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NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee

Subject: The role of the European Union in the Food and Agriculture Organisation (FAO) after the Treaty of Lisbon
– *Presidency report on the state of discussions regarding the updated Declaration of competences and the new internal arrangements*

I. INTRODUCTION

1. On 10 July 2013 the Commission presented a communication¹ to the Council on the role of the European Union in the Food and Agriculture Organisation (FAO) after the Treaty of Lisbon. Annex 1 to the communication contains the Commission's suggested updated Declaration of competences, to replace the existing declaration submitted by the European Community to the FAO in 1994. Annex 2 to the communication contains the Commission's suggested new Arrangements between the Council and the Commission for the exercise of membership rights of the EU and its Member States, to replace the existing Working Arrangements concluded in 1991², as complemented in 1992³ and 1995⁴.

¹ 10368/15.

² 10478/91.

³ 9050/92.

⁴ 8460/95.

2. During the first round of discussions in the Coordination Working Party (FAO) under the Lithuanian Presidency in 2013, a large majority of delegations had major difficulties with the approach taken by the Commission in its communication, as well as with the text of the updated Declaration of competences and the new internal arrangements suggested by the Commission.
3. With a view to seeking common ground on the key issues addressed in the Commission communication, discussions in the Coordination Working Party (FAO) under the Greek⁵ and Italian Presidencies in 2014 focused on clarifying the respective roles and competences of the EU institutions on the one hand, and between the EU and the Member States on the other hand, in the context of FAO meetings.⁶ In the second half of 2014, on the basis of these discussions, the Italian Presidency tabled draft texts of the updated Declaration of competences⁷ and of the new internal arrangements⁸.

II. STATE OF PLAY

UPDATED DECLARATION OF COMPETENCES

4. The draft text of the updated Declaration of competences prepared by the Italian Presidency was endorsed by the Coordination Working Party (FAO) at its meeting on 24 September 2014 (cf. **Annex I** to this note). The Commission indicated on this occasion that it could accept the text in a spirit of compromise provided this would not prejudice discussions on the new internal arrangements.

⁵ On 25 June 2014, COREPER took note of a progress report from the EL Presidency (11135/14).

⁶ On the basis of a number of Presidency non-papers (5337/14, 9027/14, 15241/14, 5769/15).

⁷ 11924/14.

⁸ 15775/14.

NEW INTERNAL ARRANGEMENTS

5. FAO Coordination Working Party discussions on the new internal arrangements have been ongoing since November 2014. At the Working Party meeting on 22 April 2015, the Presidency tabled a revised version of the draft text⁹, with a view to taking account of delegations' comments and suggestions¹⁰. A very large majority of delegations welcomed the Presidency revised text as a step in the right direction and suggested a number of additional amendments, which have been included in the Presidency further revised draft text set out in **Annex II**.
6. The Commission and the EEAS representatives in the FAO Coordination Working Party have indicated that they have fundamental reservations on a number of elements of the draft text and, therefore, have not taken part actively in the discussions.¹¹ The respective positions of a very large majority of delegations and of the Commission and EEAS representatives on these elements are set out below.

A. Submission of "Information notes" to the FAO

7. A very large majority of delegations would like to continue the current practice as reflected in the draft text in Annex II (*cf. points 10-14*), whereby the Council Working Party establishes where competence and voting rights lie for every agenda item of an FAO meeting, with a view to informing the FAO through an 'information note' (*cf. points 10-11*). In fact, they consider that the systematic submission of such an information note is required by FAO rules of procedure (*cf. Rule XLII of the FAO General Rules*¹²). The competences and voting rights established in the information note also determine the internal division of tasks for each agenda item within the EU, i.e. who should prepare the position (*cf. points 15-18*) and who should present it in the FAO meeting (*cf. points 21-22*).

⁹ 15775/1/14 REV 1.

¹⁰ In particular the drafting suggestion included in a common paper submitted by 20 delegations (BG, CZ, DK, DE, IE, EL, ES, FR, HR, LT, HU, NL, PL, PT, RO, SI, SK, FI, SE and UK) and supported by AT (16967/14).

¹¹ On 27 February 2015, the Commission and the EEAS submitted a non-paper setting out a number of issues which in their view remain outstanding (6521/15).

¹² Rule XLII, point 2, of the General Rules of the Organization provides as follows:
"Before any meeting of the Organization the Member Organization or its Member States shall indicate which, as between the Member Organization and its Member States, has competence in respect of any specific question to be considered in the meeting and which, as between the Member Organization and its Member States, shall exercise the right to vote in respect of each particular agenda item".

