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Alimentación

INTERIM COMMISSION ON PHYTOSANITARY MEASURES

Seventh Session

Rome, 4 – 8 April 2005

Exchange of Information within the IPPC

Agenda item 9.2 of the Provisional Agenda

1. Information exchange within the IPPC includes both specific information exchange obligations under the IPPC, and communication of various other types of information. In 2001, ICPM-3 adopted recommendations on information exchange (Report of ICPM-3, Appendix XV).
2. The Secretariat continues to provide information to Members through official contact points where these have been identified. The ICPM is reminded that FAO policies require certain documents such as invitations and correspondence from the Director General of the Organization to follow a particular distribution that may not include the designated IPPC official contact points. Where relevant, such material is also copied to IPPC official contact points by the Secretariat.
3. The Secretariat notes that many Members of the ICPM have still not designated an official contact point. In addition, a number of Members that have designated official contact points have not provided the Secretariat with updated information where official contact point details have changed (including e-mail addresses). Members are requested to provide such information as soon as practically possible – the Secretariat cannot be held responsible for incorrect contact point information if this has not been provided by the contracting party.
4. The Secretariat maintains a list of IPPC official contact points and such information is provided by contracting parties. This information is available on the International Phytosanitary Portal (IPP - <https://www.ippc.int/IPP/En/nppo.jsp>). The list is published and made available in printed form at each session of the ICPM. The Secretariat also makes official contact point information available upon request.

For reasons of economy, this document is produced in a limited number of copies. Delegates and observers are kindly requested to bring it to the meetings and to refrain from asking for additional copies, unless strictly indispensable.
Most FAO meeting documents are available on Internet at www.fao.org

5. Printed material, such as ISPMs and other correspondence, provided by the Secretariat directly to official contact points is not copied by the Secretariat to other offices in the government of the Member, or to others within the country. It is the responsibility of the IPPC official contact point to ensure that relevant information is disseminated to officials or others as appropriate within their country.
6. It should also be noted that FAO members that are not contracting parties to the IPPC are members of the ICPM and therefore receive information from the IPPC Secretariat. They may also benefit from designating an IPPC contact point, notifying the Secretariat of this contact point, and keeping that designation up-to-date.
7. The discussion paper in Annex 1 provides a comprehensive discussion of the responsibilities and needs for information exchange in the context of the current and potential mechanisms for information exchange. There are a number of issues that could be addressed now. However, it may be more appropriate to consider this issue again in detail when the new revised text comes into force (see also agenda point 8.1). This will also provide time for the further development of the IPP and allow contracting parties to more fully assess its role.
8. The ICPM is asked to:
 1. *Note* the information provided in the discussion paper at Annex 1.
 2. *Urge* Members to provide official contact points or to ensure that information provided on contact points is checked and updated (including e-mail addresses) regularly.
 3. *Agree* that information relating to the organization and administration of the IPPC should continue to be provided from the Secretariat to contact points.
 4. *Request* the Secretariat to forward the discussion paper in Annex 1, after consideration by the Secretariat and Bureau (see ICPM 2005/3 - Annex 1), to the first meeting of the CPM for its consideration.

Annex 1

Discussion paper on information exchange**1. Introduction**

This document reviews information exchange activities under the IPPC. It describes the main elements of information exchange, and notes some difficulties that have arisen in this regard. It then offers suggestions of possible ways to enhance and facilitate information exchange in the future. These include, in particular, expanding the use of contact points for various types of information exchange, and exploring opportunities to enhance use of the International Phytosanitary Portal (IPP) for this purpose.

The discussion is divided into the following sections:

- the types of information exchanged under the IPPC (Part 2)
- basic mechanisms for exchanging this information (Part 3), with a focus on:
 - the use of contact points for information exchange (Part 4)
 - the use of official FAO representatives for information exchange (Part 5)
 - the use of the IPP for information exchange (Part 6).
- suggestions for possible improvements in this system in the future (Part 7).

2. Types of information exchanged under the IPPC

Information exchange under the IPPC involves different types of information, including:

(a) **Phytosanitary (and related) information specified in the Convention:** The IPPC specifies that certain types of information be exchanged or communicated in support of implementation. This includes information among contracting parties on: plant pests and pest risk analysis (*see* Article VIII); and national phytosanitary requirements, restrictions and prohibitions, points of entry for trade, significant instances of non-compliance with phytosanitary certification and other matters, lists of regulated pests, and information on pest status (*see* Article VII)¹. It also includes distribution of information by contracting parties within their territories on regulated pests and the means of their prevention and control (*see* Article IV).

(b) **General organizational and administrative communications:** A second type of information flow under the Convention consists of communications relevant to the meetings and operation of the Interim Commission on Phytosanitary Measures (ICPM) and its subsidiary bodies, including in the process of adopting international standards. *See, e.g.*, Articles X, XI and XII and the Rules of Procedure and Terms of Reference of the ICPM and its subsidiary bodies.

