



**CONSTITUTION OF THE  
FORUM FOR AGRICULTURAL RESEARCH IN AFRICA  
(FARA)**

**June 2007**

## **PREAMBLE**

**Whereas** the Association for Strengthening Agricultural Research in Eastern and Central Africa (ASARECA), the Conseil Ouest et Centre Africain pour la Recherche et le Développement Agricole /West and Central African Council for Agricultural Research and Development (CORAF/WECARD) and the Southern African Centre for Cooperation in Agricultural Research (SACCAR), hereafter referred to as “the Founding African Institutional Members ” or the “Parties” have agreed to jointly assist in the establishment of a Forum for Agricultural Research in Africa;

**Whereas** to this effect the founding sub-regional organizations (SROs) have signed on April 6, 2001 a Memorandum of Agreement;

**Noting** that a Forum for Agricultural Research in Africa will complement, at the pan-African level, the innovative activities of the national and sub-regional research institutions to deliver more responsive and effective services to their stakeholders.

**Cognisant** of the reality that the stakeholders and partners of such a Forum for Agricultural Research in Africa include national agricultural research organizations and national agricultural research systems, sub-regional organizations responsible for the coordination of agricultural research and related organizations, farmers’ organizations, organizations of processors of agricultural products, organizations representing agricultural service providers, organizations of agricultural businesses and related marketing agents, consumer organizations, organized women’s groups and youth groups working in agriculture, community based organization and non-governmental organizations (NGO’s) working in agricultural research for development, investors and donors, international research centers belonging to the Consultative Group on International Agricultural Research (CGIAR), Universities and Advanced Research Institutes, Academies of Science and that this list is not exhaustive.

Now therefore, in accordance with the said Memorandum of Agreement the Forum for Agricultural Research in Africa is established as follows: -

## **DEFINITIONS**

### **Article 1. ESTABLISHMENT AND NAME**

1.1 The Parties hereby establish a forum [legal entity], which shall be called “Forum for Agricultural Research in Africa” [FARA], with the mission and functions as outlined below.

## **Article 2. THE LEGAL SEAT OF FARA**

2.1 The seat of FARA shall be established in any country in Africa.

## **Article 3. THE LEGAL STATUS OF FARA**

3.1 FARA shall be a non-profit public international institution in accordance with public international law. FARA shall possess full legal personality, both under public international law and under the national laws of the country hosting FARA's Headquarters.

## **Article 4. THE VISION AND MISSION OF FARA**

4.1 The vision of FARA is reduced poverty in Africa as a result of sustainable broad-based agricultural growth and improved livelihoods, particularly of smallholder and pastoral enterprises.

The mission of FARA is the creation of broad-based improvements in agricultural productivity, competitiveness and markets by supporting Africa's sub-regional organizations in strengthening capacity for agricultural innovation.

## **Article 5. THE FUNCTIONS OF FARA**

In pursuit of its mission, FARA shall have the following functions

### **5.1 *Coordination***

In a proactive manner define and articulate a pan-African position on key strategic and global agricultural issues,

- a. Represent the Africa region at the Global Forum for Agricultural Research (GFAR) and at other global fora,
- b. Coordinate and harmonize policies and programs
- c. Forge linkages between African institutions and SROs
- d. Develop mechanisms to deal with African agricultural problems
- e. Monitor and evaluate the impact of agricultural research at the African region level.

### **5.2 *Advocacy and resource mobilization***

- a. Coordinate donor efforts and input in African agricultural research, through identification and interaction with key players in the donor community and their programs and grant conditions, and through the development of strategies for effectively and efficiently dealing with these key players,
- b. Advocacy of African needs and aspirations at international meetings,
- c. Liaise with advocacy groups in developed countries that conduct research to solve problems in Africa,
- d. Build coalitions with key stakeholders and advocacy groups on African agricultural research,
- e. Pro-actively identify issues likely to affect African agriculture and develop strategies or mobilize capacity to deal with them.

**5.3 *Promote exchange of information, technology and human resources at the pan-Africa level;***

- a. Promote awareness of regional and global issues, e.g. genetically modified foods, intellectual property rights, globalization, and available technologies,
- b. Document for use in advocacy functions, the agricultural change processes of significant impact taking place in Africa,
- c. Document and disseminate ‘best practices’ in agricultural research.

