

## NORTH AMERICA DISCUSSION PAPER

*What does “implementation” mean in the IPPC context? What does an IPPC implementation program look like? Is an oversight committee needed? What would be the purpose, scope, and functions of a new CPM oversight committee on implementation?*

### 1. BACKGROUND

CPM members have come to a shared view that a greater focus is needed on “implementation” related activities to effectively achieve the IPPC's core objectives, especially as they relate to standard setting and harmonization. Developing standards is not enough. These need to be promoted and applied on a broad basis.

Provisions in the Convention related to technical assistance, information exchange, and dispute settlement are intended to help CPM members fulfill and comply with their responsibilities under the IPPC. The CPM vision is that activities associated with technical assistance, information exchange, IRSS, and dispute settlement can and should be brought together under a single coordinated program in order that they work in a concert to advance a single “implementation” agenda set by the CPM.

To a large degree, the effectiveness of a CPM “implementation” program will depend on the progress made by the Secretariat to restructure its staff so that officers working in these different areas (standard setting, technical assistance, information exchange, dispute settlement, IRSS, etc.) are internally unified and working together on the CPM's top priorities. This is a management objective left for the Secretary to address.

However, ongoing support and direction for a future CPM program on implementation can be provided by a dedicated oversight committee that thinks critically about implementation issues and can assist the CPM with the development and management of a multi-year “implementation” strategy and program to drive the work going forward.

### 2. WHAT DOES IMPLEMENTATION MEAN IN THE IPPC CONTEXT?

The IPPC contains a number of obligations that require contracting parties (NPPOs) to implement in order to achieve the goals of the Convention. These obligations can be classified as:

- NPPO Functional Responsibilities—NPPOs must take responsibility for and establish the capacity to take a number of actions called for under in the Convention (e.g., import inspections, export certification, pest surveillance and reporting, risk analysis, information exchange, etc.).
- Standards Implementation—NPPOs are required to take into account established ISPMs when they develop and consider new phytosanitary measures which affect international trade.

Hence, “implementation” under the IPPC essentially means that contracting parties’ are able to: carry out their functional responsibilities called for under the Convention; put into practice the adopted ISPMs; and, ultimately achieve the IPPC’s harmonization goals.

### 3. WHAT ARE THE DESIRED OUTCOMES?

An “implementation” program under the IPPC would be focused on activities which can produce the following outcomes:

- NPPOs have and/or acquire the capacity to undertake their functional responsibilities called for under the Convention (Articles IV-VIII),
- There is an enhanced integration between IPPC' standard setting and implementation programs; and,
- There is a broad and consistent application of ISPMs in trade among contracting parties resulting in greater harmonization of phytosanitary trade policies, practices and measures.

#### **4. PURPOSE, SCOPE & FUNCTIONS**

##### **A. PURPOSE**

The Implementation Committee (IC) would be responsible for developing, overseeing, and tracking CPM's implementation goals, strategy and annual work program. The IC would work closely with the Secretariat's Implementation Facilitation Unit to coordinate and carry out the implementation program approved by CPM.

The IC would also interact with the Standards Committee to identify and develop a program of work that aligns implementation efforts with the current standard setting agenda. Finally, the IC would be responsible for monitoring and reporting program results to CPM.

##### **B. SCOPE**

Core elements of an implementation program would include:

- **Phytosanitary Capacity Development**

This would involve PCE training and administration; guidance on capacity development activities; sharing information; links with donors, partners and other public private organizations concerned with capacity development.

- **Standards Implementation**

This would include regional Workshops on Draft ISPMs; developing advocacy material, operational manuals and other aids to support the intended application of ISPMs; and, system of technical advice and coaching to better implement specific ISPMs.

- **Technical Resources**

This would include the development and maintenance of the IPP Resources page; Help desk function; advocacy material, development of manuals, Standard Operating Procedures (SOPs), guidelines, training materials, databases, and leveraging technical resources from other entities such as RPPOs and other plant health organizations.

