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para la
Agricultura
y la
Alimentación

Item 11 of the Draft Provisional Agenda

COMMISSION ON GENETIC RESOURCES FOR FOOD AND AGRICULTURE

Eleventh Regular Session

Rome, 11-15 June 2007

STREAMLINING THE OPERATIONS OF THE COMMISSION FOR THE IMPLEMENTATION OF THE MULTI-YEAR PROGRAMME OF WORK

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STREAMLINING THE OPERATIONS OF THE COMMISSION FOR THE IMPLEMENTATION OF THE MULTI-YEAR PROGRAMME OF WORK

I. INTRODUCTION

1. At its Tenth Regular Session, the Commission agreed that the Secretariat, in cooperation with the relevant services and the Priority Areas for Inter-disciplinary Action (PAIAs) in FAO, should submit a Multi-Year Programme of Work to its Eleventh Session, for consideration.¹
2. The Commission also requested the Secretariat to provide:
 - a succinct analysis of the human and financial resources available within FAO, to support work on the various sectors of genetic resources for food and agriculture and identify gaps;² and
 - a document on the status and needs of sectors of genetic resources for food and agriculture, other than plants and animals, including the various areas of biodiversity for food and agriculture, and the agro-ecosystem approach to genetic resources conservation and cross-sectorial matters, identifying the responsibilities of relevant FAO services and PAIAs in these fields.³
3. In addition, the Commission requested the Secretariat and the Bureau to “consider and report to the Commission on ways to improve the effectiveness and efficiency of the Commission’s operations”.⁴ The present document responds to this request.

II. THE COMMISSION’S CURRENT OPERATIONS

4. The Commission has been established under Article VI of the FAO Constitution. The Commission’s operations are governed by the General Rules of the Organization, by Part R of the Basic Texts of the FAO,⁵ and, in particular, by its Statutes. The current mandate of the Commission was established by Resolution 3/95 of the FAO Conference. The Statutes of the Commission in their current form were adopted by the Council in 1996.⁶ These provide that the Commission has a coordinating role and deals with policy, sectorial and cross-sectorial matters related to the conservation and sustainable use of genetic resources of relevance to food and agriculture. The Commission reports to the Director-General, who brings to the attention of the Conference, through the Council, any recommendations adopted by the Commission that have policy implications, or that affect the programme or finances of the Organization.⁷

¹ CGRFA-11/07/21, *Multi-year Programme of Work of the Commission on Genetic Resources for Food and Agriculture*.

² CGRFA-11/07/22, *Analysis of the human and financial resources available within the Food and Agriculture Organization of the United Nations, to support work on the various sectors of genetic resources for food and agriculture*.

³ CGRFA-11/07/15.1 (forest genetic resources); CGRFA-11/07/15.2 (aquatic genetic resources); CGRFA-11/07/15.3 (micro-organisms); CGRFA-11/07/15.4 (biodiversity and ecosystem approach); CGRFA-11/07/15.5 (cross-sectorial international policy issues).

⁴ CGRFA-10/04/REP, paragraph 91.

⁵ *Principles and procedures which should govern conventions and agreements concluded under Articles XIV and XV of the Constitution, and Commissions and Committees established under Article VI of the Constitution*.

⁶ CGRFA-11/07/Inf.2, *Statutes of the Commission on Genetic Resources for Food and Agriculture*.

⁷ Paragraph 7 of the Commission’s Statutes, CGRFA-11/07/Inf. 2.

5. The Secretariat monitors and coordinates the preparations for Commission meetings and the work for the Commission's Working Groups. The expenses of the Commission Secretariat are determined and paid by the Organization through the relevant appropriations in the approved biennial budget of the Organization.

Frequency of sessions of the Commission

6. The Commission normally holds one regular session each biennium. It may convene extraordinary sessions as necessary, subject to the approval of the FAO Council.

