

Accession of new countries to the Agreement establishing the CGIAR System Organization as an International Organization Key information

1. The Agreement establishing the CGIAR System Organization as an International Organization (“Establishment Agreement”)

a) Entry into force

This Establishment Agreement took effect on 20 July 2012¹. It was subsequently modified by an amendment that took effect on 21 November 2016 and that reflects nomenclature changes resulting from the revised CGIAR governance structure that was put in place in 2016².

b) Depository

The Agreement is held by the French Ministry of Foreign Affairs³ which, as host country, acts as its custodian.

c) Languages

The Agreement exists in 2 authentic languages (English and French) although it is signed only on the French signature page. It can be translated into additional languages for information purposes only (Spanish translation available).

2. Status of signatures, ratifications and acceptances

The Establishment Agreement was first signed on 13 September 2011 by France and Hungary. It has, to date, been signed by five countries (including Denmark on 2 March 2012, Benin on 5 April 2012, Uruguay on 28 October 2012) and has three parties (Denmark, France and Hungary).

The details are as follows:

- Benin: signature on 5 April 2012, subject to ratification, acceptance or approval;
- Denmark: signature on 2 March 2012 without reservation as to ratification, acceptance or approval. Denmark is a party to the Agreement since 20 July 2012.

¹ A the time of its establishment, the CGIAR System Organization was called the “*Consortium of International Agricultural Research Centers*”; the document from the French Ministry of Foreign Affairs confirming the effective date of the Establishment Agreement is available [here](#)

² The unofficial consolidated version of the Establishment Agreement and its amendment is available [here](#).

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- France: signature on 13 September 2011, subject to ratification, acceptance or approval; France is a party to the Agreement since 24 June 2014⁴.
- Hungary: signature on 13 September 2011, subject to ratification, acceptance or approval; The Government of Hungary approved the Agreement on 20 July 2012. Hungary is a party to the Agreement since 20 July 2012.
- Uruguay: signature on 28 October 2012, subject to ratification, acceptance or approval.

The amendment to the Establishment Agreement that took effect on 21 November 2016 was signed by France and Denmark on 20 October 2016.

In addition, three countries (Morocco on 24 April 2014, and Senegal and Colombia on 2 June 2014) have signed declarations of their intent to become parties to the Establishment Agreement.

3. How does a country become a party to the Agreement?

As the Agreement has already entered into effect, countries can join and become Parties to the Agreement by acceding to it. When a country accedes to the Agreement, it is bound by its terms. The accession of a new country requires that all procedures required by the country's national law have taken place (for ex. parliamentary approval, etc.).

Who can deposit an instrument of accession to the Agreement?

- Either the Head of State, Head of Government or Minister for Foreign Affairs signs the instrument of accession to the Agreement directly;
- Or, more frequently, another person (typically an ambassador at the country's ministry in Paris) signs the instrument of accession to the Agreement on behalf of one of the 3 authorities mentioned above (such person needs to have obtained beforehand the full powers to sign the instrument of accession to the Agreement from one of these 3 authorities).
- This means that, whenever possible, contact should be made directly with the Minister of Foreign Affairs as she/he will, in all probability, need to sign the instrument of full powers for another person.

⁴ The French Parliament passed a law (Law n° 2014-547) on 28 May 2014, published in the French Official Journal on 29 May 2014 (document available [here](#)), authorizing the approval of the Establishment Agreement by the French government. The Establishment Agreement was subsequently approved by the French government on 18 June 2014 (document available [here](#)), and the instrument of approval was deposited on 24 June 2014.

What if parliamentary approval or another internal procedure is required?

Sometimes, a country's internal laws may require that an internal procedure (parliamentary approval or other procedure) be followed. In this case, **the country in question will need to follow these internal procedures** which can be quite lengthy, **before signing the instrument of accession to the Agreement.**

4. Why is it important for a country to accede to the Agreement?

- By acceding to the Agreement, a country demonstrates its support to CGIAR and reinforces its ties with the System. In particular, this would facilitate and strengthen scientific exchanges between the scientific community of the country and the System;
- It also sends a strong political signal that the country is committed to the improvement of livelihood conditions, locally and internationally, and positions the country on the international development and agricultural research scene.

5. What does a country commit to by acceding to the Agreement?

- Acceding to the Agreement **does not entail any specific commitments** for countries; in particular, **it does not imply any financial obligation**. By acceding to the Agreement, the countries show their support to the CGIAR System and to its vision, and agree to take appropriate measures to facilitate the purpose of the Consortium and the implementation of its decisions.
- Subsequent amendments to the Agreement only apply to countries which ratify, accept or approve them (Art 9.1 (b)). Therefore, countries are in total control of the amendments to the Agreement they accept or not. Additionally, amendments to the Constitution (annex to the Agreement) cannot have the effect of creating or imposing any obligations on the Parties (Art. 9.2(b)).
- Some countries may be concerned that, by acceding to the Agreement, they will be required to grant privileges and immunities to CGIAR offices that could subsequently open in their country. Acceding to this Agreement **does not commit a country to granting privileges and immunities to CGIAR offices**. Such privileges and immunities would require a host country agreement that would need to be negotiated separately (even though the accession to the Agreement might facilitate this process should the case arise).

6. What concrete steps should be taken by a country wishing to accede to the Agreement?

If a country wishes to accede to the Agreement, we recommend that the **Foreign Affairs Minister** send a formal notification of his/her intention to accede through a letter addressed to the System Management Board Chair, presently Mr Marco Ferroni (the letter can be attached to an email sent to legal-cgiar@cgiar.org). Once we receive this notification, we will notify the French Foreign Ministry which, on its basis, will send an official request to the relevant government and the diplomatic process for arrangements will start.

Thank you in advance for your time and help in this process. **Please do not hesitate to contact the System Management Office** (Legal unit – legal-cgiar@cgiar.org) should you have any questions.