



First Meeting of the CPM Informal Working Group on Strategic Planning and Technical Assistance

**02-06 October 2006
Rome, Italy**

Report

1. OPENING OF THE MEETING

The first meeting of the Commission for Phytosanitary Measures (CPM) Informal Working Group on Strategic Planning and Technical Assistance (SPTA) was opened by the Secretary to the IPPC. Ms Reinouw Bast-Tjeerde, Vice-Chair of the CPM, was elected as chair.

2. ADOPTION OF THE AGENDA

The agenda was amended and adopted as presented in Appendix 1.

3. REPORT OF THE PREVIOUS MEETING (OCTOBER 2005)

The Secretariat noted the follow-up actions that were required from the previous meeting. A questionnaire on the use of pest free areas as phytosanitary measures had been sent to all contracting parties. Responses were still being received. A paper had been prepared by the Secretariat for discussion by the SPTA on the funding mechanisms of similar organisations to the IPPC. The evaluation of IPPC was well underway and the meeting would have the opportunity to discuss progress with the evaluation team. The Secretariat and Bureau together had undertaken a major revision of the Business Plan in accordance with the CPM request, which would be discussed in detail with the SPTA. It was also noted that there were attempts to have the regional plant protection officers become increasingly involved with IPPC related activities.

4. STRATEGIC DIRECTION 5: THE MAINTENANCE OF AN EFFECTIVE AND EFFICIENT ADMINISTRATIVE FRAMEWORK

4.1 Rules of procedure and Terms of Reference for the SPTA and Bureau (CPM-1: 106)

The CPM -1 agreed that the informal working group on SPTA would meet in October 2006 under its current interim terms of reference (TORs) and rules of procedure (ROPs) in order to develop TORs and ROPs for a formal SPTA and for an enlarged bureau (which would form the core of the SPTA), and to review the ROPs of the CPM to envisage amendments in relation to the enlarged bureau. The CPM also agreed that the SPTA would retain its open-ended nature. The SPTA considered the above under the following headings.

4.1.1 Revision of Rule II.1 (Officers) of the Rules of Procedure of the CPM

Intensive discussion (including a FAO legal officer) was held as to whether the term “Bureau” needed to be mentioned in the rule, and if so, the size, term of office, purpose and relationship of such with the SPTA. The SPTA agreed that the Commission should elect a Chairperson and not more than two Vice-Chairpersons and other persons from among the delegates to form a Bureau of seven persons, so that each FAO region was represented (it was noted that “... from among the delegates ...” meant that the intended members of the Bureau would have to be present at the CPM. This was felt to be advantageous, as members of the Bureau should be familiar with the discussions and decisions made at the annual sessions of the CPM). The term of office would be for two years and the main purpose would be to provide guidance to the CPM on the strategic direction and financial and operational management of its activities. These items would be introduced into Rule II.1 of the CPM. The meetings of the Bureau would not be open-ended and the Bureau would set its own ROPs.

There was some discussion as to when the “enlarged” Bureau could be implemented. CPM-2 (March 2007) would have to first adopt the revision of the rule and then the Bureau members would be selected from

among the delegates attending the session. It was felt that it would be unreasonable to expect the FAO regions to be able to determine who would represent them on the Bureau before CPM-2 without even knowing if the revision would be accepted and so the SPTA suggested that the additional members of the Bureau be selected with the new Chair and Vice-chairpersons at CPM-3 (2008).

4.1.2 Draft terms of reference for the Bureau of the CPM

Draft TORs and ROPs prepared by the Bureau were discussed when considering the revision to Rule II.1 and the TORs were incorporated into the rule. The SPTA (and legal advice) recommended not to proceed with separate TORs and ROPs for the Bureau.

4.1.3 Draft terms of reference for the working group on Strategic Planning and Technical Assistance

The Bureau had prepared a paper on draft terms of reference for the SPTA that also included a name change (working group on Strategic, Procedural, and Technical Advice). The SPTA discussed the need for the SPTA to be open-ended and whether it should become a formal body. It was agreed to keep the name “Strategic Planning and Technical Assistance” and that the working group should be kept informal until such a time that the effectiveness of the enlarged Bureau could be evaluated.

In order to maintain the open-ended nature of the SPTA it was recommended that the membership include the Bureau, the Chairpersons of the two CPM subsidiary bodies and other interested persons from the contracting parties. There would be no observers and all representatives would be present on an equal basis.

4.2 Business Planning

4.2.1 Update on the 2006 budget (FAO Regular Programme and Trust Funds)

The Secretariat gave an update on the status of the 2006 IPPC budget. The Secretariat was working on the understanding that the IPPC could not carry unspent FAO Regular Programme funds forward into 2007. The Secretariat was continually tracking the actual costs against budgeted costs with the view to using any potential FAO Regular Programme surplus to implement programmes that had been put on hold at the start of the year due to lack of funding (e.g. compliance workshop) or developing letters of agreement for activities to be undertaken early in 2007. In addition to contributions acknowledged at the CPM-1, the IPPC had received extra contributions during the year from the USA to assist with the African regional workshops on draft ISPMs and some surplus had been gained through that.

