

No. 2588

**DENMARK, IRELAND, NETHERLANDS, NORWAY,
UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND,
YUGOSLAVIA**

Constitution of the European Commission for the control of foot-and-mouth disease. Approved by the Conference of the Food and Agriculture Organization of the United Nations at its seventh session, Rome, 11 December 1953

Official texts: English, French and Spanish.

Registered by the Food and Agriculture Organization of the United Nations on 21 June 1954.

**DANEMARK, IRLANDE, NORVÈGE, PAYS-BAS,
ROYAUME-UNI DE GRANDE-BRETAGNE
ET D'IRLANDE DU NORD,
YOUGOSLAVIE**

Acte constitutif de la Commission européenne de lutte contre la fièvre aphteuse. Approuvé par la Conférence de l'Organisation des Nations Unies pour l'alimentation et l'agriculture à sa septième session, Rome, le 11 décembre 1953

Textes officiels anglais, français et espagnol.

Enregistré par l'Organisation des Nations Unies pour l'alimentation et l'agriculture le 21 juin 1954.

No. 2588. CONSTITUTION¹ OF THE EUROPEAN COMMISSION FOR THE CONTROL OF FOOT-AND-MOUTH DISEASE. APPROVED BY THE CONFERENCE OF THE FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS, AT ITS SEVENTH SESSION, ROME, 11 DECEMBER 1953

PREAMBLE

The contracting Governments, having regard to the urgent necessity of preventing the recurrence of the heavy losses to European agriculture caused by the repeated outbreaks of foot-and-mouth disease, hereby establish a Commission to be known as the European Commission for the Control of Foot-and-Mouth Disease, whose object shall be to promote national and international action with respect to control measures against foot-and-mouth disease in Europe.

Article I

MEMBERSHIP

The Members of the European Commission for the Control of Foot-and-Mouth Disease (hereinafter referred to as the "Commission") shall be such European Member Nations of the Food and Agriculture Organization of the United Nations (hereinafter referred to as the "Organization") and/or of the International Office of Epizootics (hereinafter referred to as the "Office") as accept this Constitution in accordance with the provisions of Article XV. The Commission, by a two-thirds majority of the votes cast providing such majority is greater than half of its membership, may, with the approval of the Council of the Organization, in conformity with the provisions of Article XV (3), admit to membership any other European Nation which has submitted an application for membership and a declaration made in a formal instrument that it accepts the obligations of this Constitution as in force at the time of admission.

¹ Came into force on 12 June 1954, the date of the receipt by the Director-General of the Food and Agriculture Organization of the United Nations of the sixth notification of acceptance in accordance with Article XIX of the Constitution.

Following are the dates of receipt of the notifications of acceptance :

Norway	11 December 1953
Yugoslavia	14 December 1953
Ireland	16 December 1953
Denmark	4 February 1954
United Kingdom of Great Britain and Northern Ireland	1 March 1954
Netherlands	12 June 1954

The Organization, the Office and the Organization for European Economic Cooperation shall have the right to be represented at all sessions of the Commission and its Committees, but their representatives shall not have the right to vote.

Article II

OBLIGATIONS OF MEMBERS REGARDING NATIONAL POLICIES AND INTERNATIONAL COOPERATION FOR THE CONTROL OF FOOT-AND-MOUTH DISEASE

1. Members undertake to control foot-and-mouth disease with a view to its ultimate eradication by the institution of suitable quarantine and sanitary measures and by one or more of the following methods :

- 1) a slaughter policy
- 2) slaughter together with vaccination
- 3) maintenance of totally immune cattle population by vaccination
- 4) vaccination in zones surrounding outbreaks.

Methods adopted shall be rigorously carried out.

2. Members adopting policy 2 or 4 undertake to have available a supply of virus for vaccine production and a supply of vaccine sufficient to ensure adequate protection against the disease in case of an outbreak. Each Member shall collaborate with and assist other Members in all concerted measures for the control of foot-and-mouth disease, and in particular in the provision of vaccine and virus where necessary. The quantities of virus and vaccine to be stored for national and international use shall be determined by Members in the light of the findings of the Commission and the advice of the Office.

