

**COMMISSION ON PHYTOSANITARY MEASURES****SEVENTEENTH SESSION****ADJUSTMENTS TO THE IPPC STANDARD SETTING PROCESS: LENGTH OF
CONSULTATION PERIOD FOR DRAFT SPECIFICATION AND
CONSULTATION COMMENTS****AGENDA ITEM 9.1.1**

(Prepared by the IPPC Secretariat)

Background***Clarification of the procedure for consultations on draft ISPMs and draft specifications from relevant international organizations***

- [1] The Standards Committee (SC) has been deliberating the issues regarding the participation of entities other than NPPOs and regional plant protection organizations (RPPOs) in the standard setting process and assembled a small group of SC members to provide recommendations to the SC meeting in November, 2022. The group recommended that a horizontal exclusion of any direct input from relevant sectors was not advisable, that the consultation process could be opened to “interested international organizations” (rather than “relevant international organizations”, thereby avoiding having to decide which organizations were “relevant”); and the SC should continue to be able to consult any other body if it decides to do so.
- [2] The SC noted the potential value of comments from international organizations and considered how best to manage such comments. They noted that it is preferable that such organizations channel their comments through their NPPO or RPPO, however, the SC agreed to also provide the option for input to be submitted in the form of discussion papers.
- [3] The SC agreed that the discussion papers should be submitted to the IPPC Secretariat, rather than to an NPPO and the Secretariat would forward the discussion papers to the steward for consideration. Additionally, it was agreed that the discussion papers would be made publicly available.
- [4] Noting that there are territories that are members of RPPOs but that are not contracting parties, the SC considered whether national plant protection services of non-contracting parties should be allowed to submit comments through the OCS, and agreed that these comments can be channelled through the RPPOs.
- [5] The SC reviewed the relevant text in the Standard Setting Procedure and agreed proposals for amendments. In doing this, they also deleted reference to IPPC information points as the intended meaning was unclear and the reference to IPPC contact points was felt to be sufficient.
- [6] The SC agreed that the new procedure for consultations would apply to both first and second consultations on draft ISPMs but not to consultations on draft specifications.
- [7] Noting the proposal of one of the IPPC Regional Workshops, they also agreed that the consultation period for draft specifications should be extended to 90 days rather than 60 days, making it the same length as for ISPMs and thus allowing the consideration of Specifications as part of the agenda at the annual Regional Workshops.

Changes to the Standard Setting Procedure

- [8] The SC recommends to CPM-17 (2023) that the consultation stage of the Standard Setting Procedure be amended, so that only contracting parties and RPPOs are allowed access to OCS to submit comments, with international organizations, national plant protection services of non-contracting parties, and other entities allowed to submit discussion papers to the secretariat during the first and second consultations on draft standards but not during consultations on draft specifications;
- [9] The SC also recommends to CPM-17 (2023) that the consultation period for draft specifications be extended to 90 days, ending on 30 September, to align with the end of consultation on draft standards;
- [10] The proposed changes to the Standard Setting Procedure, to affect the recommendations of the SC to the CPM-17, are presented in Attachment 1 of this document (added text **bolded and underlined**, deleted text crossed out ~~example~~).

Recommendations to CPM

- [11] The CPM is invited to:
- (1) *Consider* the recommendation of the SC and adopt the modified Standard Setting Procedure as presented in Attachment 1 of this document.

Attachment 1 - IPPC Standard Setting Procedure with changes proposed to CPM-17 (2023)

INTERNATIONAL PLANT PROTECTION CONVENTION STANDARD SETTING PROCEDURE (ANNEX 3 OF THE RULES OF PROCEDURE OF THE COMMISSION ON PHYTOSANITARY MEASURES)

[12] The process for the development of International Standards for Phytosanitary Measures (ISPMs) is divided into four stages:

- Stage 1: Developing the *List of topics for IPPC standards*
- Stage 2: Drafting
- Stage 3: Consultation for draft ISPMs
- Stage 4: Adoption and publication.

[13] Relevant Interim Commission on Phytosanitary Measures (ICPM) / Commission on Phytosanitary Measures (CPM) decisions on many aspects of the Standard setting procedure have been compiled in the IPPC Procedure manual for standard setting, which is available on the International Phytosanitary Portal (IPP, www.ippc.int).

STAGE 1: Developing the *List of topics for IPPC standards*

Step 1: Call for topics

[14] The IPPC Secretariat makes a call for topics¹ every two years. Contracting parties (CPs) and regional plant protection organizations (RPPOs) submit detailed proposals for new topics or for the revision of existing ISPMs to the IPPC Secretariat. Submissions should be accompanied with a draft specification (except for Diagnostic protocols (DPs)), a literature review and justification that the proposed topic meets the CPM-approved criteria for topics (available in the IPPC Procedure manual for standard setting). To indicate a global need for the proposed topic, submitters are encouraged to gain support from CPs and RPPOs in other regions.