The SPTA discussed the funding and utilization of the FAO regional plant protection officers. It was explained that part of the FAO IPPC budget was allocated to the salaries and activities of the seven officers and that in the interest of transparency this had been shown in the budget. The Secretariat hoped to develop a “purchase agreement” with the officers for 2007 so the use of the IPPC funding could be directed and activities monitored. The activities undertaken in 2006 would be recorded in the Secretariat report to CPM-2 and future Bureau meetings could determine areas in which the officers could most usefully assist (e.g. supervising the regional workshops on draft ISPMs).

The SPTA recognized the lack of Secretariat staff to implement some of the budgeted activities.

4.2.2 Revised Business/Strategic plan (CPM-1: 132, 137)

The Coordinator reminded the SPTA of the decision by CPM-1 to support a general review and redraft of the Strategic Plan, following entry into force of the new revised text of the IPPC, which would also consider topics that might not be covered adequately, and that the Business Plan should be completely revised. The Bureau had reviewed the strategic directions at their June 2006 meeting and with the assistance of the Secretariat had revised the business plan, which included the strategic plan. A broad approach had been taken, with the idea that the business plan would be used for several different target audiences both within and outside FAO, and within and outside the CPM. The business plan included an introduction and overview of the IPPC, CPM and strategic goals covering a five year period. It was intended that an operational plan with an associated budget would be developed on an annual basis.

The SPTA agreed that the business plan was for the CPM, rather than the IPPC and consequential changes were to be made throughout the document to reflect that. The SPTA discussed whether it would be appropriate to have a message from the Director General (DG) of FAO. The question was not resolved but

the Coordinator was instructed to draft both a message from the DG, emphasizing the importance of treaty and the concept of business planning, and a message from the Chair of the CPM.

The CPM mission statement was modified to also reflect minimising interference with the international movement of goods and people. It was suggested that as an overview of the IPPC was given it would be useful to have text on why the convention was needed. The use of photographs in the text was discussed but was not felt necessary. It was recognised that the background section would need to be in agreement with the publication *Guide to the IPPC* and that there be reference to the *Guide* or the IPP in order that further information could be accessed. Some concern was expressed that the section was too detailed and that only the Commission and Secretariat needed to be mentioned. The SPTA decided to proceed through the section, noting that some of the text boxes that were direct quotes from the convention should be paraphrased in order to make them more reader friendly.

Under standard setting, the SPTA suggested a box be added giving an example of a standard, e.g. ISPM No. 11, showing the main components. The term “operating environment” caused confusion to some. It was suggested that “external factors affecting the IPPC” may be more appropriate. The SPTA recognised some duplication in the area of international agreements affecting the IPPC.

Part III of the plan referred to the Strategic Directions. The grammatical arrangement of the words of the goals was standardized. Also the objectives within the goals were replaced by “areas” and re-worded as appropriate. The major measure of success for Area 1.1 in Goal 1 was modified to include ISPMs or equivalent (e.g. annexes, treatments), recognizing that these could take just as much resources to develop and adopt as would an ISPM. There were no substantive comments on Goal 2 (Information exchange).

With Goal 3 (Effective use of dispute settlement systems), the SPTA felt that Area 3.1 should be strengthened from “awareness” of the system, to “encouragement of use” of the system. There was some discussion over the associated measure of success and that contracting parties should understand and have confidence in the dispute settlement procedure. It was suggested that the Secretariat send a short questionnaire to countries to ascertain whether they knew the procedure to follow, identify in what cases they could imagine using the system and what they viewed as shortcomings. It was felt that would increase the awareness of contracting parties of the system and make them consider when to choose the dispute settlement system. The SPTA recognised that the dispute settlement system was also designed to be preventative. The Secretariat would be able to provide assistance and advice to the two parties so a dispute could be resolved before it entered the system.

The suggested wording in Goal 4 was modified, particularly to make donors aware of phytosanitary capacity needs. In Goal 5 (Sustainable implementation of the IPPC), the SPTA requested that the “development of a voluntary assessment system” to cover the ongoing biannual FAO shortfall be modified to “develop means”. The lack of Secretariat staff to meet the requirements of the CPM was recognised and a planned activity of “Adequate Secretariat staff” was added. There was some discussion as to the adoption of the budget. It was recognised that while the CPM could adopt the budget for the trust fund, the CPM could not adopt the regular programme budget which is approved by FAO members. However there was the strong desire expressed to present the complete budget and indicate what source was to finance what activities. This would help ensure transparency.

In Goal 6 (Promotion and cooperation), contribution to the maintenance of CPM was explained as providing funds and support to meetings, workshops, etc.

In Goal 7 (Status of plant protection in the world is reviewed), the objectives (areas) were replaced by topics only. These identified the new areas (and suggested planned activities) in which the CPM had expressed an interest as well as the opportunity to search for new innovations, problem areas, gaps, etc. Policy proposals may need to be developed and once decided by the CPM, could go into another area of the operational plan for implementation.

Section IV concerned resource requirements. It was agreed that the Introduction (4.1) would mention the in-kind contributions (for workshops, peoples’ time, etc.) and a brief analysis of the current staffing practices and situation. There would also be a comparison made at the end of the section of the required and current

staff. It was noted that the resources for the standard setting programme did not include input into standard implementation (part of Goal 1) and that a note needed to be made to that effect. It was recognised that the Secretariat would still need outside assistance for various tasks and that these areas needed to be identified. Problems with the heavy workload of stewards and the sustainability of that resource were discussed. The SPTA recognised the importance of the quality of the standards, which should not be lowered at the expense of quantity.

