



联合国  
粮食及  
农业组织

Food and Agriculture  
Organization of the  
United Nations

Organisation des Nations  
Unies pour l'alimentation  
et l'agriculture

Продовольственная и  
сельскохозяйственная организация  
Объединенных Наций

Organización de las  
Naciones Unidas para la  
Alimentación y la Agricultura

منظمة  
الأغذية والزراعة  
للأمم المتحدة

# COMMISSION ON PHYTOSANITARY MEASURES

## Twelfth Session

**Incheon, Republic of Korea , 5-11 April 2017**

**Proposal for a new implementation oversight body - Outcomes of the Focus Group and SPG and Bureau consideration**

**Agenda item 8.10**

**Prepared by the IPPC Secretariat**

1. At the Commission on Phytosanitary Measures (CPM) 11 (2016) a proposal<sup>1</sup> was presented for the new Implementation and Capacity Development Committee to be formed to replace the IPPC Capacity Development Committee (CDC). Terms of Reference (ToR) and Rules of Procedure (RoP) were presented for approval, in addition to a sequence of events to transition the CDC to the new subsidiary body.

2. Although CPM 11 supported the creation of a new subsidiary body, they thought it was premature to approve the new committee and associated ToR and RoP without further discussion by contracting parties on the new purpose, scope and function. A small group met on the margins of CPM 11 and drafted a ToR<sup>2</sup> for a Focus Group to meet and discuss the new subsidiary body. The Focus Group ToR was approved and it was agreed the outcomes of their meeting would be shared with the Strategic Planning Group and the Bureau before being reported back to CPM 12.

3. The Focus Group on Implementation met in Paris from 18-22 July 2016 and worked through the actions in the ToR agreed by CPM 11 (2016). It discussed a wide range of issues in the course of developing the purpose, scope, ToR and RoP for the new committee.

<sup>1</sup> CPM 2016/18

<sup>2</sup> 2016/CRP/08

4. The outcomes of discussion<sup>3</sup>, the ToR and RoP, are presented in Appendix 1 and 2.
5. The Focus Group proposes that the new committee be known as the IPPC Implementation and Capacity Development Committee, abbreviated to IC. This reflects the two key elements in the committee's purpose (i) implementation of the IPPC, including the international standards for phytosanitary measures (ISPMs) and (ii) strengthening the phytosanitary capacity of contracting parties.

## **I. Key elements**

6. The scope of the IC applies an assessment of the collective capacity and capability needs of contracting parties against the minimum required to meet IPPC obligations. These needs form the basis for an integrated implementation and capacity development work programme that:

- identifies and addresses impediments to effective implementation, and
- develops and delivers capacity development activities to enhance the ability of contracting parties to implement the IPPC.

7. The work programme includes national reporting obligations, dispute avoidance, the Implementation Review and Support System (IRSS), capacity and technical resources development, implementation pilot programmes and innovation programmes such as ePhyto. The IC will oversee any formal dispute when such assistance is requested through the IPPC Secretariat.

8. Ongoing monitoring and evaluation will continue to enhance the work programme to meet the needs of contracting parties. The consolidated outputs from monitoring and evaluation of the work plan will enable collective progress to better implement the IPPC to be reported as one measure of the state of plant protection in the world (Article XI, 2(a)).

9. The IC will collaborate with the IPPC Standards Committee (SC) at several levels, both formally through joint activities, and more informally through participation in each other's meetings, the October Bureau meeting and discussions between the Committee Chairs.

10. The IC will also enhance its collaboration and engagement with individual regional plant protection organizations (RPPOs), inter alia through the annual Technical Consultation. This will provide opportunities to better plan and deliver implementation and capacity development to countries within a region with the RPPOs and FAO Regional Offices and plant protection officers, and share resources and programmes between regions.

