



Extract of the Outcomes of the Special Bureau meeting held on 8th November 2019

The Bureau discussed at length the following proposals by the CFS Chair:

- For FAO, IFAD and WFP to become **ex-officio** and **extra-quota** members of the AG, thus freeing 3 seats. The other three UN entities that have occupied Advisory Group seats (Special Rapporteur on the Right to Food, UN Standing Committee on Nutrition (UNSCN), World Health Organization (WHO) will each keep a seat;
- Explore the creation of new clusters, under existing categories, in line with the Evaluation Implementation Report recommendation to AG members to strengthen their coordination roles (Annex H, Point 3a);
- In eventual addition to the RBAs (extra-quota) and UN seats, the following are proposed:
 - The Civil Society Mechanism (CSM) would, in principle, retain 4 seats ;
 - The Private Sector Mechanism (PSM) would retain one seat;
 - 1 new seat for Farmers Organizations Cluster, which would include entities that do not identify themselves as being part of CSM or PSM;
 - 1 seat for Agricultural Research Cluster, which would include, but not be limited to CGIAR, GFAR and Bioversity;
 - 1 seat for International Financial Institutions (IFIs) Cluster, which would include, but not be limited to the World Bank and GAFSP;
 - 1 seat for Philanthropic Foundations Cluster, which would include, but not be limited to Bill and Melinda Gates Foundation, Rockefeller, Mars and Eleanor Crook Foundations.
- AG ad hoc members would continue to be appointed, as appropriate, as per para. 5, Rule IV of the CFS Rules of Procedure.
- An informal Friends of the Chair group would be created, allowing stakeholders that are not within existing AG categories (e.g. scientific communities, action-oriented and faith-based organizations, universities and other academic entities, connectors and influencers, innovators, think tanks, press agencies and media outlets, international legal organizations, parliamentarians, social protection mechanisms, among others) to advise the Bureau through the Chair on a wide range of subjects, including for mobilizing human and financial resources, delivering political capital, advocacy, visibility, etc. in a transparent way (e.g. by posting all exchanges on CFS website) at no cost for CFS.

The Chair introduced the item by providing a brief overview of the previous discussions and issues raised in the context of the Evaluation regarding the Advisory Group. Following a rich discussion on the various points raised, the Chair made a proposal for a possible way forward.

Two suggestions required further consultation with the FAO Legal Office and the confirmation of the FAO Legal Counsel.

- 1) to elevate and strengthen the status of the three RBAs (to ex-officio members) and consider them extra-quota (which would free up 3 AG seats); and
- 2) to create a *Farmers Organizations Cluster*, which would include entities that do not identify themselves as being part of CSM or PSM.

Feedback from the FAO Legal Counsel

After the Special Bureau meeting, the following questions were addressed to the FAO Legal Office:

1. The Chair made a proposal to change the membership of the Advisory Group – *by elevating the status of the RBAs to ex-officio and ‘extra-quota’ members of the Advisory Group, thus freeing three seats for other potential AG members*. Can this proposal be legally implemented immediately without a change to the rules?; and
2. As pointed out in the CFS Evaluation, there are many farmer’s groups that would like to participate in CFS that do not fit with the existing CSM or PSM. The Chair made a proposal to encourage the creation of a Farmers’ Cluster to help accommodate more farmers being involved in CFS. [Ref para 16 in CFS Reform Document]. What is the interpretation of para 16 regarding potentially other groups under this category setting up a Farmers’ Cluster and its participation in the Advisory Group (and CFS)?

The FAO Legal Counsel provided the following responses, which were shared with the Bureau in the meeting of 31 January 2019:

1. Regarding the first question, as anticipated during the meeting we had, we are of the view that the proposal could be implemented on a provisional basis, subject to the agreement of the RBAs and absence of objections from Bureau members. During the inter-sessional period, amendments could be prepared to the Rules of Procedure (RoP) for adoption at the next CFS session in October 2019. CFS may, by a two-third majority of the votes cast, amend its RoP provided such amendment is consistent with the FAO Constitution and the CFS Reform Document. (Rule XIII).
- The role, composition, categories and size of the Advisory Group has been considered by CFS over the past five years on a regular basis with a view to enhancing its effectiveness and inclusiveness. Further to deliberations of CFS Rule IV, para 5 of the CFS RoP were amended in matters related to the reporting obligations and the participation of ad hoc participants.

- The distribution of the existing number of seats assigned to each category of the Advisory Group is within the prerogative of the Bureau (CFS RoP, Rule IV, paragraph 1).
 - At its 44th session CFS provided the following guidance for the Bureau’s consideration in its work in the 2018 intersessional period: *“It is important to revisit the composition of the Advisory Group to fulfil its substantive role, remaining open to all relevant actors within existing parameters in the CFS Reform Document (CFS 2009/2 Rev.2).”*
 - With respect to the number of participants in the Advisory Group, the RoP set a mandatory limit (“shall not exceed”), the Reform Document offers a degree of flexibility (“normally will not exceed”). However, at its last session CFS acknowledged that the 2009 Reform Document remains the cornerstone of CFS work.
 - The 3 RBAs contribute to the (daily) work and functioning of CFS during the session and the inter-sessional period.
2. Regarding the second point, Paragraphs 11, 13 and 16 of the CFS Reform Document are particularly relevant in the present context. Upon reading these paragraphs, we are of the view that it may not be correct to state that the Farmers Organizations Cluster must participate through the CSM or PSM on the basis of para 16 of the Reform Document. Such statement would furthermore not be compatible with the overarching key guiding principles expressed at the outset of the Reform Document: inclusiveness, strong linkages with the field and flexibility in implementation so that CFS can respond to a changing environment and “membership needs”.

Guiding questions for an informed Bureau's decision:

1. Do we agree with implementing - on a provisional basis - the change in the membership of the Advisory Group by elevating the status of the RBAs to 'ex-officio' and 'extra-quota' members of the Advisory Group, thus freeing three seats for other potential AG members?
2. If the answer to the first question is positive, do we agree with the proposal of encouraging the creation of a Farmers' cluster to help the participation in CFS of those farmers' organizations that do not fit with the existing CSM or PSM? And if so decided,
 - a. What organizations should we invite to establish the Farmers' cluster?
 - b. Do we agree that the Farmers' cluster should be self-organized, as the existing CSM and PSM?
3. Should the newly available two seats be re-assigned for the remainder of this biennium?
4. Should we encourage a change in the current seats for Agricultural Research Institutes and International Financial Institutions towards the creation of an Agricultural Research Cluster and an International Financial Institutions Cluster?
5. How should we communicate an availability of new seats to the larger, and growing, global community of stakeholders in food security and nutrition, so as to promote engagement and participation in CFS, as the foremost inclusive platform for policy coherence and convergence in food security and nutrition?