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منظمة  
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## COUNCIL

### Hundred Forty-ninth Session

Rome, 16 - 20 June 2014

### Report of the 98<sup>th</sup> Session of the Committee on Constitutional Matters and Legal Matters (Rome, 17-19 March 2014)

#### Executive Summary

The 98<sup>th</sup> Session of the Committee on Constitutional and Legal Matters (CCLM):

- a) Examined the document on “Participation of international non-governmental organizations and civil society organizations in meetings of FAO – review of rules and procedures”. A document setting forth draft rules and procedures, as a result of extensive deliberations of the Committee, is attached to the report as *Appendix I*. The CCLM expressed its readiness to re-examine the draft rules and procedures upon which it worked during the session, in light of such guidance as could be provided by the Council. The CCLM noted that updated rules and procedures will be referred to the next session of the Conference in 2015 for approval and that there would be a need for the Conference to adopt limited amendments to the General Rules of the Organization to reflect the updated rules and procedures.
- b) Examined the annual report 2013 of the Ethics Committee.

#### The Council is invited to:

- a) Consider for endorsement the draft rules and procedures for participation of civil society organizations and private sector representatives in meetings of FAO set out in *Appendix I* of the CCLM report and, as appropriate, forward them to the Conference for approval;
- b) Take note of the CCLM's review of the annual report 2013 of the Ethics Committee.

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## I. Introduction

1. The Ninety-eighth Session of the Committee on Constitutional and Legal Matters (CCLM) was held from 17 to 19 March 2014.
2. The Session, open to silent observers, was chaired by Dr Mónica Martínez Menduño, who welcomed all the members. The following members were present:

Dr Md Mafizur Rahman (Bangladesh)  
H.E. Lubomir Ivanov (Bulgaria)  
Mr Abdulsatar Chiyad Al- Sudani (Iraq)  
H.E. Mohammed S. Sheriff (Liberia)  
Mr Lawrence Kuna Kalinoe (Papua New Guinea)  
Mr Gregory Groth (United States of America)  
Mr Oscar Gabriel Piñeyro (Uruguay)

3. The CCLM approved its Provisional Agenda. On this occasion the Secretariat anticipated that under the item “Other Matters” it would provide the members with some information on the agenda items of the forthcoming CCLM session.

## II. Participation of International Non-Governmental Organizations and Civil Society Organizations in Meetings of FAO – Review of Rules and Procedures

4. The CCLM examined document CCLM 98/2 Rev.1 on “*Participation of international non-governmental organizations and civil society organizations in meetings of FAO – Review of rules and procedures*”. The CCLM recalled that, at its 97<sup>th</sup> Session, it had examined a document on the matter describing the rules and practice on participation of Civil Society Organizations (CSOs) in meetings of Governing and Statutory Bodies of FAO, as well as rules and practice in other organizations of the United Nations System.
5. The CCLM also noted that the Council at its 148<sup>th</sup> Session had endorsed the Report of the 97<sup>th</sup> CCLM Session stressing “*the need to initiate a process for the reformulation of rules and procedures for the participation of non-governmental organizations and civil society organizations in meetings of FAO, with due regard being paid to the two recently adopted FAO Strategies for Partnerships with Civil Society Organizations and the Private Sector.*”
6. The CCLM observed that FAO’s practice regarding CSOs and private sector participation in FAO meetings had, over the years, gone beyond the framework established in the Basic Texts, and, therefore, it was considered that there was a need for a simple and more coherent mechanism for participation of CSO and private sector representatives in FAO meetings.
7. In this connection, the Office for Partnerships, Advocacy and Capacity Development explained that out of 209 international non-governmental organizations (INGOs) holding formal status with FAO, 133 (i.e. 63% of the total) had not attended FAO meetings in the course of the past 5 years. Other INGOs with formal status had limited working relations with FAO and participated in a limited number of meetings. At the same time, FAO had been cooperating with many non-governmental organizations and CSOs outside the existing scheme for formal relations with INGOs.
8. The CCLM undertook a detailed review of Annex I to document CCLM 98/2 Rev.1 entitled “*Proposed Guidelines for the Participation of Civil Society Organizations and Private Sector*

*Representatives in FAO Meetings*". A revised annex incorporating changes proposed by CCLM members as a result of the extensive deliberations is appended to this Report (*Appendix I*).

