

TERMS OF REFERENCE FOR CPM FOCUS GROUP ON SEA CONTAINERS

(Approved by CPM-16 (2022))

A. Background

- [1] In 2015, the Commission on Phytosanitary Measures (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 International Standard for Phytosanitary Measures (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 the Sea Container Task Force (SCTF) analysis of the impact of the complementary actions recommended by the CPM on reducing pest risks associated with sea containers, the CPM would reconsider 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 recognized 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.
- [2] 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.
- [3] CPM-16 (2022) made amendments to the draft terms of reference for the Focus Group based on some amendments proposed by one CPs. The proposed purpose, membership, functions, and duration of the Focus Group are described below.

B. Purpose

- [4] 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 ISPM.

C. Membership

- [5] The Focus Group will be composed of up to fourteen members taking into account geographical representation and gender balance as follows:
- Seven members from contracting parties;
 - Two representatives from 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);
 - Two representatives (chairperson and a second representative) of the industry advisory body on sea containers.
- [6] The members may represent more than one role.
- [7] The members should include some of the SCTF members 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.

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

D. Process

[9] 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 to allow contracting parties and RPPOs 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 the CPM Bureau for selection, assuring gender and geographical balance. The CPM Bureau should endeavor 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.

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

E. Functions

[11] The CPM Focus Group 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, including the experience of countries already taking action to manage the risks associated with sea containers;
- (2) *discuss* and *agree* on 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 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 recommended by the Focus Group system to manage pest risks associated with the movement of sea containers;
- (9) *explore* the potential value in the use of Authorized Economic Operators (AEO) programmes and adding data elements to assist in tracking the cleanliness status of container units under the Data Model (DM) of the World Customs Organization (WCO);
- (10) *explore* the global commercially driven solution;
- (11) *revise* CPM recommendation on *Sea containers* (R-06);

(12) *report* on the activities of the Focus Group. 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 body (if established).

[12] The Focus Group may seek information or feedback from and invite the international organizations as needed.

F. Support & Language

[13] The IPPC Secretariat will support the CPM Focus Group meetings. The meetings shall be held in English.

G. Funding

[14] 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

[15] It is anticipated the Focus Group will complete its work and provide a final report with recommendations to CPM-18 (2024).