With regard to technical assistance, the question was raised as to how much the Secretariat needed to be involved and that FAO regional plant protection officers could be more involved. The SPTA believed that it was important for the Secretariat to know what was going on in order to avoid duplication. It was recognised that it would be very easy to have all the Secretariat resources absorbed by capacity building activities, although some of the capacity building activities could be done on a cost recovery basis.

Staff – requirements and mechanisms for staffing the IPPC Secretariat (including FAO regional plant protection officers) (Agenda point 4.2.7)

A further brief discussion (previously discussed with the business plan above) was held to reiterate the costs and mechanisms for meeting the CPM staffing requirements. The business plan identified 21 positions, of which 7 were filled. That left 14 extra positions, of which two would be cost recovered, 12 to finance. The current staff cost (7 staff members plus the *pro rata* shared overhead) was \$1.07m. The extra staff costs were estimated at approx. \$1.63m, giving a total staff cost of approx \$2.70m.

The SPTA recognised the need for the extra staff to meet the requirements of the business plan and the associated need for extra finance. It was recalled that currently, especially in connection with the standard setting process, much of the work was carried out by stewards (at least the equivalent of 2 full time staff), a consultant, and a contract employee.

4.2.3 Proposed update of the strategic plan in relation to technical assistance (CPM-1: 134)

The SPTA was reminded that it was meant to review the modifications proposed by the Informal Working Group on Technical Assistance (IWG-TA) and the Informal Working Group on Phytosanitary Capacity Evaluation (IWG-PCE) at the 2005 SPTA meeting. However, due to lack of time it had recommended that the recommendations be presented to CPM-1 for its advice as how to proceed. CPM-1 subsequently referred the recommendations back to the SPTA for further consideration with assistance from the IWG-TA and IWG-PCE in the context of the complete review of the strategic plan. It was noted that the IWG-PCE was to meet in Nairobi in December 2006.

The SPTA noted the value of the paper in identifying the range of technical assistance activities required by developing countries. Many of the activities identified the Secretariat as being the means of implementation, which posed resource problems. It was agreed that the Secretariat would consider what aspects could go into the 2007 operational plan and that the document be reconsidered by the IWGs to ascertain what activities should be coordinated through the Secretariat and what could be done by FAO regional plant protection organizations and donors, as many of the projects could be bilateral. The role of the Secretariat should be facilitation (i.e. regional, global). In addition, it was noted that several of the goals were too broad to understand what was intended and there appeared to be overlap in activities between proposed TA goals.

4.2.4 Draft 2007 operational plan plus associated budget (Appendix to the Business Plan) – (Handled in conjunction with 4.2.5)

4.2.5 Prioritization of activities for 2007 (based on budget)

The SPTA considered a list of planned activities and their associated budget, prepared by the Secretariat. Income was estimated at approximately \$3.15m based on the FAO Regular Programme of \$2.3m, European Commission \$0.25m, IPPC Trust fund carryover of \$.35m and USA Associate Professional Officer programme of \$0.25m. The staff cost was calculated on the current 2006 level of \$1.076m, not at the Business Plan level of approx \$2.5m.

The total cost for the projected ideal programme (staff and non-staff) was \$4.33m giving an unfavourable variance of -\$1.16m. After prioritization of activities, the total cost was reduced to \$3.5m, giving an unfavourable variance of -\$0.33m, which was approximately 10%. Due to the uncertainty of income, some

planned 2007 activities being funded from the 2006 budget and further possible additions from the FAO Regular Programme and in-kind contributions, the SPTA recommended that a 10% variance in budget was a reasonable approach to budgeting for the future work programme. The Secretariat would track the financial system closely and modify activities to be implemented or otherwise accordingly.

Notable reductions in planned activities of the IPPC Secretariat as a consequence of the prioritisation exercise included reductions in the number of standard setting expert working groups, only having the SC working group (SC-7) meet in May 2007, reduction in the funding available for regional workshops to review draft ISPMs, and a reduction in the planned assessments and follow-ups of the IPP workshops.

(4.2.6 Submissions on IPPC fee system (by SPTA members) (CPM-1: 125.2) Moved to 4.3)

4.3 Funding the activities of the IPPC

4.3.1 Update on funding of other organisations (ISTA, OIE, and Rotterdam Convention) CPM-1:125.4

The Secretariat presented a paper on the funding of other organisations, i.e. the International Seed Testing Association (ISTA), the World Organisation for Animal Health (OIE) and the Rotterdam Convention. With regard to the financing of ISTA, each member laboratory (public and private sector) had to pay the same annual membership fee (US\$3,000/lab). Members had to pay for the services of ISTA (e.g. accreditation, meetings) which were calculated on a cost covering basis. ISTA did not financially support the work of its 16 Technical Committees, developing the ISTA rules nor did it take over any costs for attending ISTA meetings. ISTA did not provide translation services.

The OIE used a category system where contributions were calculated according to which of six different categories a State may choose to be registered. The annual total contribution was defined by Article 14 of the OIE Organic Rules and for each State consisted of the basic annual contribution plus an additional complementary annual contribution fixed by the OIE International Committee in accordance with the budget established by the Committee.

For the Rotterdam Convention, the financial rules for the Conference of the Parties, its Subsidiary Bodies and Convention Secretariat detailed the contributions, which consisted of assessed contributions made each year by parties on the basis of an indicative scale adopted by consensus by the Conference of the Parties, and voluntary contributions made by parties including those made by the Government(s) hosting the Convention Secretariat.