9. The CCLM requested that a table showing the differences between currently applicable procedures and the updated rules and procedures be appended to the Report (*Appendix II*).

10. The CCLM expressed its readiness to re-examine the draft rules and procedures upon which it worked in this Session, in light of such guidance as could be provided by the Council.

11. The CCLM noted that the updated rules and procedures will be referred to the next session of the Conference in 2015 for approval and replace Sections M and N of Volume II of the Basic Texts setting forth current procedures for participation of INGOs in FAO meetings.

12. The CCLM also noted that there would be a need for the Conference to adopt limited amendments to the General Rules of the Organization to reflect the updated rules and procedures.

### **III. Ethics Committee – Annual Report 2013**

13. The CCLM reviewed document CCLM 98/3 "Ethics Committee – Annual Report 2013" providing summary information on the work of the Ethics Committee during 2013. In this connection, the CCLM was informed that the report had been prepared by the Legal Office as the position of Ethics Officer, who usually acted as Secretary of the Ethics Committee, was vacant.

14. The CCLM was informed that an Ombudsman/Ethics Officer had been recruited and was expected to assume functions by early May 2014. The CCLM noted the views of Management which considered the combination of the functions of ombudsman and ethics as a cost-effective and cost-savings measure. The CCLM was informed that Management further considered both functions as compatible and that the situation would be kept under review.

15. The CCLM took note of the issues covered by the deliberations of the Ethics Committee. In particular, it noted that some aspects related to FAO's Strategy for Partnerships with the Private Sector would be kept under review by the Ethics Committee. The CCLM invited the Ethics Committee to provide more detailed information on the result of its deliberations on this matter in future reports.

16. The CCLM welcomed the information regarding the implementation of the Financial Disclosure Programme. In particular, it noted that 232 staff members had filed financial disclosure statements by 31 March 2013 and that none of them presented a conflict of interest.

17. The CCLM noted that the Ethics Committee Annual Report for 2013, together with an extract of the CCLM's report, would be submitted to the Finance Committee at its forthcoming session.

### **IV. Other Matters**

18. There were no other matters.

**Appendix I****DRAFT****Updated Rules and Procedures for Participation of Civil Society Organizations and Private Sector Representatives in FAO Meetings**

1. FAO recognizes the relevance and value of the contribution of civil society organizations (CSOs) and the private sector to the achievement of the objectives of the Organization and is committed to facilitating their involvement in its work and activities. Being a knowledge organization and a neutral forum for dialogue and debate, FAO encourages an inclusive process for policy dialogue and for sharing expertise and knowledge, taking into account the intergovernmental nature of the Organization and its accountability to its Members. The Organization is committed to facilitating CSO and private sector participation in FAO activities, subject to the principle that, in line with the nature of FAO as an intergovernmental organization of the United Nations System, decision making is entirely a matter for Members.

2. “Civil society organizations” is a broad category which encompasses a wide variety of organizations, which, although different, often share certain common goals, resources and/or approaches to maximize their decision-making capacity, advocacy and knowledge. The FAO Strategy for Partnerships with Civil Society Organizations<sup>1</sup> contemplates three main categories of civil society organizations: member-based organizations, non-governmental organizations and social movements.

3. The FAO Strategy for Partnership with the Private Sector<sup>2</sup> provides that the private sector includes enterprises, companies or businesses, regardless of size, ownership and structure and covers all sectors of the food, agriculture, forestry and fisheries systems from production to consumption, including associated services: financing, investment, insurance, marketing and trade. It considers that the private sector encompasses a broad array of entities that range from farmer organizations,<sup>3</sup> cooperatives and small and medium enterprises to the largest international corporations. For the purposes of this Strategy this also includes private financial institutions; industry and trade associations; and consortia that represent private sector interests. Any consortium, organization or foundation, largely funded or governed by private entities, as well as cooperatives, which generally have for-profit orientations, will be considered as private sector.

