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COMMISSION ON PHYTOSANITARY MEASURES

Eleventh Session
Rome, 4-8 April 2016
Adjustments to the IPPC standard setting procedure
Agenda item 9.5
Prepared by the IPPC Secretariat

I. Introduction

1. This paper reflects a review by the Standards Committee (SC) and proposed adjustments to the IPPC Standard setting procedure.

II. Background

2. The International Plant Protection Convention (IPPC) Standard setting procedure has been reviewed and updated several times. The Commission on Phytosanitary Measures (CPM) at its Seventh Session (CPM-7, 2012) took decisions for improving the Standard setting procedure (24 decisions, see Appendix 4 of the CPM-7 (2012) report¹). It was agreed that the procedure would be reviewed two years after implementation, which was later extended to 2016 by the CPM.

3. The SC, at several meetings, reviewed and proposed adjustments to the IPPC Standard setting procedure and CPM-7 (2012) related decisions in an effort to make a more inclusive, transparent and streamlined procedure.

4. The SC November 2015 meeting² reviewed the proposal from the “SC-7 plus group” and agreed with the majority of the proposed changes (see agenda item 9.3 and Appendix 8 of the 2015-11 SC meeting report).

III. Review of the Standard Setting Procedure

5. To further streamline the Standard setting procedure and increase transparency and participation by stakeholders and help increase the quality of the ISPMs, the SC agreed with the proposed changes to the current Standard setting procedure as presented in Attachment 1 of this document. The main proposed changes are as follow:

6. **Adding clarity in the text:** Text was added to improve clarity in the procedure for actions already undertaken, for example under Stage 2 – Step 4 “Preparation of a draft ISPM” the SC may request the IPPC Secretariat to solicit comments from scientists world-wide to ensure the scientific quality of draft diagnostic protocols (DPs), and under Stage 3 – Step 5 “Consultation and review” once the SC has approved draft phytosanitary treatments (PTs) or draft DPs, and the responses to comments, the drafts and responses to comments are made publicly available. This is a consequential change on the availability of standard setting documents.

7. **Biannual call for topics:** The submission of topics is now limited to contracting parties (CPs) and regional plant protection organizations (RPPOs) as it was felt this was in line with the Convention text.

8. **Annual review of the *List of topics for IPPC standards*:** In exceptional circumstances, the SC may recommend an addition to the *List of topics for IPPC standards* (LOT). These types of recommendations would, like other proposals for the LOT, be presented to the CPM. The CPM would continue to review SC recommendations, adjust and adopt the LOT, including the recommended priority for each topic.

9. **Name and length of the consultation periods:** The names of these consultation periods were changed to First consultation, Second consultation and so on, as needed. The length of the consultation periods were harmonized to both be 90 days. This allows the SC in the annual November meeting to consider conceptual issues that may be raised during consultation. Another proposed change is that draft PTs will now be presented to at least a second round of consultation.

¹ CPM-7 (2012) report: <https://www.ippc.int/en/publications/928/>

² 2015-11 Report of the Standards Committee: <https://www.ippc.int/en/publications/81824/>

10. **Comments at the consultation periods:** CPs, RPPOs, non-contracting parties and international organizations will still be allowed to provide comments during consultation periods. This in an effort to be as inclusive as possible pursuant to article XVIII of the Convention that states that non-contracting parties are encouraged to apply the provisions of the convention, including the international standards. In addition, it was felt that all comments could help improve the draft and that the SC may decide which comments to take on.

11. **Adoption stage:** If a CP does not support the adoption of a draft ISPM, the CP may submit an objection three weeks before the CPM session. The IPPC Secretariat should make the draft ISPM available at least six weeks before the opening of the CPM session to provide more time to consider if the objection can be resolved. An objection must still be accompanied by a technical justification and suggestions for improvement of the draft ISPM. The responsibility for resolving the objection is now transferred to the CP making the objection and they are no longer called formal objections.

12. **Minor technical updates.** Allowing minor technical updates to adopted ISPMs as identified by a TP or the SC is suggested. The SC would recommend the update for adoption by the CPM directly. A technical revision for DPs has been defined by the SC and is recorded in the IPPC Procedure manual for standard setting.

13. **Publication.** To form a Language Review Group (LRG), it is now restricted to CPs and RPPOs.

14. **The Rules of Procedure for the SC.** An amendment to the Rule 6 is suggested to clarify what should be done in circumstances where consensus could not be reached by the SC. This amendment will allow the SC to forward information to the CPM to make them aware of the issue. This amendment, based on the CPM Bureau Rules of Procedure, is a consequential change on the review of the Standard setting procedure.