4.3.2 Discussion for CPM-2 paper (Joined by FAO Legal Office) (including discussions under section 4.2.6: Submissions on IPPC fee system (by SPTA members) (CPM-1: 125.2))

CPM -1 (Potential Funding Arrangements of the IPPC):

“2. *Invited* SPTA members to make a contribution to the next meeting of the SPTA as to how they could imagine a fee system for the IPPC, and

3. *Recommended* that an FAO legal analysis of service charges and fees should be carried out (managed by the Secretariat) and be considered in the framework of the evaluation of the IPPC. If there was a positive outcome to the legal analysis, then such service fees and charges should be investigated further by the Secretariat with the view of reporting to the CPM;”

The SPTA was joined by the FAO legal department for the above topics. Both voluntary assessed contributions and fees were discussed. A number of members of the SPTA did not support the IPPC collecting revenue via fees and were more optimistic of support by Members through the IPPC Trust Fund. The SPTA believed that collection of fees would not be practical as the infrastructure in most instances would cost more to administer and maintain than the amount collected. The representative from the FAO legal department said that as countries already contributed to the FAO, and the IPPC was part of the FAO, the only solution was to voluntarily contribute to the IPPC trust fund, or contribute in-kind. Collecting funds through voluntary assessed contributions was supported by several SPTA members. The representative from the legal department mentioned that if a situation arose where the IPPC undertook a technical review at the request of a country which was outside the IPPC mandate, they (Secretariat) could charge for the service. However, they would incur a legal responsibility.

The consensus of the SPTA was that the fee system was impractical, there could be legal problems associated with it, both for the IPPC and contracting parties, and that the Secretariat should highlight the IPPC trust fund and in-kind contributions.

4.4 IPPC/CPM activities

4.4.1 Role of non-contracting parties in IPPC activities

The SPTA noted that one of the Standards Committee members was from a non-contracting party (the person had been nominated by their FAO regional group). Concern was expressed that if non-contracting parties could be members of subsidiary bodies and receive the benefits which contracting parties received, there would be no incentive for them to become a contracting party. There was nothing in the CPM ROPs that prevented a person from a non-contracting party taking part (“members of subsidiary bodies shall consist of selected members of the Commission or of individuals appointed in a personal capacity”) and the FAO would be obliged to provide support to relevant meetings if requested.

The Secretariat noted that non-contracting parties had no voting rights and any comments on draft ISPMs could be put aside. The SPTA agreed that the situation was an isolated case and as the number of contracting parties would eventually include all FAO members, there would not be a problem in the future. Non-contracting parties should continue to be encouraged to become contracting parties.

4.4.2 Development of criteria for the selection of recipients of financial assistance to attend IPPC meetings (Rule XI of the ROPs of CPM)

The Secretariat presented a short paper on criteria for the selection of recipients of financial assistance to attend IPPC related meetings. The FAO Regular Programme funds could not be used to fund participants chosen by and representing their governments in meetings such as the CPM, or any other intergovernmental meeting organized by the Secretariat and any assistance would need to come from other funding sources. To date, assistance to attend the CPM meetings had been from the EC and IPPC trust funds. It was noted that over recent years an expectation had developed that the CPM would automatically fund the attendance by developing (and some developed) countries to any IPPC related meetings, e.g. Subsidiary bodies, Expert working groups, Technical panels, Focus groups, workshops on draft ISPMs, workshops on the IPP, and the SPTA.

The Secretariat suggested that an amount of funding be allocated to a specific meeting (against a specific funding source) and that prioritization of funding for attendance be undertaken using the World Bank classification scheme (based on gross national income per capita). Depending on the funds allocated for the particular meeting, the Secretariat would approve assistance for the least developed country representative upwards until the funds were exhausted. Members that were not funded would need to seek funding from other sources.

The SPTA discussed the World Bank classification system and expressed some concern in that it did not necessarily reflect the real situation as to whether countries could afford to send representatives to the various meetings. There was some discussion as to partial funding (e.g. IPPC pay for the airfare and the country or other funding source pay for accommodation and daily subsistence allowance).

It was agreed that there should be no set rules. A flexible guideline should be developed and used as needed. Rules for the CPM may differ from those for subsidiary bodies, expert drafting groups. If required for a particular meeting, the Secretariat would apply the guidelines under the auspices of the Bureau. The flexible guideline could take into account: no assisted funding for OECD countries for attendance at IPPC related meetings; possibility for shared funding (e.g. pay for flights only and not for DSA); consideration of the size of an economy; and poorest countries. The process should be internal, albeit transparency should exist. The Secretariat would put together draft guidelines for funding assistance to CPM-2 for the Bureau to consider at its December 2006 meeting.

4.4.3 Guidance for FAO regions on regional procedures for selecting CPM subsidiary body members

At CPM-1 (2006), all subsidiary bodies were re-established and new members were elected. The current process allowed for the chair of each FAO region to coordinate with countries to find suitable nominations and replacements. The Secretariat found that since no formal process was in place there was little help or support for FAO regions to carry out this task. It was thought that optional guidelines which could be followed if a region felt it was appropriate could be drafted and supplied to assist the nomination process, especially due to the fact that the FAO regional group chairs rotated every six months.

The SPTA felt that even optional guidelines were not necessary. Since the regions themselves had not expressed concern, it was thought that the matter was best left until concerns were raised. However, the Secretariat report to CPM-2 should show the level of participation in the subsidiary bodies from the different FAO regions.