4. These rules and procedures foresee that CSO and private sector representatives may attend FAO meetings, including sessions of FAO Governing and Statutory Bodies, in an observer capacity either as a result of having been granted formal status with the Organization, or upon invitation on an *ad hoc* basis. Formal status is granted as a result of a process assessing whether certain standard requirements are met, including the relevant entity’s interest in the work of FAO and its past or potential collaboration with FAO. In order to safeguard the Organization’s intergovernmental nature, its independence and impartiality in decision-making, civil society and private sector entities are excluded from decision-making. These rules and procedures draw on FAO’s past experience and on that of a number of organizations and programmes and funds of the United Nations System.

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<sup>1</sup> CL 146/REP, Appendix F, paragraph 7.

<sup>2</sup> CL 146/REP, Appendix C, paragraphs 9-11.

<sup>3</sup> FAO tends to consider small-scale producers organizations under the scope of civil society. Larger foundations funded or governed by private sector or commercial food organizations are usually treated as private sector. However, the division is not always clear-cut. Therefore, these organizations may be considered on a case-by-case basis to determine under which Strategy they fall more appropriately. Given FAO’s mandate, FAO will work to ensure adequate representation and participation of producers’ organizations at FAO meetings and processes to ensure their voices are considered and reflected. This will be done according to either the Strategy for Partnerships with the Private Sector or with the Strategy for Partnerships with Civil Society Organisations. (See CL 146/REP, Appendix C, paragraph 10)

## **I. CSOs in Formal Status**

### **A. CSOs eligible for formal status**

5. In order to be eligible for formal status, CSOs should:

- a) have objectives and scope of activities coherent with FAO's mandate;
- b) be representative in its field of activity;
- c) have aims and purposes in conformity with FAO's objectives and respectful of its Basic Texts;
- d) have a permanent directing body, authorized representatives and legally established procedures and machinery to communicate with its membership; and
- e) be fully transparent and accountable to FAO in their collaborative arrangements with the Organization so that no conflict of interest could affect FAO's integrity and neutrality.

6. Before being granted formal status, the concerned CSO may be requested to develop working relations with the Organization through the institutional arrangements and tools for collaboration set out in the Strategy for Partnerships with Civil Society Organizations and within the framework of these rules and procedures.

### **B. Rights of CSOs in formal status**

7. CSOs in formal status will be entitled:

- a) to send an observer (without the right to vote), who may be accompanied by advisers, to sessions of the Conference; to speak before the commissions of the Conference, but not to participate in discussions unless requested by the Chairperson; and, upon request addressed to the Director-General and, with the consent of the General Committee of the Conference, to speak before the Conference itself;
- b) to attend (without the right to vote) the sessions of the Council, technical committees under Article V.6.b) of the Constitution, Regional Conferences, Statutory Bodies and technical meetings and consultations of the Organization, to speak before the concerned body and to participate in discussions upon approval by the Chairperson, and in accordance with such procedures as may be adopted;
- c) to participate as an observer (without the right to vote) in experts' meetings, technical conferences or seminars on subjects which fall within their fields of interest and to participate in discussions upon approval by the Chairperson, and in accordance with such procedures as may be adopted;
- d) to receive, in advance of session or meetings, documentation of a non-restricted nature, as well as information about meetings planned on matters agreed upon with the Secretariat;
- e) to circulate their views through the Chairperson of the meeting in which they participate; and
- f) to submit written statements, in one of the languages of FAO, to the Director-General who may make them available to Members.

8. Notwithstanding the above, participation in sessions and meetings of the Organization by CSOs may be subject to such arrangements as may be approved by the body or meeting concerned and which may be necessary for the conduct of the proceedings.