8. The Commission, suggests departing from this practice, so as to avoid detailed competence discussions in the Council Working Party. It also considers that FAO rules of procedure do not require the EU to indicate where competence lies for every agenda item of an FAO meeting.

B. Preparation of EU positions

Procedure

9. A very large majority of delegations consider that the existing practice as reflected in the draft text (*cf. point 6 and points 15-18*), distinguishing clearly between policy-making aspects and external representation aspects, should be continued. They consider that the Council should remain responsible for all policy-making aspects and therefore the Council and its preparatory bodies should continue to establish the positions to be taken by the EU and its Member States on the different agenda items of FAO meetings. They also consider that the Council's policy-making role includes the possibility of holding on-the-spot meetings of the Working Party, chaired by the Presidency, to finalise and/or adjust positions in the light of developments on the ground.
10. The Commission takes the view that EU local coordination in Rome organised and chaired by the EU delegation, and not the Council Working Party, should deal with unforeseen issues arising in the context of the FAO meetings in order to respond to evolving negotiations.

Content

11. A very large majority of delegations consider that EU positions should continue to be set out in statements (where appropriate complemented by 'lines to take') agreed in the Council bodies.

12. The Commission suggests a new approach whereby, whenever the Commission considers an agenda item of an FAO meeting to be covered by an existing EU position¹³, the Commission/EU Delegation is entitled to act according to that position on the basis of 'lines to take' prepared by the Commission and transmitted for information to the Council and its preparatory bodies. Only in cases where an agenda item is deemed not to be covered by an existing EU position would the Council and its preparatory bodies have to establish the EU position.

C. Modalities for delivering positions in FAO meetings

13. A very large majority of delegations are generally satisfied with the current practice as reflected in the draft text (*cf. points 21-22*), whereby the division of competences and voting rights established for every agenda item of an FAO meeting determines who delivers the position: the Commission/EU Delegation (matters of EU exclusive, or shared competence in some cases), the Member State holding the EU Presidency (matters of shared competence in some cases) or the Member States (matters of Member State competence). They have also stressed that the 'General Arrangements for EU Statements in multilateral organisations'¹⁴ endorsed by the Council on 22 October 2011, explicitly allow the continuation of the existing burden-sharing arrangements for FAO meetings.
14. The Commission takes the view that all EU positions (i.e. those falling within both exclusive EU competence and shared competence) should be delivered by representatives of the Commission/EU Delegation from behind the EU nameplate. In the Commission's view, the Member State holding the EU Presidency would only be entitled to deliver positions on agenda items falling within Member States' national competence, if mandated by Member States to do so.

¹³ Defined in the Commission communication as either EU legislation or an EU policy established by other means, such as general guidelines, Council conclusions, EU strategies or EU concerted action.

¹⁴ 15901/11.

III. CONCLUSION

15. At its meeting on 20 - 22 May 2015, the Permanent Representatives Committee is invited:

- to take note of the state of play on this dossier,
 - to provide guidance for future work, in particular as regards the elements of the draft text of the new internal arrangements on which the Commission and the EEAS have fundamental reservations.
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DRAFT

**DECLARATION OF COMPETENCES BY THE EUROPEAN UNION IN RESPECT OF
MATTERS COVERED BY THE CONSTITUTION OF THE FOOD AND AGRICULTURE
ORGANISATION OF THE UNITED NATIONS (FAO)**

(pursuant to the General Rules of the Organisation)

1. As a member organisation of the Food and Agriculture Organisation (FAO) the European Union (EU) submits, in accordance with Article II, paragraph 7, of the FAO Constitution, the following Declaration of competences specifying matters within the purview of FAO in respect of which the EU Member States have conferred competences upon the EU. This Declaration of competences is relevant to all FAO bodies and agreements, with the exception of those for which there is a specific declaration of competences¹⁵. It replaces the Declaration submitted to the FAO in 1994¹⁶.
2. The FAO has already been informed¹⁷ that, as of the entry into force of the Treaty of Lisbon on 1 December 2009, the EU has replaced and succeeded the European Community and that, as of that date, the Delegation of the European Commission accredited to the FAO has become the Delegation of the EU. Under Article 1, third subparagraph, of the Treaty on European Union (TEU), the EU is founded on the TEU as well as on the Treaty on the Functioning of the European Union (TFEU).
3. The categories and areas of Union competence are set out in Articles 2 to 6 TFEU, which are annexed to this Declaration.