4.4.4 Development of declaration of interests and statement of commitment for subsidiary and ad-hoc bodies

The Director General of FAO had introduced a directive stating that all experts attending FAO meetings needed to sign a Declaration of Interests form, which would help identify any conflict of interests. In the future, nominees for and members of subsidiary bodies and other working groups would need to sign the declaration within 21 days of the meeting. One member noted that being a government representative was a conflict of interest in itself and that no one was totally independent. It was agreed that if someone refused to sign the form they could be denied attendance at the meeting.

The SPTA noted the form, which the Secretariat said would be used in the future.

A Statement of Commitment form, for nominees for subsidiary bodies, expert working groups, technical panels and other IPPC bodies, was also introduced. The form was intended to ensure that both the nominees and their supervisors and heads of agencies were aware of the nominations and work involved in participating in the bodies. The SPTA did not support the requirement for agency heads to sign the form, as many of them would not agree to this. However, it was felt useful to make clear to nominees the commitment required. The SPTA agreed to the use of the first section of the form in which the nominee themselves signs, stating that they have discussed the commitment with their supervisors.

4.4.5 Revision of CPM ROP Rule VII on observers, to allow contracting parties to send observers to meetings of subsidiary bodies

Rule 7 of the ROPs for the SC on observers referred to Rule VII of the ROPs of the CPM, also on observers. However, Rule VII of the CPM ROPs stated that non-contracting parties could be observers. This was applicable for the CPM, but for subsidiary bodies, such as the Standards Committee, this limited the participation of contracting parties who should also be able to attend as observers. To amend this, the Secretariat suggested adding an additional point to Rule VII of the ROPs of the CPM stating:

“Any country that is a contracting party may attend subsidiary body meetings, as an observer, upon request to the Secretary of the IPPC.”

The SPTA supported the Secretariat’s initiative.

4.5 Recognition of Pest Free Areas

4.5.1 Update on the IPPC survey

The Secretariat recalled the CPM-1 request to undertake a survey of members on the use and challenges associated with the implementation of pest free areas (PFAs) as there was very little information pertaining to their use as a phytosanitary measure. The CPM felt that more information was required before it could make a decision on further work on the international recognition of PFAs as a phytosanitary measure.

Replies to the survey had been received from all FAO regions and covered a wide range of pests and host material. Although the initial deadline was established as 30 September 2006, it would be extended to 30 November 2006 as a number of countries had indicated they were still collecting information.

The SPTA agreed that for the purpose of reporting to CPM-2, countries should not be identified individually and data kept general. The SPTA also recommended that the working group on the international recognition of PFAs should proceed.

4.5.2 Discussion on the general direction (including WTO-SPS Committee activities)

The Secretariat informed the SPTA that the WTO-SPS Committee Secretariat had prepared a background document on “Issues in the Application of Article 6 of the Agreement on the Application of Sanitary and Phytosanitary Measures” to be presented at the forthcoming October SPS meeting. The SPTA noted that the major concern among members of the WTO SPS Committee was in the area of undue delay. It was recognised that from a technical point of view it was a bilateral problem and it would be unrealistic to try to associate time frames with the various steps. The Secretariat would be giving an update of the progress made by the IPPC with the draft ISPM on recognition of PFAs, the pest free area survey underway and the forthcoming CPM-2 meeting where international recognition of PFAs would be further discussed.

4.6 Cooperation with other organisations – included in section 9.1

4.7 IPPC evaluation

4.7.1 Update from the IPPC evaluation team

The SPTA was joined by members of the IPPC evaluation team. The team leader said that the evaluation was about one third completed and he wanted the view of the SPTA on the future of the IPPC and its main challenges. He mentioned that a long questionnaire had been sent to all contracting parties. A draft report on the IPPC evaluation would be presented to CPM-2 for discussion and comment.

5. STRATEGIC DIRECTION 1: THE DEVELOPMENT AND ADOPTION OF INTERNATIONAL STANDARDS FOR PHYTOSANITARY MEASURES (ISPMs) AND THE MONITORING OF THEIR IMPLEMENTATION

5.1 General update on 2006 activities

An update on the status of topics on the standard setting work programme was given, plus a summary of activities undertaken to date in 2006. The SPTA requested to be updated on the status of the TORs and ROPs for Technical Panels (TPs), as they had reviewed them at their 2005 meeting. The Secretariat indicated that they were on the Standards Committee’s agenda for review but their heavy workload had caused discussion to be postponed. Some SPTA members felt that the TORs and ROPs should be on the agenda for the next CPM session, while others felt that since TPs work under the supervision of the Standards Committee (SC), the SC should finalize them. The TORs and ROPs for the Technical Panels would be forwarded to the SC for further consideration.

5.2 Update of Annex 1 of the ROPs of the CPM on development and adoption of international standards, and review of links with other procedures

CPM-1 (2006) requested that the annex to the ROPs that had been adopted at ICPM-1 (1998) be updated and that the update reflect the changes in the standard setting process since that time. In the revised draft, the fast-track process was incorporated and presented side-by-side with the regular process. The Secretariat indicated that in some areas where the adopted procedures were unclear attempts were made to clarify them. Some standard setting procedures currently adopted were under revision (such as *Outline of procedures for elaboration of ISPMs*, Report of ICPM-2, Appendix VII), and the revised annex was drafted to reflect the redrafted procedures. The proposed annex would be the framework for the standard setting process, and more detailed information could be found in other procedures.