### **C. Obligations of CSOs in formal status**

9. CSOs in formal status undertake:

- a) to cooperate fully with FAO for the furtherance of the objectives of the Organization;
- b) in cooperation with the competent units of FAO, to determine the ways and means for coordination of activities in a specialized field of FAO, with a view to avoiding unnecessary duplication and overlapping;
- c) to allow for the attendance and participation of a representative of FAO in the meetings of its governing bodies, general assemblies and appropriate technical meetings, and to arrange for coordination at secretariat level;

- d) to contribute, as far as possible, and at the request of the Director-General, to the promotion of a better knowledge and understanding of FAO's programmes and activities through appropriate discussions or agreed forms of publicity;
- e) to send to FAO its reports and publications on an exchange basis;
- f) to keep FAO informed of changes in its structure and membership, as well as of important changes in its secretariat;
- g) to submit annual reports of their activities, specifically with regard to the support that they have given to the work of the FAO, its Governing and Statutory Bodies and secretariats, for subsequent publication on FAO's website;
- h) to ensure the efficient functioning of mechanisms guaranteeing transparency and accountability of their operations.

#### D. Review of formal status

10. CSOs granted formal status shall comply at all times with these rules and procedures and other relevant provisions of the Basic Texts. Formal status may be suspended or terminated in case of non compliance.

##### *Suspension*

11. The Organization shall periodically review the activities of CSOs granted formal status, on the basis of the annual report submitted to FAO or other relevant information, to determine the extent to which they have complied with these rules and procedures and other relevant instruments and have contributed to the work of FAO. The Organization may recommend the suspension of formal status for a period of up to three years when an assessment demonstrates that the CSO has failed to comply with the rules and procedures or other relevant instrument. Formal status may also be suspended when a CSO has not shown any interest in, or has not attended any meetings during a period of two years or more. The suspension may last longer if the reasons that motivated it still remain.

12. CSOs whose formal status will be suspended will be notified by the Organization in advance of its intention to do so, the reasons for such action, and provided with an opportunity to comment thereon.

##### *Termination*

13. Formal status may be terminated in the following circumstances:

- a) whenever the Organization considers that formal status is no longer considered necessary or appropriate in the light of changing programmes or other circumstances;
- b) if, within the preceding four years, a CSO has not made any positive or effective contribution to the work of the Organization;
- c) if a CSO clearly abuses its status or engages in a pattern of acts contrary to, or incompatible with, the purposes and principles of the FAO Constitution; and
- d) if, having been suspended for a three-year period, it has failed to rectify the circumstance which gave rise to suspension.

14. CSOs whose formal status will be terminated will be notified by the Organization in advance of its intention to do so, the reasons for such action, and provided with an opportunity to comment thereon.

15. A CSO, whose formal status is terminated under circumstances referred to in paragraph 13 above, may reapply for formal status two years after the effective date of termination. Any such application must provide sufficient evidence that the circumstances which led to the termination of formal status no longer exist.

## **II. Participation of CSOs in FAO Meetings on an *Ad Hoc* Basis**

### A. Eligibility for invitation

16. CSOs concerned with matters covering a particular portion of FAO's field of activities and having interest in attending specific FAO meetings, may be invited on an *ad hoc* basis to participate in

such meetings, upon their request and upon a positive decision of the secretariat. These meetings may include sessions of FAO Governing and Statutory Bodies, technical meetings and consultations of the Organization.

17. Invitations to a specific meeting will not normally be issued to individual CSOs that are members of a larger organization that is invited to the specific meeting and intends to represent them at that meeting.

B. Rights of CSOs invited on an *ad hoc* basis

18. CSOs invited to participate in specific meetings shall enjoy, at such meetings, the same rights as CSOs in formal status set out in Section I.B of these rules and procedures.

### III. Participation of Private Sector Representatives

19. Private sector representatives concerned with a particular area of FAO's field of activities and having an interest in attending specific FAO meetings may be invited, either as organizations having been granted formal status, or on an *ad hoc* basis, to participate in such meetings.

20. Before being granted formal status, private sector entities may be requested to develop collaborative relations with the Organization through institutional arrangements and tools for collaboration set out in the Strategy for Partnerships with the Private Sector<sup>4</sup> and within the framework of these rules and procedures.

21. As a general principle, private sector representatives granted formal status or invited to participate in specific meetings on an *ad hoc* basis shall have the same rights as CSOs participating in the same capacity.