[15] A separate call for submissions for Phytosanitary treatments (PTs) is made.

[16] The Standards Committee (SC), taking into account the IPPC Strategic Framework and the *Criteria for justification and prioritization of proposed topics*, reviews the submissions. The SC reviews the *List of topics for IPPC standards* (including subjects), adding topics and giving each topic a recommended priority. This list is recommended to the CPM.

[17] The CPM reviews, changes and adopts the *List of topics for IPPC standards*, including assigning a priority for each topic.

[18] A revised List of topics for IPPC standards is made available.

Step 2: Annual review of the *List of topics for IPPC standards*

[19] Annually the SC reviews the *List of topics for IPPC standards* and recommends changes (including deletions, or changes in priority) to the CPM. In exceptional circumstances, in response to a specific need, the SC may recommend an addition to the *List of topics for IPPC standards*.

¹ This is a call for "technical area", "topic", "Diagnostic Protocol (DP)", see the *Hierarchy of terms for standards* in the IPPC Procedure manual for standard setting.

- [20] The CPM reviews the *List of topics for IPPC standards* recommended by the SC. The CPM changes and adopts the *List of topics for IPPC standards*, including assigning a priority for each topic. A revised *List of topics for IPPC standards* is made available.
- [21] In any year, when a situation arises in which an ISPM or a revision to an ISPM is required urgently, the CPM may add such a topic into the *List of topics for IPPC standards*.

Stage 2: Drafting

Step 3: Development of a specification

- [22] The SC should be encouraged to assign a lead steward and assistant(s) for each topic. These assistants could be from outside the SC, such as potential SC replacement members, former SC members, technical panel (TP) members or expert working group members.
- [23] The SC reviews the draft specification. The SC should endeavour to approve draft specifications for consultation at the SC meeting following the CPM session when new topics have been added to the *List of topics for IPPC standards*.
- [24] Once the SC approves the draft specification for consultation, the IPPC Secretariat makes it publicly available. The IPPC Secretariat solicits comments through the IPPC Online Comment System (OCS) from CPs **and** RPPOs, ~~relevant international organizations, and other entities as decided by the SC~~. The length of the consultation for draft specifications is ~~60~~ **90 days**. The IPPC contact point or information point submits comments to the IPPC Secretariat using the OCS.
- [25] The IPPC Secretariat compiles the comments received, makes them publicly available and submits them to the steward and the SC for consideration. The specification is revised and approved by the SC, and made publicly available.

Step 4: Preparation of a draft ISPM²

- [26] An expert drafting group (EDG) (i.e. expert working group (EWG) or TP) drafts or revises the draft ISPM in accordance with the relevant specification. The SC may request the IPPC Secretariat to solicit comments from scientists around the world to ensure the scientific quality of draft DPs. The resulting draft ISPM is recommended to the SC.
- [27] The SC or the SC working group established by the SC (SC-7) reviews the draft ISPM at a meeting (for a DP or PT, the SC reviews it electronically) and decides whether to approve it for consultation, to return it to the steward or an EDG or to put it on hold. When the SC-7 meets, comments from any SC members should be taken into account.

STAGE 3: Consultation and review

- [28] Draft ISPMs other than draft DPs and draft PTs are submitted to two consultation periods. Draft DPs are submitted to one consultation period unless decided otherwise by the SC. Draft PTs are submitted to one or two consultation periods depending on the decision of the SC.

Step 5: First consultation

- [29] Once the SC approves the draft ISPM for the first consultation, the IPPC Secretariat makes it publicly available. The IPPC Secretariat solicits comments through the OCS from CPs **and** RPPOs. The IPPC contact point ~~or information point~~ submits comments to the IPPC Secretariat using the OCS.

² This procedure refers to "draft ISPMs" and "standards" to simplify wording, but also applies to any part of an ISPM, including annexes, appendices or supplements.

- [30] ~~relevant~~ International organizations, national plant protection services of non-CPs, and other entities **can submit discussion papers on the draft ISPM to the IPPC Secretariat as decided by the SC.**
- [31] The length of the First consultation for draft ISPMs is 90 days. The IPPC Secretariat compiles the comments **and discussion papers** received, makes them publicly available and submits them to the steward for consideration.
- [32] The steward reviews the comments **and discussion papers**, prepares responses to the comments **received through the OCS**, revises the draft ISPM and submits them to the IPPC Secretariat. These are made available to the SC. Taking the comments into account, the SC-7 or TP (for draft DPs or draft PTs) revises the draft ISPM and recommends it to the SC.
- [33] For draft ISPMs other than draft DPs and draft PTs, responses to the major issues raised in the comments are recorded in the report of the SC-7 meeting. Once the SC-7 recommends the draft ISPM to the SC, the IPPC Secretariat makes it publicly available.
- [34] For draft PTs, the SC may recommend them for adoption by the CPM if no significant or major technical comments are made during the first consultation.
- [35] For draft PTs or draft DPs, once the SC has approved them and the responses to comments, the drafts and responses to comments are made publicly available. A summary of the major issues discussed by the SC for the draft DP or draft PT is recorded in the report of the following SC meeting.
- [36] Alternatively, to approving the draft ISPM, the SC may for example return it to the steward or an EDG, submit it for another round of consultation or put it on hold.