The Secretariat explained the use of the new term “member consultation” which had replaced “country consultation”. Draft ISPMs for country consultation were sent to all FAO members (plus regional plant protection organisations), not just contracting parties, and all comments received were integrated and assessed together regardless of the source. The meaning of the phrase “relevant international organizations” was discussed. It was decided to include the text regarding this phrase as it had been agreed to at ICPM-4 (2002) in the *Establishment of procedures for identifying topics and priorities for standards*. The Secretariat also felt it was important to add that bodies involved in standard setting, such as the SC and TPs, could also have the ability to suggest topics for standards.

The issue of transparency with country comments and the SC reactions to the comments was discussed. Countries often wanted to know why their comments were not incorporated in draft standards. It was agreed that countries should contact SC members or the Secretariat to ascertain the reason. A sentence would be added to the revised annex indicating where countries could request information.

It was agreed that in the paper to the CPM it would be clearly identify if any CPM decisions would be replaced by the new annex.

The date on which an ISPM would come into effect was discussed. No conclusion was reached as to whether it should be the date of adoption or the date of publication in all languages.

The *Annex 1 of the ROPs of the CPM on development and adoption of international standards* would be forwarded to the SC for further consideration and then submitted to the CPM for adoption.

5.3 Topics for the IPPC standard setting work programme

The Secretariat introduced three phytosanitary treatments to be added to the work programme by CPM-2. CPM-1 had approved diagnostic protocols on the work programme and it was thought that the same should be done for phytosanitary treatments. Some SPTA members felt that it was not their role to agree to these additions as TPs worked under the authority of the SC. It was agreed that if a TP wanted to suggest a topic for a standard outside of their particular subject area, the SPTA would evaluate that as in the normal process. As treatments were within the subject area of the TP, the SC could determine their applicability and approve them for the standard setting work programme. It was agreed that, for transparency, each session of the CPM should be informed of the IPPC standard setting work programme, including topics that the SC had approved TPs to work on.

6. STRATEGIC DIRECTION 2: INFORMATION EXCHANGE

6.1 General update on 2006 activities

The Secretariat provided an update on the CPM Information Exchange work programme. Regional International Phytosanitary Portal (IPP)/Information Exchange workshops had progressed well in the past 12 months. The only regions not to have received training by the end of 2006 would be the Near East (due to funding restrictions and translation of the IPP into the Arabic) and North America. There had been a significant improvement in maintaining and updating national contact point information albeit there was still room for further improvement.

A very significant proportion of the programme was ongoing and there was concern that the current Secretariat resource constraints would have a negative impact on the use and value of the IPP and the CPM information exchange work programme. Momentum had been reached in the IPP usage and needed to be maintained.

A number of countries had entered data in the IPP and the Secretariat was beginning to refine data extraction procedures. However some regions and countries had not utilized the IPP at all and the Secretariat intended to provide summary statistics to CPM-2 to highlight the gaps. Routine information exchange processes continued for the Secretariat, especially those required by the various provisions of the IPPC. Due to resource constraints it was not known how long the process could be maintained at the current level.

6.2 Proposed work programme for 2007

The proposed detailed CPM information exchange work programme was presented to the SPTA. It was based on that presented to the previous meeting in 2005 as many of the topics were ongoing and/or updated annually. It was noted much of the work programme depended on resources available to the Secretariat in 2007, particularly staff. The Secretariat noted that the work programme would be adjusted as and when resources became available.

7. STRATEGIC DIRECTION 3: THE PROVISION OF DISPUTE SETTLEMENT MECHANISMS

7.1 General update on 2006 activities

The annual Subsidiary Body on Dispute Settlement meeting was held prior to CPM-1 where the Dispute Settlement Manual and advocacy document were finalised. The Dispute Settlement Manual had been published on the IPP and funding was being sought from FAO to translate and publish paper copies. It was hoped they would be ready for CPM-2.

The FAO legal department had reviewed the Dispute Settlement Manual and had recommended that activities undertaken by FAO in the past that could be determined as being IPPC dispute settlement activities be highlighted in the document. Ideally they should cover formal and informal discussions between FAO and members and any project that may have been undertaken by FAO with the objectives of phytosanitary trade dispute avoidance and settlement.

7.2 Revision of the terms of reference and rules of procedure of the SBDS with regard to languages

Draft ROPs for the SBDS were discussed and agreed. Considerable discussion took place and the SPTA unanimously agreed that:

- i) Holding the SBDS in the 5 FAO languages was neither practical nor cost effective given the current severe resource constraints. The SPTA recommended that SBDS work continue in English at present;
- ii) The reference to the CPM ROP in the SBDS ROP be removed as a number of the CPM provisions did not apply operationally to the SBDS.

7.3 Compliance

The subject of an IPPC compliance mechanism was discussed based on the information paper presented to CPM-1. On review of the 2006 Secretariat budget, it was agreed to use savings from the existing work programme to arrange for an open ended working group (OEWG) (as per decision 164.3 of the CPM-1) on this subject in February 2007. If the necessary experts were not available in February 2007, the OEWG could possibly be postponed to after CPM-2. Draft terms of reference for the OEWG were discussed and finalised by the SPTA.

