



DECISION No DEC-4/S.ex 29 -VI/2017

**ADOPTING THE NEW TEXT OF THE RULES OF PROCEDURE OF THE
INTERNATIONAL OLIVE COUNCIL**

**THE COUNCIL OF MEMBERS OF THE INTERNATIONAL OLIVE
COUNCIL,**

Having regard to the International Agreement on Olive Oil and Table Olives, 2015, and in particular its article 7(1)(c)(i);

Having regard to the Decision of the Council of Members No DEC-5/S.ex 27-V/2016 of 16 July 2016 adopting the new text of the Rules of Procedure of the International Olive Council;

Whereas said Decision must be resubmitted to the Council of Members for adoption following the entry into force of the 2015 Agreement;

Whereas the draft Rules of Procedure were examined by the Administrative and Financial Affairs Committee, which proposes the adoption of the text appended hereto by the Council of Members;

DECIDES

1. The Rules of Procedure (Doc. No COI-RI/2017-2) appended hereto shall be adopted.
2. This document shall enter into force on 1 April 2017.

Madrid (Spain), 16 March 2017.

Signed: Mr Ammar Assabah
Chairperson of the International Olive Council

RULES OF PROCEDURE OF THE INTERNATIONAL OLIVE COUNCIL

TITLE I

ORGANISATION OF THE INTERNATIONAL OLIVE COUNCIL

Article 1 – Representatives

Each Member shall designate the authority that shall be its representative, to which all notices and other communications concerning the work of the International Olive Council shall be sent.

Article 2 – Languages of the International Olive Council

The official languages of the International Olive Council shall be Arabic, English, French, Italian and Spanish.

CHAPTER I: CHAIRPERSON AND VICE-CHAIRPERSON

Article 3 – Election of the Chairperson and Vice-Chairperson

The term of office of the Chairperson and Vice Chairperson of the International Olive Council shall begin on 1 January and end on 31 December of each year. The new Chairperson and Vice Chairperson shall be designated by the Council of Members at its second regular session and shall enter into office on 1 January of the following year;

This election may be made by alphabetical rotation of the chair amongst the Members of the International Olive Council, for which purpose the names of the Members shall be stated in Spanish. Without prejudice to article 27, paragraph 2, if a Member gives up the chair or vice chair or its right to hold such elective office is suspended, a new incumbent shall be elected in accordance with the procedure described above.

Article 4 – Functions of the Chairperson

The functions of the Chairperson shall be:

- to convene the sessions of the Council of Members;
- to submit the provisional agenda for approval by the Council of Members at the start of each session;

- to steer the discussions of the Council of Members with a view to facilitating the decision-making process;
- to rule on points of order, subject to the right of any representative to request that any ruling by the Chairperson be submitted to the Council of Members for Decision;
- to propose resolutions and recommendations for adoption;
- to announce and sign the Decisions reached on all matters submitted to the Council of Members for consideration;
- to sign the final reports of the sessions of the Council of Members;
- to represent the International Olive Council, for the duration of his or her term of office, on any occasion on which such representation is necessary;
- to preside over the Executive Director and Deputy Executive Director Selection Committee;
- to enter into legal commitments on behalf of the International Olive Council, in accordance with the provisions of article 5 and article 7, paragraph 2 of the Agreement, in order to implement Decisions thereof without prejudice to any delegations of power to the Executive Director for which explicit provision is made in the Decisions taken by the Council of Members or to the provisions of article 26, paragraph 5 of the Agreement; and
- to fulfil other functions provided for in these Rules.

CHAPTER II: SESSIONS OF THE COUNCIL OF MEMBERS

Article 5 – Delegation at sessions of the Council of Members

Each Member shall, as soon as possible before each session of the Council of Members, inform the Executive Director officially in writing of:

- the name of its Head of Delegation and/or alternates for the session; or
- the Member it has authorised to represent its interests and to exercise its right to participate in Decisions of the Council of Members, in accordance with article 8, paragraph 5 of the Agreement.

Failing that, the delegate at the session of the Council of Members must have a letter of delegation issued by the competent authority of the Member.

The Head of Delegation and/or alternates may be accompanied by as many experts as each Member deems necessary.

Article 6 – Organisation of sessions of the Council of Members

1. The sessions of the Council of Members shall be reserved exclusively for the Members unless the Council of Members decides otherwise.

Any third party or entity or a Permanent Observer in the General Assembly of the United Nations or United Nations specialised agencies with an intention to accede to this Agreement and/or with a direct interest in the activities of the International Olive Council may, upon its own initiative or upon the invitation of the Council of Members and with the prior consent of the latter, attend as an observer at all or parts of a given session or sessions of the Council of Members. Any Members in arrears pursuant to the provisions of article 16, paragraph 8 of the Agreement may likewise enjoy observer status.

Observers shall not hold the status of members and shall have neither decision-making powers nor voting rights.

Observers shall not be entitled to address the sessions of the Council of Members unless so authorised by the Chairperson.

