

No. 14604. AGREEMENT FOR THE ESTABLISHMENT OF A REGIONAL ANIMAL PRODUCTION AND HEALTH COMMISSION FOR ASIA, THE FAR EAST AND THE SOUTH-WEST PACIFIC. CONCLUDED AT ROME ON 22 JUNE 1973¹

MODIFICATION of articles II, VII, VIII, XI, XV, XVI and XX of the above-mentioned Agreement

By resolution 1/76 the Council of the Food and Agriculture Organization of the United Nations, on 8 November 1979 at its seventy-sixth session held at Rome, approved amendments to the above-mentioned articles.

The said amendments, not involving new obligations for the members of the Commission, took effect for all Parties on 8 November 1979, the date of their approval by the Council of the Organization, in accordance with article XVII (4) of the Agreement.

The amended articles follow with additions underlined and deletions in square brackets:

Article II. [PURPOSE] PURPOSES

The purposes of the Commission shall be:

- (a) [The promotion of] To promote livestock development in general and national and international research and action with respect to animal health and husbandry problems in [Asia, the Far East and the South-West Pacific.] the Region as defined in article III.1 of this Agreement;
- (b) To build up regional and national livestock programmes based on collective self-reliance and mutual assistance within the Region;
- (c) To promote livestock production as an industry and as part of the farming system on the basis of self-reliance at the farm level;
- (d) To raise the level of nutrition and standard of living of small farmers and rural communities through the optimal exploitation of potential resources for livestock development.

Article VII. SPECIAL FUNCTIONS

The following shall be the special functions of the Commission:

1. To assist in controlling animal disease outbreaks in emergency situations in any manner considered appropriate by the Commission and by the Member or Members concerned; for this purpose, the Commission or its Executive Committee, in conformity with the provisions of article XII (e) may use any uncommitted balances of the [administrative] budget referred to in article XV. [6] 7 as well as any [contributions] donations or supplementary contributions which may be provided for emergency action under article XV [2] 4 or [5] 6;
2. To elaborate and amend, as appropriate, common regional standards and practices of animal production and health; upon recommendation by a two-thirds majority of the Members of the Commission, these standards and practices and any amendment thereto shall constitute annexes to this Agreement, to be implemented by Members in accordance with article IV; the Commission may adopt detailed procedures pertaining to the elaboration, adoption and amendment of, and reservations to, such standards and practices;
3. To assist in the procurement and distribution of frozen semen and high quality genetic stock;

¹ United Nations, *Treaty Series*, vol. 997, p. 89, and annex A in volumes 1008, 1015, 1018, 1031, 1040, 1078, 1128 and 1150.

4. To take suitable action on the following:
 - (a) Storage of cultures or vaccines for distribution to any Member in case of need;
 - (b) Promotion, when necessary, of the establishment by a Member or Members of "cordons sanitaires" to prevent the spread of disease;
5. To carry out such further special projects in animal production and health as may be suggested by Members and approved by the Commission within budgetary limits;
- [6. Funds from the surplus of the Administrative Budget may be used for the purposes stated in paragraphs 3, 4 and 5 of this article when such action is approved by the Commission by a two-thirds majority of the votes cast, providing such majority is more than one half of the membership of the Commission.]

Article VIII. SESSIONS OF THE COMMISSION

1. Each Member of the Commission shall be represented at sessions of the Commission by a delegate who may be accompanied by alternates and by experts and advisers. Alternates, experts and advisers may take part in the proceedings of the Commission but may not vote unless authorized by the delegate to substitute for him.
2. A majority of the Members of the Commission shall constitute a quorum. Each Member shall have one vote. Decisions of the Commission shall be taken by a majority of the votes cast, except as otherwise provided for in this Agreement.
3. A Member which is in arrears in the payment of its financial contributions to the Commission shall have no vote if the amount of its arrears equals or exceeds the amount of the contributions due from it for the two preceding financial years.
4. The Commission shall elect, at [the beginning of] each regular session, a Chairman, a Vice-Chairman and three Members of the Executive Committee provided for in article XI from among the delegates. These officers shall [hold] remain in office until the [beginning of] election of new officers at the next regular session and shall be eligible for re-election to the same office only for one further successive term.
5. The Director-General of the Organization, in consultation with the Chairman of the Commission, shall convene a regular session of the Commission normally once a year. Special sessions may be convened by the Director-General of the Organization in consultation with the Chairman of the Commission, if so requested by the Commission in regular sessions or by at least one-third of the Members during intervals between regular sessions.
6. The Director-General of the Organization or a representative designated by him shall have the right to participate without vote in all meetings of the Commission, its Executive Committee or other subsidiary bodies.