8. STRATEGIC DIRECTION 4: THE DEVELOPMENT OF THE PHYTOSANITARY CAPACITY OF MEMBERS TO IMPLEMENT THE IPPC BY PROMOTING THE PROVISION OF TECHNICAL ASSISTANCE

8.1 General update on 2006 activities

The Secretariat updated the SPTA on technical assistance activities (which included information on technical assistance for information exchange). Activities included those under the FAO Technical Assistance Programme and Unilateral Trust Funds. The importance and positive feedback relating to the regional workshops to review draft ISPMs were noted and the in-kind assistance from the Republic of Korea, USA, Cook Islands and Inter-American Institute for Cooperation on Agriculture were acknowledged. Japan was looking to increase sanitary and phytosanitary capacity in Asian countries and was planning to place a full time officer in Bangkok (who would also cover zoosanitary and food safety) and an officer in Rome.

An informal working group on the review of the phytosanitary capacity evaluation (PCE) tool was scheduled to meet in December. The review would include the study undertaken by the Commonwealth Agricultural Bureau – International (CAB-International), review and update of the current modules of the PCE, consider possibilities for further updating of the PCE and consider maintenance and updating issues with respect to incorporating new ISPMs, compatibility with the IPP etc. The constraint on the programme due to lack of staff numbers and the need to improve on this was noted.

8.2 Proposed Update of the Strategic Plan in relation to Technical Assistance (CPM-1:134)

This was discussed under agenda item 4.2.3.

9. STRATEGIC DIRECTION 6: PROMOTION OF THE IPPC AND COOPERATION WITH RELEVANT INTERNATIONAL ORGANIZATIONS

9.1 General update on 2006 activities

Cooperation with other organisations (moved from Agenda 4.6)

The Secretariat outlined the main areas for cooperation in 2006 which included: International Forestry Quarantine Research Group, International Seed Testing Association, Montreal Protocol, WTO SPS Committee, Standards and Trade Development Facility and Convention on Biological Diversity. Informal ongoing liaison was maintained with the World Organisation for Animal Health and Codex Alimentarius.

The Secretariat noted the very full programme being handled and the difficulty with some follow up, particularly with the ISTA symposium and CBD-IPPC joint work plan.

9.2 Informal working group on liaison with research and education institutes

There was broad support for the objectives of the programme. However, it was strongly felt that a more focused proposal needed to be provided to CPM-2 with specific objectives, time frames and resource implications. The Secretariat noted that currently the subject was not considered a high priority but that a number of Secretariat activities could automatically accumulate some of the required information without any additional work. Several members of the SPTA shared information on initiatives that were already underway regarding cooperation with research organizations, either in countries, regions, or groups of countries. The SPTA recognized that it would be important to collect such information on such initiatives.

The SPTA agreed that a new paper be developed for CPM-2.

10. OTHER BUSINESS

i) International Standards related to invasive alien species

The Parties to the CBD agreed in 2004 to explore gaps and inconsistencies in the international regulatory framework for invasive alien species and an expert group met and made a number of observations and recommendations. Included among them was that there was a significant general gap in the international regulatory framework relating to the lack of international standards to address animals that were invasive alien species but that were not pests of plants under the IPPC. Various options as how to deal with the problem were identified, including:

- (a) Expansion of the mandate of the World Organization for Animal Health (OIE) beyond a limited number of animal diseases;
- (b) Development of a new instrument or binding requirements under an existing agreement or agreements such as the Convention on Biological Diversity or other appropriate frameworks;
- (c) Development of non-binding guidance.

The CBD Secretariat was interested in collecting the views of the IPPC Secretariat, Bureau, etc. They indicated that they would be interested specifically to know whether there was a general perception that the IPPC covered plant health as fully in practice as it did on paper and if not, whether governments appeared to be satisfied establishing national measures for issues not covered by ISPMs or other international standards.

In discussing the issue, the SPTA felt that individual countries already had a means of ensuring border control against the gaps identified, albeit such control may not necessarily be covered by phytosanitary legislation.

The SPTA was aware that the WTO-SPS Committee had contacted all countries to gauge reaction to the issues and that the CBD was also giving an informal presentation at the October meeting of the WTO-SPS Committee on the subject.

The SPTA agreed that it would be useful to invite the Secretariat of the CBD to give a presentation at an evening session of CPM-2. This would allow individual CPM members to put forward their views and give possible guidance for further involvement by the IPPC Secretariat and Bureau.

ii) CAB-International – 3 key questions

A study was being undertaken by CAB-International on the PCE, which the PCE-IWG (April 2005) directed should cover the following areas:

- Critical assessment of the PCE as a needs assessment tool, with recommendations for enhancements.
- Review of the educational value of the tool in training and awareness raising.
- Assessment of the impact on strategic planning at the national level.
- Assessment of impact on other organizations internationally, including IPPC, FAO and donor and development organizations.

Three broad questions had emerged during the study, which were drawn to the attention of the SPTA for its consideration, i.e.:

- 1 What is phytosanitary capacity?
- 2 What are the objectives of Phytosanitary Capacity Evaluation?
- 3 How should the PCE Tool be developed?

The SPTA discussed the general issue and decided that the IWG on the PCE should consider the questions. The draft report would be discussed at the IWG in December 2006, and the final report would be presented at CPM-2 in 2007 with recommendations.

iii) Update on the Caribbean Agricultural, Health and Food Safety Agency (CAHFSA)

The representative from Latin America and the Caribbean gave an update on the status of the RPPO in the Caribbean. She outlined the proposed structure and function of the Caribbean Agricultural, Health and Food Safety Agency (CAHFSA). The goal of CAHFSA was to facilitate increased safe production, consumption and trade in plants, animals and their products and by-products.

