII of the General Rules of the Organization, as well as, where appropriate, by the rules of the Organization on relations with international organizations, ~~taking into account the provisions of Rule XXXIII of the General Rules of the Organization.~~

## **Rule ~~VI~~ VIII**

### **Agenda and Documents**

1. The Director-General, ~~in consultation with the Chairman of the Committee, shall prepare~~ acting on the basis of a recommendation of the Bureau, shall circulate a provisional agenda and shall normally at least three months in advance of the sessions to all ~~Member Nations and Associate Members of the Organization, to all Member States of the United Nations and to all international organizations invited to attend the session~~ Members of the Committee, to all Members of the Organization, of the World Food Programme and the International Fund for Agricultural Development and to all Member States of the United Nations or the International Atomic Energy Agency that are not Members of FAO and are entitled to become Members of the Committee. The provisional agenda shall also be circulated to all parties entitled to participate in the proceedings of the Committee.

2. The Economic and Social Council, the General Assembly of the United Nations, the Council or the Conference of the Organization may request the Director-General to insert an item in the provisional agenda.

~~2 3.~~ All ~~Member Nations and Associate Members of the Organization and all non-member States which are members of the Committee~~ Members of the Committee may request the Director-General, normally not less than 30 days before the proposed date of the session, to insert an item in the provisional agenda. The Director-General shall thereupon circulate the proposed item to all Members of the Committee, together with any necessary papers.

~~3 4.~~ The Committee in session may, by a two-thirds majority of the votes cast, amend the agenda by the deletion, addition or modification of any item, provided that no matter referred to it by the Economic and Social Council or the General Assembly of the United Nations or the Council or ~~on request of the~~ Conference may be omitted from the agenda.

~~4 5.~~ Documents which have not already been dispatched shall be dispatched with the provisional agenda or as soon as possible thereafter in all the languages of the Organization.

## **Rule ~~VII~~ IX**

### **Voting**

1. Each Member of the Committee shall have one vote.

2. The decisions of the Committee shall be ascertained by the Chairman ~~man~~*person*, who shall resort, upon the request of one or more Members, to a vote, in which case the pertinent provisions of Rule XII of the General Rules of the Organization shall apply mutatis mutandis.

### **Rule ~~VIII~~ X**

#### **Reports**

1. At each session, the Committee shall approve a report embodying its views, recommendations and decisions, including, when requested, a statement of minority views. Any recommendations adopted by the Committee which affect the programme or finances of the Organization or concerning legal or constitutional matters shall be reported to the Council with the comments of the appropriate subsidiary committees of the Council.

2. Reports of sessions shall be submitted to the Conference or the Council, as appropriate, and circulated to all Member Nations and Associate Members of the Organization, and to those non-member States which are Members of the Committee, as well as to interested international and non-governmental organizations entitled to ~~be~~ participate or being represented at the session.

3. Pursuant to Rule ~~XXXIII-9~~, paragraph 16 of the General Rules of the Organization, the Committee shall provide regular reports to the Economic and Social Council of the United Nations (~~ECOSOC~~) and the General Assembly, through the ~~Council~~ Conference of the Organization.

### **Rule ~~IX~~ XI**

#### **Subsidiary Bodies**

1. In accordance with Rule ~~XXXIII-46~~, paragraph 23 of the General Rules of the Organization, the Committee may establish subsidiary or ad hoc bodies where it considers that such action would expedite its own work, without duplicating the work of existing bodies.

2. Before taking a decision on the establishment of any subsidiary or ad hoc body, the Committee shall examine the administrative and financial implications of such a decision, in the light of a report to be submitted by the Director-General.

3. The Committee shall define the terms of reference, composition and, as far as possible, the duration of the mandate of each subsidiary or ad hoc body. Such subsidiary or ad hoc bodies shall report to the Committee. The reports of the subsidiary or ad hoc bodies shall be made available for information to all members of the subsidiary or ad hoc bodies concerned, all Members of the Committee, and to interested international organizations entitled to attend sessions of the bodies concerned.

**Rule ~~X~~ XII****Suspension of Rules**

The Committee may, by a two-thirds majority of the votes cast, decide to suspend any of the foregoing Rules of Procedure, provided that the action contemplated is consistent with the Constitution and the General Rules of the Organization and that 24 hours' notice of the proposal for the suspension has been given. Such notice may be waived if no Member objects.

**Rule ~~XI~~ XIII****Amendment of Rules**

The Committee may, by a two-thirds majority of the votes cast, amend its Rules of Procedure provided that such amendment is consistent with the Constitution and the General Rules of the Organization. No proposal for the amendment of these Rules of Procedure shall be included in the agenda of any session of the Committee, unless notice thereof has been dispatched by the Director-General to Members of the Committee at least 30 days before the opening of the session.