¹⁵ General Fisheries Commission for the Mediterranean (GFCM); Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (PSM); Codex Alimentarius Commission; International Plant Protection Convention (IPPC).

¹⁶ Letter of the President of the Council of the European Union of 4 October 1994 (8406).

¹⁷ Note verbale dated 27 November 2009.

4. For the policy areas listed in Article 3(1) TFEU, only the EU has competence to act in the FAO. In relation to the activities of the FAO, this applies to international trade and conservation of marine biological resources under the common fisheries policy. For the policy areas listed in Article 4(2) TFEU the EU and its Member States share competence, but only the EU has competence to act in the FAO when the envisaged action is necessary to enable the Union to exercise its internal competence, or insofar as the envisaged action in the FAO may affect common rules or alter their scope within the meaning of Article 3(2) TFEU; insofar as this is not the case (i.e. the conditions of Article 3(2) TFEU are not met), Member States will exercise their competence to act in these policy areas. In relation to the activities of the FAO, this applies to agriculture and rural development, fisheries (excluding the conservation of marine biological resources), environment, and energy. For the policy areas listed in Article 4(3) and (4) TFEU, both the EU and its Member States have competence to act in parallel. In relation to the activities of the FAO, this applies in particular to development cooperation and humanitarian aid. For the policy areas listed in Article 6 TFEU, the Union has competence to carry out actions to support, coordinate or supplement the actions of the Member States. For organisational and procedural matters, the distribution of competences and the exercise of the right to vote by the EU and its Member States will be determined on a case-by-case basis.
5. On that basis and in accordance with Rule XLII of the General Rules of the Organisation (FAO), the EU will submit an information note to the FAO before any meeting of an FAO body in which it is entitled to participate, indicating which, as between the EU and its Member States, has competence in respect of any specific question to be considered in the meeting and which, as between the EU and its Member States, shall exercise the right to vote in respect of each particular agenda item.

6. In accordance with Article II, paragraph 10, of the FAO Constitution and Rule XLII, the EU will, in any meeting of FAO in which it is entitled to participate, exercise membership rights on matters falling within the competence of the EU alone, as set out above. On matters where both the EU and its Members States have competence to act in the FAO, as set out above, both the EU and its Member States may participate in the discussions but when the meeting is arriving at a decision, either the EU or its Member States will exercise membership rights. In all other areas the Member States will exercise their membership rights alone.
7. The EU will duly notify any future changes to the distribution of competences, in accordance with Article II, paragraph 7, of the FAO Constitution.

Article 2

1. When the Treaties confer on the Union exclusive competence in a specific area, only the Union may legislate and adopt legally binding acts, the Member States being able to do so themselves only if so empowered by the Union or for the implementation of Union acts.
2. When the Treaties confer on the Union a competence shared with the Member States in a specific area, the Union and the Member States may legislate and adopt legally binding acts in that area. The Member States shall exercise their competence to the extent that the Union has not exercised its competence. The Member States shall again exercise their competence to the extent that the Union has decided to cease exercising its competence.
3. The Member States shall coordinate their economic and employment policies within arrangements as determined by this Treaty, which the Union shall have competence to provide.
4. The Union shall have competence, in accordance with the provisions of the Treaty on European Union, to define and implement a common foreign and security policy, including the progressive framing of a common defence policy.
5. In certain areas and under the conditions laid down in the Treaties, the Union shall have competence to carry out actions to support, coordinate or supplement the actions of the Member States, without thereby superseding their competence in these areas.

Legally binding acts of the Union adopted on the basis of the provisions of the Treaties relating to these areas shall not entail harmonisation of Member States' laws or regulations.

6. The scope of and arrangements for exercising the Union's competences shall be determined by the provisions of the Treaties relating to each area.

Article 3

1. The Union shall have exclusive competence in the following areas:
 - (a) customs union;
 - (b) the establishing of the competition rules necessary for the functioning of the internal market;
 - (c) monetary policy for the Member States whose currency is the euro;
 - (d) the conservation of marine biological resources under the common fisheries policy;
 - (e) common commercial policy.
2. The Union shall also have exclusive competence for the conclusion of an international agreement when its conclusion is provided for in a legislative act of the Union or is necessary to enable the Union to exercise its internal competence, or in so far as its conclusion may affect common rules or alter their scope.

