

April 2013



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# COMMISSION ON PHYTOSANITARY MEASURES

<b>Eighth Session</b>
<b>Rome, 8 - 12 April 2013</b>
<b>Implementation of the IPPC and ISPMs</b>
<b>Agenda item 13</b>
<b>Prepared by New Zealand (English only)</b>

## I. Introduction

- Over the past twenty years, IPPC members and the IPPC Secretariat have developed and adopted over thirty ISPMs with a number of annexes and appendixes. The production of the ISPMs has constituted the major effort of the IPPC over this period. IPPC members now have a spectrum of standards covering the major areas within the phytosanitary system operated by most NPPOs. These include areas such as pest risk analysis, pest listing and reporting, pest eradication, pest identification (diagnostic protocols), treatments and pest free areas, and commodity import and export systems. In fact, most of the areas within the usual phytosanitary system are covered. Our standard setting efforts are now tending to include revision of these standards and development of new commodity-specific standards.
- It may now be timely to expand the work area of the CPM to cover another aspect of the work related to ISPMs. Many countries believe it is time to ensure contracting parties are obtaining the greatest possible value from the investment made in the development and adoption of ISPMs.
- It is suggested that the CPM broaden its area of emphasis to include the implementation of the IPPC and ISPMs. There has been much discussion about the fact that many countries are unable to fully implement the ISPMs because they do not have the expertise or the basic resources; this applies to many countries, not only those asking for capacity development. There have been proposals that the standards should have more support material such as explanatory papers, training material, guides to develop national manuals to enable countries to effectively implement the ISPMs. It is also recognized that successful implementation requires more than just support material. Good implementation requires a broad consideration of multiple aspects of an NPPO's phytosanitary system. It may require NPPOs to make legislative or regulatory changes, develop new systems and processes, adopt new technology, adopt new industry practices, and often all of these in combination. Many of these things

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need to be thought about from when standards are first being drafted, through to well after they have been adopted.

## **II. Implementation at present**

4. There is, of course, work already being planned and undertaken in the implementation area. This is done by the Capacity Development Committee (CDC) and the Implementation Review and Support System (IRSS) (see Attachment). It should be noted, however, that many of those officials involved in the present programmes concerning implementation are mainly concerned with capacity development.

5. Nevertheless, many CPM members perceive that there is a lack of process in the establishment of the programmes for implementation work.

## **III. Implementation in the future**

6. It is suggested that an IPPC and ISPM implementation programme for the CPM should cover the full breadth of implementation and service the needs of all members of CPM. The programme should have recourse to a wider experience and range of expertise than that provided by the CDC and involve officials with broad skills in implementing new standards and regulations. A programme for the whole CPM would need to involve input from the Standards Committee, technical panels, Subsidiary Body on Dispute Settlement (SBDS), the CDC, the IRSS and regional plant protection organizations.

7. There should be a clear way of selecting topics and priorities for implementation programmes and a process for the CPM to approve these. There should be a coherent, strategic, and integrated approach, especially given the limited resources available to the IPPC.

8. If the CPM is to regard implementation as the area for expansion and wishes to develop this, then CPM might consider a number of factors. These include the development of:

- a governance and decision making structure and process
- a coherent and strategic CPM directed work plan, including agreed terms and objectives
- a standard range of practices (explanatory documents, manuals, guides, technical training etc.) from which specific support material can be selected for the implementation of the IPPC and different ISPMs in countries.

### **A. Governance and decision making structure and process**

9. It is noted that the standards work is directed by the CPM and managed by a Standards Committee of 25 members that meets twice a year. This arrangement is technically supported by four (previously five) technical panels. The standard setting system is operated under a complex array of rules and procedures. While it is not suggested that an implementation system has such a complex management system, it is proposed that the CPM direct the implementation work and institute a governance arrangement that ensures the activities undertaken are approved by CPM and align with standards development where practical.

10. It is suggested that when the members of the Triennial Review Group (TRG) (of the IRSS) have completed their analysis of the results of the triennial questionnaire, these results are discussed with the Strategic Planning Group (SPG). The SPG contains members from the CPM, the Bureau, the Standards Committee, the CDC, the SBDS, and the Secretariat. The SPG would ensure interaction with the groups mentioned and form full CPM-wide views to take advantage of the breadth of experience in the CPM. The programmes developed by the SPG would go to the CPM for further development if necessary and approval. There should be procedures ensuring that the TRG, the SPG and CPM members direct the work of the IPPC in this area in a transparent manner and provide a coherent, strategic and integrated approach.

11. The implementation programme should use expertise from all sections of the CPM and Secretariat – including the IRSS, CDC, SC, SBDS, technical panels and regional plant protection

organizations. It is suggested that the inputs from these bodies be coordinated by a senior staff member of the Secretariat and directed to the SPG.

#### **B. A coherent and strategic CPM directed implementation programme**

12. The implementation programme should be developed by the SPG and presented to and approved by CPM. The wider approach taken to develop the programme would then include the concerns of all countries seeking assistance with implementation and allow dealing with their challenges as part of the standards implementation programme of CPM. The programme will contain much of the present work of the IRSS and CDC with other projects to develop support material for implementation.