3. Members shall make such arrangements for the typing of virus from outbreaks of foot-and-mouth disease as may be required by the Commission and shall immediately notify the Commission and the Office of the results of such typing.

4. Members undertake to provide the Commission with any information which it may need to carry out its functions. In particular, Members shall immediately report to the Commission and to the Office any outbreak of foot-and-mouth disease and its extent and shall make such further detailed reports as the Commission may require.

Article III

SEAT

1. The seat of the Commission and its Secretariat shall be in Rome at the Headquarters of the Organization.

2. Sessions of the Commission shall be held at its seat, unless they are convened elsewhere in pursuance of a decision of the Commission at a previous session, or, in exceptional circumstances, of a decision of the Executive Committee.

Article IV

GENERAL FUNCTIONS

The following shall be the general functions of the Commission :

1. To enter into arrangements, through the Director-General of the Organization, with the Office within the framework of any agreements between the Organization and the Office to ensure that :

1.1 All Members are provided with technical advice on any problem relating to the control of foot-and-mouth disease.

1.2 Comprehensive information on outbreaks of the disease and identification of virus is collected and disseminated as quickly as possible.

1.3 Special research work required on foot-and-mouth disease is carried out.

2. To collect information on national programs for the control of, and research on, foot-and-mouth disease.

3. To determine, in consultation with the Members concerned, the nature and extent of assistance needed by such Members for implementing their national programs.

4. To stimulate and plan joint action wherever required to overcome difficulties in the implementation of control programs and to this effect arrange means whereby adequate resources can be made available, for example, for the production and storage of vaccine, through agreements between Members.

5. To arrange for suitable facilities for the typing of virus.

6. To study the possibility of establishing international laboratory facilities to deal with the typing of virus and the production of vaccines.

7. To maintain a register of stocks of virus and vaccines available in various countries and to keep the position continuously under review.

8. To offer advice to other organizations on the allocation of any available funds for assisting in the control of foot-and-mouth disease in Europe.

9. To enter into arrangements, through the Director-General of the Organization, with other organizations, regional groups or with Nations not Members of the Commission, for participation in the work of the Commission or its Committees, or for mutual assistance on problems of controlling foot-and-mouth

disease. These arrangements may include the establishment of, or participation in, joint committees.

10. To consider and approve the report of the Executive Committee on the activities of the Commission, the annual accounts and the budget and program for the ensuing year, for submission to the Council of the Organization through the Director-General.

Article V

SPECIAL FUNCTIONS

The following shall be the special functions of the Commission :

1. To assist in controlling outbreaks in emergency situations in any manner considered appropriate by the Commission and the Member or Members concerned. For this purpose the Commission or its Executive Committee in conformity with the provisions of Article XI (5) may use any uncommitted balances of the Administrative Budget referred to in Article XIII (7) as well as any supplementary contributions which may be provided for emergency action under Article XIII (4).

2. To take suitable action in the following fields :

2.1 Production and/or storage of virus and/or vaccines by or on behalf of the Commission, for distribution to any Member in case of need.

2.2 Promotion when necessary of the establishment by a Member or Members of "*cordons sanitaires*" to prevent the spread of disease.

3. To carry out such further special projects as may be suggested by Members or by the Executive Committee and approved by the Commission for achieving the purposes of the Commission as set forth in this Constitution.

4. Funds from the surplus of the Administrative Budget may be used for the purposes stated in paragraphs 2 and 3 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 VI

ORGANIZATION

1. Each Member shall be represented at Sessions of the Commission by a single delegate who may be accompanied by an alternate and by experts and advisers. Alternates, experts and advisers may take part in the proceedings of the Commission but not vote, except in the case of an alternate who is duly authorized to substitute for the delegate.

2. Each Member shall have one vote. Decisions of the Commission shall be taken by a majority of the votes cast except as otherwise provided in this Constitution. A majority of the Members of the Commission shall constitute a quorum.

3. The Commission shall elect, at the beginning of each regular session, a Chairman and two Vice-Chairmen from amongst the delegates. These Officers shall hold office until the beginning of the next regular session, without prejudice to the right of re-election.