(c) **Information on the status of the Convention itself:** A third type of information exchange under the Convention relates to information on the status of the Convention itself,

¹ In some cases, this information is to be made available to the secretariat and/or RPPOs to which the party belongs (e.g., lists of regulated pests), to specific parties (e.g., instances of non-compliance) or to other parties upon request (e.g., lists of regulated pests). This is described in more detail in Part 4, below.

including adherences, acceptances, amendments and proposals for amendments, and related legal and Depositary matters. *See, e.g.*, Articles XVII, XXI and XXIII.

3. Basic mechanisms for exchanging this information

The exchange or distribution of such information involves various entities, including contracting parties, the secretariat and the Depositary, depending on the type of information involved². For purposes of this document, three key mechanisms or pathways of information exchange under the IPPC may be highlighted:

- contact points designated under Article VIII
- official government representatives to FAO, as identified in the FAO official correspondence directory
- the International Phytosanitary Portal.

3.1 Contact points

The first mention of contact points appears in the New Revised Text of the International Plant Protection Convention (IPPC, 1997).

Article VIII.2 states: "*Each contracting party shall designate a contact point for the exchange of information connected with the implementation of this Convention.*"

As described in Part 4, below, it is envisioned that the majority of information exchange involving contracting parties under the IPPC will be conducted via contact points designated under Article VIII.2.

The exchange of information through contact points, however, has been a subject of concern for many years. Many contracting parties have still not provided information on their contact points despite the fact that IPPC states that contracting parties "shall designate" a contact point.

Accordingly, contracting parties that have not done so are urged to designate a contact point. Contracting parties also are requested to notify the secretariat of their designations of contact points. The Secretariat will maintain a published list on the IPP of all designated contact points.

It should also be noted that FAO members that are not contracting parties to the IPPC are members of the ICPM and therefore receive information from the IPPC Secretariat. They may also benefit from designating a contact point, notifying the Secretariat of this contact point, and keeping that designation up to date

The Convention does not provide direct guidance on contact points. Part 4, below supplies some information on the use of contact points and the relationship between this information exchange system and the others mentioned above.

² The information exchange responsibilities of IPPC contracting parties were clarified and agreed to at ICPM-3 (see Appendix XV, report of ICPM-3). Other decision relating to information movement are found in the Procedural Manual, International Plant Protection Convention, First Edition 2004 and ICPM session reports.

3.2 Official representation to FAO, and the FAO official correspondence directory

There are certain instances when information exchange between contracting parties and FAO is conducted through the official FAO representation listed in the FAO official correspondence directory. This may be the case, for example, where the IPPC or the relevant rules of procedure state that information is to be provided to contracting parties or FAO member governments by the Director-General of FAO in the exercise of Depositary functions under the Convention (see Part 2(c)). This is usually accomplished by using postal services and involves the IPPC Secretariat staff in extensive mail-outs.

3.3 International phytosanitary portal (IPP)

The IPP, as an internet portal allowing access to many web sites, has been designed to take over or assist with many of the information exchange tasks associated with the IPPC. At the moment there are no official roles stipulated in IPPC procedures for the IPP. However, it is being used to “make documents available” for ICPM members. It is hoped that as the IPP becomes more reliable and has more features for information exchange, it will be able to adopt some official roles for the movement of information for members.

4. Information exchange with Contact Points

4.1 The position of contact points within contracting parties

Present day practice is such that:

- In many contracting parties the contact point is part of the National Plant Protection Organization, and may be the head of the plant protection department or phytosanitary agency or an equivalent role;
- In other contracting parties, a director or senior official in another section or department may be the contact point.

It may be considered important that contracting parties designate a position/post within the government, rather than the specific person that holds that position/post, as contact point. This will help to avoid the situation where information on contact points becomes out-of-date once a person changes his/her employment position.

Essentially, the holder of the contact point position should be able to:

- direct phytosanitary information received from other contracting parties and from the IPPC Secretariat to the appropriate official(s) in the national phytosanitary system;
- direct requests for phytosanitary information from contracting parties and the IPPC Secretariat to the appropriate official(s) for reply;
- keep track of the status of replies to information requests that have been made to the contact point. This would require replies being routed through the contact point or copied to the contact point.

Therefore, within a national system, it is important that the contact point should be able to distribute information to relevant persons and have sufficient authority to ensure that information provided to the contact point and requests for information are appropriately dealt with.

4.2 The role of contact points: current and future

The IPPC states that the contact point designated under the Convention is for the exchange of information connected with the implementation of the Convention (Article VIII.2). This includes, in particular, information on phytosanitary matters within and among contracting parties (noted in Part 2(a)).