Article 4

1. The Union shall share competence with the Member States where the Treaties confer on it a competence which does not relate to the areas referred to in Articles 3 and 6.
2. Shared competence between the Union and the Member States applies in the following principal areas:
 - (a) internal market;
 - (b) social policy, for the aspects defined in this Treaty;
 - (c) economic, social and territorial cohesion;
 - (d) agriculture and fisheries, excluding the conservation of marine biological resources;
 - (e) environment;
 - (f) consumer protection;

- (g) transport;
 - (h) trans-European networks;
 - (i) energy;
 - (j) area of freedom, security and justice;
 - (k) common safety concerns in public health matters, for the aspects defined in this Treaty.
3. In the areas of research, technological development and space, the Union shall have competence to carry out activities, in particular to define and implement programmes; however, the exercise of that competence shall not result in Member States being prevented from exercising theirs.
 4. In the areas of development cooperation and humanitarian aid, the Union shall have competence to carry out activities and conduct a common policy; however, the exercise of that competence shall not result in Member States being prevented from exercising theirs.

Article 5

1. The Member States shall coordinate their economic policies within the Union. To this end, the Council shall adopt measures, in particular broad guidelines for these policies.

Specific provisions shall apply to those Member States whose currency is the euro.
2. The Union shall take measures to ensure coordination of the employment policies of the Member States, in particular by defining guidelines for these policies.
3. The Union may take initiatives to ensure coordination of Member States' social policies.

Article 6

The Union shall have competence to carry out actions to support, coordinate or supplement the actions of the Member States. The areas of such action shall, at European level, be:

- (a) protection and improvement of human health;
 - (b) industry;
 - (c) culture;
 - (d) tourism;
 - (e) education, vocational training, youth and sport;
 - (f) civil protection;
 - (g) administrative cooperation.
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NB: Amendments compared to the previous version set out in 15775/1/15 REV 1 are marked in *bold/italics* and ~~strikethrough~~.

DRAFT

INTERNAL ARRANGEMENTS BETWEEN THE COUNCIL, THE MEMBER STATES, THE COMMISSION AND *[THE HIGH REPRESENTATIVE FOR FOREIGN AFFAIRS AND SECURITY POLICY]* [THE EUROPEAN EXTERNAL ACTION SERVICE] REGARDING THE PREPARATION OF MEETINGS AND THE EXERCISE OF MEMBERSHIP RIGHTS BY THE EUROPEAN UNION AND ITS MEMBER STATES IN THE FOOD AND AGRICULTURE ORGANISATION (FAO)

1. Scope and general principles

1. These internal arrangements apply to the preparation of meetings of all FAO bodies and in relation to all FAO agreements, as well as to the exercise of membership rights by the EU and its Member States in such bodies and under such agreements, except those listed below in paragraph 2.
2. These internal arrangements do not apply to the following bodies and agreements¹⁸: the 1993 FAO Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas; the 2009 Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (PSM); the General Fisheries Commission for the Mediterranean (GFCM); the Indian Ocean Tuna Commission (IOTC); the Codex Alimentarius Commission; the European Commission for the Control of Foot-and-Mouth Disease (EuFMD); the International Plant Protection Convention (IPPC).

¹⁸ These are bodies/agreements of/to which only the EU is a member/party or only the Member States are members/parties, or which are subject to specific arrangements.

3. These internal arrangements replace the arrangements agreed between the Council and the Commission in 1991¹⁹, as complemented in 1992²⁰ and 1995²¹. *The Local Arrangements concerning EU representation in UN bodies based in Rome, agreed by the Coordination Working Party (FAO) in 2011 following the entry into force of the Lisbon Treaty²², will be superseded by these internal arrangements.*
4. These internal arrangements will be applied in accordance with the principle of sincere cooperation provided for in Articles 4(3) and 13(2) of the Treaty on European Union, so as to enable the EU to achieve coherent, comprehensive and unified external representation. To that end, all actors will ensure to the highest possible extent full transparency, particularly through adequate and timely exchange of information and prior consultation.
5. These internal arrangements do not affect the distribution of competences between the EU and its Member States; nor do they affect the allocation of powers between the institutions under the Treaties. These internal arrangements do not prejudice future similar arrangements for other international organisations.