- **Compliance and Dispute Avoidance**

This would cover dispute settlement/avoidance activities; National Reporting and communications; and other compliance promoting activities. This could also include the provision of assistance and support to the IPPC Secretariat when contracting parties approach the Secretariat for dispute avoidance and dispute resolution, for instance in the identification of experts to be involved in the dispute avoidance/resolution procedures as per the Convention (Article XIII).

##### **C. FUNCTIONS**

The IC' key functions would include:

- Analyse and identify CPM's top implementation challenges and priorities. Key tools and resources would be the IRSS for analysis of specific topics and the Framework of Standards and Implementation to identify gaps and priorities.

- Develop multiyear implementation strategy and goals for CPM approval.
- Work with the Secretariat to develop and deliver annual work programs aligned to the longer term strategy.
- Provide estimates of the resources requirements to support the proposed work program.
- Ensure implementation activity is linked and coordinated with standards setting.
- Provide a venue for critical thinking about how standards and other IPPC objectives can be more effectively implemented at the national or regional levels.
- Analyze challenges and other emerging issues that may impact CPM's overall implementation agenda and goals.
- Address national reporting obligations and dispute settlement (avoidance) activities and align those with CPM's overarching goals and priorities.
- Consider partnerships with relevant external entities on implementation related programs and initiatives.
- Establish and dissolve small ad hoc groups to address specific issues.
- Take on other tasks assigned by the CPM.
- Provide guidance to the Secretariat in selecting the most appropriate dispute resolution method
- Establish ad hoc independent expert committees tasked with evaluating the information of the disputing contracting parties and approve their reports.
- Undertake other functions related to dispute avoidance/settlement including i) supporting the Secretariat with requests from the WTO or other organization, ii) reporting on IPPC dispute settlement activities and dispute settlement activities of other organizations that have implications for the phytosanitary community.
- Monitor "implementation" related program activities, including its progress and impact and report results to CPM.

## **5. RELATIONSHIPS WITH CPM, SECRETARIAT, AND OTHER BODIES**

- The IC would report to and submit its work proposals and recommendations to CPM for approval (or Bureau between sessions).
- The IC would rely on the Secretariat for administrative support and work closely with the new Implementation Facilitation Unit staff on the development of strategies and work programs.
- The IC could engage the Strategic Planning Group (SPG) for input and review of certain proposals which may benefit from SPG strategic review and input.
- The IC would keep the Bureau informed of its work activities during the course of the year.
- The IC would be expected to actively communicate and interact with the Standards Committee to ensure alignment of standard setting and implementation activities. To facilitate this, it is recommended that the Chairperson of the SC or a representative of the SC be a member of the Implementation Committee (see the proposed size and composition of the IC below)
- The IC would be expected to provide advice, support and guidance on issues that are brought forth to the Secretariat's attention in the areas of dispute avoidance and dispute settlement.

## **6. SIZE AND COMPOSITION OF THE IC**

The membership of the IC will be open to IPPC Contracting Parties and will be composed as follows:

- Two (2) representatives of each FAO region
- The Chairperson or a representative of the Standards Committee

The IC should have a combined knowledge in implementation and capacity development activities. Each member will serve for a three year term for a maximum of two terms (six years). Regions can ask the CPM for an exemption to allow for a third term.

Each FAO region may devise its own procedures for selecting its members of the IC. The IPPC Secretariat is notified of the selections that are submitted to the CPM for confirmation. Each region shall nominate potential replacements for members of the IC and submit them to the CPM for confirmation.

The IC will be supported by the IPPC Secretariat.

## **7. CONCLUDING REMARKS**

A new subsidiary body on implementation will allow CPM to address the challenges of operationalizing the Convention. The expectation is that the IC will take a comprehensive approach in terms of pulling together various existing activities and resources so they work in a complimentary and focused fashion to advance certain CPM's priorities. The newly established IC will be crucial for developing and then managing a new process that links standard setting with the practical objectives of promoting their implementation. Ultimately, this program, if successful, will be a key driver in harmonizing plant health policies, practices, and measures among countries.