

ECPGR

OPTIONS FOR LEGAL STATUS

Requirements

- More defined structure
- More defined status;
- Separate identity;
- Legal capacity to accept funds and run projects in its own right;
- Separate legal personality

Options for legal status

1. Continue present status
2. Set up as international organization with its own international legal personality
3. Establish as a national charitable corporation

1. Continue present status

- What can be done
- Pros
- cons

2. international organization

- Full international agreement
e.g. FAO
- Simplified international agreement
e.g. Global Crop Diversity Trust
- Subsidiary body of EU
e.g. Trans-European Transport
Network Executive Agency
- Article XIV Agreement under FAO
e.g. European Foot and Mouth
Commission

a) international agreement

- **Pros**
Would meet all requirements
- **Cons**
Time and difficulty

b) Simplified international agreement

- **Pros**
Would meet requirements but need to be supplemented by HQ agreement
- **Cons**
Still requires time and difficulty of acceptance

c) Subsidiary body of EU

- **Pros**
Could be quicker
Links with funding
- **Cons**
Too close links with EU
acceptability to non-EU countries

d) Article XIV of FAO Constitution

- **Pros**
Can be quite quick - Council
Full international Agreement
- **Cons**
Too close links with FAO
Acceptability with donors

3. National non-charitable corporation

- **Pros**
Can be quite quick -
Can negotiate P & I's under HQ Agreement
- **Cons**
Not full international status
Subject to national law