

August 1998



منظمة الأغذية
والزراعة
للأمم المتحدة

联合国
粮食及
农业组织

Food
and
Agriculture
Organization
of
the
United
Nations

Organisation
des
Nations
Unies
pour
l'alimentation
et
l'agriculture

Organización
de las
Naciones
Unidas
para la
Agricultura
y la
Alimentación

Item 4 of the Provisional Agenda

INTERIM COMMISSION ON PHYTOSANITARY MEASURES

Rome, 03-06 November 1998

RULES OF PROCEDURE

1. Terms of Reference for the Interim Commission on Phytosanitary Measures were adopted by the Twenty-ninth FAO Conference in November 1997. The Terms of Reference include provision for the Interim Commission to adopt Rules of Procedure consistent with the Constitution of FAO.
2. The Interim Commission is invited to consult ICPM-98/INF/1 from the Report of the Twenty-ninth FAO Conference and to consider the attached draft rules provided by FAO Legal Counsel.

For reasons of economy, this document is produced in a limited number of copies. Delegates and observers are kindly requested to bring it to the meetings and to refrain from asking for additional copies, unless strictly indispensable.

W0000

RULES OF PROCEDURE FOR INTERIM COMMISSION ON PHYTOSANITARY MEASURES

Rule I

Membership

1. Membership in the Interim Commission is open to all Members of the Organization and to such non-member States as are Contracting Parties to the International Plant Protection Convention.
2. Membership shall comprise such eligible FAO Members and other States as have notified the Director-General of the Organization of their desire to be considered as Members.
3. Each Member of the Interim Commission shall communicate to the Director-General of the Organization the name of its representative and, where possible, that of other members of its delegation, before the opening of each session of the Interim Commission.

Rule II

Officers

1. The Interim Commission shall elect a Chairperson and not more than two Vice-Chairpersons (hereinafter collectively referred to as “the Bureau”) from among the representatives, alternates, experts and advisers (hereinafter referred to as “delegates”) of the Members of the Interim Commission; it being understood that no delegate shall be eligible without the concurrence of the head of the delegate’s delegation.
2. The Bureau shall be elected at the end of each regular session and shall hold office for a term of two years or until a new Bureau is elected.
3. The officers of the Bureau shall each be eligible for re-election.
4. The Chairperson, or in the absence of the Chairperson another member of the Bureau, shall preside at all meetings of the Interim Commission and shall exercise such other functions as may be required to facilitate the work of the Interim Commission. A Vice-Chairperson acting as Chairperson shall have the same powers and duties as the Chairperson.
5. In the event that the Chairperson and all other officers of the Bureau are unable to serve, the Director-General of the Organization or his representative shall act as Chairperson, until new officers have been elected.
6. The Interim Commission may appoint one or more rapporteurs from among the delegates of the Members of the Interim Commission.

Rule III

Secretary

The Director-General of the Organization shall appoint a Secretary who shall perform such duties as the work of the Interim Commission may require.

Rule IV**Sessions**

1. The Interim Commission shall in principle hold one regular session each year at the Headquarters of the Organization. Special sessions shall be held as considered necessary by the Interim Commission or at the written request of at least one third of the Members of the Interim Commission.
2. Sessions of the Interim Commission shall be convened by the Chairperson of the Interim Commission, after consultation with the Director-General of the Organization.
3. Notice of the date and place of each session of the Interim Commission shall be communicated to all Members of the Interim Commission at least two months before the session.
4. Each Member of the Interim Commission shall have one representative, who may be accompanied by one or more alternates, experts and advisers. An alternate, expert or adviser shall not have the right to vote except when substituting for the representative.
5. Meetings of the Interim Commission shall be held in public unless the Interim Commission decides otherwise.
6. A majority of the Members of the Interim Commission shall constitute a quorum.

Rule V**Agenda and documents**

1. The Director-General, in consultation with the Chairperson of the Interim Commission, shall prepare a provisional agenda.
2. The first item on the provisional agenda shall be the adoption of the Agenda.
3. Any Member of the Interim Commission may request the Director-General of the Organization to include specific items in the Provisional Agenda.
4. The Provisional Agenda shall normally be circulated by the Director-General of the Organization at least two months in advance of the session to all Members of the Interim Commission and to other Members and Associate Members of the Organization and non-member States eligible to become Members of the Interim Commission and to all international organizations invited to attend the session.
5. Any Member of the Interim Commission, and the Director-General of the Organization, may, after the despatch of the Provisional Agenda, propose the inclusion of specific items on the Agenda with respect to matters of an urgent nature. These items should be placed on a supplementary list, which, if time permits before the opening of the session, shall be despatched by the Director-General of the Organization to all members of the Interim Commission, failing which the supplementary list shall be communicated to the Chairperson for submission to the Interim commission.
6. After the Agenda has been adopted, the Interim Commission may, by a two-thirds majority of the votes cast, amend the Agenda by the deletion, addition or modification of any item. No matter referred to the Interim Commission by the Conference or Council of the Organization may be omitted from the Agenda.
7. Documents to be submitted to the Interim Commission at any Session shall be furnished by the Director-General of the Organization to the Members of the Interim Commission, the other Members and Associate Members of the Organization attending the Session, to any non-member State eligible to become a member of the Interim Commission and to

international organizations invited to the Session, at the time the Agenda is despatched or as soon as possible thereafter.