2. The Council of Members shall meet at the place of its headquarters unless it decides otherwise.

If, in accordance with the provisions of article 8, paragraph 1 of the Agreement, the Council of Members accepts the invitation of a Member to meet elsewhere, that Member shall bear all the expenditure additional to the expenditure which would be borne by the budget of the International Olive Council if the meeting were to be held at the headquarters, in particular:

- the mission expenses of the staff of the Executive Secretariat of the International Olive Council, which shall be calculated on the basis of the rules laid down in the Staff Regulations;
- the logistical costs of the meeting.

3. The Council of Members shall hold two regular sessions a year in accordance with the provisions of article 8, paragraph 2 of the Agreement.

4. The Council of Members shall hold extraordinary sessions in accordance with the provisions of article 8, paragraph 3 of the Agreement. Interpretation into all the official languages shall be available at sessions of the Council of Members.

Any Member wishing to speak at sessions of the Council of Members or meetings of its committees and subcommittees in any language other than one of the official languages shall make arrangements, at its own expense, for interpretation from that language into the official languages.

Article 7 – Agenda

1. The Executive Director shall prepare the provisional agenda for the sessions and shall submit it to the Chairperson for approval.
2. The provisional agenda shall include items resulting from the enforcement of the Agreement, items which have been included as a result of Decisions taken by the Council of Members at previous sessions or by correspondence and items proposed by the Chairperson, the Members and the committees.
3. The provisional agenda and the documents relating to the items listed on that agenda shall be sent to the Members at least 30 calendar days before the scheduled starting date of the regular sessions and 21 calendar days in the case of extraordinary sessions. The Members may add other items to the agenda.
4. The Council of Members shall examine the following matters at its regular sessions:

First regular session:

- Committee reports;
- Financial statements together with the audit report, in accordance with the provisions of the Financial Regulation of the International Olive Council;
- Financial control report
- Preliminary budget;
- Annual activity report of the Executive Secretariat, which shall be submitted by the Executive Director.

Second regular session:

- Committee reports;
- Financial control report;
- Status and development of staff;
- Rolling plan, including the strategic four-year plan and two-year operational plan;
- Budget for adoption.

Article 8 – deleted

Article 9 – Credentials Committee

1. At its second regular session of each year the Council of Members shall appoint a Credentials Committee composed of three representatives of the Members, who shall remain in office until the start of the second regular session of the following year.
2. The Committee shall examine the credentials of all the representatives and the authorisations for representation made under article 8, paragraph 5 of the Agreement, and shall report thereon to the Council of Members at each session.

Article 10– Decisions of the Council of Members

1. Decisions of the Council of Members shall be adopted in plenary or by an exchange of correspondence in accordance with the provisions of article 10 of the Agreement.
2. When taken in plenary, Decisions shall be adopted by the Members present or represented and entitled to vote in accordance with the system required for adoption under article 10 of the Agreement.

The Decisions adopted shall enter into force on the date specified in the Decision, after being signed by the Chairperson.

3. A register entitled ‘Decisions of the Council of Members’ shall be created. All Decisions of the Council of Members shall be recorded therein. In the case of each Decision the date of the session shall be listed, in addition to the date of its entry into force and the date, if any, of its repeal. The Executive Secretariat shall assign a consecutive number for each year to the Decisions adopted and shall file them in a specific binder headed ‘Decisions of the Council of Members’.
4. The Register of Decisions shall be published on the website of the International Olive Council at least once a year, after the second regular session of the Council of Members.

Article 11 – Minutes and final reports

1. Draft minutes of each session of the Council of Members shall be drawn up in English and French by the Executive Secretariat of the International Olive Council and shall be sent to all the Members within 15 calendar days. All the Decisions taken by the Council of Members at the session concerned and the Decisions taken by correspondence shall be appended to such minutes, which shall mention all the details of the session, in particular the Members who were absent.

When a Member so requests during a session, statements submitted in writing by the Member concerned shall be given in full in the minutes.

2. Within the 30 calendar days following the date of dispatch of the draft minutes, the Heads of Delegation who participated in the session may notify the Executive Secretariat, in writing, of the corrections that they deem necessary.

3. The Executive Secretariat shall communicate such requested corrections to the Members for approval within a time limit of not more than 15 calendar days from the date of such communication.

4. On the expiry of the above time limits, the minutes in English and French, amended where applicable, shall be considered the final report of the session in question. They shall be signed by the Chairperson and sent immediately to the Members and to any Observers who so request. The final report shall be translated into any other official language of the International Olive Council when so requested by one of the Heads of Delegation.

In addition, any Decisions considered to be of key importance by the Council of Members shall likewise be translated into all the official languages of the Organisation.

The final reports shall then be entered in a register and made available to all Members in the private-access area of the IOC website.

CHAPTER III: OTHER ASPECTS OF THE FUNCTIONING OF THE INTERNATIONAL OLIVE COUNCIL

Article 12 – Decisions by an exchange of correspondence

1. Where Decisions of the Council of Members are taken by an exchange of correspondence in accordance with the provisions of article 10, paragraph 6 of the Agreement, the Executive Director shall distribute the draft Decision to the Heads of Delegation on behalf of the Chairperson and shall set a time limit of 20 calendar days for the Members to notify their opinion. This time limit may be extended for a further ten calendar days at the request of one of the Heads of Delegation.

