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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 and Friends of the Chair (Australia, New Zealand, the Netherlands, Canada, Finland, Estonia, Japan, EPPO, UK, Belize and others)

English only

1. A small Friends of the Chair group met to discuss the interventions made on CPM paper 2017/08, which presented the proposed Terms of Reference (ToR) and Rules of Procedure (RoP) for the Implementation and Capacity Development Committee (IC) that will be formed to replace the IPPC Capacity Development Committee (CDC).
2. The revised ToR and RoP are provided for CPM's consideration.

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 on progress which indicates the State of Plant Protection in the World.
- Oversees dispute avoidance and settlement processes.
- Oversees national reporting obligation processes.
- Works with the Secretariat, potential donors and the CPM to secure sustainable funding for its activities.

3. Composition

The IC is composed of twelve 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

1. The IC has the following functions:

i) Technical work programme

- Identify and keep under review baseline capacity and capability required by contracting parties to implement the IPPC.
- 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.
- Review the Secretariat's analyses of contracting parties' challenges associated with the implementation of the IPPC.
- Based on an analysis of outputs from the above activities, recommend priorities to CPM.
- Identify and assess new technologies which could enhance implementation.
- 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

- Develop, agree and maintain a work plan in alignment with CPM priorities.
- Develop procedures and criteria for the production, oversight and approval of technical resources for implementation.
- Establish, dissolve and provide oversight of sub-groups, undertaking specific activities and tasks.
- 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.
- Periodically review its functions, procedures and outcomes.
- Monitor and evaluate the effectiveness of its activities and products.

iii) Working with the Secretariat

- Develop and manage projects that contribute to achieving the implementation priorities agreed by CPM.
- Provide guidance on implementation and capacity development activities for inclusion in the Secretariat's work plan.
- 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.
- Promote dispute avoidance as an outcome of effective implementation.
- Oversee the dispute settlement process as required.
- 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

- Work in close collaboration with the SC to make standards setting and implementation complementary and effective.
- Review the Framework for Standards and Implementation annually and recommend changes to the CPM through the SPG.

- Work with other subsidiary bodies and RPPOs regarding areas of mutual interest.

v) Actions directed by CPM

- Contribute to the delivery of the IPPC Communications Strategy.
- Provide oversight of bodies that have been established by CPM and entrusted to the IC.
- Undertake other functions as directed by the CPM.
- 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 12 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 Commission on Phytosanitary Measures (CPM) 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 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 on acceptance of the CPM Bureau.

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, the member 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 on acceptance of the CPM Bureau.

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.