#### **C. Range of implementation support practices**

13. The range of support practices or material will be described and noted. This will allow the selection of appropriate implementation actions and material from the spectrum of support practices for particular situations or countries.

#### **IV. Benefits of this expansion of the work programme**

14. The establishment of an appropriate governance and decision making system for implementation will help CPM meet the needs of CPM members. This will allow contracting parties to more quickly and effectively implement standards. This would be seen in the results of IRSS surveys and a decrease in the number of trade concerns being raised through the IPPC dispute settlement processes or WTO SPS Committee. It is to be expected that the change in the achievement of the IPPC would increase and member engagement in IPPC bodies would rebound so that there would again be serious competition for the membership of IPPC bodies and groups.

15. It is suggested that CPM members consider these issues further to ensure that the process for developing support material to enhance implementation by NPPOs of adopted standards is carried out in a clear and transparent manner and agreed by CPM. The SPG could be requested to look at this issue at their next meeting.

## ATTACHMENT

### **I. Work of the Capacity Development Committee (CDC) on implementation**

1. The IPPC National Phytosanitary Capacity Development Strategy (02, CPM-7, 2012) lists the following activities for standards implementation in Table 1 (National Phytosanitary Capacity Development Strategy), strategic area 3: develop guidelines/tips for implementation; provide help desk; develop training materials, deliver training, feedback mechanism from workshops; develop list of experienced facilitators for implementing ISPMs; develop tools for sharing experiences; regional draft standards workshops; develop and use questionnaire as per proposal [in the report of the Open Ended Working Group on a Possible Compliance Mechanism, Kuching 2007].

2. In Table 2 (Logical Framework for the IPPC National Phytosanitary Capacity Development Strategy), seven outputs are described, including one for “improved capacity to promote national phytosanitary systems”.

3. In Table 3 (IPPC Capacity Development Workplan), a number of outputs for the activities are described. For the strategic area concerning standards implementation these outputs are enhanced involvement of stakeholders at national level; improved understanding of implementation requirements of specific standards; and support provided for implementation of priority ISPMs.

4. The recent report of the 1st meeting of the IPPC Capacity Development Committee mentions a number of points regarding implementation as noted in section 1.2.3:

*The Bureau discussed the roles of the CDC and Standards Committee (SC) with regard to implementation at its June 2012 meeting. The Bureau agreed that the SC role is to develop new standards, and that implementation of standards falls within the Capacity Development area of the IPPC. That said, the Bureau also agreed that the SC should ensure that the standards in development are clear to understand and feasible to implement. However, development of training materials would not be considered part of the SC's responsibilities.*

*International standards for phytosanitary measures (ISPMs) are developed by drafting groups (ongoing technical panels or ad hoc expert working groups), supervised by the SC. These drafting groups will be requested to identify possible limitations to implementation of new ISPMs during the drafting process, and this information will be transmitted to the SC. If the SC considers the implementation concerns to be relevant, it will forward this information to the IPPC Secretariat for their consideration and presentation to the CDC if appropriate.*

*In this way, implementation can be considered early in the process of developing new standards. For ISPMs that have already been adopted, the Implementation Review and Support System (IRSS) analyzes the challenges of implementation and recommends actions. The recommendations related to capacity development will be presented to the CDC.*

*This clarification of the roles between the SC and the CDC ensures that the CDC will address issues in which enhanced capacity will enable implementation of a standard. Issues related to lack of clarity in a standard and/or operational issues that would not be improved through capacity development will not be tabled for the CDC to discuss. The CDC members noted that implementation issues that the drafting groups and SC identify will filter through the Secretariat. The CDC expressed support for this process as a way to promote interaction between standards development and implementation.*

5. The Outline of Capacity Development Work of the IPPC (CPM 2013/21) provides a revised list of activities in the strategic areas of work on capacity building. In strategic area 3 the outputs are essentially the same as noted previously.

### **II. The Implementation Review and Support System (IRSS)**

6. The primary objective of the IRSS is to facilitate and promote the implementation of the IPPC and ISPMs. The IRSS analyses the current status of implementation and identifies challenges as well as opportunities for improvement (CPM 2013/20, para 1). Results of IRSS studies feed into future

capacity building activities, standard setting discussions, and reports of the Triennial Review Group (*ibid.*, para 4). This group is made up of members from the subsidiary bodies of the IPPC, the CDC and the IPPC Secretariat. The major contributions of the IRSS to implementation are desk studies on particular issues of phytosanitary concern; the provision of a website of resource material, including a help desk to assist with access to information and resources; survey reports on the implementation of specific standards; and the production of a triennial report summarizing implementation issues.

7. Survey work of four standards (ISPMs 4, 6, 8 and 13) has been conducted. Further work to develop outlines for guidance documents in the area of surveillance (ISPM 6) has been conducted in collaboration with the APPPC (see CPM 2013/INF/04).