2. During the above time limit, only those Members whose voting rights have not been suspended may vote for or against the adoption of the draft, or may object to taking the Decision by an exchange of correspondence.

3. Upon the expiry of the time limit, the Decision shall be considered to be adopted provided consensus is reached or the percentages required for adoption under article 10 of the Agreement are fulfilled. For voting purposes, if a Member does not issue an express opinion against adoption during the consultation period, it shall be considered to be in favour of adoption.

4. When adopted, the Decision shall enter into force on the date specified therein, after being signed by the Chairperson, and shall be sent to all the Members at the earliest opportunity.

5. If the Decision is not adopted, the Chairperson may convene an extraordinary session of the Council of Members in accordance with article 8, paragraph 3 of the Agreement.

6. The Executive Secretariat shall record the Decisions taken by correspondence in the final report of the next session.

Article 13 – Recommendations and suggestions of the Council of Members

1. The Executive Director shall communicate to the Members, for their consideration, such recommendations and suggestions arising from the application of the Agreement as may be put forward by the Council of Members under article 7, paragraph 1(b) of the Agreement.

2. The Members shall inform the Executive Director of the conclusions that they have reached, after such consideration, within 90 calendar days of the date of dispatch of the recommendations and suggestions. The Council of Members may, however, shorten or extend this time limit when adopting such recommendations and suggestions.

3. The Executive Director shall report thereon to the Members at the next session of the Council of Members.

CHAPTER IV COMMITTEES

Article 14 – Establishment of the committees of the Council of Members

1. In addition to the Administrative and Financial Affairs Committee set up under articles 3, 7 and 13 of the Agreement, the following committees shall be established pursuant to the provisions of article 7, paragraph 3 of the Agreement in order to deal with specific aspects relating to both olive oil and table olives:

- *Chemistry and Standardisation Committee;*
- *Technology and Environment Committee;*
- *Economic and Promotion Committee;*

These committees may propose the creation of subcommittees to the Council of Members.

2. In addition to the aforementioned committees, there shall be an Advisory Committee on Olive Oil and Table Olives on which the associations of the Members of the International Olive Council shall be represented as well as representatives of agricultural producers, agricultural and food manufacturing industries, the agricultural and food products trade and consumers.

Art. 15 - Tasks of the Committees of the Council of Members

The committees referred to in article 14 shall draw up and ensure the subsequent follow-up of their work programmes, taking into consideration the objectives laid down in article 1 of the

Agreement relevant to such committees and any other duties they are delegated by the Council.
In particular:

-*the Chemistry and Standardisation Committee* shall ensure the application of the objectives stated in article 1 (1) of the Agreement;

- *the Technology and Environment Committee* shall ensure the application of the objectives stated in article 1 (2) of the Agreement;

-*the Economic and Promotion Committee* shall ensure the application of the objectives stated in article 1 (3) of the Agreement;

- *the Advisory Committee on Olive Oil and Table Olives* shall help the Executive Secretariat to prepare matters relating to olives and olive oil by conveying the opinions of trade circles and consumers on sectoral issues.

The Council of Members may decide to assign additional duties to, or withdraw duties from, the committees, in which case the chair of the committee concerned shall be duly informed.

Article 16 – Composition and functioning of the committees

Detailed rules for the functioning of each committee shall be specified in its rules of procedure which shall be adopted by the Council of Members and shall be mandatory. In any case, all the committees shall abide by the following guidelines:

1. Each Member shall notify the Executive Secretariat of the name of its representative and alternate(s) on each committee and shall notify any change of names when necessary. Such representative may be accompanied, in an advisory capacity, by one or more relevant experts.

2. Each committee may invite any person, in an observer capacity, who might make a useful contribution to the committee.

3. The committees shall meet at the headquarters of the International Olive Council or in one of the Members. In the latter case, article 6, paragraph 2 shall be applicable *mutatis mutandis*.

4. The provisional agenda and documents relating to the items listed on the committee agenda shall be sent by the Executive Director to the Members at least 30 calendar days before the scheduled starting date of the meetings in the case of regular sessions and 21 calendar days in the case of extraordinary sessions. When committee meetings are held outside a regular or extraordinary session of the Council of Members, the letter of convocation shall be sent together with the provisional agenda and related documents at least 30 calendar days before the scheduled starting date.

5. At their meetings, the committees shall, with the support of the Executive Secretariat, draw up a report and, if applicable, recommendations, conclusions and proposals which shall be submitted for consideration at the consecutive session of the Council of Members. The Executive

Secretariat shall communicate such reports, recommendations, conclusions and proposals to the Members within 20 calendar days after the session.

The provisions laid down in the aforementioned paragraph shall be applicable *mutatis mutandis* to any meetings held by expert groups as defined in paragraph 12 of this article

6. The Executive Secretariat shall ensure coordination amongst the different committees. To this end, the Executive Secretariat shall, in particular, provide the members of the Administrative and Financial Affairs Committee with the reports, recommendations, conclusions and proposals drawn up at the meetings of the other committees.