4. The Director-General of the Organization in consultation with the Chairman of the Commission shall convene a regular session of the Commission at least once a year. Special sessions may be convened by the Director-General, in consultation with the Chairman of the Commission, or if so requested by the Commission in regular sessions or by at least one-third of the Members during intervals between regular sessions.

Article VII

COMMITTEES

1. The Commission may establish temporary, special or standing committees to study and report on matters pertaining to the purpose of the Commission.

2. These Committees shall be convened by the Director-General of the Organization in consultation with the Chairman of the Commission, at such times and places as are in accordance with the objectives for which they were established.

3. The Commission shall determine the membership of such committees.

4. Each committee shall elect its own Chairman.

Article VIII

RULES AND REGULATIONS

Subject to the provisions of this Constitution, the Commission shall with the concurrence of the Director-General of the Organization, draw up its own Rules of Procedure and Financial Regulations in conformity with the Rules of Procedure and the Financial Regulations of the Organization.

Article IX

OBSERVERS

1. The Government of any Nation which is not a member of the Commission may, with the concurrence of the Commission, be represented at any session of the Commission or its Committees by an observer without the right to vote,

2. Any other international organization having related interests may, with the concurrence of the Commission, be represented at any sessions of the Commission or its Committees by an observer without the right to vote.

Article X

THE EXECUTIVE COMMITTEE

1. An Executive Committee shall be established and shall be composed of the Chairman and Vice-Chairmen of the Commission and three delegates of Members selected by the Commission at the beginning of its regular session. The Chairman of the Commission shall be the Chairman of the Executive Committee.

2. Members of the Executive Committee shall hold office until the beginning of the next regular session without prejudice to the right of re-election.

3. If a vacancy occurs in the Executive Committee before the expiration of the term of appointment, the Committee may request a Member of the Commission to appoint a representative to fill the vacancy for the remainder of the term.

4. The Executive Committee shall meet at least once between any two successive regular sessions of the Commission.

5. The Secretary of the Commission shall act as Secretary to the Executive Committee.

Article XI

FUNCTIONS OF THE EXECUTIVE COMMITTEE

The Executive Committee shall :

1. Make proposals to the Commission concerning policy matters and the program of activities;

2. Implement the policies and programs approved by the Commission;

3. Submit to the Commission the draft program and Administrative Budget, and the annual accounts;

4. Prepare the annual report on the activities of the Commission for approval by the Commission and transmission to the Director-General of the Organization;

5. Undertake such other duties as the Commission may delegate to it, in particular with reference to emergency action under Article V (1).

Article XII

ADMINISTRATION

1. The staff of the Secretariat of the Commission shall be appointed by the Director-General with the approval of the Executive Committee, and for administrative purposes shall be responsible to the Director-General. They shall be appointed under the same terms and conditions as the staff of the Organization.

2. The expenses of the Commission shall be paid out of its administrative budget except those relating to such staff and facilities which can be made available by the Organization. The expenses to be borne by the Organization shall be determined and paid within the limits of an annual budget prepared by the Director-General and approved by the Conference of the Organization in accordance with the Rules of Procedure and the Financial Regulations of the Organization.

3. Expenses incurred by delegates and their alternates, experts and advisers in attending meetings of the Commission and its committees shall be determined and paid by their respective governments.

Article XIII

FINANCE

1. Each Member of the Commission undertakes to contribute annually its share of the administrative budget in accordance with a scale of contributions to be adopted by a two-thirds majority of the membership of the Commission. For the first five years after the Constitution has come into force, these contributions shall be in accordance with the scale indicated in Appendix I.¹ The budget for the administrative activities of the Commission for the first five years shall be on the basis of US \$ 50,000 annually, to which shall be added any contribution made by Members in conformity with paragraph 2 below.

2. Contributions to be paid by Members not listed in Appendix I shall be determined by the Commission. For this purpose the methods used for calculating the above-mentioned scale shall apply.

3. Annual contributions provided for under Paragraphs 1 and 2 above shall be payable before the end of the first month of the financial year to which they apply. The financial year shall be the same as that of the Organization.

4. Supplementary contributions may be accepted from a Member or Members or from Organizations or individuals for emergency action or for the purpose

¹ See p. 316 of this volume,

of implementing special schemes or campaigns of control which under Article V the Commission or Executive Committee may adopt or recommend.

