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de las
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para la
Agricultura y la
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FINANCE COMMITTEE

Hundred and Thirty-eighth Session

Rome, 21 – 25 March 2011

**Conditions of Appointment of the Independent Chairperson of the
Council of FAO**

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EXECUTIVE SUMMARY

- This document is presented for consideration by the Finance Committee following guidance from the Council at its 139th Session in May 2010 that the conditions of appointment of the Independent Chairperson of Council should be reviewed by the Committee in a comprehensive manner. The Council also advised that any proposed revision to the conditions be submitted by the Committee for its consideration prior to the 37th Session of the Conference in June 2011.
- The conditions of appointment of the Independent Chairperson of Council were first established by Conference in 1951, and have subsequently undergone review and decisions by FAO's Governing Bodies.
- The Conference, at its 36th Session in November 2009, recognized the enhanced role of the Independent Chairperson of Council within the context of the Immediate Plan of Action by means of a dedicated resolution.
- This document presents possible adjustments to the conditions of appointment of the Independent Chairperson of Council for consideration by the Committee, which take into account the existing statutory framework in FAO as well as comparative data on the conditions of similar positions in other international organizations.

GUIDANCE SOUGHT FROM THE FINANCE COMMITTEE

- The Committee is invited to review the proposed adjustments to the conditions of appointment of the Independent Chairperson of the Council, as outlined in the draft Conference resolution in Annex 1 of the document, and to provide its recommendation for decision by the Council in April 2011.

Draft Advice

- **Having reviewed the proposed adjustments to the conditions of appointment of the Independent Chairperson of the Council, the Committee agrees to submit to the Council the draft resolution contained in Annex 1 for on forwarding to Conference.**

Background

1. In April 2010, the Finance Committee reviewed the economic conditions for the office of Independent Chairperson of the Council (ICC) of FAO and recommended to the Council an adjustment of the ICC's annual representation allowance to EUR 17,500 – equivalent to USD 23,800 – from the USD 22,000 in force between 1993 and 2009. It also agreed that, if requested, it would further examine the matter¹.
2. In May 2010, while endorsing the recommendation to adjust the annual representation allowance of the ICC, the Council “*felt that this matter should be reviewed further by the Finance Committee in a comprehensive manner, taking into consideration all the related issues and comparable positions, including the need to safeguard the independence and accountability of the role of the Independent Chairperson of the Council. In this respect, the Council advised that any proposed revision to the established conditions should be submitted by the Finance Committee to the Council for its consideration prior to the next session of the Conference so as to take effect after the 37th Session of the FAO Conference*”².
3. This is the context in which the present document provides a review of the conditions of appointment of the ICC and indicates possible adjustments to existing arrangements for the consideration of the Finance Committee.

Statutory framework for the conditions of appointment

4. Under Rule XXIII.1-c of the General Rules of the Organization (GRO), the “*conditions of appointment of the Chairperson of the Council, including the allowances attached to the office, shall be determined by the Conference on the occasion of each appointment, having regard to any recommendations of the General Committee*”.
5. In accordance with this provision, such conditions of appointment have been consistently determined by specific resolution of the Conference, usually adopted on the basis of a recommendation made by the General Committee.
6. This was indeed the case for the current ICC: the Conference set out the conditions of appointment of the ICC until the 37th Session of the Conference by means of Resolution 17/2009 of 22 November 2009³, adopted on the recommendation of the General Committee⁴.
7. Resolution 17/2009, which is reproduced in Annex 1, determines: (i) the per diem allowance received by the ICC while in Rome or on travel for Council matters; (ii) that travel expenses incurred by the ICC when in Rome or on travel for his official functions are to be defrayed by the Organization; and (iii) arrangements for the ICC's health protection and medical insurance.
8. Resolution 17/2009 did not detail the various conditions of appointment and did not mention the annual representation allowance. Following the decision of the Council in May 2010 endorsing the level of the annual representation allowance, the resolution was therefore complemented in June 2010 by an agreement between FAO and the ICC, specifying the

¹ *Report of the 132nd Session of the Finance Committee, Rome, 12-16 April 2010*, CL 139/8, paragraphs 42 and 43. Prior to that, the question of the emoluments of the ICC had been reviewed by the Finance Committee in 2008 and 2009 – see: *Representation Allowance for the Independent Chairperson of the Council*, FC 122/18; *Representation Allowance for the Independent Chairperson of the Council*, FC 128/21; *Emoluments of the Independent Chairperson of the Council*, FC 132/11.

