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Продовольственная и
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Organización de las
Naciones Unidas para la
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منظمة
الأغذية والزراعة
للأمم المتحدة

COUNCIL

Hundred and Fifty-ninth Session

Rome, 4-8 June 2018

Terms of Office of Council Members

Executive Summary

In accordance with the recommendation of the 105th Session of the CCLM (October 2017), the 158th Session of the Council requested the Independent Chairperson of the Council (ICC) to hold consultations with Members with a view to clarifying the legal framework for seat-sharing arrangements through informal meetings of Chairpersons and Vice-Chairpersons of Regional Groups. Further to consultations conducted by the ICC, a consensus emerged among Chairpersons and Vice-Chairpersons of Regional Groups, and is outlined in the attached document.

Suggested action by the Council

The Council is invited to take note of the outcome of the consultations and to agree that the practice of seat-sharing at Council need not be re-examined by the CCLM.

Queries on the substantive content of this document may be addressed to:

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CL 159

1. During the 39th (2015) and 40th (2017) Sessions of the FAO Conference, some Members have entered into agreements whereby seats on the Council are shared among Members of the same Regional Groups, through the partial exercise of the three-year mandate as Members of the Council. However, on both occasions, these arrangements were questioned at meetings of the General Committee. Hence, the 40th Conference accepted during a debate held on 6 July 2017, that the question of seat-sharing be reviewed during the inter-sessional period. Nonetheless, it was clearly stated during these deliberations that seat-sharing, being a matter pertaining to the governance of FAO, is to be advised upon primarily by the Membership of FAO and not the Secretariat.
2. The CCLM reviewed the matter at its 105th Session in October 2017. The CCLM observed that, from a legal perspective, seat sharing arrangements are not provided for in the General Rules of the Organization and that the Members of the Council are elected for a three-year term of office. The CCLM recommended that the Independent Chairperson of the Council hold consultations on this question.
3. This recommendation was accepted by the Council at its 158th session in December 2017. It requested the Independent Chairperson of the Council to hold consultations with Members with a view to clarifying the legal framework for seat-sharing arrangements accepted by the Conference in 2015 and 2017, through informal meetings of Chairpersons and Vice-Chairpersons of Regional Groups. The Council noted that the outcome of these consultations should take account of existing practice and be supported by consensus within the membership.
4. Between January and May 2018, the Independent Chairperson of the Council convened four meetings with Chairpersons and Vice-Chairpersons of Regional Groups during which the issue of seat-sharing was discussed, including at times the participation of the Legal Counsel. In addition, nine meetings were held with representatives of Regional Groups on a bilateral basis. These consultations facilitated the consideration of the practical and legal aspects raised by seat-sharing, including the fact that this practice had been on-going since July 2015 and resulted essentially from a desire to give to the greatest possible number of Members an opportunity to serve by rotation on the Council, in line with the spirit of Rule XXII, paragraph 3(c) of the General Rules of the Organization.
5. Further to these consultations, a consensus emerged among all Chairpersons and Vice-Chairpersons of Regional Groups, whereby it was agreed that:
 - a) The practice of sharing seats touches on the governance of FAO and is intrinsically and primarily a matter for the Membership of the Organization;
 - b) Under the Basic Texts of FAO, Members of the Council are elected for a term of three years;
 - c) Since July 2015, some Members of Regional Groups have entered into agreements to share terms on the Council with a view to giving the greatest possible number of Members an opportunity to serve by rotation on the Council;
 - d) It is considered by the Members that there is no provision in the Basic Texts which specifically prohibits seat-sharing arrangements;
 - e) On that basis, Members of Regional Groups who desire to share seats on the Council are at liberty to do so, under the modalities that they see fit;
 - f) Members of the Africa Regional Group have decided to serve full terms of three years; and
 - g) The practice of seat-sharing at Council need not be re-examined by the CCLM.