5. All contributions from Members shall be payable in currencies to be determined by the Commission in agreement with each contributing Member.

6. All contributions 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.

7. At the end of each financial year, any uncommitted balance of the Administrative Budget shall be placed in a special account to be available for the purposes outlined in Articles IV and V.

Article XIV

AMENDMENTS

1. This Constitution may be amended by the Commission by a two-thirds majority of the votes cast, providing such a majority is more than one-half of the membership of the Commission. Amendments shall become effective only with the concurrence of the Council of the Organization, and as from the date of the decision of the Council, provided that any amendment involving new obligations for Members shall come into force in respect of each Member only on acceptance of it by that Member.

2. Proposals for the amendment of the Constitution may be made by any Member of the Commission in a communication addressed to both the Chairman of the Commission and the Director-General of the Organization. The Director-General shall immediately inform all Members of the Commission of all proposals for amendments.

3. No proposal for the amendment of the Constitution shall be included in the agenda of any session unless notice thereof has been received by the Director-General of the Organization at least 120 days before the opening of the session.

Article XV

ACCEPTANCE

1. Acceptance of this Constitution shall not be subject to any reservation.

2. Acceptance shall be effected by the deposit of a notification of acceptance with the Director-General of the Organization and shall take effect as regards Members of the Organization or the Office, on receipt of such notification by the Director-General who shall forthwith inform each of the Members of the Commission.

3. Membership of Nations that are neither members of the Organization nor of the Office shall become effective on the date on which the Council approves the application for membership in conformity with the provisions of Article I.

Article XVI

WITHDRAWAL

1. Any Member may withdraw from the Commission at any time after the expiration of one year from the date on which its acceptance took effect or from the date on which the Constitution entered into force, whichever is the later, by giving written notice of withdrawal to the Director-General of the Organization who shall forthwith inform all Members of the Commission. The withdrawal shall become effective one year from the date of receipt of the notification of withdrawal.

2. Non-payment of two consecutive annual contributions shall be regarded as implying withdrawal of the defaulting Member from the Commission.

3. Any Member of the Commission withdrawing from the Organization or the Office, when such withdrawal results in this Nation no longer being a Member of either of these two Agencies, shall be deemed to have withdrawn simultaneously from the Commission.

Article XVII

SETTLEMENT OF DISPUTES

1. If there is any dispute regarding the interpretation or application of this Constitution, the Member or Members concerned may request the Director-General of the Organization to appoint a committee to consider the question in dispute.

2. The Director-General shall thereupon, after consultation with the Members concerned, appoint a committee of experts which shall include representatives of those Members. This committee shall consider the question in dispute, taking into account all documents and other forms of evidence submitted by the Members concerned. This committee shall submit a report to the Director-General of the Organization who shall transmit it to the Members concerned and to the other Members of the Commission.

3. The Members of the Commission agree that the recommendations of such a committee, while not binding in character, will become the basis for renewed consideration by the Members concerned of the matter out of which the disagreement arose.

4. The Members concerned shall share equally the expenses of the experts.

Article XVIII

TERMINATION

1. This Constitution shall be terminated by a decision of the Commission taken by a three-fourths majority of the membership of the Commission. It shall automatically be terminated should membership, as a result of withdrawals, comprise fewer than six Nations.

2. On termination of the Constitution all assets of the Commission shall be liquidated by the Director-General of the Organization and after settlement of all liabilities the balance shall be distributed proportionally amongst Members on the basis of the scale of contributions in force at the time. Nations whose contributions are in arrears for two consecutive years and hence deemed to have withdrawn in conformity with Article XVI (2) shall not be entitled to a share of the assets.

Article XIX

ENTRY INTO FORCE

1. This Constitution shall enter into force upon receipt by the Director-General of the Organization of notifications of acceptance from six Member Nations of the Organization or of the Office, providing that their contributions represent in the aggregate not less than 30% of the Administrative Budget provided for in Article XIII (1).

2. The Director-General shall notify all Nations having deposited notifications of acceptance of the date on which this Constitution comes into force.

3. The text of this Constitution drawn up in the English, French and Spanish languages, which languages shall be equally authoritative, was approved by the Conference of the Organization on the eleventh day of December 1953.