The proposal included at the end of this document (Section 7), proposes that contact points also be used, with certain exceptions, for all other types of information exchange under the IPPC involving the flow of information between the secretariat and contracting parties. This would include, in particular, information on organizational and administrative matters under the Convention (noted in Part 2(b)). It would not include, however, information relating to the status of the Convention itself (noted in Part 2(c)). See also section 5. Each country may decide on its internal system to establish a network dealing with the information, but the contact point should be the key element of such a network.

In summary, the movement of information concerning contact points falls into three main groups:

- information movement between contact points and other contact points
- information movement between the IPPC Secretariat and contact points
- information movement between the IPPC Secretariat or contact points and Regional Plant Protection Organizations (RPPOs).

4.2.1 Information movement between contact points and other contact points

This would include information concerning:

- organizational arrangements for plant protection (Article IV.4)
- phytosanitary requirements, restrictions and prohibitions (Article VII.2b)
- the rationale for phytosanitary requirements etc (Article VII.2c)
- significant instances of non compliance and the results of investigations (Article VII.2f)
- lists of regulated pests (Article VII.2i)
- pest status from pest surveillance (Article VII.2j)
- emergency action (Article VII.6)
- technical and biological information necessary for PRA as requested (Article VIII.1c).

4.2.2 Information movement between the IPPC secretariat and contact points

This would include the following types of information:

From the IPPC secretariat to contact points

- International Standards for Phytosanitary Measures (Article XII.4a)
- ISPMs for country consultation and documentation for and reports of some meetings (especially ICPM) (Article XII.5)
- announcements and invitations for meetings

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- requests for nominations to serve as members on ICPM subsidiary bodies³
 - requests for nominations of participants to regional workshops on draft ISPMs
 - information provided by contracting parties to the Secretariat:
 - lists of points of entry (Article XII.4b)
 - lists of regulated pests (Article XII.4c)
 - phytosanitary requirements, restrictions and prohibitions (Article XII.4d)
 - descriptions of official National Plant Protection Organizations and changes (Article XII.4d).
 - other information as required, including contact points (IPP and directory of contact points)
 - requests for action in relation to the IPPC.

From contact points to the IPPC secretariat

- lists of points of entry (Article XII.4b)
- lists of regulated pests (Article XII.4c)
- information on phytosanitary requirements, restrictions and prohibitions (Article XII.4d)
- descriptions of official National Plant Protection Organizations and changes (Article XII.4d)
- reports of pests, in particular on the “outbreak or spread of pests” (Article IV.2b)
- information on the occurrence, outbreak or spread of pests that may be of immediate or potential danger (Article VIII.1a)
- emergency action (Article VII.6)
- nominations of participants for some meetings.

4.2.3 Information movement between the IPPC Secretariat or contact points and RPPOs

This would include the following types of information:

From the IPPC Secretariat to RPPOs:

- lists of regulated pests (Article XII.4c)
- requests for the nomination of participants for Expert Working Groups and Technical panels.

From contact points to RPPOs:

- emergency action (Article VII.6).

³ In addition, there are cases of direct communication between the Secretariat and members/experts. In the matter of general organizational communication between the Secretariat and members of Subsidiary Bodies, Expert Working Groups or Technical Panels, relating to specific matters or particular meetings, the communications are usually sent directly to the individual expert involved rather than to the contact point. Likewise, replies to specific requests from the Secretariat to say, members of the Standards Committee, would elicit replies directly to the Secretariat.

5. Information exchanged using the FAO official correspondence directory

As described above, certain types of information exchange under the IPPC may need to involve the official FAO representatives of FAO members and contracting parties to the IPPC. These representatives are identified in the FAO official correspondence directory.

Normally, the FAO official correspondence directory is used by:

- the Director-General of FAO as the depositary of the convention, in communicating information relating to the status of the Convention (e.g., adherences, acceptances, amendments)
- government officials of contracting parties, often officials from Foreign Affairs departments and FAO permanent representatives, in providing certain types of information to FAO.

This information exchange method may be required or used in the light of:

- FAO Basic Rules and Procedures
- the IPPC, or
- the rules of procedure of the ICPM.

5.1 As needed in line with FAO Basic Rules and Procedures

The 1997 amendments to the IPPC, embodied in the new revised text of the IPPC, were adopted by a Resolution of the FAO Conference in 1997. The same FAO Conference Resolution created the ICPM. In addition, Article XI notes that the Commission on Phytosanitary Measures is established “within the framework of the [FAO], and makes other references to the FAO, the FAO Constitution and the General Rules of FAO.

In this context, there may be situations where communication on matters relating to the IPPC occurs between FAO and FAO member governments through the FAO official correspondence directory. These will arise on a case by case basis.

