



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

COMMISSION ON PHYTOSANITARY MEASURES

Second session

Rome, 26-30 March 2007

Improvement of transparency in the development of International Standards for Phytosanitary Measures

Proposal of Brazil, Chile and Paraguay

Item 9.7 of the Provisional Agenda

1. The Standards Committee (SC) is the subsidiary body of the Commission on Phytosanitary Measures (CPM) of the International Plant Protection Convention (IPPC) that is charged with managing the establishment and helping the development of International Standards for Phytosanitary Measures (ISPMs). Its functions are also under the IPPC general responsibilities on the exchange of information [*report CMF1 (2006), Appendix XVI*] from and to its contracting parties and by the Secretariat, considering that collective action to protect the world's crops and natural plants against the spread and introduction of plant diseases, with minimum possible interference in the international movement of people and goods, will provide a global forum for full application of the IPPC through the development, adoption and monitoring of the implementation of ISPMs that are appropriate and realistic for all contracting parties.
2. ISPMs must therefore be produced not only through consultation of IPPC members but also with continuous feedback on their development for the timely activation of mechanisms to inform and fully engage all contracting parties.
3. In this connection and regarding CPM procedures for standard setting, ICPM-2 (1999) identified transparency as a key requirement and to this end encouraged:
 - maximum practical transparency in the standard setting process;
 - extensive use of electronic communication and Internet in the standard setting process.
4. With regard to improving the current standard setting process, ICPM-6 (2004) decided as follows in items 6 and 7 of Appendix IX of its report, although some of these decisions have not yet been fully implemented:

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.
Most FAO meeting documents are available on Internet at www.fao.org

6. Recommendations for improved transparency to and from the SC

1. To improve transparency:

- a) All country comments should be published in the IPP.*
- b) The IPPC Secretariat should produce and make accessible a generic summary of SC reactions to comments made in the country consultation.*
- c) Members of the SC should report back to countries in their regions.*
- d) Guidelines to be developed for SC members should incorporate guidance on this reporting function of SC members.*

7. Recommendation on the use of modern communications

1. E-mail, teleconferencing and other modern communication methods should be used where possible to advance discussion on standards. However, face-to-face meetings of experts should be continued with e-mail communications used to supplement those meetings and not replace them.

5. The International Phytosanitary Portal (IPP) has developed significantly and could serve as an essential element in fulfilling not only the obligations of information exchange to and from contracting parties and by the Secretariat, but also exercise of the contracting parties' right to be fully informed of all steps in the setting of each standard, thus evolving from depository of related information to key player in the processes of transparency in standard setting.

6. The CPM has the authority to determine the type of information to be exchanged under the IPPC and to select the media through which the IPPC Secretariat makes the information available to other members. One way in which the Secretariat proposes to promote and facilitate the exchange of information is to continue implementing and further developing processes of exchange of information for the harmonization and development of international standards.

7. Providing greater transparency to the standard setting process could have the following impact:

- fostering broader cooperation between contracting parties,
- discouraging a flood of comments on standards under discussion, especially during the 15-day period prior to a CPM session,
- stimulating broader and more appropriate discussion of the concerns of industry, consumers and all IPPC contracting parties,
- giving the standard setting process the necessary dissemination and transparency to consider the interests and positions of all contracting parties, not just those with experts in the international standard setting bodies,
- raising the involvement of experts in standard setting processes.

8. There is therefore a need for broader dissemination, preferably through the IPP, of all documents exchanged and produced during the process of establishing ISPMs, including those studied in the SC itself, in the expert working groups and in the technical panels. These should be made available to the general public as they are delivered to the CPM Secretariat or after final editing by the Secretariat before and after meetings of any of the above standard setting bodies, in order to maximize transparency in the standard setting process.

9. The following actions could serve to increase transparency:

- **After the 100-day consultation period for posted standards, make a compilation of all country comments immediately available on the IPPC Portal for the consideration of NPPOs and RPPOs, not several months later.** Before its meeting in

November, the SC decided that such compiled comments should be distributed to all members of the SC at the same time as to the stewards, so there should be no objection to such compilations being posted at the same time on the IPPC Portal. This would give parties that had contributed comments more time to reflect on their comments in the light of often enriching inputs of new ideas and views of other parties.

- **Produce and post a general summary of SC reactions to country comments.** It was decided at CIMF-6 (2004) that, as part of the standard setting process, the IPPC Secretariat should produce and issue a general summary of SC reactions to comments received during the country consultation. The Secretariat could use the SC comment matrix, adding a column for its reactions, and make this immediately available in English on the IIP for all NPPOs and RPPOs – a procedure approved by the CPM but not enacted. This would enhance understanding of why comments are accepted or rejected, thereby reducing the flow of last-minute comments made during the 15 days prior to a CPM session. It would also enable more appropriate explanations to be given to interest groups consulted within countries on the text of new standards and provide the added benefit of indicating how comments should be presented. Even though SC members are also expected to provide the countries of their regions with feedback on aspects relating to standard setting, it is impossible for them to carry out the secretarial task of registering SC reactions, while at the same time participating in the technical discussions. These functions envisaged for the SC members are still awaiting approval by the CPM.
 - **Make publicly available all ingoing and outgoing documents of the SC and its support structures, such as the expert working groups and the technical panels.** There is no reason why these documents should not be made public through the IPP, without the need for mechanisms of restricted access such as passwords. On the contrary, other conventions, agreements and even organizations on par with the IPPC make available all pre- and post-session documents and related country positions. Furthermore, considering that the SC has decided that individual experts, RPPO secretariats and even observers can access documents in its restricted area, there is no reason why IPPC contracting parties should not have assured access to the same documents. Draft ISPMs, whatever their stage of development, are public documents that need to be disseminated for broader and more timely comments, providing a full picture for the setting of a standard. This does not however alter the formal compilation of comments be sent to the IPPC through strictly official channels. These documents are currently available to selected members of expert working groups, technical panels and the SC, who have entry passwords. Posting them on the IPP for public availability would not represent an additional effort – quite the opposite.
 - **Post on the IPP information on proposed topics for new standards or inclusions in work plans of technical panels.** This should be a clear feature of the IPP with justifications and information on the recommendation and selection criteria in both cases. This would improve the process of decision-making by contracting parties, providing them with tools of appraisal and avoiding situations of changed priorities or elimination of hitherto prioritized and approved standards.
 - **Post on the IPP information on proposals and selection of candidates for expert working groups and technical panels.** In the case of candidates for expert working groups and technical panels, the Portal should list the individuals proposed, selected and convened for each meeting, the reasons for their selection and, as appropriate, the reasons for any absence from a meeting. This would give transparency to the process and would enhance the selection of prospective candidates to be submitted to the IPPC. It would also make national authorities, whether or not in NPPOs, more disposed towards the participation of their officials.
10. The CPM is invited to:
- *Consider and approve* the actions listed in paragraph 9 of this document and the procedural suggestions in paragraph 8.
 - *Recommend* their implementation to the Secretariat of the IPPC.