



# Authorization: concept and its application from a phytosanitary perspective



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# Authorization - concept

- The topic “Authorization of non-NPPO entities to perform phytosanitary actions (2014-002)”
  - recommended to the standard setting work programme in 2013 by the Standards Committee (SC)
  - added by the CPM-9 in 2014.
- Specification 65 agreed in 2016 (<https://www.ippc.int/en/publications/82244/>)
- Draft developed by the EWG first discussed by SC May 2018

# Authorization - concept

- The need for the development of an ISPM was recognized from two perspectives:
  - to provide guidance to NPPOs on the management of authorization by ensuring the entity is properly authorized and appropriately overseen by the authorizing NPPO
  - to use this guidance as assurance, to foster trust among NPPOs when specific phytosanitary actions are performed by other entities.

SC paper to CPM15 (<https://www.ippc.int/en/publications/88149/>)

# The Convention

- Article IV of the IPPC lays down the responsibilities for NPPOs (<https://www.ippc.int/en/publications/131/>)
  - Article V.2(a) of the IPPC provides for the possibility for NPPOs to authorize entities (non-NPPO) to perform specific phytosanitary actions on their behalf.
  - Also in a number of ISPMs
    - ISPM 3, ISPM 5, ISPM 6, ISPM 7, ISPM 12, ISPM 20, ISPM 23, ISPM 42, ISPM 43
- Adopted ISPMs (<https://www.ippc.int/en/core-activities/standards-setting/ispms/>)



# Concerns raised by some CPs



- That quarantine and phytosanitary control is a public function and authorisation of third party entities to conduct these functions endangers phytosanitary security
- The concept of authorization is not consistent with the Convention
- Whether audit and supervision can be “authorized activities”
- Authorised entities conflict of interest and whether the requirement is for the authorized entity to be “free from” or “managed”.

# Definitions and Advice

- ISPM 5
  - **official** is defined as, “established, **authorized** or performed by a national plant protection organization”.
- FAO legal advice sought after country comments and SPG discussions (<https://www.ippc.int/en/publications/87039/>)
- Confirmed that:
  - Article V.2 (a) of the IPPC provides for authorization of entities to perform phytosanitary actions (including activities such as auditing)
  - Responsibility for the phytosanitary action remained with the NPPO
  - The **exception** is the issuance of phytosanitary certificates.

# The current draft ISPM

- Heeds the legal advice
- Makes it clear the application/implementation is not mandatory (<https://www.ippc.int/en/publications/87076/>)
- **NOTE** – without this ISPM, many CPs already do and will continue to authorize entities to perform phytosanitary actions.
  - ISPM 15 implementation is the most universal example

This ISPM provides a **consistent** starting point and minimum requirements for a system.