² *Report of the Council of FAO, Hundred and Thirty-ninth Session, Rome, 17-21 May 2010*, CL 139/REP, paragraph 46.

³ *Report of the Thirty-sixth Session of the Conference, Rome, 18-23 November 2009*, C 2009/REP.

⁴ *Report of the Second Meeting of the General Committee*, C 2009/LIM/15.

conditions relating to the office of the ICC in terms of: (i) the annual allowance; (ii) the rate to be applied to the per diem allowance; (iii) health protection and medical insurance; and (iv) the provision of logistical support, including facilities and equipment needed together with secretariat, administrative and interpretation services.

Similar positions in other international organizations

9. The Council requested that comparable positions be taken into consideration for further review of the conditions of appointment of the ICC. The following table summarizes the information received in response to a questionnaire sent to United Nations bodies.

Comparative data on conditions of appointment of equivalent to ICC

Organization	Presence in HQ	Annual allowance	Per diem allowance	Travel expenses	Health protection and medical insurance	Office space, equipment	Support services	interpretation services
FAO	6 to 8 months/year	USD 23,800	DSA rate at 140%	Defrayed by Organization	Coverage by Organization	Dedicated office and equipment	Personal assistant and administrative support	Provided on request
ILO	7 to 9 weeks/year	Swiss Francs 19,890	DSA rate at 115%	Expenses borne by Organization	NA	Office during sessions	Secretariat and administrative assistance	NA
ITU	2 to 3 weeks/year	NA	Expenses borne by Organization	Expenses borne by Organization	Expenses borne by Organization	Office during sessions	Personal assistant during sessions	NA
UNIDO	2 to 3 weeks/year	NA	NA	NA	NA	NA	NA	NA
UNESCO	5 to 6 weeks/year	USD 30,000	DSA rate at 140%	Defrayed by Organization	Coverage by Organization during sessions	Office and equipment as needed	Secretariat and administrative assistance	Provided on request
WFP	5 to 6 weeks/year	NA	DSA rate at 140% while on Board related travel	Defrayed by Organization	Coverage by Organization while on Board related travel	Dedicated office and equipment	Secretariat and administrative assistance	Provided on request
WMO	2 to 3 weeks/year	NA	DSA rate at 140%	Defrayed by Organization	Risk of injury covered by Organization	Dedicated office and equipment	Secretariat and administrative assistance	Russian/English

10. The above comparison indicates a distinctive feature of the position of ICC: unlike other Chairpersons, he/she is expected to spend six to eight months of the year in Rome where the Organization is headquartered, as called for in the Immediate Plan of Action for FAO Renewal (IPA Action 2.34) and as provided for in Resolution 9/2009 on implementation of the IPA on the ICC (Annex 2) and in Resolution 17/2009 on appointment of the ICC (Annex 1). While Chairpersons in similar organizations are required to be at Headquarters for periods ranging from two to six weeks a year, the ICC is required to spend far more time at FAO Headquarters to perform his/her enhanced role of facilitating the Council's governance and executive oversight functions.

11. Another notable difference concerns the annual allowance which is only paid to the ICC and to the Chairperson of UNESCO's Executive Board. No other organization makes such payment to the equivalent of the ICC.

12. There is considerable similarity among comparator organizations for the other conditions of appointment (except UNIDO): (i) a per diem allowance generally set at a higher-than-standard rate when the Chairperson performs his/her functions at Headquarters and/or travels on official business, and travel expenses borne by the respective organization; (ii) health protection and medical insurance largely covered by the relevant organization; (iii) office space and equipment normally made available; (iv) secretariat and administrative assistance usually provided; and (v) interpretation services occasionally made available on request.