IV. Recommendations

15. The CPM is invited to:

- (1) *Adopt* the proposed changes to the IPPC Standard setting procedure (Attachment 1).
- (2) *Agree* that the SC regional input after the second consultation was not practical (as currently described in CPM-7 (2012) decision 2 on improving the IPPC Standard setting procedure) and should not be implemented.
- (3) *Agree* that the creation of an editorial team was not practical (as currently described in CPM-7 (2012) decision 20 on improving the IPPC Standard setting procedure) and should not be implemented.
- (4) *Note* the consequential changes for “Provisions for the availability of standard setting documents”, namely that:

Draft PTs and DPs presented to the SC are posted for the SC in e-decision forum; discussions reported in the following SC report.

- (5) *Amend* the Rule 6 of the Rules of Procedure for the SC as following:

Rules of Procedure for the SC

Rule 6. Approval

Approvals relating to specifications or draft standards are sought by consensus. Final drafts of ISPMs which have been approved by the SC are submitted to the CPM without undue delay.

Situations where consensus is required but cannot be reached shall be described in the meeting reports detailing all positions maintained and presented to the CPM for discussion and appropriate action.

- (6) *Ask* the Secretariat to review all related IPPC procedures and make consequential changes according to the revisions to the Standard setting procedure, once adopted.

Attachment 1: Proposed Changes to the IPPC Standard Setting Procedure Adopted by CPM-7 (2012)

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

(Agreed by the Standards Committee (SC), November 2015, and recommended to CPM for adoption)

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.

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: Biannual call for topics

The IPPC Secretariat makes a call for topics³ 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 in other regions.

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

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.

The CPM reviews, 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.

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

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 the SC may recommend an addition to the *List of topics for IPPC standards*.

³ 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.

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.

In any year, when a situation arises in which an ISPM or a revision to an ISPM is required urgently, the CPM may insert such a topic into the *List of topics for IPPC standards*.

Stage 2: Drafting

Step 3: Development of a specification

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.

The SC reviews the draft specification. The SC should endeavour to approve draft specifications for consultation at the SC meeting following the CPM meeting when new topics have been added to the *List of topics for IPPC standards*.

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, RPPOs, relevant international organizations, national plant protection services of non-CPs, and other entities as decided by the SC. The length of the consultation for draft specifications is 60 days. The IPPC contact point or information point submits comments to the IPPC Secretariat using the OCS.

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 ISPM⁴

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.

The SC or the SC working group established by the SC (SC-7) reviews the draft ISPM at a meeting (for a Diagnostic Protocol (DP) or Phytosanitary Treatment (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.

⁴ 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.

STAGE 3: Consultation and review

Draft ISPMs are submitted to two consultation periods except for draft DPs which are submitted to one consultation period unless decided otherwise by the SC.

Step 5: First consultation

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 IPPC Online Comment System (OCS) from CPs, RPPOs, relevant international organizations, national plant protection services of non-CPs, and other entities as decided by the SC. The length of the first consultation for draft ISPMs is 90 days. The IPPC contact point or information point submits comments to the IPPC Secretariat using the OCS. The IPPC Secretariat compiles the comments received, makes them publicly available and submits them to the steward for consideration.

The steward reviews the comments, prepares responses to the comments, 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.

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.

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.

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

Once the SC or SC-7 approves the draft ISPM for the second consultation, the IPPC Secretariat solicits comments through the IPPC Online Comment System (OCS) from CPs, RPPOs, relevant international organizations, national plant protection services of non-CPs, and other entities as decided by the SC. The length of the second consultation is 90 days. The IPPC contact point or information point submits the comments to the IPPC Secretariat using the OCS. The IPPC Secretariat compiles the comments received, makes them publicly available and submits them to the steward for consideration.

The steward reviews the comments, prepares responses to the comments, 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.

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 for the draft ISPM. These summaries are recorded in the report of the SC meeting.

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.

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:

Following recommendation by the SC, the draft ISPM is included on the agenda of the CPM meeting. 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 prior to the opening of the CPM meeting.

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

If a CP does not support the adoption of the draft ISPM, the CP may submit an objection⁵. An objection must be accompanied by technical justification and suggestions for improvement of the draft ISPM and submitted to the IPPC Secretariat no later than 3 weeks prior to the CPM meeting. CPs should make every effort to reach agreement before CPM. The objection will be added to the CPM agenda and the CPM will decide on a way forward.

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:

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 notified⁶. 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 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.

When a technical revision⁷ 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

The adopted ISPM is made publicly available.

CPs and RPPOs may form a Language Review Group (LRG) and, following the CPM-agreed LRG process⁸, may propose modifications to translations of adopted ISPMs to be noted at the following CPM meeting.

⁵ An objection should be a technically supported objection to the adoption of the draft standard in its current form, 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).

⁶ 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/member-consultation-draft-ispms/mechanism-translate-diagnostic-protocols-languages/>).

⁷ A technical revision for DPs has been defined by the SC and is recorded in the IPPC Procedure manual for standard setting.

⁸ <https://www.ippc.int/en/core-activities/governance/standards-setting/ispms/language-review-groups/>