**Article 6. THE POWERS OF FARA**

6.1 In the pursuit of its mission, FARA may establish a legal entity to exercise any or all of the following powers;

- a. Enter into international agreements governed by international public law with one or more States and/or one or more international organizations
- b. Enter into contractual agreements,
- c. Institute and act in legal proceedings,
- d. Employ persons,
- e. Receive, acquire or otherwise obtain from any governmental authority, or from any corporation, company, association, trust, firm, foundation, person or any other entity, such charters, licenses, rights, concessions, financial or otherwise as are conducive to and necessary for the accomplishment of the mission of FARA,
- f. Receive, acquire or obtain from any governmental authority or from any corporation, company, association, trust, firm, foundation, person, or any other entity by donation, grant exchange, devise, bequest, purchase or lease, either absolutely or in trust, contributions consisting of such properties, real, personal or mixed, including funds and valuable effects or things as may be useful or necessary to carry out the mission of FARA, and to hold, operate, administer, use, sell, convey, or dispose of the said properties or valuable things,
- g. Do and to perform all acts and things as may be found necessary, expedient, suitable or proper for the furtherance, accomplishment or attainment of FARA’s mission,
- h. Ensure that no part of the earnings of FARA shall accrue to the benefit of, or be distributable to its members, officers, or other private persons, except that FARA shall be authorized to pay reasonable compensation for contracted services and to make payments and distributions in furtherance of its mission. Notwithstanding any other provision in this Constitution, FARA shall not engage in any activities or exercise any powers that are not aimed at the accomplishment of FARA’s mission.

## **Article 7. THE MEMBERSHIP OF FARA**

7.1 The membership of FARA consist of the following categories;

- a. Founding members - the SROs: ASARECA, CORAF/WECARD and SADC/FANR. These are joined with equal status by an organisation representing the North African NARS.
- b. core members – national and regional agricultural research institutions including universities that are members of their sub-regional organisations.
- c. ordinary members - individuals, organisations and private firms from the stakeholder groups in agricultural research for Africa’s development. This category inter alia includes: African farmers’ organisations and associations, non-governmental organisations (NGOs), small and medium enterprises, market agents especially women’s groups, agricultural produce processors and input suppliers, private agro-industries and businesses, civil society, international and regional agricultural research institutions, non-African research agencies active in Africa and research foundations.
- d. investors – grant making institutions, agencies and countries, private sectors and foundations.
- e. honorary members – nominated for acceptance by the general assembly on the basis of their outstanding contribution to the agricultural research for Africa’s development. Contrary to the other categories, honorary membership is conferred on individuals not institutions.

7.2 Acceptance of membership application of an international institution or organization will be decided by the General Assembly on recommendation of the Executive Board.

7.3 All members shall pay graduated annual membership fees as determined from time to time by the General Assembly.

## **Article 8. THE ORGANS OF FARA**

The organs of FARA are:

- a. The General Assembly,
- b. The Chairperson of FARA
- c. The Executive Board,
- d. The Executive Director

## **8.1 The General Assembly of Members**

### ***a. Composition***

- i. The General Assembly shall consist of paid-up members.

### ***b. Functions and Powers***

- i. Formulate and approve the rules of procedure of the General Assembly,
- ii. Approve and ratify agreements, contracts, policies, programs, new members, protocols, by-laws, budgets, financial statements, audit reports, the membership fee, and the seat of FARA,
- iii. Elect the Chairperson of FARA upon the nomination of the Executive Board,
- iv. Ratify the selection and appointment of the Executive Director,
- v. Receive, review, and make decisions on reports from the Executive Board and the Secretariat,
- vi. Serve as a platform to debate and identify critical issues affecting African Agricultural Research for Development for the attention of FARA,
- vii. Delegate to the Executive Board such powers, as it deems practical for the effective and efficient implementation of FARA's work,
- viii. Monitor, evaluate and approve the work of the Executive Board
- ix. Do and perform all other acts that may be deemed necessary and suitable to achieve FARA's mission.

### ***c. Meetings and Venue***

- i. The General Assembly normally meets every three years. At the request of the Chairperson or by written request from any of the founding institutional members, the Chairperson of FARA will convene an extraordinary meeting of the General Assembly. The meeting of the General Assembly may have open and closed sessions. Closed sessions will be restricted to representatives of member institutions. The General Assembly decides in principle by consensus of the members in attendance. If consensus cannot be reached, the Chairperson may propose a vote. If approved, a decision will be reached by a simple majority vote of the representatives in attendance of the meeting. At any meeting of the General Assembly, 50 % of the membership shall constitute a quorum, provided that each of the founding institutional members has at least three (3) representatives present. The Chairperson of the General Assembly has an original vote and a casting vote
- ii. The four SROs members will host the meeting of the General Assembly on a rotational basis.

**d. Chairperson of the General Assembly**

- i. The Chairperson of FARA shall chair all meetings of the General assembly, including any extraordinary meetings convened. In the event that the Chairperson of FARA is unable to chair a meeting of the General Assembly, the Vice-Chairperson chairs the meeting.

**8.2 The Chairperson of FARA**

**a. Election**

- i. The Chairperson of FARA shall be elected from one of the sub-regions out of nominations from the sub-region. Qualifications for the Chairperson will be prescribed, but eligibility will not be restricted to the Chairpersons of the SROs. The Vice-Chairperson shall be similarly elected, with the proviso that he/she shall not be from the same sub-region as the Chairperson. The General Assembly decides on the nominations by simple majority.