7. The Chairperson of the International Olive Council may attend any meeting of any of the committees and may take part in discussions.

8. The Deputy Executive Director shall designate the members of staff who have to participate in each committee. In any event, the Deputy Executive Directors in charge of the Units whose duties fall under the remit of the committee concerned shall take part in the discussions of the committee, assisted, if necessary, by their collaborators.

9. The Members shall ensure that the committees are able to function by giving their representatives the necessary capacity to perform their duties.

10. The travel, subsistence and participation expenses entailed in committee meetings shall be defrayed by participants.

On a proposal from a committee or the Executive Secretariat, the Executive Director may invite experts whose expertise is considered necessary. In such cases, the travel and subsistence expenses of such experts shall be covered by the International Olive Council according to the rules laid down in chapter X of the Staff Regulations. The Executive Director shall inform the Council of Members on such matters.

11. Expert groups may be set up at the proposal of the Executive Secretariat, with the prior approval of the Council of Members. An expert group is a group of persons who are generally designated by the Members for a specific purpose on the grounds of their specific skills and knowledge and who are placed under the coordination of a chairperson and/or coordinator. Expert groups may take the form of technical groups, working groups, technical boards or ad hoc groups depending on factors such as the skills of the persons concerned, the institutions they represent, geographical distribution, etc. The meetings of such groups may also be attended by observers from governmental and non-governmental organisations and institutions with which the Council has close ties or with which it has established international cooperative relations, or, if appropriate, from the governments of non-Member States and governmental or non-governmental organisations or institutions likely to be interested in the matters for discussion or to frame particularly pertinent comments on those matters.

The Executive Secretariat shall inform the Council of Members on the composition, organisational arrangements, objectives and any other relevant aspect of each expert group.

TITLE II:

ORGANISATION AND FUNCTIONING OF THE EXECUTIVE SECRETARIAT

Article 17 – Composition of the Executive Secretariat

1. In compliance with article 7, paragraph 4 of the Agreement the Executive Secretariat shall comprise an Executive Director, senior officials and such staff as are required to perform the tasks arising from the Agreement.
2. Officials holding the rank of Deputy Executive Director shall be considered ‘senior officials’.
3. Without prejudice to the relevant provisions of the Financial Regulation regarding the delegation of functions by the financial actors, if the Executive Director is to be absent he or she shall be replaced by the longest-standing Deputy Executive Director who shall perform all the duties concerned. If the Executive Director and the Deputy Executive Directors know in advance that they are going to be simultaneously absent, the college of senior officials shall decide which most senior Head of Unit on duty shall stand in for them on questions of day-to-day management.
4. The other members of staff, classified in the Administrative and General Service categories, shall be appointed by the Executive Director in accordance with the provisions of the Staff Regulations.

Article 18 - Diplomatic immunity

The persons who shall enjoy diplomatic immunity, in addition to the Executive Director and Deputy Executive Directors, shall be designated pursuant to the provisions of the Headquarters Agreement

Article 19 – Structure of the Executive Secretariat

1. To respond to the objectives laid down in the Agreement, the organisation chart of the Executive Secretariat shall be broadly structured around nine separate entities:
 - (a) The entity in charge of financial management, which shall be responsible for the horizontal aspects of the IOC budget, as well as for IOC treasury management and accounting, and shall be ranked as a Unit.

(b) The entity in charge of administrative management and human resources, which shall notably be responsible for implementing the expenditure entered in the Administrative Section of the budget, as well as for logistics and personnel, and shall be ranked as a Unit.

(c) The entity in charge of chemistry and standardisation, which shall notably be responsible for implementing the activities falling within the competence of the Chemistry and Standardisation Committee in accordance with article 15 and shall be ranked as a Unit.

(d) The entity in charge of olive growing, olive oil technology and the environment, which shall notably be responsible for implementing the activities falling within the competence of the Technology and Environment Committee in accordance with article 15 and shall be ranked as a Unit.

(e) The entity in charge of economic affairs and promotion, which shall notably be responsible for implementing the activities falling within the competence of the Economic and Promotion Committee in accordance with article 15 and shall be ranked as a Unit.

(f) The entity in charge of internal control, which shall notably be responsible for implementing the activities laid down in article 59 of the Financial Regulation and shall be ranked as a Unit.

(g) The entity in charge of external relations and liaison with the Council of Members, which shall be ranked as a Department.

(h) The entity in charge of the legal office, which shall be ranked as a Department.

(i) The entity in charge of the Observatory & information systems, which shall be ranked as a Department.

The Units for Economic Affairs and Promotion, Chemistry and Standardisation and Olive Growing, Olive Oil Technology and the Environment shall be placed under the responsibility of Deputy Executive Director I (Technical Affairs) and may be subdivided into departments.

The Units for Financial Management and Administrative Management and Human Resources and the Department of Observatory & Information Systems shall be placed under the responsibility of Deputy Executive Director II (Administrative and Financial Affairs).