5.2 As required by the IPPC

Certain types of information exchange under the IPPC involve neither contact points nor the secretariat (directly). These include, for example, communications to contracting parties from the FAO Director-General in the exercise of his or her Depositary functions under the Convention (see Part 2(c), above). More specifically, these include:

- matters concerning the adherence to the treaty. Countries should forward the instrument of adherence to the Director-General of FAO (Article XVII)
- when the convention is amended, instruments of acceptance should be forwarded to the Director-General of FAO (Article XXI)
- proposals to amend the Convention should be sent to the Director-General of FAO (Article XXI)
- where a contracting party extends the area of its territories to which the Convention applies, notification should be sent to the Director-General of FAO
- transmission of a report by Committee of experts set up to consider a dispute to the contracting parties concerned (Article XIII.3).

5.3 As required by the ICPM rules of procedure

The Rules of Procedure of the ICPM require the use of the FAO official system for the following functions:

- notice of the date and place of each ICPM session (ICPM Rule IV 3) sent to contracting parties
- the name of its representative and, where possible, that of other Members of its delegation before the opening of each session of the Interim Commission (ICPM Rule I 3) sent to the Director-General of FAO
- requests by members of the ICPM for the inclusion of specific items on the agenda should be sent to the Director-General of FAO
- the Provisional Agenda of the ICPM sessions (ICPM Rule V 4) sent to contracting parties
- documents to be submitted to the ICPM at any session should be sent to ICPM members by the Director-General of FAO
- the report of the sessions of the Interim Commission (ICPM Rule VIII 2) sent to contracting parties
- subject to Rule VIII 3 (where recommendations of the ICPM with policy , programme or financial implications for the FAO are brought to the attention of Conference or Council), ICPM members may be asked to supply information on action taken on the basis of recommendations made by the ICPM (ICPM Rule VIII 4).

Distribution of the above information may also be done in combination with other mechanisms.

6. Information exchanged using the International Phytosanitary Portal (IPP)

The IPP is being used increasingly for the distribution of information. At the moment the IPP is the primary means of distributing information such as the calendar of events, the news, draft documents to the Standards Committee, or Expert Working Groups or Technical Panels and other supporting documents. It does, also, supplement many of the other information distribution mechanisms by making information available on its database.

Contracting parties, through their contact points, also may use the IPP as a means to fulfil their reporting obligations under the IPPC, and communicate information to the IPPC Secretariat, other contracting parties or to RPPOs.

In the future, there will be communication between the Standards Committee and the Technical Panels (see Appendix X of the report of ICPM-6) via the Secretariat. The results of such communications will be available to members in ICPM documentation or on the IPP.

7. The future of IPPC information exchange

It is suggested that when the New Revised Text of the Convention (IPPC, 1997) comes into force and the Commission on Phytosanitary Measures meets to consider its procedures, contracting parties may wish to reconsider some of the rules of procedure relating to the of the FAO official correspondence directory and the use of postal services to distribute documents to all members. It may be possible to avoid the huge amount of copying and giant mail-outs of documents that are undertaken by the Secretariat in line with the present ICPM rules of procedure.

One mechanism of reducing the work load involved in copying and mailing out documents would be for contracting parties to agree that e-mail should be used for official information exchange. This would require contracting parties to notify the Secretariat that they are prepared to accept official correspondence by e-mail and provide a suitable e-mail address that is monitored and maintained. It is noted that most of the contact details provided by NPPOs already include an e-mail address so this may be a practical approach for many contracting parties. In cases where a contracting party did not notify the Secretariat that they wished to receive official correspondence by e-mail or where there the e-mail address provided was not functional the Secretariat would send documents by conventional mail.

Contracting parties may care to consider the development of a fall-back system for the distribution of official information. This would operate so that when a contracting party does not provide the Secretariat with a contact point, or the notified contact point is no longer functional, the IPPC Secretariat and other contracting parties would use the fall-back contact point for information exchange. This is a system used by a number of other United Nations based treaties. For example, the United Nations Framework Convention on Climate Change have used their national Focal Points for certain notifications, and where the National Focal Points have not been identified, message were sent to Diplomatic Missions accredited in Germany or Permanent Mission in New York as appropriate. The fall-back contact points for the IPPC could be the permanent representatives to FAO.

The development of the IPP should continue with the aim of providing the main source of information exchange for contracting parties. Appendix XV of the report of ICPM-3 supplies an interpretation of the responsibilities of NPPOs, contracting parties, the Secretary, RPPOs and the Director-General. It is hoped that the IPP will be able to link in with this interpretation and thus supply the major means of information distribution. As one example, it is hoped that contracting parties may consider posting information about treatments and other phytosanitary matters on the IPPC, in areas of the IPP that may be created by the Secretariat for this purpose.