Agreement had been reached in that the legal framework for CAHFSA would be refined by the Chief Parliamentary Counsels, based on comments from Member States, prior to submission to the LAC for consideration and approval. The CAHFSA should be operational by 1 June 2007. It was also agreed that the Caribbean Community Secretariat would assist in coordinating IPPC matters in the region and regional representation in the international fora, in the interim.

The SPTA identified some issues that needed to be resolved, including whether CAHFSA would take over the RPPO functions of the current Caribbean Plant Protection Commission (CPPC) and, if so, the need for recognition by the CPM and the membership of the RPPO (i.e. status of current members of the CPPC who would not be members of CAHFSA). It was agreed that the Bureau would discuss these issues further at its December meeting in order to ascertain what areas would need clarification

11. CLOSE

The Secretary thanked the participants for their input to the meeting and noted the follow up actions to be further discussed at the Bureau meeting in December.

AGENDA

1. **Opening of the meeting**
2. **Adoption of the agenda**
Selection of Chair
3. **Report of the previous meeting**
4. **Strategic direction 5: The maintenance of an effective and efficient administrative framework**
 - 4.1 Rules of procedure and ToR for the SPTA and Bureau (CPM-1: 106)
 - 4.1.1 Revision of Rule II.1 of the Rules of Procedure of the CPM (CPM-1:
 - 4.1.2 Draft terms of reference for the Bureau of the CPM
 - 4.1.3 Draft terms of reference for the working group on Strategic, Procedural, and Technical Advice (SPTA)
 - 4.2 Business Planning
 - 4.2.1 Update of the 2006 budget (FAO Regular Programme and Trust Funds)
 - 4.2.2 Revised Business/Strategic plan (CPM-1: 132,137)
 - 4.2.3 Proposed update of the strategic plan in relation to technical assistance (CPM-1: 134)
 - 4.2.4 Draft 2007 operational plan plus associated budget (Appendix to the Business Plan) – To be handled in conjunction with 4.2.5
 - 4.2.5 Prioritization of activities for 2007 (based on budget)
 - [4.2.6 Submissions on IPPC fee system (by SPTA members) (CPM-1: 125.2) Move to 4.3]
 - 4.2.7 Staff – requirements and mechanisms for staffing the IPPC Secretariat (incl. RPP Officers)
 - 4.3 Funding of IPPC
 - 4.3.1 Update on other organisations (ISTA, OIE) CPM-1:125.4
 - 4.2.6 Submissions on IPPC fee system (by SPTA members) (CPM-1: 125.2)
 - 4.3.2 Discussion for CPM-2 paper (Joined by FAO Legal Service)
 - 4.4 IPPC/CPM activities
 - 4.4.1 Role of non-contracting parties in IPPC activities
 - 4.4.2 Development of criteria for the selection of recipients of financial assistance to attend IPPC meetings (Rule XI of the ROPs of CPM)
 - 4.4.3 Guidance for FAO regions on regional procedures for selecting CPM subsidiary body members
 - 4.4.4 Development of statement of commitment and declaration of interests for subsidiary and ad-hoc bodies
 - 4.4.5 Revision of CPM ROP Rule VII on observers, to allow contracting parties to send observers to meetings of subsidiary bodies
 - 4.5 Recognition of Pest Free Areas
 - 4.5.1 Update of the IPPC survey
 - 4.5.2 Discussion on the general direction (incl. WTO SPS Committee activities)
 - 4.6 Cooperation with other organisations (Moved to 9.1)
 - 4.7 IPPC evaluation
 - 4.7.1 Update from the IPPC Evaluation team
5. **Strategic Direction 1: The development and adoption of International Standards for Phytosanitary Measures (ISPMs) and the monitoring of their implementation**
 - 5.1 General update on 2006 activities
 - 5.2 Update of Annex 1 of the ROPs of the CPM on development and adoption of international standards, and review of links with other procedures
 - 5.3 Topics for the IPPC standard setting work programme
6. **Strategic Direction 2: Information exchange**
 - 6.1 General update on 2006 activities
 - 6.2 Proposed work programme for 2007

7. Strategic Direction 3: The provision of dispute settlement mechanisms

- 7.1 General update on 2006 activities
- 7.2 Revision of the terms of reference and rules of procedure of the SBDS with regard to languages [CPM-1: 22.2]
- 7.3 Compliance

8. Strategic Direction 4: The development of the phytosanitary capacity of Members to implement the IPPC by promoting the provision of technical assistance

- 8.1 General update on 2006 activities
- 8.2 Proposed Update of the Strategic Plan in relation to Technical Assistance (CPM-1:134)

9. Strategic Direction 6: Promotion of the IPPC and cooperation with relevant international organizations

- 9.1 General update on 2006 activities
 - Cooperation with other organisations
 - WTO SPS Committee, ISTA, CBD, Montreal protocol
 - Others/ongoing activities (resources)
- 9.2 Informal working group on liaison with research and education institutes

10. Other business

- i) International Standards related to invasive alien species
- ii) CAB-International – 3 key questions
- iii) Update on the Caribbean Agricultural, Health and Food Safety Agency (CAHFSA)

11. Close

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