## **II. Considerations of the Focus Group**

11. The Focus Group acknowledged the significant work and outcomes achieved by CDC and recognised that this was largely due to the commitment, enthusiasm and skills of its members. The proposed ToR and RoP of the IC increase the number of committee members from 7 to 11 and add permanent representation from the SC and RPPOs. In keeping with the desire of the Focus Group to ensure the IC is flexible and responsive to capacity development and implementation needs, IC members will be selected by the Bureau following a call for appropriately skilled and experienced experts. The Bureau will ensure that each FAO region is represented and that there is a mix of members from developed and developing, island and continental countries.

12. The IC has a wide range of functions, reflecting its broad scope. These have been grouped into a number of themes including technical, committee management, working with the Secretariat and other bodies, and actions directed by the CPM.

13. The Focus Group noted that a number of subsidiary bodies and advisory groups currently exist that have a role in implementation and capacity development. It recommends that a priority for the IC

---

<sup>3</sup> Report of Focus Group on establishment of a new subsidiary body for Implementation (July, 2016)

should be a review of the need for the existing committees that fall within the scope of the IC, how actions and outcomes within the scope of each of these committees will be managed by IC and the ongoing relationship between the IC and sub groups operating under its oversight. These include the National Reporting Obligations Advisory Group (NROAG), Subsidiary Body on Dispute Settlement (SBDS) and the Triennial Review Group (TRG).

14. It further agreed that the ToRs for each sub group or subsidiary body that operates under the oversight of the IC should clearly describe the scope of the IC role in management, oversight and reporting. This particularly applies to bodies established by CPM and which continue to report to CPM, such as the proposed sea containers task force (Bureau, June 2016) and the ePhyto Steering Group.

### **III. Issues and opportunities**

15. The Focus Group is proposing to retain the flexible selection process for members of the IC to ensure it has the range of skills and knowledge to facilitate its work. Consideration was made of the size of the IC, with a view to balancing efficient operations and the actual capacity to complete its work, noting that the IC is expected to work as well as provide oversight. The final structure of 11 plus 2 provides an additional 5 people to cover the expanded scope of the IC role.

16. The difference in size and member selection processes between the proposed IC and SC was noted by the Focus Group. A small committee is more economical to run and operates more efficiently. Recruiting appropriately skilled and experienced members also improves productivity and output quality. The Focus Group thought that the size and member selection processes for SC could be reviewed in light of the approach proposed for IC to explore the potential benefits from this alternative approach.

17. The Focus Group considered the increase in costs as a result of the increased size of the IC, but felt that the savings achieved through dissolving the NROAG and subsuming its activities into the IC work programme, and the activation of SBDS only when the IPPC dispute resolution process is required, would offset the rise in costs. There is potential that changes will end up being cost neutral.

18. Supporting contracting parties to implement the IPPC through the development of technical resources and capacity development will continue to be critical to achieving the Convention objectives and global outcomes on food security, environment protection and trade facilitation. It will be an ongoing priority for the CPM and as such, operations of the committee should be considered in developing the sustainable funding model and the IPPC Strategic Framework.

19. The Phytosanitary Capacity Evaluation (PCE) process was developed by the IPPC Secretariat to assess the capacity of contracting parties relevant to implementing the Convention. Its use by contracting parties should be strongly encouraged, and the assessment and resultant country strategy to increase capacity to be used to inform the development of CPM implementation priorities, IPPC Strategic Framework, IPPC National Phytosanitary Capacity Development Strategy and the IC work plan.

20. To complement the PCE as an indicator of capacity development needs, the current call for topics for standards should be refocused in a call for 'problems/issues' which are supported by analysis of impact or consequence. Such a call should elicit a broader spread of issues impacting harmonisation, implementation or compliance and not presuppose that a standard is the only solution to the problem identified. A process for the joint analysis by SC and IC of the problems identified also offers opportunities for exploration of innovative solutions.

21. The Focus Group considered that CPM should set implementation and capacity development priorities. These priorities would then be addressed through the IC work plan. This approach allows the IC to retain flexibility over how priority outcomes could be achieved.