4. Two copies of the text of this Constitution shall be authenticated by the Chairman of the Conference and the Director-General of the Organization, one copy of which shall be deposited with the Secretary-General of the United Nations and the other in the archives of the Organization. Additional copies of this text shall be certified by the Director-General and furnished to all Members of the Commission with the indication of the date on which the Constitution has come into force.

APPENDIX I

SCALE OF ANNUAL CONTRIBUTIONS¹

Calculated on national income of each country as expressed in the Scale of Contributions to the Organization, the relative position of each country in regard to possible infection with foot-and-mouth disease and the number of livestock to be protected in each country.

ANNEXE I

BARÈME DES CONTRIBUTIONS ANNUELLES²

Établi pour chaque pays d'après les chiffres du revenu national utilisés pour le calcul du barème des contributions à l'Organisation, la gravité du danger d'infection par la fièvre aphteuse et l'effectif du cheptel à protéger.

APENDICE I

ESCALA DE CUOTAS ANUALES

Calculadas a base de la renta nacional de cada país en la forma expresada en la escala de cuotas de la Organización, posición relativa respecto a posibles infecciones de fiebre aftosa y número de cabezas de ganado que requieren protección, por países.

¹ See p. 317 of this volume.

² Voir p. 317 of this volume.

Country Pays País	Cattle stock 000heads Effectif du cheptel (en milliers de têtes) Existencias de ganado (miles de cabezas)	Contribution to FAO \$ Contribution à la FAO (en dollars E.U.) Cuota pagada a la FAO (en dólares)	Calculation of Contributions of a \$50,000 Budget of the Commission Contributions au budget de 50.000 dollars Cálculo de cuotas para un presupuesto de 50.000 dólares		Scale Barème Escala	
			a) Based on Head of cattle a) D'après l'effectif du cheptel a) A base del número de cabezas de ganado	b) Based on FAO Contributions b) D'après la con- tribution à la FAO b) A base de las cuotas pagadas a la FAO	Category Catégorie Categoría	Contribution \$ Contribution (en dollars) Cuota (en dólares)
Austria—Autriche—Austria	2 279	19 760	1 294.47	434.72	IV	1 500
Belgium—Belgique—Bélgica	2 101	92 560	1 193.37	2 036.32	III	2 500
Denmark—Danemark—Dinamarca	3 053	56 160	1 734.10	1 235.52	III	2 500
Finland—Finlande—Finlandia	1 847	22 360	1 049.10	491.92	IV	1 500
France—France—Francia	15 722	348 400	8 930.10	7 664.80	I	7 000
Germany—Allemagne—Alemania	11 150	245 960	6 333.20	5 411.12	II	5 000
Greece—Grèce—Grecia	763	14 040	433.38	308.88	IV	1 500
Iceland—Islande—Islandia	44	2 600	24.99	57.20	VI	250
Ireland—Irlande—Irlandia	4 322	20 800	2 454.90	457.60	V	750
Italy—Italie—Italia	8 150	165 880	4 629.20	3 649.36	II	5 000
Luxembourg—Luxembourg— Luxemburgo	119	3 120	67.59	68.64	VI	250
Netherlands—Pays-Bas—Países Bajos	2 723	88 400	1 546.66	1 944.80	III	2 500
Norway—Norvège—Noruega	1 236	34 320	702.05	755.04	V	750
Portugal—Portugal—Portugal	610	33 800	346.48	743.60	IV	1 500
Spain—Espagne—España	3 300	71 240	1 879.40	1 567.28	III	2 500
Sweden—Suède—Suecia	2 648	109 720	1 504.06	2 413.84	III	2 500
Switzerland—Suisse—Suiza	1 530	81 120	869.04	1 784.64	III	2 500
Turkey—Turquie—Turquía	10 580	34 320	6 009.44	755.04	IV	1 500
United Kingdom—Royaume-Uni—Reino Unido	10 620	781 560	6 032.16	17 194.32	I	7 000
Yugoslavia—Yougoslavie—Yugoeslavia	5 236	34 320	2 974.05	755.04	IV	1 500
TOTAL	88 033	2 260 440	50 007.74	49 729.68		50 000