7. Since the First Regular Session of the Commission on Plant Genetic Resources for Food and Agriculture in 1985, the Commission has held ten regular and six extraordinary sessions, including for the negotiation of the International Treaty on Plant Genetic Resources for Food and Agriculture. Following the adoption of the Treaty in 2001, the Commission convened in two further extraordinary sessions as Interim Committee for the Treaty. Between 2000 and 2006, the Commission Secretariat also organized a further eleven negotiating committee sessions.

8. This frequency of meetings resulted from the negotiations of the Treaty, and the extraordinary sessions and negotiating processes were funded from extra-budgetary resources. They were made possible by the willingness of the negotiating Members to find the resources required outside the Organizations' biennial Programme of Work and Budget.

Duration of regular sessions

9. Although the Commission's workload has increased steadily over the years, and although, since 1995, its mandate covers all components of biodiversity of relevance for food and agriculture, regular sessions of the Commission have always been held for the same length of time, namely five days.

Type, structure and length of pre-session documents

10. Currently, the Commission has no rules as to the type, structure and length of pre-session documents. The Secretariat usually prepares working documents, information documents and background study papers. Only working documents include a section inviting the Commission to take specific action. While working documents are translated into the five official languages of the Organization, information documents and background study papers are, as a practice, produced in one language, with occasional exceptions.

11. Since the Commission's Seventh Regular Session, the Secretariat has compiled for each Regular Session several reports on FAO activities in the field of genetic resources for food and agriculture,⁸ and reports from international organizations on their policies, programmes and activities on biodiversity for food and agriculture.⁹

Drawing up of the provisional agenda

12. Currently, the Secretariat's statutory responsibility to "monitor and coordinate the preparations for the Commission meetings"¹⁰ embraces the responsibility to draw up the provisional agenda. The Secretariat usually draws up the provisional agenda on the basis of decisions taken by the previous Commission Session. In the future, the Commission's Multi-Year

⁸ See documents, CGRFA-11/07/20.1 (on sectorial matters); CGRFA-11/07/20.2 (on cross-sectorial matters) and CGRFA-11/07/20.3 (on Priority Areas for Inter-disciplinary Action (PAIAs)).

⁹ See documents, CGRFA-11/07/19.1 (United Nations and other Intergovernmental Organizations); CGRFA-11/07/19.2 (International Agricultural Research Centres of the CGIAR) and CGRFA-11/07/19.3 (International Non-Governmental Organizations).

¹⁰ See paragraph 8(i) of the Commission's Statutes, CGRFA-11/07/Inf. 2.

Programme of Work may pre-determine to a large extent the agenda of Regular Sessions. The Commission has no specific rules regarding the procedures to be followed by Members who wish to include additional items on the provisional agenda before the beginning of the session.

Circulation of the provisional agenda and dispatch of documents

13. Currently, the Commission has no specific rules as to how many days before a session the provisional agenda and pre-session documents have to be made available.

14. Since the First Regular Session in 1985, the number of documents per session has increased considerably. For example, the Fifth Regular Session in 1993 considered only five working documents (including the provisional agenda and the annotated provisional agenda), while 14 working documents and 19 information documents were submitted to the last regular session in November 2004.

15. This is partly due to the growing complexity of the Commission's work. But it is also to a considerable extent due to the fact that, in recent sessions, there has been much routine reporting: by international organizations, and by FAO, on their policies, programmes and activities on agricultural biological diversity. The agenda of the Commission has also needed to make substantial provision for the discussion of such reports.

Intergovernmental technical sectorial working groups

16. In 1997, the Commission established two intergovernmental technical sectorial working groups: the Intergovernmental Technical Working Group on Animal Genetic Resources, and the Intergovernmental Technical Working Group on Plant Genetic Resources. The Statutes of both groups are available as information documents.¹¹

17. Secretariat services for the Working Groups are provided by the relevant departments of FAO, as part of their biennial programmes of work, within their approved budget allotments.