22. CPM and the Secretariat has long been considering how to review state of plant protection in the world as required by the Convention (ref IPPC ARTICLE XI 2(a)): 'review the state of plant

protection in the world and the need for action to control the international spread of pests and their introduction into endangered areas'). A measure of the state of plant protection in the world could be achieved through monitoring improvements in the capacity of contracting parties to implement the IPPC.

23. A strong theme through Focus Group discussions was cementing the collaborative working relationship between the IC and SC. Elements have been included in the RoP and there was an expectation that the relationship would be connected at all levels, including across the Secretariat, through Chairs and in joint activities and projects.

24. The CPM is invited to:

- 1) *consider* the report and recommendations of the Implementation Focus Group
- 2) *agree* the Implementation and Capacity Development Committee be established under the proposed Terms of Reference and Rules of Procedure
- 3) *agree* the usual abbreviation for the Committee should be IC
- 4) *agree* the IC should start operations in the second half of 2017
- 5) *agree* the NROAG, TRG and SBDS be dissolved at the same time as the IC is established and the functions and procedures of these committees be transferred to the IC
- 6) *agree* the call for topics be delayed so that a joint SC/IC call for topics for standards and issues for implementation can be held
- 7) *agree* a priority task for the IC will be to develop criteria for the joint IC/SC call for topics and issues, in collaboration with SC
- 8) *agree* until its dissolution, CDC starts work on these priority tasks of the IC
- 9) *agree* the CDC also works to complete its programme as far as possible to ensure a smooth transition to the new Committee.

## **Appendix 1: Draft Terms of Reference of the IPPC Implementation and Capacity Development Committee (IC) - a subsidiary body of the CPM**

### **Note on interpretation**

References to implementation mean implementation of the International Plant Protection Convention (IPPC), including standards, guidelines and recommendations adopted by the Commission on Phytosanitary Measures (CPM).

### **Terms of Reference**

#### **1. Purpose**

The IC develops, monitors and oversees an integrated programme to support the implementation of the IPPC and strengthen the phytosanitary capacity of contracting parties.

#### **2. Scope of the IPPC Implementation and Capacity Development Committee (IC)**

The IC, under the guidance of the CPM, provides technical oversight of activities to enhance the capacities of contracting parties to implement the IPPC and meet the strategic objectives agreed by CPM. The IC

- Identifies and reviews the baseline capacity and capability required by contracting parties to implement the IPPC.
- Analyses issues constraining the effective implementation of the IPPC and develops innovative ways to address impediments.
- Develops and facilitates delivery of an implementation support programme to enable contracting parties to meet and surpass the baseline capacity and capability.
- Monitors and evaluates the efficacy and impact of implementation activities and reports progress as one measure of the State of Plant Protection in the World.
- Oversees dispute avoidance and resolution processes.
- Works with the Secretariat, potential donors and the CPM to secure sustainable funding for its activities.

#### **3. Composition**

The IC is composed of eleven experts with relevant skills and experience in implementation of phytosanitary-related instruments and/or capacity development. The Bureau, taking account of the balance of skills and experience required, and geographical representation, selects and appoints the members.

In addition, representatives from the regional plant protection organizations (RPPOs) and the Standards Committee (SC) participate.

#### 4. Functions

The IC has the following functions:

*i) Technical work programme*

- 1) Identify and keep under review baseline capacity and capability required by contracting parties to implement the IPPC.
- 2) Identify and propose strategies for contracting parties to enhance their implementation of the IPPC, including national reporting obligations, taking into account their specific capacities and needs.
- 3) Review the Secretariat's analyses of contracting parties' challenges associated with the implementation of the IPPC.
- 4) Based on an analysis of outputs from the above activities, recommend priorities to CPM.
- 5) Identify and assess new technologies which could enhance implementation.
- 6) Monitor and evaluate actions under the IPPC Strategic Framework, other related strategies, frameworks and work plan(s).