22. When considering applications for formal status or requests for participation of private sector representatives in FAO meetings on an *ad hoc* basis, due consideration shall be given to:

- a) the intergovernmental nature of FAO's decision-making process;
- b) the need for transparency, accountability and awareness of represented interests; and
- c) the need to maintain FAO's neutrality, impartiality and transparency.

23. With a view to guaranteeing transparency, FAO will take all necessary measures to ensure that Member Nations have complete information on the interests represented by private sector representatives attending meetings of the Organization. As a condition for their participation in meetings of the Organization, private sector representatives shall disclose such on the nature of the interests which they represent as may be required by the secretariat.

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<sup>4</sup> CL 146/REP, Appendix C.

## Appendix II

## Comparative Table between Parts M and N of the Basic Texts as currently in force and the draft Rules and Procedures

FAO Policy Concerning Relations with International Non-Governmental Organizations (Basic Texts, Part M)	DRAFT Rules and Procedures for Participation of Civil Society Organizations and Private Sector Representatives in FAO Meetings
<p><b>Preamble</b></p> <p>1. deleted</p> <p><b>Purposes</b></p> <p>2. deleted</p> <p>3. deleted</p> <p><b>Forms of Relationship</b></p> <p>4. deleted</p> <p><b>General Arrangements</b></p> <p>5. deleted</p>	<p>1. FAO recognizes the relevance and value of the contribution of civil society organizations (CSO) and the private sector to the achievement of the objectives of the Organization and is committed to facilitating their involvement in its work and activities. Being a knowledge organization and a neutral forum for dialogue and debate, FAO encourages an inclusive process for policy dialogue and for sharing expertise and knowledge, taking into account the intergovernmental nature of the Organization and its accountability to its Members. The Organization is committed to facilitating CSO and private sector participation in FAO activities, subject to the principle that, in line with the nature of FAO as an intergovernmental organization of the United Nations System, decision making is entirely a matter for Members.</p> <p>2. “Civil society organizations” is a broad category which encompasses a wide variety of organizations, which, although different, often share certain common goals, resources and/or approaches to maximize their decision-making capacity, advocacy and knowledge. The FAO Strategy for Partnerships with Civil Society Organizations<sup>5</sup> contemplates three main categories of civil society organizations: member-based organizations, non-governmental organizations and social movements.</p> <p>3. The FAO Strategy for Partnership with the Private Sector<sup>6</sup> provides that the private sector includes enterprises, companies or businesses, regardless of size, ownership and structure and covers all sectors of the food, agriculture, forestry and fisheries systems from production to consumption, including associated services: financing, investment, insurance, marketing and trade. It considers that the private sector encompasses a broad array of entities that range from farmer organizations,<sup>7</sup></p>

<sup>5</sup> CL 146/REP, Appendix F, paragraph 7.

<sup>6</sup> CL 146/REP, Appendix C, paragraphs 9-11.

<sup>7</sup> FAO tends to consider small-scale producers organizations under the scope of civil society. Larger foundations funded or governed by private sector or commercial food organizations are usually treated as private sector. However, the division is not always clear-cut. Therefore, these organizations may be considered on a case-by-case basis to determine under which Strategy they fall more appropriately. Given FAO’s mandate,