Frequency of sessions of the intergovernmental technical sectorial working groups

18. The Commission decides whether to convene its Working Groups in a biennium, as well as the timing and number of sessions, and assigns specific tasks to them. However, by the Commission's Statutes the Working Groups shall hold no more than one regular session annually.¹²

19. Between 1998 and 2006, the Intergovernmental Technical Working Group on Animal Genetic Resources held four sessions, in all biennia except the 2002/03 biennium. The Intergovernmental Technical Working Group on Plant Genetic Resources held three sessions, in 2001, 2003 and 2005.

Election of the Chair and Vice-Chairs of the Commission

20. The Statutes of the Commission do not regulate the election of the Chair. In practice, until its Sixth Regular Session, the Commission elected a Chair and first and second Vice-Chairs. As of its Seventh Regular Session, the Commission decided to elect the Chair and one Vice-Chair per FAO region other than the Chair's region, thereby forming a Bureau representing all the Regions. The Chair and the Vice-Chairs have never been given an inter-sessional function and, in

¹¹ CGRFA-11/07/Inf.3, *Statutes of the Inter-governmental Technical Working Group on Animal Genetic Resources for Food and Agriculture, and members elected by the Ninth Regular Session of the Commission*; and CGRFA-11/07/Inf.4, *Statutes of the Inter-governmental Technical Working Group on Plant Genetic Resources for Food and Agriculture, and members elected by the Ninth Regular Session of the Commission*.

¹² Paragraph 4ii of the Commission's Statutes, CGRFA-11/07/Inf. 2.

particular, have not met as Bureau between regular sessions. However, the Chair, or, in the absence of the Chair, a Vice-Chair, usually chaired an extraordinary session following the regular session at which they were elected, and opened the subsequent regular session, if available.

III. POSSIBLE MODIFICATIONS TO THE COMMISSION'S OPERATIONS

Frequency of regular sessions of the Commission

21. The Commission may wish to consider whether to maintain, increase or decrease the frequency of Commission sessions. It could also consider the option to increase the frequency of Commission sessions, but to reduce the number of meeting days, within, of course, the biennial budgetary allocation to the Secretariat of the Commission, perhaps supplemented by extra-budgetary resources. Any increase in the frequency of regular sessions would require a change of the Commission's Statutes.

Duration of regular sessions

22. The Commission may wish to discuss whether to maintain, increase or decrease the number of meeting days. While the use of parallel Working Groups during a session (as is, for example, the practice in the Conference of the Parties to the CBD) could allow the Commission to handle more issues, it should be borne in mind that parallel sessions are usually problematic for certain delegations, and also imply higher costs for interpretation.

23. In considering the duration of regular sessions, the Commission may wish to take into account the desire of regions to have sufficient time to hold consultations. Regional consultations may facilitate and, in fact, accelerate the decision-making process of the Commission. They have proven popular with the Commission, as evidenced by the regional consultations held in advance of many meetings related to the International Treaty. The Commission may wish to request the Secretariat to provide meeting rooms for the Regions during the days immediately preceding sessions of the Commission.

24. The Commission's decision-making process may also be accelerated if, in principle, only the spokespersons of the Regional Groups made interventions during plenary sessions of the Commission, whenever a common position on a particular issue has been reached. In order to save time and resources, the Commission may wish to commend such a practice to the Regional Groups.

Type, structure and length of pre-session documents

25. The Commission may wish to specify the type, maximum length or structure of pre-session documents it wishes the Secretariat to prepare. It may wish to decide, for example, that documents should, in principle, not exceed a specific number of words, or start with a short and comprehensive executive summary. This would allow Members to get a quick overview of the issues though these are also presented in the annotated provisional agenda. The Commission could even consider that only the executive summary and the section requesting the Commission's guidance form part of a working document, with all supporting information included in an information document.