*ii) Effective and efficient management of the IC*

- 7) Develop, agree and maintain a work plan in alignment with CPM priorities.
- 8) Develop procedures and criteria for the production, oversight and approval of technical resources for implementation.
- 9) Establish, dissolve and provide oversight of sub-groups, undertaking specific activities and tasks.
- 10) Seek advice and/or input on matters relevant to its work programme from technical panels (through the SC) and other groups or organisations that assist the IPPC.
- 11) Periodically review its functions, procedures and outcomes.
- 12) Monitor and evaluate the effectiveness of its activities and products.

*iii) Working with the Secretariat*

- 13) Develop and manage projects that contribute to achieving the implementation priorities agreed by CPM.
- 14) Provide guidance on implementation and capacity development activities for inclusion in the Secretariat's work plan.
- 15) Assess and prioritize for inclusion in the International Phytosanitary Portal (IPP) or the Phytosanitary Resources website, as appropriate, technical resources that are relevant for developing capacity to implement the IPPC.
- 16) Promote dispute avoidance as an outcome of effective implementation.
- 17) Oversee the dispute settlement process as required.
- 18) Contribute to the development and maintenance of links with donors, partners and other public and private organizations concerned with implementation and capacity development in the phytosanitary area.

*iv) Working with other subsidiary bodies*

- 19) Work in close collaboration with the SC to make standards setting and implementation complementary and effective.
- 20) Review the Framework for Standards and Implementation annually and recommend changes to the CPM through the SPG.
- 21) Work with other subsidiary bodies and RPPOs regarding areas of mutual interest.

v) *Actions directed by CPM*

- 22) Contribute to the delivery of the IPPC Communications Strategy.
- 23) Provide oversight of bodies that have been established by CPM and entrusted to the IC.
- 24) Undertake other functions as directed by the CPM.
- 25) Report to the CPM on its activities.

## **5. Relationship with the IPPC Secretariat**

The Secretariat is responsible for coordinating the work of the IC and providing administrative, editorial operational and technical, support. The Secretariat advises the IC on the availability and use of financial and staff resources.

## **6. Relationship with the Standards Committee**

The IC collaborates with the SC on the basis of aligned work plans for the implementation of the IPPC. This collaboration will take place at a number of levels (e.g. Secretariat, chairs, members, stewards and sub-groups). The IC includes an SC representative and also selects a representative for participation in SC meetings. Subjects for collaboration will include at least:

- Alignment of work programmes
- Development of implementation plans for standards
- Analysis of responses to calls for topics and issues to be addressed
- Review of the Framework for Standards and Implementation
- Development and implementation of joint projects.

## **7. Relationship with the RPPOs**

RPPOs provide a regional perspective on issues, challenges and the region operating context impacting contracting parties and their NPPOs. RPPOs provide support to contracting parties to enhance their phytosanitary capacities and capabilities. The IC includes an RPPO representative. Areas for collaboration include:

- Exchange of draft work programmes
- Sharing of technical resources and information
- Identification and provision of experts
- Coordination of activities and events, including IPPC Regional Workshops
- Development and implementation of joint projects.

## **Appendix 2 – Draft Rules of Procedure of the IPPC Implementation and Capacity Development Committee (IC) - a subsidiary body of the CPM**

### **Rule 1. Membership**

The IC is composed of 11 members plus one representative each from regional plant protection organizations (RPPOs) and the Standards Committee (SC) of the International Plant Protection Convention (IPPC).

Members are selected on the basis of a balance of expertise with at least one from each Food and Agriculture Organization of the United Nations (FAO) region and representation from developing countries. Members should have experience of either implementation of phytosanitary related instruments and/or capacity development and will be selected and appointed by the Bureau.

The Technical Consultation (TC) among RPPOs and the SC each appoints a representative to the IC through their own processes.