	<p>cooperatives and small and medium enterprises to the largest international corporations. For the purposes of this Strategy this also includes private financial institutions; industry and trade associations; and consortia that represent private sector interests. Any consortium, organization or foundation, largely funded or governed by private entities, as well as cooperatives, which generally have for-profit orientations, will be considered as private sector.</p> <p>4. These rules and procedures foresee that CSO and private sector representatives may attend FAO meetings, including sessions of FAO Governing and Statutory Bodies, in an observer capacity either as a result of having been granted formal status with the Organization, or upon invitation on an <i>ad hoc</i> basis. Formal status is granted as a result of a process assessing whether certain standard requirements are met, including the relevant entity's interest in the work of FAO and its past or potential collaboration with FAO. In order to safeguard the Organization's intergovernmental nature, its independence and impartiality in decision-making, civil society and private sector entities are excluded from decision-making. These rules and procedures draw on FAO's past experience and on that of a number of organizations and programmes and funds of the United Nations System.</p>
<p><i>Organizations eligible for consultative status</i></p> <p>6. In order to be eligible for consultative status, an international non-governmental organization shall:</p> <p>(a) <del>be international in its structure and scope of activity,</del> be sufficiently representative of the field of interest in which it operates, <del>and be of a recognized standing that renders its views on policy a matter of great interest to governments and to FAO;</del></p> <p>(b) be concerned with matters covering a substantial portion of FAO's field of activity;</p> <p>(c) have aims and purposes in conformity with the general principles embodied in the Constitution of FAO;</p> <p>(d) have a permanent directing body, authorized representatives and</p>	<p><b>I. CSOs in Formal Status</b></p> <p>A. <u>CSOs eligible for formal status</u></p> <p>5. In order to be eligible for formal status, CSOs should:</p> <p>a) have objectives and scope of activities coherent with FAO's mandate;</p> <p>b) be representative in its field of activity;</p> <p>c) have aims and purposes in conformity with FAO's objectives and respectful of its Basic Texts;</p> <p>d) have a permanent directing body, authorized representatives and legally established procedures and machinery to communicate with its membership; and</p> <p>e) be fully transparent and accountable to FAO in their collaborative</p>

<p>systematic procedures and machinery for communicating with its membership in various countries.</p> <p><i>Organizations eligible for specialized consultative status</i></p> <p>7. deleted</p> <p><i>Organizations eligible for liaison status</i></p> <p>8. deleted</p>	<p>arrangements with the Organization so that no conflict of interest could affect FAO's integrity and neutrality.</p>
<p><b>Procedure for Selecting the Organizations with which FAO may enter into Formal Relationship</b></p> <p><del>9. Before any form of formal relationship is established with an international non-governmental organization, such organization must supply FAO with the information requested by the Director-General.</del></p> <p><i>Consultative status</i></p> <p>Paragraphs 10-11 deleted</p> <p><i>Specialized Consultative status</i></p> <p>Paragraphs 12-14 deleted</p> <p><i>Liaison status</i></p> <p>Paragraphs 15-16 deleted</p>	<p>6. Before being granted formal status, the concerned CSO may be requested to develop working relations with the Organization through the institutional arrangements and tools for collaboration set out in the Strategy for Partnerships with Civil Society Organizations and within the framework of these rules and procedures.</p>
<p><b>Scope of Arrangements for Consultation, Cooperation and Liaison</b></p> <p>Paragraphs 17-18 deleted</p> <p><del>19. An organization in consultative status:</del></p> <p>(a) shall be entitled to send an observer (without the right to vote) to a session of the Conference and Council, who may be accompanied by advisers; to receive from the Director-General, in advance of the session, all documents bearing on policy or technical questions; to circulate to the Conference its views in writing, without abridgement;</p>	<p>B. <u>Rights of CSOs in formal status</u></p> <p>7. CSOs in formal status will be entitled:</p> <p>a) to send an observer (without the right to vote), who may be accompanied by advisers, to sessions of the Conference; to speak before the commissions of the Conference, but not to participate in discussions unless requested by the Chairperson; and, upon request addressed to the Director-General and, with the consent of the General Committee of the Conference, to speak before the</p>