2. Preparation of FAO meetings

2.1 Fora for coordination

2.1.1 Council Working Party meetings

6. All issues relating to the determination of substantive positions and the exercise of membership rights by the EU or by the EU and its Member States in the FAO²³ come under the responsibility of the Coordination Working Party (FAO) or, where appropriate, another Council Working Party (in particular the Working Party on Fisheries, the Working Party on Forestry or the Working Party on Genetic Resources). The relevant Council Working Party (hereafter "the Council Working Party") will, in the spirit of sincere cooperation, make every effort to reach an agreement on positions to be taken in the FAO. Where no agreement can be reached, the matter will be referred to the Committee of Permanent Representatives and, where necessary, to the Council in good time for the FAO meeting concerned.

¹⁹ 10478/91.

²⁰ 9050/92.

²¹ 8460/95.

²² 11518/11 and 12703/11.

²³ Including all bodies governed by the Basic Texts of the FAO.

7. The Council Working Party will meet in Brussels, as early as possible and as many times as is necessary, ahead of the FAO meeting. Where there is a need to finalise and/or adjust the positions on the spot in the evolving context of discussions, the Council Working Party can also meet in the margins of the FAO meeting.

2.1.2 EU local coordination meetings

8. Representatives of the Member State missions and of the EU Delegation in Rome meet on a regular basis for EU local coordination meetings in Rome. These meetings are jointly convened and chaired by the EU Delegation to the FAO and the Member State holding the rotating Presidency of the Council.
9. The purpose of EU local coordination meetings is to discuss any issues that serve the purpose of promoting and upholding **EU** positions agreed within the Council in a coherent and coordinated manner, particularly in outreach with other members of the European Regional Group, with other FAO Members or other FAO Regional Groups, and with the Director-General and senior staff of the FAO. These meetings also serve the purpose of taking forward agreed strategies on how the EU actors and/or the Member States should negotiate, intervene, publicise common views and express the respective positions in the FAO.

2.2 Competences and voting rights

2.2.1 “Information note” setting out the repartition of competences and the exercise of voting rights of the EU and its Member States

10. In accordance with Rule XLII of the General Rules of the Organisation (FAO), the EU submits to the FAO before any meeting of an FAO body in which it is entitled to participate, an "information note" indicating which, as between the EU and its Member States, has competence in respect of any specific question to be considered in the meeting and which, as between the EU and its Member States, shall exercise the right to vote in respect of each particular agenda item.
11. The "information note" is approved by the Council Working Party, in accordance with the following procedure:
 - a) The Commission provides the Council Secretariat with a draft of the "information note" in good time and, generally, at least two weeks before the Council Working Party meets to prepare the relevant FAO meeting. Where the documentation on an agenda item is not yet available, the Commission may indicate that the matter is subject to further assessment in the light of the content of the FAO background documentation, once available.
 - b) The Council Secretariat distributes the draft "information note" to the members of the Council Working Party, setting a deadline by which the “information note” is considered to be approved, unless any delegation reacts.

If, upon the expiry of the deadline, points have been raised by delegations, these will be discussed at the next meeting of the Council Working Party. Prior to that meeting, delegations substantiate their points in writing and the Commission provides a reaction in writing. If the Working Party cannot reach an agreement, the matter is referred to the Committee of Permanent Representatives and, where appropriate, to the Council in good time for the FAO meeting.
 - c) After approval of the “information note” by the Council Working Party, the EU Delegation sends it to the FAO.

2.2.2 Determination of competence and voting rights

12. When assessing the competence for each agenda item for the purposes of preparing the draft "information note", the Commission will base itself on the repartition of competences set out in Articles 2 to 6 TFEU as reflected in the Declaration of Competence deposited by the EU with the FAO, as well as on the case law of the Court of Justice.
13. When establishing the voting rights for each agenda item for the purposes of preparing the draft "information note", the Commission will take the following approach:
 - a) for agenda items within exclusive EU competence, the EU has the voting right.
 - b) for agenda items containing elements of both EU and Member State competence, where the thrust of the matter lies in an area of exclusive EU competence, the EU has the voting right;
 - c) for agenda items containing elements of both EU and Member State competence, where the thrust of the matter lies outside an area of exclusive EU competence, Member States have the voting right;
 - d) for agenda items exclusively within Member State competence, Member States have the voting right.
14. The Commission will also take due account of the following:
 - a) organisational and procedural matters (adoption of agendas ~~or reports~~, election of chairpersons) are generally a matter of ~~shared~~ **Member States** competence, with Member State vote;
 - b) constitutional and legal matters are generally a matter of shared competence, with Member State vote;
 - c) financial and staff matters are generally a matter of shared competence, with Member State vote;

d) issues relating to FAO's work programme are generally a matter of shared competence, with Member State vote.