The Unit for Internal Control and the Departments for External Relations & Liaison with the Council of Members and Legal Affairs shall be placed under the responsibility of the Executive Director.

2. The full **organisation chart** of the Executive Secretariat, which shall be drawn up in such a way as to enable the attainment of the objectives laid down in article 1 of the Agreement, and any modification thereof, shall be submitted by the Executive Director to the Council of Members for approval.

3. A **post description** laying down the characteristics and administrative status required for each post shown in the organisation chart (category, grades, profile, duties, conditions, assessment criteria, etc.), and any modification thereof, shall be submitted by the Executive Director to the Council of Members for approval.

When the exigencies of service so require and after receiving the favourable opinion of the College of senior officials, the Executive Director may propose modifying:

- the description of certain posts;
- the organisational structure to which certain activities are linked.

Such proposed changes shall be approved by the Council of Members by the written procedure.

Article 20 – Executive Director

1. Appointment

(a) The Executive Director shall be appointed by the Council of Members from amongst the candidates put forward by the Members. The candidates shall be nationals of one of the Members.

(b) Each candidate shall possess the experience, competence and integrity required to perform the tasks of the executive directorship.

(c) The International Olive Council shall open the time limit for the presentation of candidacies for the purpose of appointing the new Executive Director. The Chairperson shall officially inform the Members straight away.

(d) Within 60 calendar days of the date on which the time limit for the presentation of candidacies was opened, each Member may transmit to the Chairperson, with a copy thereof for the Executive Secretariat, the name of a candidate and a full dossier of elements in support of the candidacy. The Executive Secretariat shall, on the instructions of the Chairperson, transmit such information in full to the other Members.

(e) A Selection Committee, comprising the Heads of Delegation, assisted by an external expert on staff selection and presided by the Chairperson of the International Olive Council, shall meet within the 30 calendar days following the time limit set for the presentation of candidacies. The Committee shall review the candidacies presented and interview the candidates. After the interviews, the Committee shall propose to the Members (officially and in writing) the appointment of the new Executive Director.

(f) The travel and subsistence expenses of candidates for the purpose of attending the interview with the Selection Committee shall not be defrayed by the IOC.

(g) The conditions of engagement of the Executive Director are established in Annex I of these Rules. The minimum profile required is specified in Annex II of these Rules. The salary of the Executive Director shall be that set for grade 1 in Annex I of the Staff Regulations.

(h) The Executive Director shall be appointed for a period of four years, subject to the successive prolongations of the Agreement. The Council of Members may decide to renew or extend the appointment for not more than one period of a maximum of four years.

(i) The engagement of the Executive Director shall be governed by his or her instrument of appointment. Such instrument shall be appended to the Decision of the Council of Members regarding the appointment of the Executive Director, which Decision shall be signed by the Chairperson. The instrument of appointment shall become effective upon acceptance by the appointed candidate. Any unilateral reservations entered by the appointed candidate shall be considered void. The instrument of appointment shall be accompanied by a copy of these Rules of Procedure and of the Staff Regulations.

(j) The instrument shall include, in addition, the procedures and conditions applicable in the event of resignation, or of the termination or expiry of the engagement of the Executive Director, and such other conditions as may be established at the time of engagement. The instrument shall likewise list the provisions of the Staff Regulations which apply to the Executive Director.

(k) If the contract of the Executive Director should expire before a new incumbent has been chosen, the Council of Members shall decide which senior official shall act as interim Executive Director until a new Executive Director takes up his or her duties.

2. Responsibilities

(a) The Executive Director shall be responsible for carrying out the tasks incumbent upon him or her in the application of the Agreement and of the rules established by the International Olive Council, as well as for coordinating the Advisory Committee on Olive Oil and Table Olives.

Article 21 – College of senior officials

1. In carrying out his or her tasks, the Executive Director shall be assisted by a College composed of the Executive Director and the senior officials referred to in article 17, paragraph 2.

2. Decisions shall be approved by the College. If there is a difference of opinion between the Executive Director and one or more of the senior officials, the opinion of the Executive Director shall hold. He or she shall then prepare a dossier setting out the justification for each opinion. The Executive Director shall transmit this dossier to the Council Members for information at the next session.

3. The list of decisions which have to be submitted for the College to give its opinion is specified in Annex III to these Rules. In the event of either the Executive Director or the Deputy Executive Directors being absent or unable to attend to their duties for a lengthy period of time, the remaining senior officials may take whatever decisions are necessary to ensure the smooth

functioning of the IOC without the approval of the College of senior officials. The Council shall be apprised of any such decisions, for its information, at the following session.

4. The College shall operate in accordance with a procedure to be adopted on the basis of article 24.

Article 22 – Deputy Executive Directors

1. The Deputy Executive Directors shall be appointed by the Council of Members from amongst the candidates proposed by the Members. The minimum profile required is described in Annex II of these Rules.

2. The selection of the Deputy Executive Directors shall be subject, *mutatis mutandis*, to the procedures described in article 20, paragraph 1(a) to (f) inclusive. The Executive Director shall attend meetings of the Selection Committee of the Deputy Executive Directors.