Step 6: Second consultation

- [37] Once the SC or SC-7 approves the draft ISPM for the second consultation, the IPPC Secretariat solicits comments through the OCS from CPs **and** RPPOs. The IPPC contact point ~~or information point~~ submits comments to the IPPC Secretariat using the OCS.
- [38] ~~relevant~~ International organizations, national plant protection services of non-CPs, and other entities **can submit discussion papers on the draft ISPM to the IPPC Secretariat as decided by the SC.**
- [39] The length of the Second consultation is 90 days. The IPPC Secretariat compiles the comments **and discussion papers** received, makes them publicly available and submits them to the steward for consideration.
- [40] The steward reviews the comments **and discussion papers**, prepares responses to the comments **received through the OCS**, revises the draft ISPM and submits the revised draft ISPM to the IPPC Secretariat. These are made available to the SC and the revised draft ISPM, other than draft PTs, is made available to CPs and RPPOs.
- [41] The SC reviews the comments, the steward's responses to the comments and the revised draft ISPM. For draft ISPMs other than draft PTs, the SC provides a summary of the major issues discussed by the SC. These summaries are recorded in the report of the SC meeting.
- [42] For draft PTs, once the SC has approved them and the responses to comments, the drafts and responses to comments are made publicly available. A summary of the major issues discussed by the SC for the draft PT is recorded in the report of the following SC meeting.
- [43] Alternatively, to recommending the draft ISPM to the CPM, the SC may for example return it to the steward or an EDG, submit it for another round of consultation, or put it on hold.

STAGE 4: Adoption and publication

Step 7: Adoption

- For draft ISPMs other than draft DPs:

[44] Following recommendation by the SC, the draft ISPM is included on the agenda of the CPM session. The IPPC Secretariat should make the draft ISPM presented to the CPM for adoption available in the languages of the Organization as soon as possible and at least six weeks before the opening of the CPM session.

[45] If all CPs support the adoption of the draft ISPM, the CPM should adopt the ISPM without discussion.

[46] If a CP does not support the adoption of the draft ISPM, the CP may submit an objection³. An objection must be accompanied by technical justification and suggestions for improvement of the draft ISPM, which are likely to be acceptable to other CPs and be submitted to the IPPC Secretariat no later than 3 weeks before the CPM session. Concerned CPs should make every effort to seek agreement before the CPM session. The objection will be added to the CPM agenda and the CPM will decide on a way forward.

[47] When the need for a minor technical update to an adopted ISPM is identified by a TP or the SC, the SC can recommend the update for adoption by the CPM. The IPPC Secretariat should make the update to the adopted ISPM available in the languages of the organization as soon as possible and at least six weeks prior to the opening of the CPM meeting. Minor technical updates to adopted ISPMs presented to the CPM are subject to the objection process as described above.

- For draft DPs:

[48] The CPM has delegated its authority to the SC to adopt DPs on its behalf. Once the SC approves the DP, the IPPC Secretariat makes it available on defined dates twice a year and CPs are notified⁴. CPs have 45 days to review the approved DP and submit an objection, if any, along with the technical justification and suggestions for improvement of the approved DP. If no objection is received, the DP is considered adopted. DPs adopted through this process are noted by the CPM and attached to the report of the CPM meeting. If a CP has an objection, the draft DP should be returned to the SC.

[49] When a technical revision⁵ is required for an adopted DP, the SC can adopt the updates to adopted DPs via electronic means. The revised DPs shall be made publicly available as soon as the SC adopts them. DPs revised through this process are noted by the CPM and attached to the report of the CPM meeting.

Step 8: Publication

[50] The adopted ISPM is made publicly available.

[51] CPs and RPPOs may form a Language Review Group (LRG) and, following the CPM-agreed LRG process⁶, may propose modifications to translations of adopted ISPMs.

³ An objection should be a technically supported objection to the adoption of the draft standard in its current form and sent through the official IPPC contact point (Refer to the *Criteria to help determine whether a formal objection is technically justified* as approved by CPM-8 (2013), recorded in the IPPC Procedure manual for standard setting).

⁴ For translation of DPs, contracting parties would follow the mechanism for requesting the translation for DPs into FAO languages posted on the IPP (<https://www.ippc.int/en/core-activities/standards-setting/notification-period-dps/mechanism-translate-diagnostic-protocols-languages/>)

⁵ A technical revision for DPs has been defined by the SC and is recorded in the IPPC Procedure manual for standard setting.

⁶ <https://www.ippc.int/en/core-activities/governance/standards-setting/ispms/language-review-groups/>