2.3 Preparation of positions

2.3.1 "Statements" and/or "lines to take"

15. The positions to be taken by the EU or by the EU and its Member States in the FAO are set out in "statements" ~~and/or~~ **Additional** "lines to take" **may also be developed if** considered appropriate by the Council Working Party in the light of the nature of the agenda item concerned. The views expressed in "statements"/"lines to take" will respect existing EU positions, without prejudice to the possibility of adapting such positions for the particular purpose of the position to be taken in the FAO meeting concerned.
16. For the preparation of "statements"/"lines to take", the Presidency of the Council assisted by the General Secretariat of the Council, and the Commission work closely together, taking into account the repartition of competences, with a view to drawing upon the best expertise available and ensuring appropriate burden-sharing, including by tasking a lead Member State or a group of lead Member States with the preparation of drafts.
17. "Statements" should address key issues only and fit within the timeframe set by the FAO for the agenda item concerned. The messages need to be worded in clear and effective language. To that end, the Council Secretariat may provide support and advice.
- 17a. "Lines to take" should describe the context of the negotiations, identify the objectives of the EU or the EU and its Member States and set out inter alia preferred positions, fall-back positions and red lines.
18. The Presidency of the Council and the Commission ensure that the draft "statements"/"lines to take" are made available for discussion and approval by the Council Working Party in good time for the FAO meeting concerned.

2.3.2 EU focal points

19. For negotiation processes on specific matters which extend over a longer period of time, representatives from Member States, from the Commission services or from the EU Delegation, *taking into account the repartition of competences*, may be requested to act as the “EU focal point”, on the basis of guidelines prepared by the Council Working Party. The EU focal point provides regular updates to the Council Working Party, seeks its guidance on substantive, strategic and organisational issues and, where appropriate, prepares draft position papers for endorsement by the Council Working Party.

2.3.3 EU members in FAO committees with restricted membership

20. With a view to meetings of the FAO Committees with restricted membership (Finance Committee, Programme Committee and Committee on Constitutional and Legal Matters), the ~~Committee members~~**representatives of** from among the EU Member States ~~sitting in these committees~~ share relevant information for discussion in the FAO Coordination Working Party on the agenda items of such committees. In addition, these *Committee members*~~representatives~~ may also organise an informal exchange of views with representatives of the Member States and the EU Delegation at the local level in Rome. ~~Depending on the subject matter, the EU Member State representatives may intervene, acting in the interest of the EU.~~

3. Interventions in FAO bodies

21. For agenda items which, according to the "information note", fall under exclusive EU competence, the EU Delegation/Commission intervenes "on behalf of the European Union". For agenda items which, according to the "information note", fall under Member States' competence, Member States intervene.

22. For agenda items which, according to the "information note", fall under shared competence, the intervention is made "on behalf of the EU and its Member States". As a general rule, on these items representatives of the EU Delegation or the Commission speak where, according to the "information note", the item comes under EU vote; where, according to the "information note", the item comes under Member States vote, representatives of the Member State holding the rotating Presidency of the Council speak. ***Where additional "lines to take" have been agreed,*** in order to make best use of the expertise held by the EU and its Member States, the initial speaker may, pass the floor to experts from Member States, the Commission or the EU Delegation.
23. After the EU position has been expressed, Member States may, in a spirit of sincere cooperation, express themselves to support and/or complement it. To that end, all efforts should be made to ensure appropriate coordination between EU positions and Member State positions.

4. Practicalities

24. In order to enhance the visibility and impact of the EU in FAO proceedings and to ensure complementarity, the Member State holding the rotating Presidency of the Council and the EU Delegation are seated next to each other in FAO meetings. At the beginning of each intervention, the speaker (either the representative of the Member State holding the Presidency or of the EU Delegation/Commission) makes it clear that the position expressed is to be understood as a position of the EU or of the EU and its Member States, as appropriate.
25. At least one EU Member State representative, supported by a representative of the EU Delegation, participates in the "drafting committee" tasked with preparing the draft report of FAO meetings. These representatives use the "statements"/"lines to take" as guidance.
26. Statements delivered on behalf of the EU or on behalf of the EU and its Member States are made available to the FAO Secretariat with the logo of the EU.

5. Review of these internal arrangements

27. At the request of a Member State, the Council, the Commission or *[the High Representative for Foreign Affairs and Security Policy]* [the European External Action Service], these arrangements may be reviewed.
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