3. The conditions of engagement of the Deputy Executive Directors shall be described in the Staff Regulations and in their contract. The salary attributable to this post shall be that fixed for grades 2 and 3, step 1 in Annex I of the Staff Regulations. Upon appointment, the provisions of article 15 of the Staff Regulations shall be applicable for the purposes of determining the salary of the Deputy Executive Directors.

The Council of Members may, without prejudice to the provisions of the Staff Regulations, decide special conditions upon the engagement of the Deputy Executive Directors.

4. The Deputy Executive Directors shall be under the authority of the Executive Director and shall be in direct contact with the committees set up in their sphere of responsibility.

5. The Deputy Executive Directors shall be appointed for a period of not more than four years, subject to the successive prolongations of the Agreement. The Council of Members may decide to renew or extend their appointment for a period of not more than four years.

6. The Deputy Executive Directors shall be responsible for the management of the Units they are assigned.

Article 23 – Geographical criterion for the recruitment of the Executive Director and the senior officials

In addition to taking into account the criteria laid down in articles 20 and 22, the recruitment of the Executive Director and of the senior officials shall seek to bolster the highest standards of efficiency, competence and integrity and shall take into account the widest possible geographical

equilibrium and proportionate alternation as set forth in article 7, paragraph 4(b) of the Agreement.

Article 24 – Procedures

The Executive Secretariat shall equip itself with financial, administrative and operational procedures to systematise its functioning. Such procedures shall be entered in an ad hoc register. Without prejudice to the specific provisions laid down in these Rules as well as in the Financial Regulation and the Staff Regulations, The Executive Director shall inform the Council of Members, in the annual report of the Executive Secretariat, on the procedures drawn up and implemented by the Executive Secretariat.

Article 25 – Four-year planning

1. The Executive Secretariat shall draw up a draft rolling forward strategic plan of its activities for a period encompassing the next four calendar years together with a two-year operational plan. The latter shall be further divided into an annual plan covering the specific actions to be taken in the next year ($n+1$) and a preliminary plan for the following year ($n+2$). The strategic four-year plan will outline the main strategic priorities and actions of the IOC in line with both the objectives of article 1 of the Agreement and available resources.

2. Detailed rules on the two-year operational plan shall be specified in the Financial Regulation.

Article 26 – Disputes and complaints

1. The Advisory Panel mentioned in article 26, paragraphs 1 and 3 of the Agreement shall be set up in accordance with the following rules whenever a dispute or complaint is referred to it:

- The Council of Members shall, on a proposal from the Chairperson of the Council, decide the membership of the panel and the maximum time limit it shall be assigned to issue an opinion.

- The panel shall comprise at least a Chairperson and two members, all of whom shall be from different IOC Members without any direct interest in the dispute.

- The panel members may hold face-to-face meetings *in camera* or work electronically. It may require the assistance of experts. Its deliberations shall be secret.

- After considering the matter, the panel shall vote before issuing its opinion. In the event of a tie, the panel chairperson shall have the casting vote. Any members of the panel who disagree may express their dissenting vote in the opinion.

2. If, pursuant to article 26, paragraph 5 of the Agreement, the Council of Members decides to replace the person acting as Chair of the International Olive Council, it may request the country that holds the chair that year to appoint another person as Chair or it may assign the Chair for the remainder of the term of office to the country holding the Vice Chair.

TITLE III:

OTHER PROVISIONS

Article 27 - Cooperation with other organisations

The International Olive Council shall foster the establishment and maintenance of cooperative relations with other international and regional organisations, in particular those mentioned in article 12 of the Agreement, with a view to achieving the objectives set forth in the Agreement. Such relations may lead to collaboration agreements whereby the Parties establish general or specific commitments and intentions to cooperate mutually in the planned implementation of activities of joint interest and benefit. The agreements may be:

- Multiannual collaboration agreements which create stable working frameworks and set joint strategic priorities and action programmes and must be approved in advance by the Council of Members;

- Operational agreements which cover specific activities in the work programme of the IOC and may be signed with organisations, public bodies, universities and other institutions that have shared interests with the IOC. Such agreements shall be for less than one year and shall be intended to create, inter alia, joint training programmes, joint technical projects, joint research programmes, information-sharing programmes, traineeship programmes for students from member countries and any other type of programme that helps to attain the objectives of the Agreement. Prior availability of budget funds shall be a requisite for IOC signature of such collaboration agreements, which must be examined by the relevant committees and shall be put into effect in accordance with the provisions of the Financial Regulation.

If, when examining an operational agreement, a committee believes that it should be approved by the Council of Members, it shall present it to the Council of Members for adoption.

Article 28 - Further internal control standards

1. If a Member considers it necessary to conduct a more exhaustive control of one or more activities of the Organisation, it may submit a request in writing to the Chair.

2. The Chair shall apprise the Council of Members of the request. If at least two other Members support the request, the Council of Members may adopt a decision in compliance with the provisions of article 10 of the Agreement to authorise the creation of a working group made up of a chair and experts appointed by the Members to carry out the additional controls.

