

## Proposed establishment and draft TOR CPM Focus Group on Sea Containers

### Agenda Item 8.8.6

#### Prepared by New Zealand

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**Agenda Item 8.8.6** Refer to [CPM 2022/31](#) paper prepared by the IPPC secretariat with input of the Implementation and Capacity Development Committee (IC) lead on the Sea Container Task Force (SCTF).

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CPM 2022/31 invites CMP to:

1) *approve* Terms of Reference for CPM Focus Group on Sea Containers (Annex 1 to this paper), and

2) *establish* CPM Sea Container Focus Group

New Zealand thanks the members of the Sea Container Task Force (SCTF) for their discussions on the complexity of the sea container logistic supply chain and for highlighting that no one part of the supply chain can solely be held responsible for the cleanliness of sea containers on a global scale.

New Zealand considers this complexity of the supply chain as one of the fundamental drivers for the development of internationally harmonised interventions to manage the phytosanitary risk of pests on sea containers.

New Zealand recognises that industry can play an important role by advising the IPPC on the potential impacts of proposed measures in terms of both practicality and cost. The contributions of industry to the SCTF were appreciated, however New Zealand considers the role of establishing international or national regulatory requirements to manage pest risk sits with the IPPC and contracting parties, rather than with industry.

For this reason, New Zealand strongly supports the development of the Focus Group (FG) but proposes the membership should be drawn from contracting parties, and that it is more appropriate for industry groups to contribute through an industry advisory group. Following CPM, interested international industry bodies should be invited to express interest in participating through an appropriately established industry advisory group. In addition to providing input to the FG, the industry advisory group could develop recommendations and coordinate action for non-regulatory measures that would significantly mitigate pest risk. An industry advisory group could draw members from:

- Experts representing international organizations involved in the movement of sea containers such as the International Maritime Organization (IMO), World Customs Organization (WCO), etc.
- Experts representing industry that may be best placed to act or may be impacted by any proposed requirements, and who are involved in the ownership, packing, handling, transport, unloading, etc. of sea containers such as the Container Owners

Association (COA), the World Shipping Council (WSC), the Global Shippers Forum (GSF), etc.

New Zealand also suggests the following changes to the Terms of Reference:

1. The purpose and functions of the FG need to be clearer and more explicit.
2. The duration of the FG should be clearer. The Terms of Reference currently require the FG to report back at CPM-17 (2023). While New Zealand supports a report back in 2023, the term of the FG should be extended to CPM-18 (2024) to give them sufficient time to carefully consider the outcomes of the proposed international workshop, develop options for management of pest risks, draft a proposal and recommendations, and test recommendations with Bureau and Strategic Planning Group prior to requesting a decision from CPM.
3. The Terms of Reference should include the standardised content for such a Terms of Reference including Purpose, Membership, Functions, Funding, Duration, etc.

To address these issues New Zealand has submitted, for CPM consideration, a modified Terms of Reference for the CPM Focus Group on Sea Containers (attached as Annex 1).

Finally, New Zealand continues to recognise that pest risk management on the sea container pathway is complex and challenging and is likely to require both non-regulatory and regulatory interventions by industry and NPPOs. We consider the development of an international standard will be an important part of the solution.

## **Annex 1. [Proposed Draft] Terms of Reference for CPM Focus Group on Sea Containers**

### **A. Background**

In 2015, the CPM agreed on a five-year hiatus from pursuing the development of a global standard on sea containers. Some contracting parties and several regions were not ready to continue the development of a draft ISPM. There were various operational, legal, and practical issues that were thought to exceed national plant protection organization (NPPO) capacity and/or authority. It was agreed that after five years and based on Sea Container Task Force (SCTF) analysis of the impact of the complimentary actions recommended by the CPM on reducing pest risks associated with sea containers, the CPM would re-consider the need for developing a standard. More recent concerns related to ‘contaminant’ and quarantine pest detections in containers continue to highlight the urgent need for a global solution. The SCTF has made good progress in some areas, but other activities have become complex and have not been fully realized or completed. While there is a recognised need to manage the risks associated with sea containers the path forward is still unclear. The final report from the SCTF makes several recommendations that need to be considered. It is also expected that a workshop, to be held in 2022, will provide some recommendations.

CPM-15 (2021) discussed how best to move forward on the work related to the SCTF, whose mandate was ending at the end of 2021. CPM requested the SCTF to develop a draft Terms of Reference for a CPM Focus Group on sea containers.