<p>to speak before the technical committees of the Conference but not to participate in discussions unless requested by the Chairman; and, upon request addressed to the Director-General and with the consent of the General Committee of the Conference, to speak before the Conference itself;</p> <p>(b) may be invited by the Director-General to participate in experts' meetings, technical conferences or seminars on subjects which fall within its fields of interest, and if it does not so participate it may submit its views in writing to any such meeting or technical conference;</p> <p>(c) will receive non-confidential documentation and information about meetings planned on subjects agreed upon with the Secretariat;</p> <p>(d) may submit, <del>under the authority of its governing body, written statements on programme matters, not exceeding 2 000 words,</del> in one of the languages of FAO, to the Director-General, who may communicate them to the Council.</p>	<p>Conference itself;</p> <p>b) to attend (without the right to vote) the sessions of the Council, technical committees under Article V.6.b) of the Constitution, Regional Conferences, Statutory Bodies, and technical meetings and consultations of the Organization, to speak before the concerned body and to participate in discussions upon approval by the Chairperson, and in accordance with such procedures as may be adopted;</p> <p>c) to participate as an observer (without the right to vote) in experts' meetings, technical conferences or seminars on subjects which fall within their fields of interest and to participate in discussions upon approval by the Chairperson, and in accordance with such procedures as may be adopted;</p> <p>d) to receive, in advance of session or meetings, documentation of a non-restricted nature, as well as information about meetings planned on matters agreed upon with the Secretariat;</p> <p>e) to circulate their views through the Chairperson of the meeting in which they participate; and</p> <p>f) to submit written statements, in one of the languages of FAO, to the Director-General who may make them available to Members.</p> <p>8. Notwithstanding the above, participation in sessions and meetings of the Organization by CSOs may be subject to such arrangements as may be approved by the body or meeting concerned and which may be necessary for the conduct of the proceedings.</p>
<p><del>20. On the other hand, an organization in consultative status shall undertake:</del></p> <p>(a) to cooperate fully with FAO for the furtherance of the objectives of the Organization;</p> <p>(b) in cooperation with the competent services of FAO, to determine the ways and means of coordinating activities within the field of FAO, with a view to avoiding duplication and overlapping;</p> <p>(c) for this purpose, to invite a representative of the Director-General to</p>	<p>C. <u>Obligations of CSOs in formal status</u></p> <p>9. CSOs in formal status undertake:</p> <p>a) to cooperate fully with FAO for the furtherance of the objectives of the Organization;</p> <p>b) in cooperation with the competent units of FAO, to determine the ways and means for coordination of activities in a specialized field of FAO, with a view to avoiding unnecessary duplication</p>

<p>attend and participate in the meetings of its governing bodies, general assemblies and appropriate technical meetings, and to arrange for coordination at secretariat level;</p> <p>(d) to contribute, as far as possible, and at the request of the Director-General, to the promotion of a better knowledge and understanding of FAO's programmes and activities through appropriate discussions or other forms of publicity;</p> <p>(e) to send FAO its reports and publications on an exchange basis;</p> <p>(f) to keep FAO informed of changes in its structure and membership, as well as of important changes in its secretariat.</p> <p><i>Organizations granted specialized consultative status</i></p> <p>Paragraphs 21 and 22 deleted</p> <p><i>Organizations liaison status</i></p> <p>Paragraphs 23 to 25 deleted</p>	<p>and overlapping;</p> <p>c) to allow for attendance and participation of a representative of FAO in the meetings of its governing bodies, general assemblies and appropriate technical meetings, and to arrange for coordination at secretariat level;</p> <p>d) to contribute, as far as possible, and at the request of the Director-General, to the promotion of a better knowledge and understanding of FAO's programmes and activities through appropriate discussions or agreed forms of publicity;</p> <p>e) to send to FAO its reports and publications on an exchange basis;</p> <p>f) to keep FAO informed of changes in its structure and membership, as well as of important changes in its secretariat;</p> <p>g) to submit annual reports of their activities, specifically with regard to the support that they have given to the work of the FAO, its Governing and Statutory Bodies and secretariats, for subsequent publication on FAO's website;</p> <p>h) to ensure the efficient functioning of mechanisms guaranteeing transparency and accountability of their operations.</p>
<p><b>Review of Relationship</b></p> <p>Paragraphs 26 to 32 deleted</p>	<p>D. <u>Review of formal status</u></p> <p>10. CSOs granted formal status shall comply at all times with these rules and procedures and other relevant provisions of the Basic Texts. Formal status may be suspended or terminated in case of non compliance.</p> <p><i>Suspension</i></p> <p>11. The Organization shall periodically review the activities of CSOs granted formal status, on the basis of the annual report submitted to FAO or other relevant information, to determine the extent to which they have complied with these rules and procedures and other relevant instruments and have contributed to the work of FAO. The Organization may recommend the suspension of formal status for a period of up to three years when an assessment demonstrates that the CSO has failed to comply with the rules and procedures or other relevant instrument. Formal status may also be suspended</p>

when a CSO has not shown any interest in, or has not attended any meetings during a period of two years or more. The suspension may last longer if the reasons that motivated it still remain.