Article XI. THE EXECUTIVE COMMITTEE

1. There shall be an Executive Committee composed of the Chairman and Vice-Chairman of the Commission, [and] three Committee members elected by the Commission, and the former Chairman of the Commission as an ex-officio member. The former Chairman shall serve for the term immediately following the term during which he was Chairman, and he shall have the right to vote. The Secretary of the Commission shall act as Secretary of the Executive Committee.
2. The Executive Committee shall meet at least once between regular sessions of the Commission. The Chairman of the Executive Committee shall, in consultation with the Director-General of the Organization, convene sessions of the Committee.

Article XV. FINANCE

1. Each Member of the Commission undertakes to contribute annually its share of the Budget in accordance with a scale of contributions to be adopted by a two-thirds ma-

majority of the membership of the Commission. [Contributions by Members shall be made in cash.]

[3] 2. Contributions shall be made in cash and shall be payable in currencies to be determined by the Commission after consultation with each Member and with the concurrence of the Director-General of the Organization.

3. In addition to making their annual contributions provided for in paragraph 1 or supplementary contributions in accordance with paragraph 6 of this article, Members of the Commission may establish a national fund into which they may pay moneys in their national currency or in other currencies to be used for implementing the Commission's programmes and projects. Any such national fund shall be administered by the Member concerned.

[2] 4. The Commission may also accept [contributions and] donations and other forms of assistance from organizations, individuals and other sources for purposes connected with the fulfilment of any of its functions including emergency action.

[4] 5. [All] Contributions and donations received shall be placed in a Trust Fund administered by the Director-General of the Organization in conformity with the Financial Regulations of the Organization.

[5] 6. Supplementary contributions may be accepted from a Member or Members for emergency action or for the purpose of implementing special schemes or campaigns of disease control which under article VII the Commission or Executive Committee may adopt or recommend.

[6] 7. At the end of each financial [year] period, any uncommitted balance of the [Administrative] Budget shall [be placed in a] accrue to the Commission's Special Account [to] and shall be available for the purposes outlined in articles VI and VII.

Article XVI. EXPENSES

1. The expenses of the Commission shall be paid out of its Budget except those relating to such staff and facilities as may be made available by the Organization. The expenses to be borne by the Organization shall be determined and paid within the limits of the biennial budget prepared by the Director-General of the Organization and approved by the Conference of the Organization in accordance with the Constitution, General Rules and the Financial Regulations of the Organization.

2. Expenses incurred by delegates of Members of the Commission and by their alternates, experts and advisers, when attending sessions of the Commission, as well as the expenses incurred by observers, shall be borne by the respective governments or organizations. Expenses incurred by [the representative of] each member of the [Commission] Committee when attending sessions of the Executive Committee shall be borne by the Commission.

3. Expenses of consultants or experts invited to attend sessions or participate in the work of the Commission or the Executive Committee shall be borne by the Commission.

Article XX. INTERPRETATION AND SETTLEMENT OF DISPUTES

1. Any dispute regarding the interpretation or application of this Agreement, if not settled by the Commission, shall be referred to a Committee composed of one member appointed by each of the parties to the dispute, and in addition an independent chairman chosen by the members of the Committee.

2. The Committee shall submit a report to the Chairman of the Commission who shall transmit it to the parties to the dispute, to the other Members of the Commission and to the Director-General of the Organization. The costs arising from the Committee's proceedings shall be borne by the parties to the dispute as determined by the Commission.

3. The recommendations of such a Committee, while not binding in character, shall become the basis for renewed consideration by the parties concerned of the matter out of which the disagreement arose. If as the result of this procedure the dispute is not settled, it shall be referred to the International Court of Justice in accordance with the Statute of the Court, unless the parties to the dispute agree to another method of settlement.

Authentic texts of the amendments: English and French.

Certified statement was registered by the Food and Agriculture Organization of the United Nations on 10 June 1980.