3. The decision shall specify the time limit for the performance of the additional controls and the person who will chair the working group and shall give express authorisation for this person to gain access to any information and documentation relating to the activities for

which the control has been requested. The Executive Secretariat shall cooperate fully with the working group.

4. Upon the completion of the additional controls, the chair of the working group shall present the conclusions to the Council of Members, which shall act accordingly.

Article 29 - Other funds

1. The Council of Members may consider and, if appropriate, authorise the use of sources of funding other than those laid down in article 14 of the Agreement, provided that they are intended to attain the objectives of the Agreement.

2. When intending to seek such authorisation from the Council of Members, the Executive Secretariat must present a detailed report beforehand to the Administrative and Financial Affairs Committee on the risk and impact of using such funds and this Committee, in turn, must make a favourable recommendation to the Council of Members.

3. The management of such funds shall be governed by the provisions of the IOC Financial Regulation and its implementing procedures.

Article 30 - International standards

1. Members shall inform the International Olive Council on the measures they have adopted, following article 20 of the Agreement, paragraphs 1, 2 and 3 to ensure compliance with the standards of the International Olive Council.

2. The Council of Members may request the Executive Secretariat to conduct a detailed study in collaboration with Members. This study shall encompass, in particular, the tools whereby the measures ensure compliance with the standards of the International Olive Council, and to assess the control measures and risks for the image of the Organisation and of olive oil and table olives.

3. Without prejudice to article 26 of the Agreement, the Council of Members may make appropriate recommendations to the Members following the studies conducted by the Executive Secretariat on compliance with the standards of the International Olive Council.

Article 31 - Accession procedures

1. Any Government interested in becoming a Party to the Agreement must give official, written notification of its intention to accede. Such notification shall be addressed to the Executive Secretariat, which shall forward the request to the Council of Members. For the purposes of this article, the definition of Government shall be as specified in article 4(3) of the Agreement.

2. After examining the application for accession, the Council of Members shall adopt a Decision in compliance with the provisions of article 10 of the Agreement. The Decision shall determine the number of participation shares of the new Member in the budget of the Organisation (calculated in accordance with article 11 of the Agreement), the time limit for the deposit of the instrument of accession and any other condition considered necessary, and shall be sent to the depositary and the applicant government.

3. When it has accepted the conditions established by the Council of Members, the government concerned shall execute its accession. The instrument of accession must be signed by the authority that is competent to be bound by an International Agreement. The instrument must expressly state that the government is willing to accede to the Agreement and accepts all the obligations thereunder and all the conditions established by the International Olive Council through its Council of Members.

4. The instrument of accession must be deposited with the Secretary General of the United Nations in New York, who is the depositary of the Agreement. The government of the country that accedes shall send a copy of the instrument of accession to the International Olive Council. The depositary shall check that the accession has been carried out properly.

5. When a government has become a Party to the Agreement, it shall be invited to pay its contribution, which shall be calculated on the basis of the participation shares assigned to the Member concerned and the unexpired portion of the year in question. The amount of the contribution to be paid by the other Members for that calendar year shall not be altered.

TITLE V: FINAL PROVISIONS

Article 32 – Repeal

The Rules of Procedure in force at the time of the entry into force of these Rules of Procedure shall be repealed.

Article 33. – Authentic language

English and French shall be the sole authentic languages of these Rules of Procedure.

In the event of discrepancy, the text shall be interpreted in the light of the provisions stated in both languages.

Article 34 – Entry into force

These Rules shall enter into force on 1 April 2017.

ANNEX I: Conditions of appointment of the Executive Director

The instrument of appointment of the Executive Director referred to in article 20 of these Rules of Procedure shall provide, *inter alia*, the following details:

1. **Personal data**
2. **Type of recruitment:** local or international (article 11 of the Staff Regulations shall be applicable *mutatis mutandis*)
3. **Classification**
4. **Effective date and duration of appointment**
5. **Provisions of the Staff Regulations applicable to the Executive Director**
6. **Specific provisions applicable to the Executive Director**
7. **Duties and responsibilities of the Executive Director**
8. **Indemnities in the event of separation from service on disciplinary grounds, on the grounds of incompetence, for reasons of health, or if applicable, in the event of resignation**
9. **If appropriate, end-of-service grant and specific insurance premiums**

Where point 5 above is concerned, the following provisions of the Staff Regulations shall be applicable, *mutatis mutandis*, to the Executive Director:

- Article 3, paragraphs 1–6 inclusive, article 35, paragraphs 1–5 inclusive and article 44, paragraphs 1, 2, 5, 6 and 7.
- Articles 4, 5, 7, 8, 12, 18, 19, 22, 24, 25, 26, 33, 36, 37, 38, 39, 40, 41, 43, 45, 46, 47, 48, 55, 71 and 73.

Where point 6 above is concerned, the following provisions shall be applicable:

- The Executive Director may, by reason of his or her functions at the International Olive Council, participate in lectures, forums, films, radio or television productions or write articles or books for publication. The Executive Director shall not, however, accept fees or any other cash payment he or she might be offered.
- If the Executive Director is arrested, charged with an offence other than a minor traffic violation, or summoned before a Court as a defendant in a criminal proceeding, or convicted, fined or imprisoned for any offence other than a minor traffic violation, he or she shall immediately report the fact to the Council of Members.