26. With regard to reports on FAO activities, and from other international organizations which the Secretariat has prepared since the Seventh Regular Session of the Commission, the Commission may wish to consider reducing routine reporting, in favour of focused consultation with relevant institutions and FAO departments on specific issues. This could save resources, allow for a more informed debate, and facilitate the implementation of the Commission's Multi-Year Programme of Work (see below, section IV).

Translation of pre-session documents

27. The need to translate documents is a major financial burden. The Commission may wish to confirm, as the Governing Body of the International Treaty did at its first session, that only working documents need be provided in all languages.¹³

Drawing up of the provisional agenda

28. The Commission may wish to consider adopting rules regarding the preparation of the provisional agenda, and provisions for Members to include specific items in the provisional agenda, before the beginning of the session. Pursuant to paragraph 40 of Part R of the Basic Texts of the Organization, the rules of procedures of all bodies under Article VI shall specify that the agendas of meetings are drawn up by the Director-General, in consultation with the Chairman of the concerned body. Part R does not deal with requests of Members to include specific items in the provisional agenda. However, the rules of procedures of other governing or statutory bodies of FAO provide detailed procedures to be followed, in the case of such requests. Usually, Members 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”.¹⁴ The Director-General shall thereupon inform all Members of the concerned body of the proposed agenda item, and circulate any necessary papers.

Circulation of the provisional agenda and dispatch of documents

29. In order to work effectively, the provisional agenda, working documents and information documents need to be provided to Members in a timely manner that allows sufficient time to consult and to prepare for discussions in the Commission. As mentioned above, the Commission currently has no specific rules as to how many days before a session documents have to be made available. The General Rules of the Organization require pre-session documentation to be furnished to Members at the same time as the agenda (*i.e.*, 90 days before the date fixed for the opening of the session) “or as soon as possible thereafter”.¹⁵ The rules of procedure of the Committees of FAO vary with regard to the deadline for the circulation of the provisional agenda and pre-session documents. The Rules of Procedure of some Committees¹⁶ require the provisional agenda to be circulated “normally [...] at least two months in advance of the session” and documents to be dispatched with the provisional agenda or “as soon as possible thereafter.” In other Committees, such as the Committee on World Food Security, the agenda shall normally be circulated at least three months in advance of the session and documents shall be dispatched at the same time or as soon as possible thereafter.

30. The Commission may wish to take a decision as to how long before a Commission session the provisional agenda and the documents should be made available to Members of the Commission. It should be noted, however, that the timely preparation and submission of the agenda and of documents requires the availability of adequate financial and human resources.

Public consultation

31. The participation as observers of civil society organisations, in particular farmers’ organisations, and of organisations representing the private sector is, within FAO, regulated under specific rules, in particular Part Q of the FAO Basic Texts. It has also been a practice of the

¹³ See Rule XI.3 of the Rules of Procedure of the Governing Body, IT/GB-1/06/Report, *Appendix D*.

¹⁴ See Rule IV.2 of the Rules of Procedure of the Committee on Commodity Problems, of the Committee on Fisheries; of the Committee on Forestry; and of the Committee on Agriculture.

¹⁵ Rule II.9.

¹⁶ See Rules IV.1 and IV.4 of the Rules of Procedure of the Committee on Commodity Problems; of the Committee on Fisheries; of the Committee on Forestry; and of the Committee on Agriculture.

Commission for many years. The Commission may wish to look into ways to facilitate the active involvement of civil society organisations and of organizations representing the private sector in the Commission's work. The Commission could, for example, request the Secretariat to initiate consultation processes in advance of the Commission's sessions, which would allow civil society organizations and the private sector to make suggestions or comments on specific agenda items, or even to propose additional agenda items. The Secretariat could compile and analyse these comments and suggestions, and make them available to Members of the Commission and to the Bureau, in advance of each session.