12. CSOs whose formal status will be suspended will be notified by the Organization in advance of its intention to do so, the reasons for such action, and provided with an opportunity to comment thereon.

*Termination*

13. Formal status may be terminated in the following circumstances:

- a) whenever the Organization considers that formal status is no longer considered necessary or appropriate in the light of changing programmes or other circumstances;
- b) if, within the preceding four years, a CSO has not made any positive or effective contribution to the work of the Organization;
- c) if a CSO clearly abuses its status or engages in a pattern of acts contrary to, or incompatible with, the purposes and principles of the FAO Constitution;
- d) if, having been suspended for a three-year period, it has failed to rectify the circumstance which gave rise to suspension.

14. CSOs whose formal status will be terminated will be notified by the Organization in advance of its intention to do so, the reasons for such action and provided with an opportunity to comment thereon.

15. A CSO, whose formal status is terminated under circumstances referred to in paragraph 13 above, may reapply for formal status two years after the effective date of termination. Any such application must provide sufficient evidence that the circumstances which led to the termination of formal status no longer exist.

<p><b>Basic Texts, Part N is not at all reflected in the proposed rules and procedures</b></p>	<p><b>II. Participation of CSOs in FAO Meetings on an <i>Ad Hoc</i> Basis</b></p> <p>A. <u>Eligibility for invitation</u></p> <p>16. CSOs concerned with matters covering a particular portion of FAO’s field of activities and having interest in attending specific FAO meetings, may be invited on an <i>ad hoc</i> basis to participate in such meetings, upon their request and upon a positive decision of the secretariat. These meetings may include sessions of FAO Governing and Statutory Bodies, technical meetings and consultations of the Organization</p> <p>17. Invitations to a specific meeting will not normally be issued to individual CSOs that are members of a larger organization that is invited to the specific meeting and intends to represent them at that meeting.</p> <p>B. <u>Rights of CSOs invited on an <i>ad hoc</i> basis</u></p> <p>18. CSOs invited to participate in specific meetings shall enjoy, at such meetings, the same rights as CSOs in formal status set out in Section I.B of these rules and procedures.</p>
	<p><b>III. Participation of Private Sector Representatives</b></p> <p>19. Private sector representatives concerned with a particular area of FAO’s field of activities and having an interest in attending specific FAO meetings may be invited, either as organizations having been granted formal status, or on an <i>ad hoc</i> basis, to participate in such meetings.</p> <p>20. Before being granted formal status, private sector entities may be requested to develop collaborative relations with the Organization through institutional arrangements and tools for collaboration set out in the Strategy for Partnerships with the Private Sector<sup>8</sup> and within the framework of these rules and procedures.</p>

<sup>8</sup> CL 146/REP, Appendix C.

	<p>21. As a general principle, private sector representatives granted formal status or invited to participate in specific meetings on an <i>ad hoc</i> basis shall have the same rights as CSOs participating in the same capacity.</p> <p>22. When considering applications for formal status or requests for participation of private sector representatives in FAO meetings on an <i>ad hoc</i> basis, due consideration shall be given to:</p> <ul style="list-style-type: none"><li>a) the intergovernmental nature of FAO's decision-making process;</li><li>b) the need for transparency, accountability and awareness of represented interests; and</li><li>c) the need to maintain FAO's neutrality, impartiality and transparency.</li></ul> <p>23. With a view to guaranteeing transparency, FAO will take all necessary measures to ensure that Member Nations have complete information on the interests represented by private sector representatives attending meetings of the Organization. As a condition for their participation in meetings of the Organization, private sector representatives shall disclose such on the nature of the interests which they represent as may be required by the secretariat.</p>
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