The proposed purpose, membership, functions and duration of the Focus Group are described below.

### **B. Purpose**

The purpose of this Focus Group is to review all relevant materials and recommendations, develop viable options that will contribute to risk management and provide CPM with recommendations, including the option of development of an International Standard for Phytosanitary Measures (ISPM).

### **C. Membership**

The focus group will be composed of up to eleven experts taking account of geographical representation and gender balance as follows:

- Seven experts from contracting parties;
- One representative of the ten regional plant protection organizations (RPPOs)
- One representative of the CPM Bureau
- One representative of the Standards Committee (SC)
- One representative of the Implementation and Capacity Development Committee (IC).

Experts may represent more than one role.

The experts should include some members of the SCTF and have combined expertise and knowledge in:

- working with phytosanitary issues related to sea container movement;
- logistics of sea container movement;
- phytosanitary import or export systems related to the pest risk assessment and management of regulated articles;

- existing global and/or regional frameworks for the management of phytosanitary risks; and
- addressing issues related to reducing the movement of contaminating pests.

All members should have knowledge of the IPPC's mandate, strategic framework, and activities.

#### **D. Process**

The member selection for the Focus Group shall be carried out according to the following guidelines:

- A call for nominations will be published on the IPPC website by June 2022 to allow contracting parties and regional plant protection organizations to nominate their representatives to be part of the Focus Group. Each region shall nominate one or more experts from different disciplines to fit some of the skill sets described under "Membership".
- The IPPC Secretariat will review the nominations and submit them to CPM Bureau for selection assuring gender and geographical balance. The CPM-Bureau should endeavour to select at least one nominee from each FAO region as the regional representative in the Focus Group, aiming to cover as many regions as possible.

The Focus Group will convene virtually for the first time by August 2022 to select its chairperson, discuss its functions and plan the work described in section D.

#### **E. Functions**

The CPM FG will:

- 1) *review and consider* the various reports of the SCTF, the recommendations of the SCTF final report; the recommendations and conclusions arising from the 2022 workshop, and other material and experiences on the topic.
- 2) *discuss and agree* conclusions from the review mentioned in item 1, *identify* potential regulatory and non-regulatory options necessary for efficient and effective management of the phytosanitary risks associated with the movement of sea containers; and *consider* for each option, the possible impact on container logistics, supply chains and NPPOs, including cost and resource implications for the various parties in those supply chains.
- 3) *examine* the practicalities needed for such options including, if applicable, legal frameworks and liability issues for the IPPC Secretariat and FAO, and *consider* how legal risk could be managed;
- 4) *identify and describe* a preferred option or options;
- 5) *review and clarify* for preferred options the roles of NPPOs and industry and roles, if any, for the FAO, the IPPC Secretariat, and RPPOs;
- 6) *identify and prioritize* the systems and tools that may be most useful to NPPOs who would be involved in implementing preferred options;
- 7) *consider and estimate* the resources required by NPPOs and industry parties in the international containerized supply chains, to establish and operate preferred options.
- 8) *develop* a draft plan to establish an FG recommended system to manage pest risks associated with the movement of sea containers.

9) *Report* on the activities of the FG. A progress report will be provided to CPM-17 (2023). The final report providing advice and recommendations on how to address the pest risks associated with the movement of Sea Containers will be presented to CPM-18 (2024) following input from the SPG, the IC, SC and the industry advisory group (if established).

If established, the FG may seek information or feedback from the industry advisory group as needed.

### **F. Support & Language**

The IPPC Secretariat will support the CPM FG meetings. The meetings shall be held in English.

### **G. Funding**

It is expected that the initial meetings for this Focus Group will be virtual. However, where in-person meetings are required, the organization that employs an IPPC meeting participant is responsible for funding the travel and daily subsistence allowance for that person to attend. If the employer is unable to allocate sufficient funds, participants are first encouraged to seek assistance from sources other than the IPPC Secretariat. Where such demonstrated efforts to secure assistance have been unsuccessful, requests for assistance (i.e. travel and subsistence costs) from the IPPC Secretariat may be made. However, any support is subject to available funds. The IPPC Secretariat will consider funding assistance for participants following IPPC criteria for funding. Full details on these criteria can be found on the IPP (<https://www.ippc.int/publications/criteria-used-prioritizing-participants-receive-travel-assistance-attendmeetings> ).

### **G. Duration**

It is anticipated the FG will complete its work and provide a final report with recommendations to CPM-18 (2024).