Consideration of possible adjustments to existing arrangements

13. In keeping with the guidance provided by the Council in May 2010, the conditions of appointment of the ICC should be reviewed in a comprehensive manner with consideration given to the need to safeguard the independence and accountability of the role of the ICC⁵.

14. In this regard, it should be recalled that the IPA adopted by Conference Resolution 1/2008 conferred greater responsibilities upon the ICC in driving “*forward the continuous improvement of the efficiency, effectiveness and ownership of governance by the membership of the Organization*” (IPA Action 2.32).

15. This new role of the ICC, covering the range of tasks set forth in Resolution 9/2009 (Annex 2), would not be entirely captured by the text of the usual Conference resolution on the appointment of the ICC, as the conditions contained therein have for many years been commensurate with the presence at Headquarters of the Chairperson solely for sessions of the Council, the Programme and Finance Committees and the Conference. The resolution could therefore be adjusted to reflect the pertinent conditions of appointment in a more precise manner.

16. A draft Conference resolution has been prepared to this effect and is included in Annex 1, together with the previous resolution adopted by the 2009 Conference. Their synoptic presentation is intended to allow easy comparison between the preceding and the proposed conditions of appointment, clearly showing the new elements corresponding to the enhanced facilitation role of the ICC. In setting the amount of the annual allowance at a level commensurate with the reinforced institutional responsibilities conferred upon the ICC, the anticipated presence in headquarters for at least six to eight months, the need to “safeguard the independence and accountability” of his/her role, as called for by the Council, should be borne in mind.

Suggested action by the Committee

17. The Committee is invited to review the proposed adjustments to the conditions of appointment of the ICC included in the draft Conference resolution contained in Annex 1 and to provide its recommendation for decision by the Council in April 2011.

⁵ Report of the Council of FAO, Hundred and Thirty-ninth Session, Rome, 17-21 May 2010, CL 139/REP, paragraph 46.

Resolution 17/2009 - Appointment of the Independent Chairperson of the Council

THE CONFERENCE,

Having proceeded to a secret ballot, in accordance with Rule XII.10 (a) of the General Rules of the Organization:

1. **Declares** that Luc Guyau is appointed Independent Chairperson of the Council until the Thirty-seventh Session of Conference (25 June to 2 July 2011);
2. **Decides** that the conditions of appointment, including the allowances attached to the office of the Independent Chairperson of the Council, shall be as follows:
 - a. The Chairperson is required to be present in Rome for all sessions of the Council, Conference, Finance and Programme Committees and, in general, will normally be expected to spend at least six to eight months of the year in Rome;
 - b. A *per diem* allowance equivalent to the applicable standard daily subsistence allowance (DSA) rate at 140%, while the Chairperson is in Rome or travels on Council matters;
 - c. Travel expenses, including the above *per diem* allowance, shall be defrayed by the Organization, in conformity with its regulations and existing practices, when the Chairperson is in Rome or when the Chairperson travels in the performance of the functions of the office of the Independent Chairperson of the Council;
 - d. Arrangements regarding health protection and medical insurance shall be in accordance with Section 343 Part VII-341 of the Administrative Manual;
3. **Decides** that an agreement between FAO and the Independent Chairperson of the Council, consistent with the Basic Texts of FAO and this Resolution, may clarify terms and conditions related to the office of the Independent Chairperson of the Council.

Adopted on 22 November 2009

Draft Resolution __/2011 - Appointment of the Independent Chairperson of the Council

THE CONFERENCE,

Having proceeded to a secret ballot, in accordance with Rule XII.10(a) of the General Rules of the Organization;

Taking into account Rule XXIII of the General Rules of the Organization regarding the Independent Chairperson of the Council and Resolution 9/2009 on Implementation of the Immediate Plan of Action on the Independent Chairperson of the Council;

Having regard to the need to safeguard the independence and accountability of the role of the Independent Chairperson of the Council:

3. **Declares** that _____ is appointed Independent Chairperson of the Council until the Thirty-eighth Session of the Conference (_____2013);
4. **Decides** that the conditions of appointment attached to the office of the Independent Chairperson of the Council will be as follows:
 - a. The Chairperson is required to be present in Rome for all sessions of the Council, the Conference, the Finance Committee and the Programme Committee and will normally be expected to spend at least six to eight months of the year in Rome;
 - b. An annual allowance equivalent to USD_____ will be paid to the Chairperson;
 - c. A *per diem* allowance equivalent to the applicable standard daily subsistence allowance (DSA) rate at 140% will be paid to the Chairperson while he/she is in Rome and when he/she travels in the performance of his/her functions;
 - d. The travel expenses of the Chairperson will be covered by the Organization when he/she travels in the performance of his/her functions;
 - e. In the performance of his/her functions, whether in Rome or while travelling, the Chairperson will receive health protection and medical insurance in accordance with Section 343 Part VII of the FAO Administrative Manual;
 - f. Secretariat services will be made available to the Chairperson to assist him/her in the performance of his/her functions;
 - g. Interpretation services will be made available to the Chairperson, at his/her request, depending on the availability of resources;
 - h. Office space, equipment and supplies required by the Chairperson in the performance of his/her functions will be made available to him/her;
 - i. Assistance will be provided to the Chairperson in carrying out the necessary administrative formalities for the acquisition of the documents required for his/her stay in Rome and for his/her travels in the performance of his/her functions.
4. **Decides** that the implementation modalities of this Resolution will be agreed between the Chairperson and FAO.

Adopted on _____ 2011

Annex 2

*Resolution 9/2009 - Implementation of the Immediate Plan of Action
on the Independent Chairperson of the Council*

THE CONFERENCE,

Having noted that according to Article V, paragraph 2 of the Constitution the Independent Chairperson of the Council is appointed by the Conference and exercises such functions as are inherent in that office, or are otherwise defined in the Basic Texts of the Organization,

Having regard to Rule XXIII of the General Rules of the Organization;

Having noted that, through the Immediate Plan of Action (IPA) for FAO Renewal (2009-2011) adopted by Resolution 1/2008, the Conference decided that the Independent Chairperson of the Council should play an enhanced role in facilitating the exercise by the Council of its governance functions and oversight of the administration of the Organization, and “drive forward the continuous improvement of the efficiency, effectiveness and ownership of governance by the membership of the Organization”;

Conscious of the need to ensure that an enhanced role of the Independent Chairperson of the Council should not create any potential for conflict of roles with the managerial functions of the Director-General in the administration of the Organization, as called for by the IPA;

Mindful that the IPA Actions regarding the Independent Chairperson of the Council should be clarified in a resolution and be implemented in the above spirit;

Decides that:

1. The Independent Chairperson of the Council shall, under the framework established by the Constitution and the General Rules of the Organization regarding the status and functions of the office, and without restricting in any manner the general nature of those functions:
 - a. whenever necessary, take such steps as may be required to facilitate and achieve consensus among Member Nations, especially on important or controversial issues;
 - b. liaise with the Chairpersons of the Programme Committee, the Finance Committee and the Committee on Constitutional and Legal Matters regarding the work programmes of these Committees as well as, as appropriate, with the Chairpersons of the Technical Committees and Regional Conferences. Insofar as possible the Independent Chairperson of the Council shall attend the sessions of the Programme Committee, Finance Committee and Regional Conferences;
 - c. as required or appropriate, convene informal consultations with representatives of Member Nations on issues of an administrative and organizational nature for the preparation and conduct of Council sessions;
 - d. liaise with the Director-General and other senior officials of the Organization in respect of any concerns of the membership, as expressed through the Council, Programme Committee, Finance Committee and Regional Conferences;

- e. ensure that the Council is kept informed of developments in other fora of relevance for FAO's mandate and that dialogue is maintained with other Governing Bodies as appropriate, in particular the Governing Bodies of the organizations based in Rome dealing with food and agriculture.
2. In nominating candidates for the office of Independent Chairperson of the Council, Member Nations should have regard to the qualities that the Chairperson should possess, including among others ability to be objective, sensitivity to political, social and cultural differences, and appropriate experience in areas relevant to the Organization's work.
3. The Independent Chairperson of the Council shall be required to be present in Rome for all sessions of the Council and will normally be expected to spend at least six to eight months of the year in Rome.

(Adopted on 22 November 2009)