32. In this context, the Commission may also wish to clarify the role of observers in sessions of the Commission. Meetings of the Commission are open to observers from Members and Associate Members that are not members of the Commission, from states that are not Members or Associate Members of the Organization, and from international organizations, in accordance with the relevant provisions of the rules and principles adopted by the Conference.¹⁷ The Commission could, for example, consider specifying that, while having no right to vote, observers may upon invitation of the Chairperson make statements during sessions of the Commission.

Establishment of further intergovernmental technical sectorial working groups

33. In the process of implementation of its Multi-Year Programme of Work (MYPOW), the Commission may wish to consider establishing additional intergovernmental technical sectorial working groups, subject to the determination by the Director-General that the necessary funds are available in the relevant chapter of the budget of the Organization or from extra-budgetary sources. By paragraph 3 of its Statutes, the Commission "may establish intergovernmental technical sectorial working groups ("Sectorial working Groups"), with appropriate geographical balance, to assist in the areas of plant, animal, forestry and fisheries genetic resources." Before taking any decision involving expenditure in connection with the establishment of subsidiary bodies, the Commission must have before it a report from the Director-General on the programme, administrative and financial implications.¹⁸

Establishment of other subsidiary bodies

34. The Commission could also consider establishing other subsidiary bodies.¹⁹ For example, it could consider establishing a subsidiary body of a composition and similar to that of its sectorial working groups²⁰ but with a different mandate. The Commission could, for example, establish a policy advisory body, which could meet between the Commission's regular sessions, in order to prepare sessions and to facilitate discussions at regular sessions, especially on controversial or difficult policy issues. Alternatively, this task could be assigned to the Bureau.

35. As in the case of sectorial working groups, the establishment of a subsidiary body, such as a policy advisory body, would be subject to the determination by the Director-General that the necessary funds are available in the relevant chapter of the budget of the Organization or from extra-budgetary funds. Before taking any decision involving expenditure in connection with the establishment of a subsidiary body the Commission must have before it a report from the Director-General on the programme, administrative and financial implications.²¹

¹⁷ See paragraph 9 of the Commission's Statutes, CGRFA-11/07/Inf.2.

¹⁸ Paragraph 6 of the Commission's Statutes, CGRFA-11/07/Inf.2.

¹⁹ Paragraph 5 of the Commission's Statutes, CGRFA-11/07/Inf.2.

²⁰ Each of the Working Groups is composed of twenty-seven Member Nations from the following regions, as follows: 5 from Africa, 5 from Europe, 5 from Asia, 5 from Latin America and the Caribbean, 3 from the Near East, 2 from North America, and 2 from Southwest Pacific.

²¹ Paragraph 6 of the Commission's Statutes, CGRFA-11/07/Inf.2.

Election of the Chair and the Vice-Chairs, and Bureau meetings

36. Although the Commission is authorized, by paragraph 10 of its Statutes, to adopt its own Rules of Procedure, which could address issues such as the election of the Chair and Vice-Chairs, it has not yet done so.

37. In many international forums – including the International Treaty on Plant Genetic Resources for Food and Agriculture – the Bureau plays an increasingly important role. The Bureau of the International Treaty, for example, will meet three times between the first and the second session of the Governing Body, to guide the preparation of the session.

38. This is made possible by the election at the end of a session of the Chair and Bureau of the subsequent session, who remain in office to the end of that session.

39. An alternative arrangement is that currently applying to the Commission's intergovernmental technical sectorial working groups, which, by their statutes, elect their Bureaus at the beginning of a session. The Bureaus remain in office until the beginning of the following session:

“The Working Group shall elect its Chair and one or more Vice-Chairs from among the representatives of Members of the Working Group at the beginning of each session. These officers shall remain in office until the next session of the Working Group and shall be eligible for re-election.”²²

40. The Commission may wish to consider both possibilities, as well as any possible cost implications. It should be borne in mind that Members of the Bureau would have to bear their own costs of participating in meetings of the Bureau, unless extra-budgetary funds are available to cover these costs. The establishment of a Bureau of the Commission would not require a change of the Commission's Statutes. Instead, this could be effected by a simple Commission decision or by the Commission adopting its own Rules of Procedure.