- The Executive Director may not accept any honour, decoration, favour, gift or remuneration from any government or any source external to the International Olive Council unless refusal would cause embarrassment to the Organisation in which case the Executive Director may receive it and then report it to the Council of Members which shall decide either to retain it for the Organisation or arrange for its disposal for the benefit of the Organisation or for a charitable purpose.
- The provisions of article 21 of the Staff Regulations shall be applied for the purposes mentioned therein. The amount of the allowance referred to in paragraph 1 shall, however, be increased by 15%.
- With a view to the application, in his or her case, of the provisions laid down in articles 32 and 33 and in article 34, paragraph 3 of the Staff Regulations, the Executive Director shall endeavour to reach an agreement with the Deputy Executive Directors in order to preserve the interests of the International Olive Council and to ensure that it is on call.
- With a view to the application, in his or her case, of the provisions laid down in article 35, paragraph 6 of the Staff Regulations, the Deputy Executive Director who takes over duties when the Executive Director is ill shall inform the Chairperson immediately.
- For the purposes of the application, in his or her case, of the provisions of article 42 of the Staff Regulations, the Executive Director shall ensure that the trip is necessary in the interests of the International Olive Council and/or is scheduled in the action plan referred to in the Financial Regulation.
- For the purposes of the application, in his or her case, of article 44 of the Staff Regulations, the Executive Director shall take the decision which he or she considers to be in the best interests of the International Olive Council.
- In the event of a failure to fulfil his or her duties, the Council of Members may, on the basis of the elements of judgement available to it, impose appropriate penalties on the Executive Director, including dismissal or summary dismissal. He or she shall be paid no indemnity in the case of dismissal or summary dismissal.
- If, in the light of the results of the activity of the Executive Director, the Council of Members considers that he or she is not fulfilling his or her duties and functions correctly owing to incompetence or for reasons of health, it may take such measures as it deems appropriate.
- The Executive Director may submit his or her resignation to the Council of Members with six months' notice.
- Except unless expressly excluded from doing so by the instrument of appointment, the Executive Director may appeal against Decisions concerning himself or herself to the Administrative Tribunal of the International Labour Organisation (ILO) under the

conditions set forth in the statutes of the Tribunal and within a period of two months of the date on which the Decision in question is notified.

ANNEX II – MINIMUM PROFILE OF THE EXECUTIVE DIRECTOR AND THE SENIOR OFFICIALS

Minimum profile

- Executive Director
 - Good health
 - Advanced university-level training
 - At least 20 years' professional experience, notably in staff management and administration, preferably in the agricultural–economic–food sector
 - Good command of English and French. A knowledge of other Members' languages will be considered an asset

- Deputy Executive Director
 - Good health
 - Advanced university-level training
 - At least 15 years' professional experience notably in the areas of management relating to the Units for which he or she is proposed as a candidate, preferably in the agricultural–economic–food sector.
 - Good command of English and French. Knowledge of other Members' languages will be considered an asset.

ANNEX III: DECISIONS TO BE SUBMITTED TO THE COLLEGE OF SENIOR OFFICIALS FOR PRIOR CONSULTATION

1. Draft amendments of the Rules of Procedure and of the Financial Regulation
2. Draft amendments of the Staff Regulations
3. Draft amendments of the organisation chart and job descriptions
4. Draft amendments of all internal procedures
5. Draft budget of the Organisation prior to its transmittal to the Administrative and Financial Affairs Committee
6. Proposed transfers of appropriations falling within the competence of the Administrative and Financial Affairs Committee and the Council of Members
7. Draft reports for submission to the Council of Members
8. Draft reports for submission to the committees of the Council of Members
9. Draft four-year plan
10. Annual programme of restricted and negotiated procurement procedures in the amount of more than €6 000 and all invitations to tender
11. Draft specifications, including the standard contract, prior to the issue of all restricted and negotiated procurement procedures in the amount of more than €6 000 and all invitations to tender and calls for expressions of interest
12. Cancellation of a consultation procedure or of an invitation to tender
13. Notices for recruitment competitions, including selection criteria and the rating grid
14. Cancellation of a recruitment competition
15. Provisional assignment of a member of the Executive Secretariat to a post similar to or higher than that held by them
16. Examination of appeals submitted to the Joint Committee
17. Dismissal of a member of the Executive Secretariat
18. Initiation of any court proceedings (criminal or civil)
19. Draft cooperative agreements with the member countries and other international institutions
20. Proposed accession of new Members to the IOC

21. Annual schedule of leave of the Executive Secretariat
22. Draft calls for grant proposals
23. Designation of the staff members of the Executive Secretariat who are to attend each committee
24. Agreements with public institutions or international organisations
25. Reservations entered by the Accounting Officer regarding payment instructions (first reported to the Executive Director, who then submits them to the college) in accordance with article 33 of the Financial Regulation