Rule VI

Voting procedures

1. Subject to the provisions of Article II.10 of the Constitution of the Organization, each Member of the Interim Commission shall have one vote.
2. The Interim commission shall make every effort to reach agreement on all matters by consensus. If all efforts to reach consensus have been exhausted and no agreement has been reached, the decision shall, as the last resort, be taken by a two-thirds majority of the Members of the Interim Commission present and voting.
3. Upon the request of any Member of the Interim Commission, voting shall be by roll-call vote, in which case the vote of each member shall be recorded.
4. When the Interim Commission so decides, voting shall be by secret ballot.
5. Formal proposals relating to items on the Agenda and amendments thereto shall be introduced in writing and handed to the Chairperson, who shall circulate copies to all representatives of Members of the Interim Commission.
6. The provisions of Rule XII of the General Rules of the Organization shall apply *mutatis mutandis* to all matters not specifically dealt with under this Rule.

Rule VII

Observers

1. Any Member or Associate Member of the Organization, or non-member State referred to in Rule I.1, that is not a member of the Interim Commission but which has a special interest in the work of the Interim Commission, may, upon request communicated to the Director-General of the Organization, attend sessions of the Interim commission, its subsidiary bodies, as an observer. It may submit memoranda and participate in discussions without a vote.
2. States that are not members of the Interim Commission or Members or Associate Members of the Organization, but which are members of the United Nations, any of its Specialized Agencies or the International Atomic Energy Agency, may, upon their request and subject to the provisions relating to the granting of observer status to nations adopted by the Conference of the Organization, be invited to attend, in an observer capacity, sessions of the Interim Commission or of its subsidiary bodies. The status of nations invited to such sessions shall be governed by the relevant provisions adopted by the Conference of the Organization.
3. Subject to the provisions of paragraph 4 of this Rule, the Director-General of the Organization may invite international organizations to attend sessions of the Interim Commission in an observer capacity.
4. Participation of international organizations in the work of the Interim Commission and the relations between the Interim Commission and such organizations shall be governed by the relevant provisions of the Constitution of the Organization and the General Rules of the Organization, as well as by other provisions of the Basic Texts of the Organization dealing with relations with international organizations. All such relations shall be dealt with by the Director-General of the Organization.

Rule VIII

Records and Reports

1. At each session, the Interim Commission shall approve a report embodying its views, recommendations and conclusions, including, when requested, a statement of minority views. Such other records, for its own use, as the Interim Commission may on occasion decide, shall also be maintained.
2. The conclusions and recommendations of the Interim Commission shall be transmitted at the close of each session to the Director-General of the Organization who shall circulate them to all Members of the Interim Commission, to other nations and international organizations that were represented at the Session, for their information, and, upon request, to other Members and Associate Members of the Organization.
3. Recommendations of the Interim Commission having policy, programme or financial implications for the Organization shall be brought by the Director-General of the Organization to the attention of the Conference or Council of the Organization for appropriate action.
4. Subject to the provisions of the preceding paragraph the Director-General of the Organization may request members of the Interim Commission to supply the Interim Commission with information on action taken on the basis of recommendations made by the Interim Commission.

Rule IX

Subsidiary Bodies

1. The Interim Commission may establish such subsidiary bodies as it deems necessary for the accomplishment of its functions.
2. Membership in these subsidiary bodies shall comprise such members of the Interim commission as have notified the Director-General of the Organization of their desire to be considered as members of the subsidiary bodies, or shall consist of selected members of the Interim Commission, as determined by the Interim Commission itself, or by individuals appointed in their personal capacity.
3. The representatives of subsidiary bodies shall, insofar as possible, serve on a continuing capacity and be specialists in the fields of activity of the respective subsidiary bodies.
4. The terms of reference and reporting procedures of the subsidiary bodies shall be determined by the Interim Commission.
5. The establishment of subsidiary bodies shall be subject to the availability of the necessary funds in the relevant chapter of the approved budget of the Organization. Before taking any decision involving expenditure in connection with the establishment of subsidiary bodies, the Interim Commission shall have before it a report from the Director-General on the administrative and financial implications thereof.
6. Each subsidiary body shall elect its own officers , who shall be eligible for re-election.
7. The Rules of Procedure of the Interim commission shall apply *mutatis mutandis* to its subsidiary bodies.

Rule X**Elaboration of Standards**

Subject to the provisions of these Rules of Procedure, the Interim Commission may establish the procedures for the elaboration of world-wide standards and when necessary, amend such procedures.

Rule XI**Expenses**

1. Expenses incurred by representatives of members of the Interim Commission and by their alternates and their advisers, when attending sessions of the Interim Commission or subsidiary bodies, as well as the expenses incurred by observers at sessions, shall be borne by their respective governments or organizations. Should experts be invited by the Director-General of the Organization to attend sessions of the Interim Commission and its subsidiary bodies in their individual capacity, their expenses, unless otherwise determined by the Interim commission, shall be borne by the Organization.
2. Any financial operations of the Interim commission and its subsidiary bodies shall be governed by the appropriate provisions of the Financial Regulations of the Organization.

Rule XII**Languages**

1. The languages of the Interim Commission shall be the official languages of the Organization.
2. Any representative using a language other than one of the languages of the Interim commission shall provide for interpretation into one of the languages of the Interim Commission.

Rule XIII**Amendment and Suspension of the Rules**

1. Amendment of or additions to these rules may be adopted by two-thirds majority of the membership of the Interim Commission, provided that 24 hours notice of the proposal for the amendment or the addition has been given. Amendments or additions to these rules shall come into force upon approval by the Director-General of the Organization.
2. Any of the above Rules of Procedure of the Interim commission, other than Rule I.1, Rule III, Rule IV.2 and 6, Rule V.6, Rule VI.1 and 2, Rule VII, Rule VIII.3 and 4, Rule IX.4 and 5, Rule XI and Rule XIII.1, may be suspended by the Interim commission by a two-thirds majority of the votes cast, provided that 24 hours notice of the proposal for suspension has been given. Such notice may be waived if no representative of the Members of the Interim Commission object.