**b. Functions and Powers**

- i. The Chairperson of FARA chairs all meetings of the General Assembly. The Chairperson of FARA acts as the Chairperson of the Executive Board. The Chairperson has the overall responsibility for the implementation of the program of work and associated budgets approved by the General Assembly. He/she reports to the General Assembly on progress of implementation and on all other matters concerning FARA's operations as requested by the General Assembly. The Chairperson has an original vote and a casting vote. The Chairperson of FARA serves as the legal representative and chief administrative officer of FARA.

**c. Term of office**

- i. The Chairperson remains in office for three years until the next meeting of the General Assembly where a new chairperson from another sub-region will be elected. During his/her period the chairperson shall Chair the Executive Board meetings and any extraordinary meetings of the General Assembly.

**8.3 The Executive Board of FARA**

**a. Composition**

- i. The Executive Board of FARA consists of the following members as follows:
  - a. Chairperson of FARA,
  - b. Executive Director of FARA
  - c. One (1) representative from each of the SROs member,
  - d. One (1) representative of donor and development partners
  - e. One (1) representative of scientific partners,
  - f. One (1) representative of the private sector,

- g. One (1) representative of foundations and NGOs, and
- h. One (1) representative of farmers' organizations/associations.

At least two (2) of the five (5) representatives must be women.

**b. Functions and Powers of the Executive Board of FARA**

- i. acts on behalf of the General Assembly on all matters requiring immediate attention,
- ii. recommends for approval or ratification by the General Assembly policies, programs, budgets, financial statement, audit report, agreements, contracts, protocols, bye-laws, new members, and the membership fee,
- iii. establishes the procedures for the recruitment, selection and appointment of staff,
- iv. approves the regulations governing the terms and conditions of employment of staff,
- v. frames its rules of procedure,
- vi. appoints auditors and independent review committees,
- vii. approves the annual reports on FARA's achievements and work in progress,
- viii. reviews, approves and establishes the annual plan of work ,
- ix. does and performs all other acts as deemed appropriate for the implementation of the directives received from the General Assembly in the pursuit of FARA's mission.

**c. Meetings**

- i. The Executive Board meets at least twice a year. Its meetings will be convened after due consultation between the Chairperson and the founding African institutional members.

**8.4 The Executive Director of FARA**

**a. Appointment**

- i. The Executive Director of FARA is appointed by the General Assembly upon recommendation of the Executive Board following a competitive world-wide international recruitment and selection procedure. Appointment will be on a contract for a fixed term, not to exceed five (5) years, with the option for one renewal also not to exceed five (5) years.

**b. Functions and Powers: The Executive Director shall:**

- i. as delegated by the Chairperson of FARA, serve as the chief administrative officer and legal representative of FARA ,
- ii. provides leadership and manages the human, financial and physical resources of FARA and the FARA Secretariat,
- iii. implements the decisions of the General Assembly and the Executive Board,
- iv. drafts an annual work plan and associate budget, and reports on progress made to the Executive Board and as appropriate to the General Assembly,
- v. articulates new proposals and initiatives for funding by donors and African Governments,
- vi. ensures the effective and efficient operation of the FARA Secretariat,
- vii. puts the appropriate mechanisms in place for the monitoring, evaluation and impact assessment of FARA's activities,
- viii. recruits, selects and appoints the staff required for the operations of the FARA Secretariat,
- ix. develops and recommends to the Executive Board to establish the necessary rules and regulations governing the employment of the secretariat staff,
- x. performs any other duties as directed by the Chairperson of FARA.

**Article 9. PRIVILEGES AND IMMUNITIES**

9.1 FARA, the delegates of FARA's members, the Chairperson of FARA, and the Executive Director and the Secretariat staff shall enjoy in the territory FARA's host country such rights, privileges and immunities necessary to enable FARA to operate effectively and efficiently towards the attainment of its mission.

9.2 The salaries and emoluments paid by FARA to its officials shall be exempt from host country income tax.

**Article 10. AMENDMENTS**

10.1 The voting members of the General Assembly may amend this constitution by a three-fourth majority vote provided that notice of such proposed amendment shall have been mailed together with its full text to all voting members at least 10 weeks in advance of the meeting.

**Article 11. OFFICIAL LANGUAGES OF FARA**

11.1 The official languages of FARA shall be English, French, Arabic and Portuguese.

**Article 12. DISSOLUTION OF FARA**

12.1 FARA may be dissolved by a three-fourths majority vote of all voting members of FARA. If it is determined that FARA's mission is accomplished to a satisfactory degree or if it is determined that FARA is no longer able to function effectively.

12.2 In case of a dissolution, the disposition of all assets shall be determined by the members of FARA upon recommendation by the Executive Board, giving due regard to the relevant provisions in the Headquarters Agreement.

**Article 13. ENTRY INTO FORCE**

13.1 This Constitution shall enter into force immediately after it has been ratified by the FARA General Assembly.