IV. ROLE OF THE MULTI-YEAR PROGRAMME OF WORK IN STREAMLINING THE WORK OF THE COMMISSION

41. Accurate forward planning of the Commission's future work is crucial in streamlining the Commission's operations, to thereby gain both focus and the better deployment of resources. The adoption of a streamlined MYPOW²³ will facilitate many of the proposals for simplifying and better directing the tasks of the Secretariat in preparing and running sessions of the Commission.

42. Within the context of the MYPOW, the Commission may wish to consider focussing in future, in a planned and scheduled way, on about four main subjects per session, and that there be a consequent reduction in routine reporting, in favour of focused consultation with relevant institutions and FAO departments on the major themes for each session. Such focus would both save resources and allow for a more informed debate, and would promote more effective synergy between FAO and other intergovernmental organizations. The assumption is that sessions would work in Plenary, as regular sessions of the Commission have so far done.

²² see Article IV.1 of the Statutes of both Intergovernmental Technical Working Groups.

²³ CGRFA-11/07/21, *Multi-Year Programme of Work of the Commission on Genetic Resources for Food and Agriculture*.

V. PROCEDURES FOR CHANGING THE COMMISSION'S OPERATIONS

43. None of the operational changes discussed above would require an amendment to the terms of Conference Resolution 3/95. However, if the Commission, in reviewing its operations, identifies issues that would require such an amendment, it could, in accordance with paragraph 34 of Part R of the Basic Texts of FAO, suggest amendments to Resolution 3/95. Any proposals for such amendments would have to be transmitted to the Director-General in time for inclusion in the agenda of the Council or Conference as appropriate.

44. Some of the changes of the Commission's operations would require an amendment to the Statutes of the Commission. In particular a change of the frequency of regular sessions would have to be approved by the Council.

45. Most of the operational changes discussed above may be made through simple decision, or, as proposed above, by the adoption of Rules of Procedure in accordance with paragraph 10 of the Commission's Statutes. *Table 1* identifies those operational changes which could be introduced by an amendment to the Statutes, and those which could be implemented by a simple Commission decision, or through the adoption of Rules of Procedure.

Table 1: Procedures for changing the Commission's operations		
	Amendment of the Statutes of the Commission necessary	Commission decision or Rule of procedure
Frequency of regular sessions	Yes	
Duration of regular sessions		Yes
Type, structure and length of pre-session documents		Yes
Translation of pre-session documents		Yes
Drawing up of the provisional agenda		Yes
Circulation of provisional agenda and dispatch of documents		Yes
Public consultation		Yes
Establishment of intergovernmental technical sectorial working groups		Yes*
Establishment of subsidiary bodies other than technical sectorial working groups		Yes*
Election Chairperson & Vice-chairpersons & Bureau meetings		Yes

*) By paragraph 6 of the Commission's Statutes, the establishment of any Sectorial Working Group or other Subsidiary Body is subject to the determination by the Director-General that the necessary funds are available in the relevant chapter of the budget of the Organization or from extra-budgetary sources. Before taking any decision involving expenditure in connection with the establishment of Subsidiary Bodies, the Commission must have before it a report from the Director-General on the programme, administrative and financial implications thereof.

VI. GUIDANCE SOUGHT FROM THE COMMISSION

46. On the basis of the various options identified in the present document, the Commission's guidance is sought as to:

- Whether it wishes to change its current operations, with a view to streamlining them, in order to implement more effectively its Multi-Year Programme of Work;
- Which changes to its current operations it would in that case wish to make; and
- Whether it wishes the Secretariat to draft, on the basis of the Commission's discussions at this session, draft Rules of Procedures, for consideration of the Commission at its Twelfth Regular Session.