The members and representatives will serve with utmost integrity, impartiality, and independence and will prevent and disclose in advance possible conflicts of interest that may arise in the course of carrying out their duties. If they occur, the Commission on Phytosanitary Measures (CPM) Bureau will resolve cases of a conflict of interest.

### **Rule 2. Qualification for membership**

Nominations for members will include documented evidence of their experience in implementation and/or capacity development. This experience should include at least one of the following:

- Demonstrated experience in managing phytosanitary systems;
- Demonstrated experience in delivering phytosanitary capacity development activities;
- In depth knowledge of the IPPC and International Standards for Phytosanitary Measures;
- Experience in the implementation of phytosanitary regulations;
- Other specific knowledge, qualifications and/or experience, for example in developing and delivering training.

Nominees will also have a level of English which will allow them to actively participate in IC meetings and discussions.

### **Rule 3. Procedure for selection of members**

The Secretariat will issue a call for members when vacancies arise. Member nominations, including supporting information and a letter of commitment as specified in the call, may be formally submitted by contracting parties or RPPOs.

The CPM Bureau will review nominations against the list of requirements outlined in Rule 2.

Members serve for a term of three years which may be renewed.

### **Rule 4. Alternate and replacement members**

At least one alternate for each FAO region should be appointed following the selection process detailed in Rule 3 and serves for a term of three years which may be renewed in accordance with that Rule.

An alternate may attend a meeting of the IC in place of a member who is unable to attend.

If a member resigns, no longer meets the qualifications for membership set forth in these Rules, or fails to attend two consecutive meetings of the IC, he or she will be replaced. The replacement will be decided by the Bureau maintaining the balance of expertise, and the need to have at least one member from each



FAO region. A replacement member will serve for a term of three years starting from the time of appointment.

#### **Rule 5. Chairperson and Vice-Chairperson**

The chairperson and vice-chairperson of the IC are elected by its members and serve for a term of three years with the possibility of re-election for not more than two further terms.

#### **Rule 6. Meetings**

The IC will hold two physical meetings a year. Additional meetings may be held when necessary, subject to available staff and financial resources. Meetings of the IC may also be held through electronic means, including by video and teleconference, as necessary.

A majority of members will constitute the quorum to hold meetings.

#### **Rule 7. Observers and participation of invited experts to IC meetings**

Subject to the provisions of the below paragraph, meetings of the IC will be open, in accordance with the applicable FAO and CPM rules and procedures.

The IC may determine that certain meetings, or part thereof, be conducted without observers, in consideration of the sensitivity or confidentiality of the subject.

With the prior agreement, or at the request, of the IC members, the Secretariat may invite individuals or representatives of organizations with specific expertise, to participate as observers in a specific meeting or part thereof.

#### **Rule 8. Bodies established by CPM**

A subsidiary body established by the CPM may be entrusted to the oversight of the IC. These bodies will have their own terms of reference and rules of procedure which will have been agreed by the CPM during their establishment.

#### **Rule 9. IC Sub-groups**

The IC may establish sub-groups to address specific implementation and capacity development issues subject to availability of financial resources. The IC will determine in their terms of reference the tasks, duration, membership and reporting duties of these sub-groups.

The IC may dissolve subgroups when they are no longer required.

#### **Rule 10. Decision-making**

The IC will endeavour to make decisions on the basis of consensus between members.

Situations where consensus is required but cannot be reached shall be described in the meeting reports detailing all positions maintained and presented to the CPM for discussion and appropriate action.

#### **Rule 11. Reporting**

The IC will report to the CPM.

The work plan and the reports of the meetings of the IC will be posted on the IPP.

**Rule 12. Amendment**

The CPM may amend the Rules of Procedure of IC, provided that such amendment is consistent with the Constitution and the General Rules of FAO and the IPPC.

**Rule 13. Confidentiality**

IC members will exercise due respect for confidentiality where sensitive information is identified.

**Rule 14. Language**

Meetings of the IC will be conducted in English.